
**THE IMPLEMENTING RULES AND REGULATIONS OF
BANGSAMORO AUTONOMY ACT NO. 62, OTHERWISE
KNOWN AS THE RIGHTS OF INTERNALLY DISPLACED
PERSONS OF THE BANGSAMORO AUTONOMOUS REGION
ACT OF 2024**

RULE I. PRELIMINARY PROVISIONS

Section 1. TITLE

These rules and regulations shall be known as the “Implementing Rules and Regulations of the Rights of Internally Displaced Persons of the Bangsamoro Autonomous Region Act of 2024.”

Section 2. PURPOSE

These rules and regulations are hereby promulgated to prescribe the guidelines for the implementation of Bangsamoro Autonomy Act (BAA) No. 62. It underscores the duties and responsibilities of the concerned agencies in the prevention of displacement, protection of internally displaced persons (IDPs), and achieving durable solutions thereto. It provides details on the institutional arrangements between and among Bangsamoro ministries, offices, and agencies (BMOAs), including existing inter-agency and inter-governmental mechanisms, of constituent local government units (LGUs) in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM), and of other stakeholders.

Section 3. CONSTRUCTION AND INTERPRETATION

These rules and regulations shall be liberally construed in favor of the protection of human rights of IDPs, addressing the root causes of displacement, and the achievement of durable solutions.

Interpretation of provisions relating to powers and functions of different response or protection mechanisms shall be resolved in favor of harmonization and coordination of tasks while maintaining clear lines of accountability and respect for hierarchy of laws.

Nothing in these rules shall be interpreted as attaching a special legal status to IDPs.

Section 4. COVERAGE

Implementation of BAA No. 62, through these rules and regulations, shall be the responsibility of all concerned BMOAs and constituent LGUs, and extends to government-owned and controlled corporations, private entities, non-government organizations, international organizations, and private and State colleges and universities and schools that are operating in the BARMM.

Section 5. POLICY

- a) The rights of IDPs, including women, children, indigenous peoples, and persons with disabilities, are anchored on the principle of non-discrimination, and their protection should be responsive to their needs and vulnerabilities;

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- 49 b) The freedom of movement is a right assured and protected by the Bangsamoro
50 Government;
- 51
- 52 c) IDPs do not hold a separate legal status but are recognized to have specific needs
53 arising out of their displacement. All initiatives, programs, activities, and projects
54 shall be based on and responsive to the needs of IDPs, whether at the individual,
55 family or community level, as assessed by the relevant BMOAs;
- 56
- 57 d) Meaningful participation of IDPs in the planning, implementation, and monitoring and
58 evaluation of programs addressing internal displacement, and pursuit of durable
59 solutions shall be ensured;
- 60
- 61 e) Assistance to IDPs towards durable solutions shall be integrated in LGU- and BMOA-
62 level programming; and
- 63
- 64 f) Development initiatives of the Bangsamoro Government, LGUs, and private entities
65 shall be balanced with protection of populations from arbitrary displacement.
66

67 **Section 6. DEFINITION OF TERMS**

68 In addition to the definitions already provided under the law, the following terms as used in
69 these rules shall mean:

- 70 a) “Act” refers to BAA No. 62 or the “Rights of Internally Displaced Persons of the
71 Bangsamoro Autonomous Region Act of 2024”;
- 72
- 73 b) “*Aggressive implementation of development projects*” refers to the execution of any
74 activity aimed at economic or political growth, advancement, and expansion that
75 results or may result in arbitrary internal displacement of persons, as defined in
76 Section 5 of the Act. This includes instances where displacement occurs due to:
- 77
- 78 1. Lack of adherence to the principles outlined in Section 5(a), such as failure
79 to explore feasible alternatives to displacement, ensure a compelling public
80 interest, or protect the human rights of affected persons;
 - 81
 - 82 2. Failure to conduct or adequately address the findings of an impact
83 assessment regarding the risk of displacement, as required under Section
84 5(a); and
 - 85
 - 86 3. Non-compliance with any requirements related to relocation plans for
87 affected populations, including those outlined in Section 5(a) for both
88 general populations and indigenous peoples (IP) communities.
89

90 *Aggressive implementation of development projects* does not include legitimate
91 resettlement schemes and/or programs that adhere to the principles and procedures
92 outlined in Section 5 of the Act;

93

- 94 c) “*Armed conflict*” refers to any use of force or armed violence between states, as
95 well as protracted armed violence involving governmental authorities and organized
96 armed groups or between such groups within a state: *Provided*, That such force or
97 armed violence gives rise, or may give rise, to a situation to which the Geneva
98 Conventions of 12 August 1949, including their common Article 3, apply.
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- d) *"Bangsamoro Autonomous Region in Muslim Mindanao (BARMM)"* refers to the autonomous region established under Republic Act No. 11054, otherwise known as the *"Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao,"* covering the provinces of Basilan (excluding Isabela City), Lanao del Sur, Maguindanao del Norte, Maguindanao del Sur, Tawi-Tawi, the cities of Cotabato, Lamitan, and Marawi, and eight municipalities in the Special Geographic Area, as defined under existing laws;
- e) *"Bangsamoro Internal Displacement Coordinating Council (BIDCC)"* is the main instrumentality of the Bangsamoro Government to ensure intergovernmental and inter-agency coordination and cooperation in addressing internal displacements in the BARMM;
- f) *"Bangsamoro Internal Displacement Program (BIDP)"* refers to the document mandated by Sec. 11 of the Act which shall include policies, plans, strategies, and the necessary guidelines in addressing the needs and protecting the rights of IDPs in and/or from the BARMM during and after displacement as well as in their voluntary and safe return, local integration, or settlement elsewhere in the country;
- g) *"Children"* refers to any person under eighteen (18) years of age, as well as those over who are unable to fully care for themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination due to a physical or mental disability or condition;
- h) *"Child Abuse"* refers to the maltreatment, whether habitual or not, of the child which includes any of the following:
1. Psychological and physical abuse, neglect, cruelty, sexual abuse, and emotional maltreatment;
 2. Any act by deeds or words which debases, degrades, or demeans the intrinsic worth and dignity of a child as a human being;
 3. Unreasonable deprivation of his or her basic needs for survival such as food and shelter; or
 4. Failure to immediately give medical treatment to an injured child, resulting in serious impairment of his/her growth and development, permanent incapacity or death;
- i) *"Clan war"* refers to any 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. It is characterized by sporadic outbursts of retaliatory violence between and among families, kinship groups, and communities;
- j) *"Comprehensive Land Use Plan (CLUP)"* is a technical document embodying specific proposals and strategies for guiding and regulating growth and/or development that is implemented through a Zoning Ordinance. The main component of a CLUP in this usage, as defined by existing laws, are the land use plan and sectoral studies including demography, ecosystems analysis (terrestrial and coastal), and special area studies such as climate change adaptation, disaster risk reduction and management, ancestral domain, biodiversity, heritage conservation, and green urbanism;

k) *“Disaster”* refers to a serious disruption of the functioning of a community or a society, involving widespread human, material, economic, or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of a combination of the following:

1. The exposure to a hazard;
2. The conditions of vulnerability that are present; and
3. Insufficient capacity or measures to reduce or cope with the potential negative consequences.

