



ADVISORY

August 11, 2017

TO : ALL ELECTRIC COOPERATIVES

SUBJECT : Commission on Human Rights Advisory

On June 27, 2017, The Commission on Human Rights (CHR) issued CHR-A2017-001, Human Rights Advisory entitled, "Human Rights Standards on the Internally Displaced Persons (IDPs) in the Marawi City Crisis." The Advisory is in recognition of the myriad of factors that affect civilians displaced by the conflict in Marawi City; the complex protection issues faced by the displaced persons; and the need to strengthen government and non-government efforts in protecting IDPs by adopting rights-based approach to support the protection and durable solutions to IDPs.

In view thereof, the National Electrification Administration (NEA) enjoins all electric cooperatives (ECs) to be cognizant and responsive to the abovementioned advisory. All ECs are further advised to ensure widest dissemination of this advisory which is attached for your reference.

EDGARDO R. MASONGSONG
Administrator

NATIONAL ELECTRIFICATION
ADMINISTRATION
Office of the Administrator

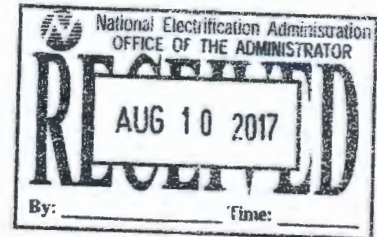


NEA-OA242744

08/11/17



Republic of the Philippines
DEPARTMENT OF ENERGY
(Kagawaran ng Enerhiya)



MEMORANDUM

For : MR. EDGARDO R. MASONGSONG, Administrator, NEA
MR. PIO J. BENAVIDEZ, President and CEO, NPC
MS. LOURDES S. ALZONA, Officer-in-Charge, PSALM
MR. REUBEN S. LISTA, President and CEO, PNOC
MR. PEDRO A. AQUINO, JR., President and CEO, PNOC-EC
MR. JOHN J. ARENAS, President and CEO, PNOC-RC
ATTY. MELVIN A. MATIBAG, President and CEO, TRANSCO

From : *Ang 8/8*
ANGELINA V. MANGA, CESO IV
Director, Administrative Services
17

Date : 7 August 2017

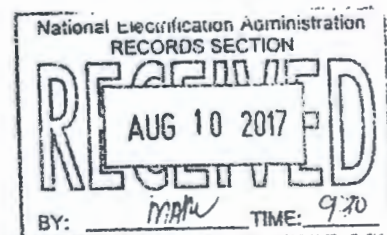
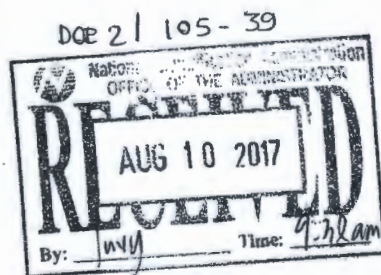
Subject : **COMMISSION ON HUMAN RIGHTS ADVISORY**

We are furnishing you with a copy of the Commission on Human Rights Advisory on the "Human Rights Standards on Internally Displaced Persons (IDPs) in the Marawi City Crisis," [CHR (v) A2017-001], dated 27 June 2017.

Likewise, please accomplish the attached Feedback Form on Human Rights Policy Services and fax it to the Commission Secretary at 928-86-10 within fifteen (15) days after receipt.

For your information and compliance.

Thank you.





Republika ng Pilipinas
Komisyon ng Karapatang Pantao
(Commission on Human Rights)

HUMAN RIGHTS ADVISORY

**HUMAN RIGHTS STANDARDS ON INTERNALLY DISPLACED PERSONS
(IDPs) IN THE MARAWI CITY CRISIS**

CHR-A2017-001

Recognizing the myriad of factors that affect civilians displaced by the conflict in Marawi City, the complex protection issues faced by the displaced persons; and the need to strengthen government and non-government efforts in protecting IDPs by adopting a rights-based approach to support the protection and durable solutions of IDPs in this context;

Emphasizing that the 1987 Philippine Constitution provides protection of civilians under all circumstances, including the obligation of the State to protect the dignity of every person and to fully respect human rights;¹ to protect property and promote general welfare of the people;² to ensure that no person shall be deprived of life, liberty, and property without due process of law;³ to regulate the acquisition, ownership, use, and disposition of property to the end that Congress gives highest priority to the enactment of measures that protect and enhance the right of all to human dignity, reduce inequalities, and remove cultural inequities;⁴ to protect and strengthen the family as a basic autonomous social institution;⁵ to allow the free exercise and enjoyment of religious profession and worship;⁶ to ensure that no urban or rural poor dweller shall be evicted and/or resettled except in accordance with law and with adequate consultation;⁷ and to protect the rights of indigenous cultural communities to their ancestral lands to ensure their economic, social, and cultural well-being;⁸

