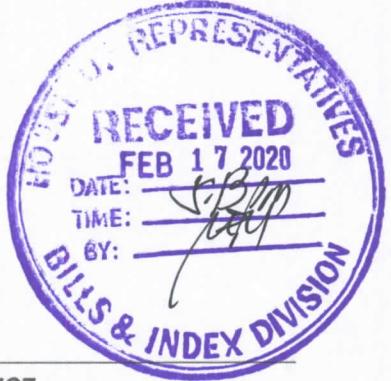


EIGHTEENTH CONGRESS )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



## HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez*

House Bill No. 6309

### EXPLANATORY NOTE

Internally displaced persons (IDPs) are described as those "persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border. IDPs are differentiated from refugees in that the latter "flee across international frontiers with a well-founded fear of persecution based on racial, religious, national, social or political grounds." IDPs do not enjoy adequate protection and assistance compared to their counterparts who crossed an internationally recognized border. They therefore experience suffering, neglect and deprivation.

The Philippines has a high number of internally displaced persons and among the top forty (40) countries all over the world where internal displacement is considered as a significant phenomenon. According to the Internal Displacement Monitoring Center, there are a total of 301,000 IDPs in 2018, with a very high percentage of this in Southern Mindanao.

The United Nations Guiding Principles on Internal Displacement were formulated to recognize and respect the rights of IDPs to be protected against enforced or involuntary displacement, at the instance of the United Nations Commission on Human Rights (UNCHR). The Philippines, having been one of the original signatories of the Universal Declaration of Human Rights, does not have an existing government mechanism to prevent the occurrence of internal displacement are merely considered as collateral damages.

The measure seeks to localize the guiding principles on internal displacement set forth by the United Nations. Through this proposal, the Government shall be able to establish a mechanism to support victims of internal displacement in armed conflict, to be able to ensure that the rights and lives of its citizens shall not be placed at risk.

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

RUFUS B. RODRIGUEZ

EIGHTEENTH CONGRESS )  
REPUBLIC OF THE PHILIPPINES )  
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*Introduced by Representative Rufus B. Rodriguez*

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House Bill No. 6309

AN ACT

PROTECTING THE RIGHTS OF INTERNALLY DISPLACED PERSONS, PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES.

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

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

**SEC 2. Declaration of Principles and State Policies.** – Consistent with the principles enshrined in the Constitution, the standards set by international humanitarian law and human rights laws, international treaties and conventions adhered to by the Philippines, including the United Nations’ Guiding Principles on Internal Displacement (UNGPID), and existing Philippine laws, such as the “Philippine Act on Crimes Against International Humanitarian Law, Genocide, and Other Crimes Against Humanity” (Republic Act No. 9851) and the “Urban Development and Housing Act of 1992” (Republic Act No. 7279), it is hereby declared a State policy to adopt a rights-based approach for the promotion and protection of the rights of internally displaced persons in situations of armed conflict, generalized and/or organized violence, clan wars, violations of human rights, implementation of development projects, and natural, human-induced and human-made hazards.

During an armed conflict, the parties shall ensure the protection of the rights of the victims of armed conflict in accordance with international humanitarian law and international human rights laws.

The State shall harmonize all legal measures pertinent to “Internally Displaced Persons or group of persons” (IDPs), and ensure that such are consistent with this Act.

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

- a. *Apartheid* refers to inhumane acts committed in the context of an institutionalized regime of systematic oppression and domination by one racial group or groups and committed with the intention of maintaining that regime.
- b. *Arbitrary internal displacement* refers to act of displacement or any other coercive act committed by any person, natural or juridical, or group/s of persons and directed against the civilian population, which are contrary to law, good morals, public order or public policy, or committed with abuse of authority, oppressive or wanton disregard of the right to life, liberty or property and abode of the residents of an area in which they are lawfully present, and characterized by those situations as defined in Section 6 of this Act.
- c. *Clan War* refers to any armed or violent conflict that may arise between members of different indigenous groups, indigenous cultural communities or clans, or between and among members of the same indigenous group, cultural community or clan.
- d. *Collective punishment* refers to penalty inflicted upon the population on account of the acts of individuals for which they cannot be regarded as jointly and severally

responsible.