Disaster impacts may include loss of life, injury, disease, and other negative effects on human, physical, mental, and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption, and environmental degradation;

l) *“Division”* refers to the Bangsamoro Internal Displacement Management and Monitoring Division (BIDMMD) as defined in the Act;

m) *“Do no harm and safeguarding principles”* refers to the set of humanitarian principles that obliges individuals and organizations extending humanitarian aid and support to prevent and strive to mitigate or minimize any harm or negative impact they may inadvertently cause through providing humanitarian assistance, as well as harm that may result from the failure to provide such assistance to the affected populations;

n) *“Durable solution”* is achieved when IDPs are able to resume a normal life, and no longer have any specific assistance and protection needs that are related to their displacement, and can enjoy their human rights without discrimination due to their displacement. *Durable solutions* are not to be understood as the mere return of the IDPs to their former homes and/or by a reestablishment of the status quo before their displacement;

o) *“Free prior and informed consent (FPIC)”* refers to the consensus of all members of the indigenous cultural communities/indigenous peoples (ICCs/IPs) in accordance with their respective customary laws and practices that is free from any external manipulation, interference and coercion and obtained after fully disclosing the intent and scope of the plan, program, project, activity, whether private or public. The intent of such a proposal shall be disclosed to the ICCs/IPs in an understandable language and processes to the community;

p) *“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. It is characterized by widespread, massive or intense actions, causing arbitrary internal displacement of persons or communities. These methods include inflicting severe pain and suffering, killing, intimidating, threatening, and, in some cases, destroying a community, ethnic group, or political opposition;

q) *“Home-based displacement”* refers to a situation of displacement whereby displaced persons are hosted in private residences or privately owned properties, which are not evacuation centers or camps established, organized, and managed by the government;

- r) *“Humanitarian assistance”* refers to any aid that seeks to save lives and alleviate suffering of a crisis-affected population. Humanitarian assistance must be provided in accordance with the basic humanitarian principles of humanity, impartiality, independence and neutrality;
- s) *“Internal displacement”* refers to the involuntary movement, forced evacuation, or expulsion of any person, families, communities, or groups from their houses or places of habitual residence without crossing an internationally recognized state border. This occurs 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, clan wars, political violence, land conversion or other land conflict, aggressive implementation of development projects, or natural and human-induced and human-made hazards or disasters;
- t) *“Internally displaced person (IDP)”* refers to an individual or groups of individuals who have been compelled to flee or leave their houses or places of habitual residence within the national borders. This displacement occurs 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, clan wars, political violence, land conversion or any other land conflict, aggressive implementation of development projects, or natural or human-made hazards or disasters;
- u) *“International Humanitarian Law (IHL)”* refers to the set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in the hostilities and restricts the means and methods of warfare. It is also known as the law of war or the law of armed conflict;
- v) *“Political violence”* refers to the deliberate use of power and force to achieve political goals, such as power or political control over a certain group, geographic area, or community; and
- w) *“Protracted displacement”* refers to situations of displacement in which tangible progress towards durable solutions is slow or stalled for significant periods of time because IDPs are prevented from taking or are unable to take steps that allow them to progressively reduce the vulnerability, impoverishment, and marginalization they face as displaced people, in order to regain a self-sufficient and dignified life and ultimately find a durable solution.

RULE II. DUTIES RELATED TO THE PROTECTION OF HUMAN RIGHTS OF IDPs DURING DISPLACEMENT

Section 7. DUTIES OF BMOAS AND LGUs

The primary duty of fulfilling and protecting the rights recognized under BAA No. 62 shall be lodged with BMOAs and LGUs, in accordance with their existing mandates and such functions as prescribed by the Act. Thus, all BMOAs and LGUs shall integrate IDP protection and a durable solutions perspective in their policies, plans, and programs.

Section 8. COORDINATION

BMOAs shall coordinate all initiatives on internal displacement with the BIDCC working through its Secretariat, including policy issuances as mandated by the Act and these rules.

Section 9. STANDARDS OF HUMANITARIAN ASSISTANCE

The BIDCC shall issue guidelines on the standards of humanitarian assistance, including those that ensure that the donations and material assistance that are provided to IDPs and other displacement-affected communities contribute to the dignity and well-being of IDPs, are culturally sensitive, and for Muslim communities, halal-compliant. BMOAs, LGUs, and other relevant stakeholders covered by this Act shall likewise draft service provision guidelines aligned with BIDCC standards and best practices. Adhering to the “Do No Harm and Safeguarding” principles, the guidelines shall also include protection against sexual exploitation and sexual abuse as found in Sec. 21 of the Act; and

The MSSD shall regulate the conduct of fund drives, public solicitations, and donations for charitable or welfare purposes, including those that are undertaken for IDPs.

Section 10. RIGHT TO ACCESS BASIC NECESSITIES

The LGUs, through the Local Internal Displacement Councils (LIDCs)s, shall take the lead in ensuring and coordinating with the BMOAs, other government agencies, and stakeholders for the provision of basic necessities during displacement in their respective area of responsibilities.

a) Food and potable water

In extending humanitarian assistance to communities with Muslim populations, government response agencies and humanitarian actors shall, to the extent possible and where relevant, ensure that food items bear a halal certification mark. At the very least, food items distribution shall comply with relevant resolutions and issuances of concerned BMOAs.

b) Shelter, utilities, and water, sanitation and hygiene (WaSH)

The LGUs, with assistance from the Ministry of Social Services and Development (MSSD) and the Ministry of Human Settlements and Development (MHSD), shall provide WaSH facilities, shelter, designate evacuation centers, and other temporary sites.

LGUs shall ensure that WaSH facilities, shelter, evacuation centers, and other temporary sites are culturally sensitive, dignified, adequate, safe and compliant with regional and national standards.

c) Clothing and essential non-food items

LGUs, in coordination with the members of the concerned response clusters in existing response mechanisms in the BARMM, shall ensure that clothing and essential non-food items are provided to the IDPs.

Donated goods and basic necessities shall be subject to policies and guidelines issued by the BIDCC and/or the MSSD.

Section 11. RIGHT TO HEALTH IN DISPLACEMENT

To ensure optimal conditions for the health of IDPs and other affected populations, the following shall take the lead in crafting and implementing relevant policies and guidelines, in coordination with other stakeholders:

- a) The Ministry of Health (MOH), in the provision of health services that encompass preventive, promotive, curative, and rehabilitative aspects to the fullest extent practicable and without unnecessary delay. Special attention shall be provided to the health needs of vulnerable groups, such as women, children, persons with

disabilities, and the elderly, especially those living alone, and the prevention of contagious and infectious diseases, maternal and infant deaths among IDPs;

- b) The MOH, in incorporating mental health and psycho-social services (MHPSS) in its guidelines to address health concerns of IDPs; and
- c) The BIDCC, on financial risk mitigation measures for IDPs, in consultation with the Social Security System (SSS), Philippine Health Insurance Corporation (PhilHealth), and BMOAs with cash assistance schemes, to ensure accessibility of these measures among IDPs.

Section 12. RIGHT TO EDUCATION IN DISPLACEMENT

To ensure that education is not disrupted during emergencies, the following shall take the lead in crafting and implementing relevant policies and guidelines, in coordination with other stakeholders:

- a) The Ministry of Basic, Higher, and Technical Education (MBHTE), in implementing education in emergencies during displacement to prevent disruption of learning;
- b) The MSSD, in designing programs to ensure that Early Childhood Care and Development (ECCD) in emergencies continue to operate; and
- c) LGUs, through the LIDCs, in declaring schools and other areas as zones of peace, assigning child-friendly spaces, and implementing ECCD in emergencies program.

Section 13. RIGHTS OF WOMEN IN DISPLACEMENT SITUATIONS

To ensure protection of the rights of women and adolescent girls, the following shall take the lead in crafting and implementing relevant policies and guidelines, in coordination with other stakeholders:

- a) The Bangsamoro Women Commission (BWC), in the issuance of, and monitoring compliance with, policy advisories and guidelines in ensuring the protection of women, and addressing gender-based violence, exploitation and abuse in displacement;
- b) BIDCC, in facilitating access to justice to displaced women and girls who face gender-based violence and other acts of abuse and exploitation, and providing the necessary support for the protection and promotion of their human rights;
- c) The MOH, in ensuring that reasonable service standards and packages are available to women and adolescent girls, such as the Minimum Initial Service Package (MISP) for sexual and reproductive health; and
- d) BIDCC, in providing training opportunities to community workers for them to assess the needs of displaced women and adolescent girls and to administer such services in an effort to prevent and manage the consequences of sexual violence, prevent neonatal and maternal morbidity and mortality, reduce sexually transmitted infections (STI) and human immunodeficiency virus (HIV), and provide reproductive health services.