Recalling the Universal Declaration of Human Rights which provides for the right of everyone to a standard of living adequate for the health and well-being of himself and of his family, and the various legal obligations and human rights protections established under domestic law by the *Urban Development and Housing Act of 1992*; the *Magna Carta of Women of 2008*; the *Indigenous Peoples Rights Act of 1997*; and the *Children's Emergency Relief and Protection Act of 2015*;

Noting the treaty obligations of the Republic of the Philippines under human rights treaties⁹ and the international standards set in place by the *UN Guiding Principles on Internal Displacement* in respecting the rights of the internally displaced, such as non-discrimination,¹⁰ the right to liberty of movement and freedom to choose his or her residence,¹¹ the right to an adequate standard of living,¹² and access to essential food and

¹ Art. II, s 11, 1987 Constitution of the Republic of the Philippines.

² Art. II, s 5, 1987 Constitution of the Republic of the Philippines.

³ Art. III, s 1, 1987 Constitution of the Republic of the Philippines.

⁴ Art. XIII, s 1, 1987 Constitution of the Republic of the Philippines.

⁵ Art. II, s 12, 1987 Constitution of the Republic of the Philippines.

⁶ Art. III, s 5, 1987 Constitution of the Republic of the Philippines.

⁷ Art. XIII, s 10, 1987 Constitution of the Republic of the Philippines.

⁸ Art. XIII, s 5, 1987 Constitution of the Republic of the Philippines.

⁹ Including International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, the Convention on the Rights of the Child, and the Convention on the Elimination of all Forms of Discrimination Against Women.

¹⁰ Principle 1, UN Guiding Principles on Internal Displacement.

¹¹ Principle 14.1, UN Guiding Principles on Internal Displacement.

¹² Principle 18, UN Guiding Principles on Internal Displacement.

potable water, basic shelter and housing, appropriate clothing, and essential medical services and sanitation,¹³ among others;

Reaffirming the Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons, and the SPHERE Minimum Standards in Humanitarian Response, in dealing with the displacement faced by those affected by conflict, as well as the Protection Principles in humanitarian response, which informs government and non-government providers that all humanitarian response must not expose people to further harm as a result of their actions (the "Do No Harm" principle); that they ensure people's access to impartial assistance, in proportion to their need and without discrimination; that they protect people from physical and psychological harm arising from violence and coercion; and that they assist people to claim their rights, access available remedies, and recover from the effects of abuse;¹⁴

Recalling the CHR Human Rights Advisory CHR 2014-004 on the Human Rights Standards on Internally Displaced Persons (IDPs) in the Zamboanga Crisis, the CHR Human Rights Advisory CHR A2014-001 Human Rights Standards on Housing, Land and Property Rights of Populations Affected by Typhoon Yolanda, and the guidelines provided by the said advisories in instilling just and dignified treatment of displaced persons during the time of displacement until they reach durable solutions;

Determined as the national human rights institution mandated under the 1987 Philippine Constitution to promote and protect human rights in the Philippines, the Commission on Human Rights issues the following advisory with regard to the Marawi City Crisis of May 2017:

I. CONTEXT

1. On 23 May 2017, at around 02:00PM, armed elements allegedly from the Maute Group, a local non-state armed group classified as a sympathizer of the Islamic State in Iraq and Syria (ISIS) from the Lanao del Sur areas, conducted a series of terror activities in the City of Marawi, Lanao del Sur, in connection to the Armed Forces of the Philippines' (AFP) pursuit of Isnilon Hapilon, an Abu Sayyaf leader said to be hiding in Marawi City.
2. These activities allegedly included takeover of streets, hijacking of vehicles, hostage-taking and occupation of civilian infrastructures (i.e. a hospital, an electric cooperative, and school buildings), and burning of buildings.
3. At 10:00PM of 23 May 2017, the President of the Philippines declared Martial Law in Mindanao. Intensified checkpoints have been in place around major thoroughfares in Mindanao, including entrance to Iligan City and Cagayan de Oro City.
4. Airstrikes have been reported in Marawi City to be ongoing since 25 May 2017. Though most of the residents have fled for their safety, some civilians are still in the city.
5. Families have evacuated from Marawi City beginning 24 May 2017. As of June 6, 2017, per data from the ARMM HEART, 47,957 Families or 239,887 individuals, both in evacuation centers and home-based, have been accounted for. Around 1,707

¹³ Ibid.