- e. *Ethnic cleansing* refers to the act of rendering an area ethnically homogenous by using force or intimidation to remove from a given area persons of another ethnic or religious group.
- f. *Generalized and/or organized violence* refers to the purposeful and systematic use of terror and brutality to control individuals, groups and communities, through the use of overwhelming force, and 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.
- g. *Development projects* are projects carried out for economic or political growth, advancement and expansion.
- h. *Internal displacement* refers to the involuntary or coerced movement or relocation of persons, families, or communities from their areas of habitual abode and source of substance within the national borders, as a result, or in order to avoid or minimize the effects, of armed conflict, situations of generalized and/or organized violence, violations of human rights, implementation of development projects, natural, or human-induced and human-made hazards.
- i. *Internally displaced person or group of persons* (IDP), refers to any person or group of persons who has or have been forced or obliged to flee or to leave their homes or places of habitual residence within the national borders, as a result of or in order to avoid or minimize the effects of armed conflict, situations of generalized and/or organized violence, violations of human rights, implementation of development projects, natural, human-induced and human-made hazards.
- j. *Order of Battle or Watchlist* refers to a document or an organizational tool used by military or law enforcement agencies that, *inter alia*, list persons or organizations perceived as being hostile to the state, government, or the armed or police forces.

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

To address the risks involved in natural hazards and the over-all impact of climate change and global warming on the rights of those who are internally displaced, due reference shall be made to the pertinent provisions of Republic Act No. 9729, otherwise known as the Climate Change Act of 2009 and Republic Act No. 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010.

**SEC 5. Prevention of Arbitrary Internal Displacement.** – State authorities, including local government units (LGUs) and parties to an armed conflict, irrespective of their legal status and applied without any adverse distinction, shall respect and ensure compliance with their obligations under international law, including international human rights law and international humanitarian law, so as to prevent and avoid conditions that might lead to arbitrary internal displacement of persons.

**SEC 6. Prohibited Acts of Arbitrary Internal Displacement.** – The prohibited acts of arbitrary internal displacement shall include those committed:

- a. based on policies of apartheid, ethnic cleansing, or similar practices aimed at or resulting in altering the ethnic, religious or racial composition of the affected population;
- b. in situations of armed conflict, unless the safety and security of civilians are

- involved or imperative military reasons so demand;
- c. in cases of development projects without proper implementation of return, local integration or resettlement of affected IDPs;
  - d. in cases of human-induced and human-made disasters, unless the safety and health of those affected require their evacuation;
  - e. as a form of collective punishment ;
  - f. in cases of clan wars, unless the safety and security of civilians are endangered;
  - g. in violation of the rights of IDPs granted under Section 9, paragraphs b and g of this Act; and
  - h. in cases where there is malice, bad faith or gross negligence resulting in a violation of the rights granted under Section 9, paragraphs a, c, d, e and f of this Act.

An Order of Battle or Watchlist shall not justify arbitrary internal displacement and shall subject the author and implementors thereof to the penalties provided under Section 13 of this Act.

**SEC 7. Safeguards against Arbitrary Internal Displacement.** – If displacement is inevitable under circumstances beyond control that pose risks to the lives and properties of persons, displacement shall not be carried out in a manner that violates the rights to life, liberty, dignity, security, and property of those affected, without any adverse distinction.