Section 14. RIGHTS OF CHILDREN IN DISPLACEMENT SITUATIONS

To ensure that children's rights are protected during displacement, the following shall take the lead in crafting and implementing relevant policies and guidelines, in coordination with other stakeholders:

- a) The MSSD, as the chair of the Regional Sub-Committee for the Welfare of Children (RSCWC), and in coordination with relevant BMOAs, in the issuance of guidelines on the protection of displaced children, especially grave child rights violations during displacement. The guidelines shall also cover action to be undertaken for separated and unaccompanied children;
- b) The BIDCC, for the conduct of special free mobile birth registration drives for children and other vulnerable sectors as stipulated in the Act, in recognition of the fundamental right of all children to be registered and have a legal identity and to have better access to other rights and services; and
- c) The BIDCC, through relevant BMOAs, in coordinating with the security sector and other stakeholders towards the prevention of recruitment of children into armed forces or groups.

Section 15. RIGHT TO LIVELIHOOD AND/OR EMPLOYMENT

To promote the total well-being and the resilience of IDPs, following shall take the lead in crafting and implementing relevant policies and guidelines, in coordination with other stakeholders:

- a) The Ministry of Basic, Higher and Technical Education - Technical Education and Skills Development (MBHTE-TESD), in ensuring that provisions on right to equal access to context-specific skills training and development of IDPs are sufficient, whenever applicable;
- b) The Ministry of Labor and Employment (MOLE), in ensuring that IDPs have access to decent work and gainful employment opportunities;
- c) Ministry of Trade, Investments, and Tourism (MTIT), in ensuring that available programs in support of micro, small, and medium enterprises (MSMEs) do not unduly exclude IDPs for lack of documentation. For this purpose, it shall coordinate with relevant agencies with mandates on livelihood, employment and other income generating opportunities on how IDPs whose incomes were affected due to displacement can avail of such programs; and
- d) The Ministry of Agriculture, Fishers, and Agrarian Reform (MAFAR), in providing agri-fishery assistance programs;

SECTION 16. RIGHT TO CULTURAL HERITAGE, IDENTITY, AND PRACTICES

The BIDCC shall issue guidelines ensuring that all programs and projects specifically targeted towards IDPs are culturally sensitive.

The following agencies shall issue guidelines or *fatwa* on matters within their mandates to safeguard the rights of IDPs to cultural heritage, identity, and practices during displacement, as well as the protection of sites and zones with religious, cultural, or historic value:

- a) Bangsamoro Darul-Ifta' (BDI), on proper washing, funeral prayer for and burial of deceased Muslims;
- b) Ministry of Indigenous Peoples' Affairs (MIPA), on the culturally-sensitive manner of burial of deceased indigenous people;
- c) Office for Settler Communities (OSC), on the wake and burial of deceased constituents who belong to settler communities; and

- d) Bangsamoro Commission on the Preservation of Cultural Heritage (BCPCH), on the preservation of both tangible and intangible cultural properties, such as traditional knowledge, customs, practices, expressions, cultural heritage sites, artifacts, and objects during displacement.

SECTION 17. FREEDOM OF MOVEMENT

LIDCs shall ensure that:

- a) IDPs are allowed to move in and out of evacuation centers, transitory sites, or other settlements, as a matter of right, save for exceptional circumstances such as national emergencies, pandemics, and those of similar nature, subject to any lawful and reasonable order which must be issued in writing by the government;
- b) IDPs are allowed to visit their residences in the place of origin, as soon as the safety and security situation allows; and
- c) IDPs are allowed to seek safety in another part of the country, leave the country, and seek asylum in another country.

SECTION 18. RIGHT TO RECOGNITION, ISSUANCE, AND REPLACEMENT OF DOCUMENTS

The LGUs, through the Local Civil Registry or Assessor's Office, in coordination with the Philippine Statistics Authority (PSA) or the Registry of Deeds, as the case may be, shall facilitate the issuance to the IDPs documents necessary for the enjoyment and exercise of their legal rights, including 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.

The guidelines to be formulated by the BIDCC, as provided in Sec. 14(b), shall likewise cover vulnerable sectors such as women, elderly, persons with disabilities, indigenous communities and populations that require assistance in civil registration.

The MSSD shall coordinate with the PSA in the latter's mandate under Section 7 of Republic Act No. 10821, otherwise known as "*Children's Emergency Relief and Protection Act*", in the:

- a) Development of a system for the restoration and reconstruction of civil registry documents that have been destroyed or declared lost or missing during the course of displacement;
- b) Monitoring and reporting to ensure the continued access of the affected children to social services and facilitate the reunification of separated children with their families; and
- c) Development of a system for the registration of children born during a national or local state of calamity.

The LGUs may issue a moratorium on the imposition of fees and other conditions required for the issuance of said documents.

SECTION 19. RIGHT TO INFORMATION

The BIDCC shall establish and maintain transparent mechanisms for disseminating information and updates on all matters relevant to displacement, including relocation sites, budgets, policies, guidelines, and the progress of assistance programs. This information shall be made

readily accessible to IDPs and other affected populations through appropriate channels and in languages they understand.

LIDCs shall take the lead in ensuring accurate, timely and comprehensive information regarding their displacement situation, rights, available assistance, and plans for return, local integration, or settlement elsewhere in the country.

The Division shall take the lead in consolidating information and provision of accurate, timely and comprehensive information to IDPs regarding their displacement situation, rights, available assistance, and plans for return, local integration, or settlement elsewhere in the country.

The Division shall act as the official repository of IDP-related data, and shall collect data, and maintain the same in a database containing number, age, sex, disability-disaggregated information, cause or type of displacement, whether the IDPs are in evacuation centers or home-based, indicating the length or duration of displacement, their vulnerabilities, origin and place of displacement, among others. The Division shall establish clear guidelines on relevant displacement data that can be publicly accessed and presented, ensuring transparency while protecting the privacy and confidentiality of IDPs. Such database shall inform the plans, policies and programs of the Bangsamoro Government regarding issues affecting IDPs.

SECTION 20. RIGHT TO PERSONAL DATA PROTECTION

The BIDCC, in accordance with Republic Act 10173, otherwise known as the “*Data Privacy Act of 2012*,” and other applicable laws shall ensure the protection of IDPs’ personal data from unauthorized use or disclosure. All agencies involved in data collection and processing shall comply with applicable laws on data protection and privacy, adopting measures to prevent misuse or abuse of such data.

SECTION 21. FAMILY REUNIFICATION AND TRACING THE WHEREABOUTS OF MISSING PERSONS AND THE DECEASED

The BIDCC shall issue guidelines related to mechanisms that will ensure that families in displacement stay together, and that missing relatives are traced and reunited with their loved ones.

The BIDCC, in coordination with relevant national government agencies, including the security sector, shall provide conditions to expedite family reunification, search of missing persons, and collection and identification of remains of the deceased, with due respect to cultural sensitivities.

For the tracing and reunification of orphaned, unaccompanied, and separated children, the MSSD shall coordinate with the appropriate agencies and offices and link its mechanisms thereto. Any non-government or private groups/organizations providing services related to separated children or family reunification shall coordinate their efforts with the MSSD to ensure the best interest of the children and effective reunification processes.

The BDI shall issue the necessary “*fatwa*” or religious edicts to guide relevant authorities on the management of the mortal remains of Muslims, including exhumation, to ensure respect and fulfillment of the right of families to know the whereabouts of their missing relatives.

The MSSD shall provide burial assistance and LGUs shall facilitate the burying of deceased IDPs in appropriate cemeteries when families are unable to return to their places of origin.

The right of IDPs to visit the cemetery sites of their departed relatives shall be guaranteed, and the grave sites shall be protected and respected under all circumstances.

Section 22. SECURITY AND PROTECTION

The Ministry of Public Order and Safety (MPOS) and concerned LGUs, in coordination with other relevant BMOAs and law enforcement agencies, shall take necessary measures to ensure that IDPs are received in the areas to which they are displaced by the receiving or host community without discrimination of any kind, and live in satisfactory conditions of safety, dignity and security. The IDPs' right to liberty and safety of person shall be guaranteed. No one shall be subjected to arbitrary arrest and detention. Special protection and assistance shall be provided for IDPs with special needs, including, but not limited to, separated and unaccompanied children, women, expectant mothers, mothers with young children, survivors of domestic violence and/or other forms of gender-based violence (GBV), elderly, and persons with disabilities or those with communicable diseases.