¹⁴ Protection Principles, The Sphere Project: Humanitarian Charter and Minimum Standards in Humanitarian Responses, 2011.

individuals were reported as stranded in the city, while 52 individuals were declared missing. 132 schools have also been affected by the crisis.¹⁵

6. Humanitarian corridors were set-up to rescue trapped civilians, but continuing skirmishes impede the activities of these corridors, leading to prolonged entrapment for residents who were not able to leave their houses.

II. MATTERS OF HUMAN RIGHTS CONCERNS

7. The Protection Cluster has identified the most urgent needs of evacuees include food, medicines, non-food items such as blankets and double-sized *malong*, and hygiene kits such as toothbrush/toothpaste, soap, sanitary napkins, and tissue paper. The National Commission on Muslim Filipinos also identified the need for long clothing and prayer clothes for displaced Muslim women. Reports from community monitors have indicated that current food and non-food relief assistance is insufficient to cover the needs of all the displaced persons, and is often inaccessible to IDPs who are staying with host families.
8. In view of the possible humanitarian issues and human rights violations that may arise from the massive displacement of the local population who are staying in evacuation camps and host families, the following human rights concerns are raised within the context of displacement in Marawi City:
 - (a) That the government has the primary responsibility in providing life-saving humanitarian assistance to persons affected by the Marawi City Crisis, including residents still trapped in areas affected by fighting, and that the government prioritizes the protection of human rights of the IDPs;
 - (b) That concerned government agencies coordinate with each other, particularly those with separate geographical jurisdiction, in observance of the principle of Do No Harm;
 - (c) That all displaced persons are provided the opportunity to be heard and to participate in the management of solutions being offered to them;
 - (d) That displaced persons must have access to adequate, nutritious, and culturally sensitive food, and that they must be free from hunger during their displacement;¹⁶
 - (e) That displaced persons must have adequate shelter with sufficient space, privacy, and protection from harsh weather conditions and threats to health,¹⁷ as well as against gender-based violence and other violent attacks, and that the environmental impacts of displacement, including impact to host community's livelihood, economy, and public health, be considered in the creation of settlement areas;
 - (f) That the needs of the host communities are given due consideration in their own efforts to provide support and refuge to the IDPs in their communities.

¹⁵ ARMM Bureau of Public Information.

<https://www.facebook.com/armmgovernment/photos/a.157533717760085/1073741829.153093638204093/748178782028906/?type=3&theater>

¹⁶ Minimum Standards in Food Security and Nutrition, The Sphere Project: Humanitarian Charter and Minimum Standards in Humanitarian Response, 2011.

¹⁷ Minimum Standards in Shelter, Settlement, and Non-Food Items, The Sphere Project: Humanitarian Charter and Minimum Standards in Humanitarian Response, 2011.

- (g) That displaced persons must have sufficient clothing, blankets, bedding and general household/shelter support items to ensure their health, dignity, safety, and well-being;¹⁸
- (h) That displaced persons must have access to a provision of safe drinking water and water for daily use so as to promote good hygiene practices, reduce environmental health risks, and improve conditions that will allow people to live with good health, dignity, comfort, and security;¹⁹
- (i) That displaced persons must have access to timely healthcare services,²⁰ including psychosocial support;
- (j) That displaced persons must be able to practice their religious activities without prejudice to their status as displaced;
- (k) That displaced children and youth will have access to continuing education programs, so as to not hamper their educational progress;
- (l) That women, and vulnerable members of the society, such as children, persons with disabilities, and senior citizens, will be able to access support to mitigate their risks of vulnerability as exposed by their displacement;
- (m) That displaced persons and the host communities will have in place referral mechanisms to combat predatory activities that magnify their vulnerability;
- (n) That displaced persons must have access to timely information that can help save their lives, or mitigate the risks of their vulnerability due to displacement;
- (o) That displaced persons must have access to mechanisms for proper identification, family reunification, and civil documentation to establish their identities, and that duty-bearers should strive to prevent discrimination or rights violations due to IDPs' lack of documentation for reasons related to their displacement (e.g. IDs lost/destroyed/left behind when they evacuated);
- (p) That all information, particularly any advisory "FAQs", distributed among displaced persons correctly represents international and legal standards; and
- (q) That all displaced persons are protected from inhumane and undignified treatment caused by unlawful profiling in areas where they are temporarily settled.