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

- a. All feasible alternatives shall be explored in order to avoid displacement. Where no alternative exists, all measures shall be undertaken to minimize displacement and its adverse effects on the population that will be affected;
- b. If displacement is inevitable, the authorities, pursuant to their respective mandates and functions, shall ensure, to the greatest practicable extent, satisfactory conditions of basic needs such as safety, water and sanitation, education, nutrition, health and hygiene of those displaced; that religious and cultural needs are respected; and that members of the same family, especially women and children, are not separated;
- c. Indigenous peoples, minorities, peasants, persons with disabilities (PWDs) and other groups with special dependency on and attachment to their lands shall be protected from arbitrary internal displacement, in accordance with Republic Act No. 8371, otherwise known as the Indigenous People's Rights Act of 1997; and
- d. In situations other than the emergency stages of armed conflicts and disasters, the following shall be guaranteed:
  - a. There shall be full disclosure of information on the reasons and procedures for the displacement and when applicable, also on financial assistance and relocation;
  - b. Free, prior, and informed consent of those persons to be displaced shall be sought;
  - c. Authorities concerned shall endeavor to involve those affected, particularly women, elderly persons and PWDs, in the planning and management of their return, local integration or resettlement;
  - d. Law enforcement measures, when required, shall be carried out by competent legal authorities; and
  - e. The right to an effective and speedy remedy, including the review of such decisions by appropriate judicial authorities, shall be respected.

**SEC 8. Permanent Prohibition Against Arbitrary Internal Displacement.** – The prohibition on arbitrary internal displacement and the fundamental safeguards for its prevention shall not be suspended under any circumstance, including political instability, threat of war, state of war

or other public emergencies.

**SEC 9. Rights During and After Displacement.** – Pursuant to the provisions of the Bill of Rights under Article III of the Constitution, the following rights shall be afforded to IDPs during and after their displacement, without discrimination of any kind, such as those based on race, color, sex, language, religion or belief, political or other opinion, national, ethnic or social origin, legal or social status, age, disability, property, birth, lack of tenurial claim, or on any other similar criteria.

The rights and obligations herein shall not be interpreted as restricting, modifying or impairing the provisions of any international human rights or international humanitarian laws or rights granted to persons under domestic law.

Authorities shall also provide due respect to the cultural and religious sensitivities of IDPs, in providing the following:

a. *Provision and Access to Basic Necessities.* – At the minimum, regardless of the circumstances, and without discrimination, and with special attention to gender sensitivity and varying vulnerabilities, competent authorities shall provide IDPs with and ensure safe access to:

- 1) Essential and adequate food and nutrition, and potable water;
- 2) Adequate shelter with proper sanitation facilities;
- 3) Adequate and appropriate clothing and essential non-food items; and
- 4) Essential medical, dental and psychological services, including provision for essential drugs and medicines, as well as social services;

b. *Protection against Criminal Offenses and Other Unlawful Acts.* –

- 1) It shall be prohibited to commit any acts against IDPs penalized under the Revised Penal Code and other special laws applicable in situations of armed conflict, generalized and/or organized violence, clan wars, violations of human rights, implementation of development projects, natural, human-induced and human-made hazards, including but not limited to Republic Act No. 9851, Republic Act No. 10121, and Republic Act No. 10821;
- 2) IDPs shall not be interned in or confined in any evacuation center, facility, encampment or other settlements. If in exceptional circumstances such internment or confinement is necessary, it shall not last longer than what is required by the circumstances, as may be determined by local government units, other concerned agencies of the government, and the Commission on Human Rights (CHR), in consultation and close coordination with military and law enforcement agencies conducting operations; and
- 3) IDPs shall be protected against discriminatory practices of recruitment into the
- 4) Armed Forces of the Philippines (AFP), law enforcement agencies or any armed group as a result of their displacement. In particular, any cruel, inhumane or degrading practice that compels compliance or punishes non-compliance with recruitment shall be prohibited in all circumstances;

c. *Freedom of Movement.* –

- 1) Every IDP has the right to liberty of movement and the right to move freely in and out of any evacuation center, encampment or other settlements, subject to existing rules and regulations;
- 2) IDPs, whether or not they are living in an evacuation center, encampment or other settlements, shall not be discriminated against in the enjoyment of the following rights:
  - a. to enjoy freedom of thought, conscience, religion or belief, opinion and expression;