Section 23. PROPERTY AND POSSESSIONS

The concerned LGU/s shall ensure that property and possessions of IDPs during displacement are protected against the following acts:

- a) Pillage or looting;
- b) Direct and indiscriminate attacks or other acts of violence;
- c) Being used to shield military operations or objectives;
- d) Being made the object of reprisal;
- e) Being destroyed or appropriated as a form of collective punishment and destruction, and
- f) Become the subject of arbitrary and illegal appropriation, occupation, or use.

The LGU exercising territorial jurisdiction over the affected area or areas, with the assistance of the National and Bangsamoro Governments, shall endeavor to facilitate the transportation of such property and possessions of IDPs, in a safe and secure area, during and after displacement, subject to logistical considerations.

Section 24. HOUSING, LAND, AND PROPERTY

Land, housing, and other properties left behind by IDPs shall be protected from occupation, appropriation, or use. IDPs are exempt from payment of real property taxes and other local assessments relating to properties left behind while in displacement, as provided in Section 260 of Bangsamoro Autonomy Act No. 49, otherwise known as the "*Bangsamoro Local Governance Code of 2023*."

In addition, the following measures shall be implemented:

- a) The MHSD, in coordination with other relevant agencies of the Bangsamoro Government as well as the National Government counterparts with housing and land mandates, shall maintain a registry of properties that are left behind by those displaced. It shall inform other agencies in order that title holders or holders of specific rights may register any opposition to any alienation, transfer, or conveyance of property titles of these assets. It shall likewise maintain a registry of lands that are under dispute in areas vulnerable to displacement;
- b) The MIPA shall maintain a separate registry for lands claimed as ancestral domains by indigenous peoples' groups. In such a case, it shall perform the tasks of the MHSD in the foregoing paragraph, as may be applicable;

c) The Bangsamoro Human Rights Commission (BHRC) shall investigate allegations of violations of IDPs' housing, land, and property rights under this Section and extend other appropriate measures and reliefs incident to such investigation, as provided in Section 30 hereof; and

d) When appropriate, the National Government - Bangsamoro Government Intergovernmental Relations Body shall include in its agenda compensation for lost or destroyed properties on account of or in the course of displacement.

Section 25. RIGHT TO PARTICIPATION

The BIDCC shall ensure IDPs' active participation in the planning and management of their displacement situation, including management of camps and access to programs and services as well as their return, local integration, or settlement elsewhere. To give effect to this right, consultations among IDPs and other affected populations shall be required: *Provided*, That it shall not delay the delivery of lifesaving, emergency, and other time-sensitive assistance. The consultation mechanism shall further ensure that men, women, children in accordance with their evolving capacities, and different sectors are among those consulted.

The BIDCC shall set the standards for meaningful participation of IDPs and feedback mechanisms for them on the nature and conduct of assistance from BMOAs and instrumentalities of BARMM, government-owned and controlled corporations, private entities, non-government organizations, international organizations, and private and state colleges and universities and schools operating in the BARMM.

The Bangsamoro Government and LGUs shall establish and maintain transparent mechanisms for disseminating information and updates on all matters relevant to displacement, including relocation sites, budgets, policies, guidelines, and the progress of assistance programs. This information shall be made readily accessible to IDPs and other affected populations through appropriate channels and in languages they understand.

In addition, IDPs shall be provided with conditions to facilitate the exercise of their right to political participation. To give effect to the right of IDPs to political participation, during election periods, the Bangsamoro Government and the concerned LGUs shall coordinate with the Commission on Elections for the facilitation of voter registration and the establishment, management, and security of polling centers near evacuation camps or areas where a sizable number of IDP voters may be found. The IDPs shall not be discriminated against in the enjoyment of their right to vote, to participate in governmental and public affairs, including the right to have access to the means necessary to exercise these rights. IDPs shall be provided with equal opportunities to associate freely, participate in community affairs, stand for elections and work in different sectors of public service as civil servants, subject to applicable election and civil service laws, rules, and regulations.

Section 26. RIGHT TO REQUEST PROTECTION AND HUMANITARIAN ASSISTANCE

IDPs have the right to request for protection and humanitarian assistance from national, regional, local authorities, and other humanitarian actors. They shall not be punished or persecuted for making such requests for protection or assistance. IDPs who face punishment or persecution for requesting protection shall have the right to seek civil and administrative remedies as provided under Sec. 6(r) of the Act.

Section 27. RIGHT TO PURSUE CIVIL AND ADMINISTRATIVE REMEDIES

Any IDP shall be entitled to claim and be awarded civil damages by any public officer or employee, or any private person, who, directly or indirectly, obstructs, defeats, violates, or

in any manner impedes or impairs any of the rights and liberties enumerated under the Act. In addition to civil liabilities, any public officer or employee who is found guilty of the same acts shall also be administratively liable.

Section 28. OTHER RIGHTS

The rights and obligations herein provided shall not be interpreted as restricting, modifying or impairing the provisions of any international human rights or international humanitarian law or rights granted to persons under existing laws such as, but not limited to, Republic Act 9851 otherwise known as "*Philippine Act on Crimes Against International Humanitarian Law, Genocide, and Other Crimes Against Humanity*", and those rights guaranteed under existing national and regional laws.

Section 29. PROTECTION AGAINST CRIMINAL OFFENSES AND OTHER UNLAWFUL ACTS

Criminal offenses and unlawful acts, if found to be committed in the course of or during displacement, shall be prosecuted under the relevant provisions of the Revised Penal Code and other special laws applicable in situations of armed conflict, generalized and/or organized violence, clan wars, political violence, violations of human rights, aggressive implementation of development projects, natural, human-induced and human-made hazards, including but not limited to the *Philippine Act on Crimes Against International Humanitarian Law, Genocide, and Other Crimes Against Humanity*, Republic Act No. 10121 otherwise known as "*Philippine Disaster Risk Reduction and Management Act of 2010*", the "*Children's Emergency Relief and Protection Act*," as well as any relevant regional penal laws that may be enacted by the Bangsamoro Parliament, including offenses that may be defined and penalized under regional *Shari'ah* laws.

- a) It shall be prohibited 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.
- b) 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, in favor or impede the operations of the military, police, or any armed group;
 4. Attacks against any evacuation center, facility, encampment, or other settlements; and
 5. Use of anti-personnel landmines.

c) IDPs, whether or not their liberty has been restricted, 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, killing of children, torture committed against children, intentional or causal maiming of children, rape of children, and other forms of sexual violence, cruel, inhuman, and degrading treatment or punishment committed against children, abduction of children, taking children as hostages or using them as human shields, recruitment, conscription, or enlistment of children into government forces and other armed groups, use or involvement of children in armed conflict in any capacity, attack on schools, hospitals, places of worship, evacuation centers, and settlements and other public places such as recreation parks, playgrounds, and malls 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.

Threats and incitement to commit any of the foregoing acts under paragraph (c), subsections (1) and (3) above shall be prohibited and punishable by law.

d) IDPs shall not be interned in or confined in any evacuation center, facility, encampment or other settlements. If, in exceptional circumstances, such interment or confinement is necessary, it shall not last longer than what is required by the circumstances, as may be determined by the Bangsamoro Government, through the MSSD, in close coordination and consultations with the military and law enforcement agencies conducting operations, and other concerned offices of the Bangsamoro Government; and

e) IDPs shall be protected against discriminatory practices of recruitment into the Armed Forces of the Philippines, law enforcement agencies, or any armed group as a result of their displacement. In particular, any cruel, inhumane or degrading practices that compel compliance or punish noncompliance with recruitment shall be prohibited in all circumstances.