III. ADVISORY

A. Principles of Non-Discrimination and Do No Harm

9. Taking into consideration the international humanitarian standards on the provision of food and non-food items, delivery of basic services and other necessities, and provision of protection services to displaced persons,²¹ the Commission advises the undertaking of these guidelines for all concerned government and non-government service providers to civilian persons displaced by

¹⁸ Non-Food Items Standards 1 and 2, Minimum Standards in Shelter, Settlement and Non-Food Items, The Sphere Project: Humanitarian Charter and Minimum Standards in Humanitarian Response, 2011.

¹⁹ Minimum Standards in Water Supply, Sanitation, and Hygiene Promotion, The Sphere Project: Humanitarian Charter and Minimum Standards in Humanitarian Response, 2011.

²⁰ Minimum Standards in Health Action, The Sphere Project: Humanitarian Charter and Minimum Standards in Humanitarian Response, 2011.

²¹ As prescribed by the SPHERE Minimum Standards in Humanitarian Response and by the Inter-Agency Standing Committee's different policy guidelines in humanitarian response.

the Marawi City Crisis, regardless of age, gender, religion, affiliation, and ethnic group of the IDPs.

10. Non-discrimination is a fundamental principle of human rights. Any distinction, exclusion, restriction, or preference of any kind which has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise, on an equal footing, of any human rights should be avoided.²² This provides that both evacuation center-based and home-based IDPs must be able to access provisions and services that can help them live dignifiedly.
11. The Commission considers that these standards require the government's compliance and support to ensure that any assistance provided in response to the Marawi City Crisis is rendered with a rights based approach. However, the Commission urges all concerned local government units and government agencies to prioritize those individuals and families who are most in need of aid when delivering assistance measures. The Commission emphasizes the need to ensure that living conditions for the IDPs will not render them vulnerable to further harm, conflict, and disease, under the 'Do No Harm' Principle.
12. Understanding the jurisdictional challenges posed by the separation of functions between the national executive agencies and the executive agencies of the Autonomous Region in Muslim Mindanao (ARMM), and considering that the current critical situation covers the areas of Region X and the ARMM, the Commission urges the national executive agencies and the ARMM Regional Government to work together and to continue their efforts in ensuring that all IDPs are covered and accounted for in the provision of humanitarian assistance and protection services.
13. Consultation with IDPs is a vital part in any humanitarian assistance. Local government units and national government agencies involved in the emergency, early recovery, and achievement of durable solutions phases are made aware of the international humanitarian and human rights standards and reminded of their legal obligations under Philippine law to consult with affected communities.
14. In view of expanding assistance to be provided to the IDPs, national and local government agencies must assess and consider the monetary or in-kind support coming from international and local non-government service providers.

B. Humanitarian standards on protection and aid provision

Food and nutrition

15. Government and non-government providers of food assistance must ensure that food provided is clean, safe, adequate, and nutritious, and should be proportional to the needs of receiving individual/family, with special attention provided for nutritional needs of pregnant women, lactating mothers, infants, children (particularly undernourished children), older people, and other vulnerable persons with special dietary needs.
16. Drinking water must be proven safe for consumption, and with adequate supply for all displaced persons. The government must ensure the safety and adequacy of potable water supplied in areas of IDP settlement.
17. The cultural and religious needs of the displaced persons receiving the food must also be taken into consideration. For the displaced persons of Islamic faith, it must

²² Principle 4, UN Guiding Principles on Internal Displacement.

be ensured that their food is *halal* (permissible), particularly without ingredients from pork/lard, blood, and alcohol. Muslims observing Ramadan must also be provided with food that they can eat before their fasting (*iftar*) and after their fasting (*suhoor*).