- b. to seek freely opportunities for employment and to participate in economic activities;
- c. to associate freely and participate equally in community affairs;
- d. to vote and participate in governmental and public affairs, including the right to have access to the means necessary to exercise these rights; and
- e. to communicate in a language they understand;

3) IDPs have the right to:

- a. seek safety in another part of the country;
- b. leave the country;
- c. seek asylum in another country; and
- d. be protected against forcible return to resettlement in any place where their lives, safety, liberty and/or health would be at risk;

d. *Recognition, Issuance and Replacement of Documents.* – The authorities concerned shall issue to the IDPs all documents necessary for the enjoyment and exercise of their legal rights. In particular, these authorities shall facilitate the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing unreasonable conditions and without discrimination against men and women, who shall have equal rights to obtain and to be issued the same in their own names;

e. *Family Unity and Missing Persons.* –

- 1) Members of internally displaced families who wish to remain together shall be allowed to do so. Families that are separated by displacement and whose personal liberty have been restricted by internment or confinement in any evacuation center, facility, encampment or other settlements should be reunited immediately, with appropriate measures taken to expedite the reunion, particularly when children are involved;
- 2) The State shall encourage cooperation among international and local humanitarian organizations engaged in the task of family reunification;
- 3) The authorities concerned shall endeavor to establish the fate and whereabouts of IDPs reported missing and cooperate with relevant international organizations engaged in this task. They shall inform the next-of-kin on the progress of the investigation and notify them of any result;
- 4) The authorities concerned shall endeavor to collect and identify the mortal remains of the deceased, prevent their despoliation or mutilation and facilitate the return of those remains to the next-of-kin or dispose of them respectfully; and
- 5) Grave sites of IDPs shall be protected and respected in all circumstances and shall have the right of access to the grave sites of their deceased relatives;

f. *Health.* –

- 1) Certain IDPs, such as children, especially unaccompanied minors, expectant mothers, mothers with young children, female heads of households, persons with disabilities and elderly persons, shall be entitled to protection and assistance required by their condition and to treatment which takes into account their special needs;
- 2) All wounded and sick IDPs, as well as those with disabilities, shall receive to the fullest extent practicable and with the least possible delay, the medical care and attention they require, without distinction on any ground other than the medical ones. When necessary, IDPs shall have access to psychological and social services and such other forms of assistance necessary for them;
- 3) Special attention shall be given to the health needs of women and girls, including access to comprehensive female and reproductive health care services, to

be provided, whenever feasible, by female health care providers, as well as appropriate counseling and other services for victims of sexual and other abuses; and

- 4) Special attention shall also be given to prevent the contraction and spread of contagious and infectious diseases, including AIDS, among IDPs;

g. *Education.* - The authorities concerned shall ensure that IDPs, in particular displaced children, receive education that shall be free, quality and safe and shall be compulsory up to the primary education level. Special efforts shall be made to ensure the full and equal participation of women and girls in educational programs. Cultural identity, language and religion shall be reconsidered in the institution of these educational programs. Educational and training facilities shall be made available to the IDPs as soon as circumstances permit and in accordance with Republic Act No. 10821.

h. *Property and Possessions.* – The property and possessions of IDPs shall, in all circumstances, be protected against the following acts:

- 1) pillage or looting;
- 2) direct and indiscriminate attacks or other acts of violence;
- 3) being used to shield military operations or objectives;
- 4) being made the object of reprisal;
- 5) being destroyed or appropriated as a form of collective punishment; and
- 6) destruction, arbitrary and illegal appropriation, occupation or use.

The City or Municipality exercising territorial jurisdiction over the affected area/s, with the assistance of the National Government, shall endeavor, as far as practicable, to assist the IDPs to bring with them basic necessities during evacuation subject to logistical considerations.

**SEC 10. Assistance During Displacement of IDPs.** – The primary duty and responsibility for providing humanitarian assistance to IDPs lie with national authorities, which shall closely collaborate with the City or Municipality exercising territorial jurisdiction over the affected area/s. As such, the military and law enforcement agencies conducting operations, the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the local government hospitals, the City or Municipality concerned and other appropriate government agencies, shall provide immediate relief and humanitarian assistance to IDPs, families and communities.