Section 30. INVESTIGATION AND PROSECUTION OF VIOLATIONS AND OFFENSES TO THE HUMAN RIGHTS OF IDPs

The duty to investigate crimes and offenses committed against IDPs rests with the police. The BHRC shall likewise have the power to investigate cases when there is a showing that there are alleged human rights violations committed against IDPs. It may also undertake preventive and mandatory measures incident to its investigation and may provide financial and legal assistance to victims of human rights violations, as provided for in Section 32, Chapter I, Article XVII of BAA 13, otherwise known as the "*Bangsamoro Administrative Code*."

When warranted, the BHRC and/or the police shall coordinate with the local Office of the Prosecutor for the filing of appropriate criminal cases against alleged perpetrators under the

relevant provisions of the Revised Penal Code and other special laws. It may also pursue remedies under international conventions.

Further, the BHRC shall include the results of its monitoring on the promotion and protection of the rights of IDPs in its Annual Reports. The BHRC shall coordinate with the Commission on Human Rights (CHR) on the sharing of information pertaining to resolved and/or pending cases with the BHRC, for purposes of issuance of the Human Rights Clearance under Section 47, Chapter I, Rule XVII of *Bangsamoro Administrative Code*.

Section 31. IMMEDIATE ASSISTANCE TO IDPs

The Bangsamoro Government, through the MSSD, Ministry of the Interior and Local Government (MILG), MOH, and other concerned agencies, as well as the constituent LGUs shall have the primary duty to provide immediate relief and humanitarian assistance to IDPs, families, and communities. It shall ensure full cooperation and coordination with national agencies or authorities, such as the military and law enforcement agencies conducting operations within its jurisdiction.

The LIDCs shall coordinate with the concerned law enforcement authorities in the recovery of property and possessions of IDPs, and when warranted, shall provide or assist these persons in obtaining appropriate financial assistance or other forms of just reparation for loss or destruction of said property and possessions.

The MSSD shall include in its regular programs a reasonable financial assistance program for the purpose of facilitating the return, local integration, or settlement elsewhere of IDPs. The reasonable financial assistance of the MSSD shall form part of durable solutions programs pursuant to Sec. 10 of the Act.

Existing mechanisms of relevant line agencies and those set up under the "*Philippine Disaster Risk Reduction and Management Act of 2010*" and other relevant national and regional laws, rules, and regulations, shall continue to provide immediate relief and humanitarian assistance to IDPs and their families, and affected communities to the extent not expressly modified under the Act.

The National Government shall likewise have the duty to provide assistance to IDPs, especially in situations where the magnitude of the displacement, deaths, and destruction is so massive that the Bangsamoro Government will not be able to adequately respond, especially if the displacement is a result of government law enforcement operations.

Section 32. SAFE AND FREE PASSAGE OF HUMANITARIAN ASSISTANCE

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

The BIDCC shall develop and adopt a protocol to ensure that mobility of humanitarian staff, vehicles, and supplies are not unduly impeded.

Section 33. MONITORING OF DISPLACEMENT

The Division shall develop a profiling system that, upon adoption by the BIDCC, shall be used by all the BMOAs and LGUs as well as humanitarian actors and other groups. This system shall include information gathering, analysis, assessments and monitoring of displacement situations.

The LGUs, through their respective LIDCs, and using the system developed by the Division, shall lead in the conduct of assessments and validation of IDPs in their respective areas of responsibility. All BMOAs shall coordinate their assessment initiatives with the LIDC/s having jurisdiction over the areas to be profiled or assessed.

Section 34. DATA SHARING AMONG BMOAs, LGUs AND OTHER RELEVANT STAKEHOLDERS

Data obtained from these assessment and monitoring activities and analyzed by the Division may be shared with members of the BIDCC: *Provided*, That such data are aggregated and anonymized. The BIDCC may issue further guidelines and protocols on data collection, use and sharing. Disclosure of information to the BIDCC members and guidelines thereof shall adhere to the principles of transparency, legitimate purpose and proportionality.

A memorandum of agreement may be forged among relevant stakeholders to set the protocols for data sharing at the individual, family, or community levels, subject to the provisions of the "*Data Privacy Act of 2012*".

RULE III. ADDRESSING THE ROOT CAUSES OF DISPLACEMENT

Section 35. PROTECTION FROM DISPLACEMENT AND ADDITIONAL MEASURES TO PREVENT DISPLACEMENT

The BIDCC or LIDC, whichever is applicable, shall lead in taking all measures to address displacement, including instances of protracted displacement, and shall prevent the occurrence thereof. For this purpose, the BIDCC shall develop and adopt a standard categorization of protracted displacement, including a specific timeframe, taking into account the local context and experiences within the BARMM.

Section 36. PREVENTION OF FORCED DISPLACEMENT DUE TO AGGRESSIVE IMPLEMENTATION OF DEVELOPMENT PROJECTS

Displacement of populations caused by development projects shall be allowed only when it is authorized by law, justified by compelling public interests, deemed necessary to protect these interests, and conducted with full respect for the human rights of affected persons.

Prior to making any decision requiring the displacement of persons, the authorities concerned shall ensure that feasible alternatives are explored in order to avoid displacement altogether. Where no alternatives exist, all necessary measures shall be taken to minimize displacement and its adverse effects.

To protect inhabitants of the BARMM from forced displacement due to aggressive implementation of development projects, the BIDCC shall issue guidelines to ensure that development projects do not result in unnecessary forced displacement, subject to the following:

a) At the Regional Government Level

1. Whenever a development project is planned and subjected for approval by any government authority or agency within the Bangsamoro, it shall be required that the proponent shall submit an impact assessment to Bangsamoro Planning and

Development Authority (BPDA). The impact assessment shall include: (a) evaluation of the risk of displacement on the affected population including specific vulnerable sectors, such as women, children, and informal settlers and (b) the corresponding plans to mitigate, manage, or respond to such risk. Upon a finding of possible displacement, the BPDA shall refer the application to the BIDCC for review and recommendation;

2. The Ministry of Environment, Natural Resources and Energy (MENRE) shall require applicants for Environmental Compliance Certificate (ECC) to provide the impact assessment. This assessment must demonstrate that no population will be displaced by the project. If displacement is unavoidable, the assessment must show that the affected populations have been consulted and a rights-based relocation plan is in place for them. The BIDCC, in coordination with MENRE, shall develop guidelines in assessing the proper implementation of the relocation plan for the issuance and/or renewal of permits or certifications as found in Sec. 5(b) of the Act;
3. Notwithstanding the provisions in the preceding clauses, where the proponent has already submitted an impact assessment referred to in the preceding sections, such impact assessment shall no longer be required in the next stages of the process, unless the last version of the document on record is more than five (5) years, or the situation has changed so drastically that the situation as assessed is no longer the same;
4. When the affected population belongs to an ICC/IP community in the BARMM, the MIPA shall issue a Certification Precondition to attest that an area does not overlap with any ancestral domain and that the FPIC has been obtained. Whenever possible, they shall be guaranteed the right to return to their ancestral domains, as soon as the grounds for relocation cease to exist. When such return is not possible, as determined by agreement or through appropriate procedures, the MIPA shall ensure that the ICCs/IPs shall be provided in all possible means with lands of quality and legal status at least equal to that of the land previously occupied by them, suitable to provide for their present needs and future development; and
5. All approving authorities shall ensure that the proposed development projects have been vetted at the local level and are part of the approved Comprehensive Land Use Plan (CLUP) in the Provincial Development and Physical Framework Plan (PDPFP).

b) At the Local Government Level

1. No development project that would cause displacement shall be approved or implemented by local government authorities unless consultations pursuant to Sec. 25 herein are complied with. Upon a finding of possible displacement, the local government authorities shall refer the application to the LIDC for review and recommendation. The LIDC may also determine if an impact assessment is required. In which case, paragraph (a.2) of Section 36 shall apply. The impact assessment shall include: (a) evaluation of the risk of displacement on the affected population including specific vulnerable sectors, such as women, children, and informal settlers and (b) the corresponding plans to mitigate, manage, or respond to such risk.