Adequate and safe shelter, and camp management

18. Providers of temporary shelters must ensure that temporary living arrangements must be adequate in space, with privacy, well-lighted and ventilated, with appropriate fencing to deter night raids, and are safe from cold, damp, heat, rain, wind, or other threats to health.²³ Structural and environmental hazards, as well as fire safety, should be assessed.
19. The government has the primary responsibility of identifying sites where adequate and safe temporary shelters can be set up, and in ensuring that provided shelter arrangements by non-government providers comply to the minimum standards on shelter adequacy, privacy, and safety. Affected populations must be consulted and have a participative role in the planning, construction, and maintenance of the area. Special attention must be given to the shelter needs of the vulnerable and marginalized groups, such as women, unaccompanied minors, mothers with young children, child-headed household, persons with disabilities, and the elderly and provide them with the protection and assistance that is required by their condition of vulnerability;²⁴
20. When identifying areas for temporary shelter, the government must ensure that identified settlement for displaced persons have access to basic necessities such as energy and water source, as well as with access to essential services such as schools, markets, health facilities, community infrastructures, and to livelihood opportunities, i.e. farming lands.²⁵ The identified areas should also be accessible to transport, and is proximate to transport hubs.²⁶
21. In the course of planning temporary shelter arrangements, responsible authorities must take steps to mitigate the spread of communicable diseases such providing adequate space between shelter units, creating access to safe potable water, setting up of sanitation facilities, and undertaking waste management control. Effective processes must also be established by the health authorities to identify and isolate any communicable disease when outbreaks arise.²⁷
22. Government and non-government camp management authorities should also identify communal facilities that cater to settlement activities of the IDPs. In the case of practicing Muslims coming together for prayers, a safe and clean space within or near the settlement area must be identified where they can perform their prayers. Safe spaces for women (women-friendly spaces) and for children (child-friendly spaces) must be constructed in identified evacuation sites to ensure that protection of women and children is prioritized.
23. Impacts to host communities, including effects to local livelihood and resource management, must be assessed by concerned government agencies, especially the local government.

Clothing and other non-food items

²³ The Sphere Project: Humanitarian Charter and Minimum Standards in Humanitarian Response, 2011, p. 243

²⁴ Principle 4, UN Guiding Principles on Internal Displacement.

²⁵ The Sphere Project: Humanitarian Charter and Minimum Standards in Humanitarian Response, p. 253

²⁶ Ibid., p. 256

²⁷ The Sphere Project: Humanitarian Charter and Minimum Standards in Humanitarian Response, pp. 312-320.

24. All affected displaced persons should have access to sufficient changes of clothing, including underclothes, to ensure their thermal comfort, dignity, health, and well-being.²⁸ When providing clothing and footwear to displaced persons, providers must ensure that the clothing distributed are clean, in good condition, appropriate to the weather conditions and cultural practices, sized accordingly, durable, and caters to specific needs of those who will wear them.²⁹
25. Considering the practice of *salah* (obligatory prayers), Muslim women must be provided with prayer clothes, such as *mukna* and *abaya*, that they can use for the observance of their obligatory prayers, if provision and distribution of such clothing is possible.
26. Individual and communal needs for non-food items such as general household items, shelter materials, and fuel for cooking, should be assessed, and local sources for household needs should also be identified. Use of artificial lighting such as lanterns or candles should be assessed for fire risk. If possible, solar lanterns should be provided as alternative to fire-inducing items.³⁰

Water, Sanitation, and Hygiene

27. All IDPs must have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses, and accessible sanitation facilities.³¹ The water, sanitation, and hygiene needs of the affected population must be assessed and met by providers, and that the affected population is consulted and given a participative role in the planning, management and maintenance of the water and sanitation facilities, where appropriate.³²
28. Camp management, and government and non-government providers must assess the health and hygiene risks in their settlement area.³³ Affected men, women, and children must be informed of the health and hygiene risks, and information must be able to reach all sections of the affected population through media³⁴ or channels as established by camp management or other government authority.
29. Provision and distribution of hygiene items, e.g. sanitary napkins, diapers for infants and toddlers, toothbrushes and toothpastes, and soaps, should be assessed, coordinated, and delivered in a timely manner, with proper consultation with affected communities. All provided hygiene items must be religiously and culturally appropriate.³⁵ For Muslim recipients of the provided hygiene items, only goods classified as *halal* (permissible) must be distributed.
30. Adequate toilet and bath facilities must be provided by camp management and/or government and non-government providers, with separate enclosed toilet and bath facilities for males and females, within or nearby the settlement area. Toilets should also be designed in consideration with the needs of older people, pregnant women, children, and persons with disabilities, and should be situated in areas assessed as safe, especially for women and girls, in both day and night.³⁶


²⁸ Ibid., p. 272.