Humanitarian assistance to IDPs shall not be diverted for any political or military reason.

All authorities concerned shall grant and facilitate the free passage of humanitarian assistance to the internally displaced and ensure rapid, safe and unimpeded access to persons engaged in giving such assistance, their transport and supplies to the displaced communities. They shall not be the objects of attack or other acts of violence.

All concerned authorities shall assist the IDPs in the recovery of their property and possessions, and shall provide or assist these persons in obtaining appropriate financial assistance.

**SEC 11. Early Recovery Plan.** - The LGUs exercising territorial jurisdiction over the affected area/s shall craft an early recovery plan, in coordination with the IDPs, which may include the putting up of specific infrastructure for temporary shelter in accordance with existing applicable laws.

**SEC 12. Return, Local Integration or Resettlement.** – Competent authorities, such as the military and law enforcement agencies conducting operations, the DSWD, the DOH, the local government hospitals, the LGUs concerned and other appropriate government

agencies, shall have the primary duty and responsibility to establish conditions and provide means for IDPs to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in places of refuge and/or in another part of the country, to integrate with the community in which they have resettled, taking into consideration the right of IDPs to choose a residence, and with due respect for the cultural heritage and traditions of Indigenous Peoples.

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

**SEC 13. Mechanisms for International Humanitarian Assistance.** – International humanitarian organizations, their local counterparts and other appropriate actors shall have the right to offer their services, including humanitarian assistance, in support of the internally displaced. These acts shall be considered done in good faith and not as unfriendly acts or interference in the internal affairs of the government. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.

When providing assistance to IDPs, said organizations shall respect relevant domestic laws and regulations, international standards and codes of conduct. They shall give due regard to the protection of the needs and human rights of the IDPs.

The importation and donation of food, clothing, medicine and equipment necessary for relief and assistance of IDPs are hereby authorized, provided it complies with existing laws as regards national internal revenue taxes and import duties of national government agencies, and the prevailing provisions of the General Appropriations Act (GAA).

**SEC 14. Penalties.** –

a. The penalty of twelve (12) years and one (1) day to twenty (20) years imprisonment shall be imposed upon any person who commits the following:

- 1) Those who directly commit the act of arbitrary internal displacement, as defined in this Act;
- 2) Those who directly force, instigate, encourage, induce or incite others to commit the act of arbitrary internal displacement;
- 3) Those who cooperate in the act of arbitrary internal displacement by committing another act, without which the act of arbitrary internal displacement would not have been carried out;
- 4) Those who cooperate in the execution of the act of arbitrary internal displacement by previous or simultaneous acts;
- 5) With respect to commanding officers of the military, police or other law enforcement agencies or other similar authorities, for acts of arbitrary internal displacement committed by forces under their effective command and control, or effective authority and control, as the case may be, when the commanding officers or authorities knew or, owing to the circumstances at the time, should have known that the forces were committing or about to commit such crimes, and failed to take all necessary and reasonable means within their power to prevent or repress their commission, or to submit the matter to competent authorities for investigation and prosecution;
- 6) In case the acts of arbitrary internal displacement are committed by a corporation or a juridical entity, the members of the Board of Directors who were present in the meeting and who actually voted for the approval of the resolution or order directing the commission of arbitrary internal displacement, and the corporate officers or agents who carried out such resolution or order of the corporation shall each be criminally liable.