895 2. The concerned LGU shall ensure that occupants in areas where such national or
896 regional projects are to be implemented shall not be displaced unless
897 appropriate relocation or resettlement sites and other measures to mitigate the
898 adverse effects of displacement have been provided, in accordance with the
899 provisions of the Constitution and applicable national and regional laws;

900
901 3. Non-compliance with the requirements in this Section shall be a cause for non-
902 approval or non-renewal of any permits or authorization issued by the LGU to
903 private entities; and

904
905 4. All development projects shall be aligned with the Comprehensive Development
906 Plan - Executive-Legislative Agenda (CDP-ELA) of the province and/or
907 Comprehensive Development Plan (CDP) and CLUP of the city or municipality
908 where the development project is to be implemented.
909

910 **Section 37. RESOLUTION OF CONFLICTS THAT DRIVE DISPLACEMENT**

911 a) Monitoring of implementation of peace agreements

912 The BIDCC shall ensure that measures to prevent displacement due to conflict are
913 aligned with the Annex on Normalization of the Comprehensive Agreement on the
914 Bangsamoro (CAB) and related issuances.
915

916 b) Resolution of clan wars and political violence

917 In accordance with its mandate under Title X, Section 3 of the *Bangsamoro*
918 *Administrative Code*, the MPOS shall formulate and implement policies and programs
919 for the effective settlement of clan conflicts, including but not limited to clan wars
920 (locally known as “rido”) and other horizontal conflicts in the region, as well as for
921 the prevention of recurrence of such conflicts, especially in areas that experience
922 high rates of displacement. Such plans shall integrate and emphasize conflict
923 sensitivity and prevention and provide information on rights during armed conflict.
924

925 Whenever possible, conflict resolution agreements, facilitated by the MPOS at the
926 local level, shall include provisions regarding access to both formal and informal
927 mechanisms for resolving property disputes and other matters that will prevent
928 further displacements. This also applies to disputes, including *rido*, that are settled
929 by the *ad hoc* bodies of the local peace and order councils, as outlined in Section 128
930 of the “*Bangsamoro Local Governance Code of 2023*.”
931

932 The MPOS and the Peace, Security, and Reconciliation Office (PSRO) under the Office
933 of the Chief Minister, and other offices and *rido* settlement mechanisms shall submit
934 to the BIDCC a monitoring and assessment report of *rido* cases within its mandate,
935 with a summary of cases resolved or settled every six (6) months.

936 The BIDCC, through the relevant Ministries, shall ensure that alternative dispute
937 resolution (ADR) in the Bangsamoro Region is mainstreamed in efforts to address clan
938 wars and political violence.
939

940 **Section 38. DISASTER PREVENTION AND PREPAREDNESS**

941 BMOAs and Local Disaster Risk Reduction and Management Councils (LDRRMCs) shall include
942 and ensure the respect, promotion, protection, and fulfillment of the rights of IDPs in the
943 implementation of the Disaster Risk Reduction and Management Plans (DRRMPs), as provided
944 in applicable regional and national laws and issuances.
945

RULE IV. DUTIES RELATED TO ACHIEVING DURABLE SOLUTIONS TO DISPLACEMENT

Section 39. RETURN, LOCAL INTEGRATION, OR SETTLEMENT ELSEWHERE IN THE COUNTRY

The BIDCC, in cooperation with the concerned LGUs, shall have the primary duty and responsibility to establish conditions and provide means for IDPs to resume normal life by achieving durable solutions which may be facilitated by allowing the IDPs to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, to integrate voluntarily in their places of refuge, or settle in another part of the Philippines, taking into consideration the right of IDPs to choose a residence.

The BIDCC, LIDCs, and other stakeholders shall respect and facilitate the free, empowered, and informed choices of IDPs, providing them with comprehensive information about the available options and the prevailing conditions in each location. This process shall include prior consultations and the full participation of IDPs during and after the planning and management of their chosen durable solution, in the manner consistent with the provision of Section 6 (p) of the Act.

The BIDCC shall establish clear timeframes and benchmarks for the implementation of each durable solution, ensuring that actions are both timely and effective. Regular monitoring and evaluation mechanisms shall likewise be instituted to track progress, identify any challenges or gaps, and facilitate adaptive management.

Section 40. DURABLE SOLUTIONS, WHEN ACHIEVED

A durable solution is achieved when IDPs no longer have any specific assistance, and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of such. Displacement specific protection needs shall include the criteria as stipulated in the Inter-Agency Standing Committee (IASC) Framework on Durable Solutions for IDPs:

- a) The need or human rights concern is the consequence of events causing displacement or resulting from displacement;
- b) The need or human rights concern results from the displaced person's absence from his or her home;
- c) The need or human rights concern is related to conditions in areas of return, local integration or settlement elsewhere in the country that pose an obstacle to the IDP being able to choose a durable solution; and
- d) The need or human rights concern is a consequence of a problem disproportionately affecting IDPs, in particular if the problem results from discrimination.

Relevant factors that may call for favoring certain locations for durable solutions over others include:

1. The wishes of the majority of IDPs;

- 997 2. Priorities identified in a peace agreement that take into account IDPs' rights,
998 needs and legitimate interests;
999
1000 3. The local absorption capacity for integrating IDPs in areas of return, local
1001 integration or settlement elsewhere in the country;
1002
1003 4. Differences between areas with regard to security and available protection
1004 mechanisms, including disaster risks;
1005
1006 5. Differences between areas with regard to the availability of natural resources,
1007 sustainable livelihood and employment opportunities, infrastructure or public
1008 services;
1009
1010 6. Environmental sustainability of the durable solution envisaged (environmental
1011 degradation and resource depletion leading to a crisis in long-term viability or
1012 creating a potential cause of conflict between IDPs and host communities); and
1013
1014 7. The overall cost of supporting different options, bearing in mind available
1015 resources and pledged donor funds.
1016
1017

1018 **Section 41. DURABLE SOLUTIONS' CRITERIA**

1019 The options of IDPs towards durable solutions are the following:

- 1020 a) Sustainable return to the place of origin (hereinafter referred to as "return");
1021
1022 b) Sustainable local integration in areas where IDPs take refuge (local integration); and
1023
1024 c) Sustainable integration in another part of the country (settlement elsewhere in the
1025 country).
1026

1027 Durable solutions are not to be understood as the mere return of the IDPs to their former
1028 homes and/or by a reestablishment of the status quo before their displacement. Mere
1029 physical movement, namely returning to one's home or place of habitual residence, moving
1030 to another part of the country, or choosing to integrate locally often does not amount to a
1031 durable solution either, as the durable solution criteria must be considered.
1032

1033 In determining whether or not IDPs have already attained durable solutions to displacement,
1034 it shall be evaluated whether the IDP is able to enjoy the following rights without
1035 discrimination rooted in displacement:
1036

- 1037 1. Long-term safety, security and freedom of movement;
1038
1039 2. An adequate standard of living, including at a minimum, access to adequate food,
1040 water, housing, health care and basic education;
1041
1042 3. Access to employment and livelihoods; and
1043
1044 4. Access to effective mechanisms that restore their housing, land and property or
1045 provide them with compensation.
1046

1047 Depending on the context, it shall be part of the evaluation whether IDPs are able to benefit
1048 without discrimination from the following:
1049

5. Access to and replacement of personal and other documentation;
6. Voluntary reunification with family members separated during displacement;
7. Participation in public affairs at all levels on an equal basis with the resident population; and
8. Effective remedies for displacement-related violations, including access to justice, reparations and information about the causes of violations.

The criteria are not exhaustive, nor do they all need to be met in order to achieve durable solutions. Their applicability depends on the specific displacement context, as well as on the long-term needs and vulnerabilities of the displaced persons.