²⁹ Ibid.

³⁰ Ibid., p. 275.

³¹ Ibid., p. 83.


³² Ibid.

³³ Ibid., p. 92.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid., p. 107.



31. Camp management and/or government and non-government providers should ensure that drainage systems between shelters and within the settlement area are kept clear, prevented from muddy conditions, and are free from standing water.³⁷ Camp management and providers must also ensure that human feces are disposed safely.³⁸

Healthcare

32. Displaced persons must have access to effective, safe, and quality health services.³⁹ Concerned government agencies, particularly the Department of Health, must be able to provide health services at the appropriate level of health system, and ensure that displaced persons have access to these services.
33. Due to the high stress and traumatic experiences that the displaced persons may have had from the crisis, psychosocial support must be included in the health services provided by the government and non-government agencies. Provision of psychosocial support must also be done with due consideration of religious beliefs, cultural and gender sensitivities, and other factors specific to the IDPs' socio-cultural context. Coordination and referral pathways must be activated to enable management of psychosocial health cases.⁴⁰

Religious and cultural practices

34. Religious and cultural practices of displaced persons must be respected. Muslims who are fasting for the month of Ramadan shall be allowed to observe their practice, including the observance of their daily prayers, as well as other activities such as preparation of *suhor* (pre-dawn meal) and *iftar* (sunset meal).
35. Handling the remains of the dead must be done in a dignified manner, is culturally and religiously appropriate, and is based on good public health practice.⁴¹ People must be able to identify their family members, even in cases of high mortality, and they be allowed to perform burial rituals or traditions according to their religious and cultural practice.⁴²

Continuing education

36. Even during emergency situations, the right to education prevails, and it is the responsibility of the national government to promote children's access to quality education even in such situations.⁴³ The Department of Education must set-up learning arrangements for schoolchildren so that their education is continued. In the event that nearest public schools cannot accommodate the IDP students or there are no schools in the area of settlement, temporary learning spaces can be set up.

Security and referral pathways against violence

37. Camp security and safety must be prioritized by the government security forces, civilian police, and camp management agencies for the purpose of ensuring that IDPs are safe from harm. Security forces may be deployed in close proximity to, but not inside, the IDP settlement areas.⁴⁴ The civilian and humanitarian character of

³⁷ Ibid., p.121.

³⁸ Ibid., p.105.

³⁹ Ibid., p.296.

⁴⁰ IASC Guidelines on Mental Health and Psychosocial Support in Emergency Settings, 2008. P.11.

⁴¹ The Sphere Project: Humanitarian Charter and Minimum Standards in Humanitarian Response, p.297.

⁴² Ibid.

⁴³ Sinclair, Margaret. *Education in Emergencies*, 2007, p.53.

⁴⁴ IOM, *Camp Management Toolkit*, 2015, p.369.

evacuation and transition camps should be respected at all times, and militarization of the IDP sites is strictly prohibited.⁴⁵ Female security officers should also be present in the patrolling around camps.⁴⁶

38. Law enforcers must ensure that women, children, members of the LGBTQI community, as well as people of different vulnerabilities, are protected from predatory activities and targeted violence that take advantage of their displacement. Case managers should uphold confidentiality and safety of information of all cases handled.
39. Referral pathways addressing issues of gender-based violence (i.e. rape, domestic violence, prostitution, among others), child protection (i.e. child abuse, child labor, recruitment of children to armed violence, grave child rights violations, among others), and trafficking of persons, must be deliberated and publicized by the government and non-government service providers to ensure that women, children, and other persons of vulnerability are protected and are free from harm, abuse, and exploitation, and their concerns are addressed at the soonest possible time.
40. Family reunification and tracing, particularly for separated and unaccompanied children, should be prioritized by government and non-government protection service providers. Government protection providers such as the Department of Social Welfare and Development should link with other evacuation sites to ensure that all family members are accounted for and all separated and unaccompanied children are returned to their families.