- b. The penalty of six (6) years and one (1) day to twelve (12) years imprisonment shall be imposed upon those who attempt to commit the offense of arbitrary internal displacement.
- c. The penalty of six (6) years and one (1) day to twelve (12) years imprisonment shall also be imposed upon persons who, having knowledge of the act of arbitrary internal displacement and without having participated therein, either as principals or accomplices, took part subsequent to its commission by any of the following acts:
- 1) By themselves profiting from or assisting the offender to profit from the effects of the act of arbitrary internal displacement;
  - 2) By concealing the act of arbitrary internal displacement and/or destroying the effects or instruments thereof, in order to prevent its discovery; and
  - 3) By harboring, concealing or assisting in the escape of the principal/s in the act of arbitrary internal displacement;
- d. In addition to the foregoing, if the offender is a public officer, the offender shall be sentenced to suffer perpetual disqualification to hold public office and deprivation of the right to vote.

**SEC 15. Non-prescription of Offense.** – The crimes defined and penalized under this Act, their prosecution, and the execution of sentences imposed on their account, shall not be subject to any prescription.

**SEC 16. Civil Liabilities.** – Any person who directly or indirectly obstructs, defeats, violates or in any manner impedes or impairs any of the rights and liberties of another person provided in this Act shall be liable to the latter for damages.

**SEC 17. Financial Assistance to IDPs.** – Whenever arbitrary internal displacement is committed, the government shall provide the necessary financial assistance for the displaced, their reparation, return, local integration or resettlement elsewhere. Receipt of such financial assistance shall be without prejudice to the amount of assistance granted under other government programs, such as the Victims' Compensation Program of the Department of Justice (DOJ) by virtue of Republic Act No. 7309, the relief assistance to IDPs by the DSWD, the DOH, and other similar programs which may be made available to the IDPs under existing laws, rules and regulations.

**SEC 18. Provision for Support and Other Services.** – The DOH, the DSWD, the Department of Education (DepEd), the Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA) and such other agencies, shall render non-monetary support and services for IDPs and their families, in coordination with the CHR, pursuant to the provisions of this Act.

**SEC 19. Damages.** – A court of competent jurisdiction shall determine the damages inflicted against IDPs and direct the private non-governmental individuals and entities responsible for arbitrary internal displacement to award monetary compensation under the following standards:

- a. Where an individual victim dies, the amount of fifty thousand pesos (Php 50,000.00) shall be granted to the heirs of the victim as a death benefit;
- b. Where physical, emotional or psychological injury is caused to an individual victim, actual and compensatory damages, including moral, nominal, exemplary and temperate damages resulting from such injury, shall be paid to the victim. Upon a finding of such injury, and apart from the compensation for actual, compensatory, moral, nominal and/or temperate damages, such determination shall also include referral to the DOH and DSWD for appropriate interventions or services to include psychological intervention and rehabilitation, the costs of which shall be borne by the

- government.
- c. Where there is loss of or damage to the property of an individual victim, the amount corresponding to the fair market value of the property lost or destroyed at the time of loss or destruction, or the amount mutually agreed upon by the parties involved, whichever is higher, shall be paid to the victim. Cases for damages filed under this Act shall be considered as an independent civil action which is summary in nature. The Supreme Court shall promulgate the necessary rules and regulations to govern the procedure for cases filed in this manner.

**SEC 20. Role of the DSWD.** – The DSWD shall be designated as the institutional focal point for IDPs. As such, the DSWD shall have the following additional functions:

- a. To monitor IDP conditions through a system to track concerns, actions taken and other relevant information to ensure that IDP rights are respected, protected, 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 recommend the investigation of, and refer complaints filed by any party involving all forms of human rights violations against IDPs involving civil and political rights to relevant government agencies;
- d. To provide financial assistance, as well as psycho-social interventions and similar services to IDPs, and to issue necessary guidelines to implement the same;
- e. To coordinate the grant of assistance to IDPs by other relevant government agencies;
- f. To follow up on early warning and ensure effective measures to protect the civilian population against arbitrary internal displacement;
- g. 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;
- h. To facilitate linking IDPs to employment opportunities, support services and other livelihood programs, in cooperation with other government agencies, such as, but not limited to, the Department of Agriculture (DA), Department of Agrarian Reform (DAR) and the Department of Trade and Industry (DTI); and
- i. To carry out such other acts that may be necessary to fully implement the purposes of this Act.