Section 42. DUTIES RELATED TO ENSURING MEANINGFUL PARTICIPATION OF IDPs FOR DURABLE SOLUTIONS

- a) The BIDCC shall set the standards for meaningful participation of IDPs and feedback mechanisms for them on the nature and conduct of assistance from BMOAs and instrumentalities of BARMM, government-owned and controlled corporations, private entities, non-government organizations, international organizations, and private and state colleges and universities and schools operating in the BARMM;
- b) BIDCC and the concerned LIDCs shall ensure that IDPs actively engage/meaningfully participate in all stages of planning for return, local integration, or settlement through structured and inclusive mechanisms, such as participatory needs assessment, community-led planning committees, co-design workshops, decision-making forums, feedback and grievance redress systems, and joint monitoring and evaluation processes. Their recommendations/perspectives may be integrated into policy and plan development and enhancement, program implementation, and accountability mechanisms to ensure solutions are responsive to their needs/priorities/aspirations/rights;
- c) As part of this process, the LIDCs shall facilitate “go and see visit” with the IDPs to the places of origin so that the latter may make informed decisions as to their displacement. LIDCs may, subject to availability of resources, provide support to IDPs during this period. Findings, where necessary, shall be communicated to the IDPs. Advisories prohibiting or discouraging return shall be made by the LIDC, without impinging on the right to freedom of movement and the right of IDPs to choose their residence; and
- d) Pursuant to Sec. 19 herein, BMOAs and LGUs shall establish transparent and accessible mechanisms for the dissemination of complete information on durable solutions plans.

Section 43. DUTIES RELATED TO RETURN OF IDPs TO THEIR PLACES OF ORIGIN

The Bangsamoro Government and LGUs shall facilitate the voluntary, safe, and dignified return of IDPs to their places of origin or habitual residence.

The BIDCC shall issue such guidelines as to facilitate the voluntary, safe, and dignified return of IDPs to their places of origin or habitual residence, within the following parameters:

- a) The BIDCC shall coordinate with other concerned offices and agencies of the national and Bangsamoro Governments and LGUs concerned and with prior consultation and full participation of IDPs to plan for the return of IDPs to their places of origin;
- b) Plans for the return of IDPs shall, to the extent possible under existing laws, refrain from imposing administrative requirements that may limit or delay the possibility of IDPs returning to their homes;
- c) When, for reasons of safety and security, IDPs are still unable or not allowed to return, the concerned authorities, in coordination with the security and other relevant government agencies, shall pursue all available means to create favorable conditions for return such as clearing the area of unexploded ordnances (UXOs), peacekeeping operations and others;
- d) Under no circumstances shall IDPs be encouraged or compelled to return or relocate to areas where their life, safety, liberty or health would be at risk;
- e) BMOAs, LGUs and other stakeholders with roles in the Recovery and Rehabilitation Plan related to the return of IDPs shall ensure that the following standard conditions are met, subject to the specific displacement context, as well as on the long-term needs and vulnerabilities of the displaced persons: safety of places of origin; adequate standard of living, including food, clothing, shelter, and WaSH; access to healthcare and education; livelihood and employment; and accessible mechanisms to address issues of housing, land and property; and
- f) Recommendations from the security sector or appropriate agencies may be considered by LIDCs for the declaration of return without impinging on the right to freedom of movement and the right of IDPs to choose their residence.

Section 44. DUTIES RELATED TO LOCAL INTEGRATION OF IDPs IN THEIR PLACES OF DISPLACEMENT

The BIDCC and concerned LGUs shall facilitate the voluntary integration of IDPs into the host community where they have sought refuge.

When IDPs choose to voluntarily integrate into their host communities, the host LGU shall ensure the integration of IDPs into their community and grant IDPs the same rights and access to services as other residents of the host community. The BIDCC, concerned LGUs, and other stakeholders with roles in the Recovery and Rehabilitation Plan related to the local integration of IDPs shall ensure that the standard conditions are met, as provided in paragraph (e), Section 43 above.

If the local integration takes place outside BARMM and pursuant to Sec. 13 of the Act and Rule X herein, the BIDCC shall coordinate with national authorities and relevant LGUs to facilitate their safe, dignified, and sustainable local integration.

An IDP's choice of local integration or settlement elsewhere in the country, in the absence of the option to return, shall not be regarded as a renunciation of his/her right to return should that choice later become feasible.

Section 45. DUTIES RELATED TO SETTLEMENT OF IDPs WITHIN BARMM AND ELSEWHERE IN THE COUNTRY

When IDPs choose to voluntarily settle elsewhere within BARMM, the BIDCC shall assist LIDCs in ensuring the integration of IDPs into their community. In cases where IDPs decide to

voluntarily settle or relocate outside the BARMM within the Philippines, the BIDCC shall coordinate with national authorities and LGUs to facilitate the voluntary, safe, and dignified relocation/ settlement of IDPs in their chosen areas.

The BMOAs and LGUs shall ensure that these IDPs receive the necessary support and assistance to successfully integrate into their new communities. BMOAs, LGUs, and other stakeholders with roles in the Recovery and Rehabilitation Plan in relation to the relocation/ settlement of IDPs shall ensure that the same standard conditions set forth in paragraph (c) of Section 43 herein are met.

Section 46. ASSESSMENT TOOL

Pursuant to the durable solutions strategy adopted by the BIDCC, the Division shall develop assessment tools to measure the extent to which durable solutions have been achieved for IDPs, whether in protracted displacement contexts or those in the return or settlement sites.

RULE V. REGIONAL PROGRAM TO ADDRESS INTERNAL DISPLACEMENT

Section 47. THE BANGSAMORO IDP PROGRAM (BIDP)

The BIDP, which includes policies, plans, strategies, and the necessary guidelines, shall be adopted by the BIDCC after deliberations, based on a draft submitted to it by the Division.

The BIDP shall be designed to be flexible and responsive, enabling it to adapt to the unique circumstances of each displacement situation. The program may include financing assistance, livelihood programs, psychosocial interventions, programs ensuring transparency and the full participation of IDPs in decisions important to them, especially in their durable solutions, among others. Indigent families, women, children, elderly, and persons with disabilities shall be given special attention and assistance. The BIDP shall also include measures to prevent displacement.

Section 48. CONTENTS OF THE BIDP

The BIDP shall set out policies, plans, strategies, and the necessary guidelines in addressing the needs and protecting the rights of IDPs during and after displacement as well as in their voluntary and safe return, local integration, or settlement elsewhere in the country. The BIDP should make reference to the Recovery and Rehabilitation Plans of LGUs with displacement incident/s.

At the minimum, the BIDP shall contain:

- a) a situation report of the displacement situation across the BARMM, with the proper contextualization for each province or area;
- b) a summary of displacement data, referencing Situation Reports and previous accomplishment reports by the Bangsamoro DRRMC (or BDRRMC) and various BMOAs, and lessons learned therefrom;
- c) a three-year plan that includes:
 1. policies, strategies, programs and activities to address internal displacement, protect IDPs in the course of displacement, and work towards achieving durable solutions to displacement; *Provided, That these are*

- 1202 responsive to the needs of vulnerable sectors including women, children,
1203 indigenous peoples, persons with disabilities among others;
1204
1205 2. timeline and identification of the responsible agencies, in accordance with
1206 their mandates under the Act and existing laws;
1207
1208 3. discussion on how the IDP response/durable solutions plan per sector or
1209 thematic area integrates with other strategic plans of the Bangsamoro
1210 Government, such as, but not limited to, the regional development plan,
1211 investment plan, DRR plan, CLUP, and local development plans at the local
1212 level; and
1213
1214 4. a capacity building plan for the Division and relevant staff of the various
1215 BMOAs, LGUs, and other stakeholders with mandates on internal
1216 displacement;
1217
1218 d) measures to harmonize the work of the various mechanisms at the local level
1219 such as, but not limited to, the Peace and Order Council, Development Council,
1220 DRR Council;
1221
1222 e) coordination measures with LGUs outside the BARMM for assistance to IDPs from
1223 the BARMM, and non-BARMM residents displaced to areas within the BARMM;
1224
1225 f) mechanisms to ensure flexibility in the assistance provided to IDPs to ensure
1226 that assistance is based on actual need and unique circumstances of each
1227 displacement situation and not a “one-size-fits-all” approach;
1228
1229 g) measures to ensure the meaningful participation of IDPs, especially those from
1230 the vulnerable and marginalized sectors in the planning process of the BIDP;
1231 and
1232
1233 h) a provision for “functionality assessment” of mechanisms mandated to be
1234 established in LGUs.
1235

1236 **Section 49. PERIOD COVERED BY THE BIDP**

1237 The BIDP shall cover a three-year period to be reviewed annually by the BIDCC. During the
1238 review and consolidation process, BIDCC shall take into account existing development plans
1239 and DRRM plans that may already have been approved by the Bangsamoro Government.
1240

1241 In addition, the BIDCC shall work with LGUs so that the goals and strategies of the BIDP are
1242 adequately reflected and mainstreamed in the local development plans of the constituent
1243 LGUs in the manner provided in Section 15(b) of the Act.
1244

1245 **Section 50. PROCESS**

1246 In the crafting of the BIDP, the BIDCC, through its appropriate Committee as well as the
1247 Division, shall ensure that:

- 1248 a) IDPs, especially women, youth, and other vulnerable sectors, leaders of host
1249 communities, civil society organizations (CSOs), religious and traditional leaders are
1250 consulted in the formulation of the BIDP;
1251
1252 b) coordination with concerned BMOAs, LGUs and other stakeholders are in place; and
1253

- c) proper planning of preparatory activities such as consultations and data gathering are undertaken to ensure that the BIDP is adopted within the set timeline.