C. Protection of civil liberties and political rights

41. Access to information during crisis, and the capacity to communicate, is a basic humanitarian need.⁴⁷ In times of evacuation, the government must provide displaced persons with timely life-saving information, such as noticeable signs in thoroughfares on where to evacuate, signs in IDP sites where to get relief assistance, as well as promotion of referral pathways, to ensure that IDPs know where to seek help.
42. Displaced persons who lost their identity documents must be able to access legal documentation through the local civil registry, in coordination with the relevant authorities in their places of origin. Government agencies must come up with identification processes wherein IDPs who lost their identity documents will be able to prove their identity. Arrangement among institutions for a one-stop-shop is recommended to ensure convenient and timely issuance of identity documents.
43. Registration of IDPs in areas where they are temporarily settled should be non-discriminatory, open, fair, transparent, and informative, with clear criteria for application, timelines for decisions, and protection for provided data.⁴⁸
44. Profiling of IDPs using unlawful and unjustified means, such as the use of police blotter and taking of mugshot photos, should not be undertaken particularly by law enforcement agencies and the military. For the purposes of registering or accounting of displaced persons in areas of temporary settlement, registration methods such as the issuance of Disaster Assistance and Family Access Cards, as implemented by the DSWD, could suffice.

⁴⁵ Ibid, p.370.

⁴⁶ Addressing the needs of Women affected by Armed Conflict. An ICRC Guidance Document.

⁴⁷ Harvard Humanitarian Institute, *The Signal Code: A Human Rights Approach to Information During Crisis*, 2017, p.13.

⁴⁸ Brookings Institute, *Protecting Internally Displaced Persons: A Manual for Law and Policy Makers*, 2008. p.15

45. IDPs have a right to liberty and security just like persons who are not experiencing displacement. As such, they are protected against arbitrary arrests and illegal detention, most especially those undertaken in situations that take advantage of their vulnerability.

IV. OTHER MATTERS

46. The Commission reminds the Armed Forces of the Philippines of their commitment to respect and uphold the right to life, liberty, and property of all civilians affected by the crisis, as exemplified by the Joint Circular on Adherence to IHL and Human Rights (1991) and the AFP Standing Rules of Engagement (2005). The Commission as well enjoins the AFP and other peace and order enforcers to provide humanitarian space in the rescue efforts of civilians trapped in the area of conflict.
47. The Commission calls on to legislators from both the House of Representatives and the Senate of the Philippines to prioritize the passage of the Internally Displaced Persons bill and ensure that the rights of IDPs are protected and promoted at all stages of displacement and post-displacement. The Commission also appeals for the passage of the Children in Situations of Armed Conflict bill, to provide strengthened protection towards children affected by armed conflict.

V. CONCLUSION

The Commission urges all stakeholders, especially local government units, relevant housing and legal authorities, the police, and other government agencies, as well as non-government service providers, to adopt the standards and guidelines contained in this advisory.

The Commission may convene a hearing to monitor the compliance with the laws and standards prescribed in this advisory. Furthermore, the Commission, particularly CHRP Region X Office, and in coordination with the Regional Human Rights Commission, ARMM on matters of geographical jurisdiction, is on the ground for monitoring based on the constitutional mandate of the Commission to protect human rights, and specific notices may be issued for this purpose.

LET THIS ADVISORY be adopted and circulated as widely as possible.

Issued this 27th day of June 2017, Quezon City, Philippines.

JOSE LUIS MARTIN C. GASCON

Chairperson

KAREN S. GOMEZ DUMPIT

Commissioner

LEAH C. TANODRA-ARMAMENTO

Commissioner

GWENDOLYN L.L. PIMENTEL-GANA

Commissioner

ROBERTO EUGENIO T. CADIZ

Commissioner

COMMISSION ON HUMAN RIGHTS
Commonwealth Avenue
Diliman, Quezon City

FEEDBACK ON HUMAN RIGHTS POLICY SERVICES

TO OUR VALUED STAKEHOLDERS:

In aid of CHR's policy services, kindly fill-up this form and fax to the Commission Secretary at 928-86-10. This will help us in improving the efficiency and effectiveness of our advisory and advocacy functions. We request feedback within fifteen (15) days of receipt otherwise, we shall consider the advisory issuance as accepted and satisfactory. We look forward to your positive response on this matter. Thank you.

Commission Secretary

- I. Initial action/response of the agency. Please check the appropriate response of your office.

☐

For study/review by _____

☐

For Implementation by _____

☐

Others (Pls. specify)

- II. Appreciation of the issuance. Please rate our HR issuance/report, 5 being the highest

1. Informative or instructive; clear and concise

☐

2. The human rights standards presented and discussed are clearly understood.

☐

- III. Indicate your comments and suggestions, if there's any

Date : _____
Name (optional) : _____
Age : _____
Office/Agency : _____
Signature : _____