In performing the above functions, the DSWD shall be supported by local government units and the CHR.

**SEC 21. Role of the CHR and Other Relevant Government Agencies.** . – The CHR shall have the following additional functions:

- a. To advise the government on the rights of IDPs, formulate sound national policy, recommend legislation and facilitate discussions to effectively address situations of internal displacement;
- b. To investigate, on its own or on 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 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; and

- c. To undertake educational activities and training programs for State authorities, including military and law enforcement agencies.

**SEC 22. Joint Congressional Oversight Committee.** – A Joint Congressional Oversight Committee is hereby created to monitor the implementation of this Act, composed of the Chairperson of the Senate Committee on Justice and Human Rights and seven (7) other

Senators designated by the Senate President, and the Chairperson of the House Committee on Human Rights and seven (7) other Members of the House of Representatives, designated by the Speaker of the House of Representatives: *Provided*, That of the seven (7) Members to be designated by each House of Congress, four (4) shall represent the Majority and three (3) shall represent the Minority.

**SEC 23. Monitoring of Compliance.** – An inter-agency coordinating committee shall be tasked to periodically monitor the compliance with this Act. This Committee shall be headed by the Secretary of the DSWD, and shall be composed of the following:

- a. The Chairperson of the Commission on Human Rights;
- b. A representative, with the rank of Undersecretary, from the Department of National Defense;
- c. A representative, with the rank of Undersecretary, from the Department of Interior and Local Government;
- d. A representative, with the rank of Undersecretary, from the Department of Health;
- e. A representative, with the rank of Undersecretary, from the Department of Justice;
- f. A representative from the Office of Civil Defense / National Disaster Risk Reduction and Management Coordinating Council;
- g. A representative from the National Commission on Indigenous Peoples;
- h. A representative from the National Youth Commission;
- i. The Chairperson of the Philippine Red Cross;
- m. A representative of human rights non-governmental organizations (NGOs) and other human rights groups, nominated by a selection board composed of human rights groups and NGOs;
- n. The Chairperson of the Committee on Justice and Human Rights of the Senate;
- o. The Chairperson of the Committee on Human Rights of the House of Representatives; and
- p. The Chairperson of the Committee on Justice of the House of Representatives.

The Committee shall work towards the collection of data on the number and conditions of

IDPs, leading to a registry that will aid the government in efficient planning and policy making regarding issues affecting IDPs.

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

The Committee shall submit an annual report to the Joint Congressional Oversight Committee herein created, thirty (30) days after the end of each fiscal year. Such annual report shall be the basis for proposed amendments to existing legislation to improve the conditions of internally displaced persons.

**SEC 24. Appropriations.** – The amount of Twenty million pesos (P20,000,000) is hereby

authorized to be appropriated out of the funds in the National Treasury not otherwise appropriated for the initial operation of this Act. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the GAA.

**SEC 25. Implementing Rules and Regulations.** – Within ninety (90) days from the effectivity of this Act, the DSWD shall issue the necessary rules and regulations for its implementation. In the formulation of the rules and regulations, the DSWD shall take the lead, in coordination with the DND, DILG, DOH, DOJ, Department of Environment and Natural Resources (DENR), AFP, Philippine National Police (PNP), CHR, Philippine Commission on Women (PCW), Council for the Welfare of Children (CWC), National Commission on Indigenous Peoples (NCIP), National Commission on Disability Affairs (NCDA), Presidential Commission on Urban Poor (PCUP), Housing and Urban Development Coordinating Council (HUDCC), National Disaster Risk Reduction and Management Council (NDRRMC), National Housing Authority (NHA) and consult with the LGUs concerned, human rights non-governmental organizations and people's organizations.

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

**SEC 27. Repealing Clause.** – All laws, decrees, executive orders, memorandum orders, memorandum circulars, administrative orders, ordinances or parts thereof which are inconsistent with the provisions of this Act are hereby deemed repealed or modified accordingly.

**SEC 28. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of national circulation.

Approved,