Section 51. MONITORING BIDP IMPLEMENTATION

The BIDCC shall conduct the monitoring and evaluation of the BIDP, with technical assistance and support from the Division.

RULE VI. RECOVERY AND REHABILITATION PLAN

Section 52. RECOVERY AND REHABILITATION PLAN

The LGUs exercising territorial jurisdiction over the displacement affected area or areas where there is displacement shall craft their Recovery and Rehabilitation Plans valid for three years with the support from the Division, MILG, and the BPDA.

The Recovery and Rehabilitation Plan shall be applicable to situations of protracted displacement and shall be for IDPs who opt to return, locally integrate, or settle elsewhere. Recovery and Rehabilitation Plans shall be based on the specific displacement context, as well as on the long-term needs and vulnerabilities of IDPs. Towards this end, the LGUs concerned shall include and consult IDPs, including vulnerable sectors, such as, but not limited to, women, children, and persons with disabilities at all times.

Subject to the specific displacement contexts, as well as on the long-term needs and vulnerabilities of the displaced persons, the Recovery and Rehabilitation Plans shall include the following: standard conditions, long-term safety, security and freedom of movement; adequate standard of living including food, clothing, shelter, and WaSH; access to health care and education; livelihood and employment; and accessible mechanism to address issues of housing, land and property; access to and replacement of personal and other documentation; voluntary reunification with family members separated during displacement; participation in public affairs at all levels on an equal basis with the resident population; and effective remedies for displacement-related violations, including access to justice, reparations and information about the causes of violations.

In selecting the locations, crafting of the designs, deciding on the management or system of administration of the sites, and the other requirements for setting up the temporary or transitory shelters, the LGUs concerned shall follow established due diligence requirements designed to prevent the threats or minimize the risks of secondary displacement due to natural hazards, existence of conflicting land or other legal claims, and other causes.

RULE VII. THE BANGSAMORO INTERNAL DISPLACEMENT COORDINATING COUNCIL (BIDCC)

Section 53. FUNCTION

The BIDCC is the main instrumentality of the Bangsamoro Government to ensure intergovernmental and inter-agency coordination and cooperation to address issues related to internal displacement and IDPs and recommend appropriate actions to resolve issues through existing government mechanisms and in accordance with applicable laws and regulations.

The BIDCC shall serve as the representative of the Bangsamoro Government on IDP-related matters outside the region.

Section 54. COMPOSITION

The BIDCC is composed of the following:

- a) The Minister for Social Services and Development as Chairperson,
- b) The Minister of the Interior and Local Government as Vice Chairperson.
- c) The Minister of Human Settlement and Development (MHSD);
- d) The Minister of Public Works (MPW);
- e) The Minister of Agriculture, Fisheries, and Agrarian Reform (MAFAR);
- f) The Minister of Science and Technology (MOST);
- g) The Minister of Health (MOH);
- h) The Minister of Basic, Higher and Technical Education (MBHTE);
- i) The Minister of Public Order and Safety (MPOS);
- j) The Minister of Indigenous Peoples' Affairs (MIPA);
- k) The Chairperson of the Bangsamoro Human Rights Commission (BHRC);
- l) The Chairperson of the Bangsamoro Women Commission (BWC);
- m) The Chairperson of the Bangsamoro Youth Commission (BYC);
- n) The Director-General of the BPDA;
- o) The Executive Director of the Cooperative and Social Enterprise Authority (CSEA);
- p) The Bangsamoro Mufti of the BDI;
- q) The Executive Director of the OSC;
- r) The Regional Director of the Police Regional Office in the Bangsamoro Autonomous Region (PRO BAR);
- s) Provincial Governor/s of the affected provinces;
- t) Two (2) representatives from IDPs in the BARMM; and
- u) Two (2) representatives from civil society.

The Chairperson shall preside over meetings of the BIDCC, ensuring orderly discussions and decision-making. It shall oversee the implementation of the BIDP and ensure that the BIDCC performs its functions effectively. In the absence of the Chairperson, the Vice Chairperson shall perform the former's functions.

The members shall regularly attend meetings, participate in the deliberation proceedings of the BIDCC, and report accomplishments.

The Division shall serve as the Secretariat of the BIDCC.

Section 55. SELECTION OF REPRESENTATIVES FROM THE CIVIL SOCIETY AND IDPs

The BIDCC shall adopt a set of criteria for the selection of the CSO and IDP representatives, taking into consideration representation of both mainland and island province CSOs and IDPs, as well as that of women and children.

The criteria shall be widely disseminated, and the Secretariat shall receive the nominations and prepare a long list of nominees.

The BIDCC shall form a Selection Committee from among its members, which shall then apply the criteria and submit a short list of nominees to the BIDCC.

After deliberations by the BIDCC, the Chairperson shall, with the concurrence of the members, appoint the chosen two (2) representatives from CSO nominees and two (2) from the nominees of IDPs.

Section 56. TERMS OF OFFICE OF CSO AND IDP REPRESENTATIVES

Representatives of the CSO and IDP communities to the BIDCC shall hold their position for three (3) years.

The terms of the succeeding representatives shall start 30 days after the selection. Incumbent representatives shall continue to serve on a holdover capacity within the 30 days to ensure proper transition.

Appointment to any vacancy occurring during the term shall be for the unexpired portion thereof.

Section 57. HONORARIA AND/OR PER DIEMS OF CSO AND IDP REPRESENTATIVES TO THE BIDCC

Representatives of CSOs and IDPs to the BIDCC shall receive honoraria and/or per diem for official meetings thereof, in accordance with existing rules and regulations: *Provided*, That they do not receive any similar emolument or allowance from any other entity for attending the same meetings.

Section 58. AD HOC MEMBERS

Ad hoc members are members who are considered members of the BIDCC during meetings where a specific instance or issue of displacement is to be taken up. During such meetings, *ad hoc* members have voting powers. Outside of the specific instance or issue under discussion, they may sit in the BIDCC as observers.

- a) Provincial Governors, on displacement occurring within their areas of responsibility;
- b) Mayors of the municipalities from and to which the IDPs were displaced, with the approval of the BIDCC; and
- c) The Executive Director of the Bangsamoro Information Office (BIO)

Section 59. OBSERVERS AND RESOURCE PERSONS

Where necessary, the BIDCC, through the Chairperson, may invite the following to its meetings to provide assistance and technical support:

- a) Ad hoc members of the BIDCC, when attending meetings outside of the terms of their membership;
- b) Regional counterparts of BARMM agencies from other regions which are hosts or origins of IDPs;
- c) The Office of Civil Defense covering regions adjacent to the area of displacement;

- 1416
1417 d) Representatives of national or sub-national agencies or bodies, for cases of
1418 displacements of BARMM resident and their relocation to areas outside of the region;
1419 and
1420
1421 e) Other persons invited by the BIDCC or the Committees to render technical or expert
1422 advice on matters under consideration.
1423

1424 **Section 60. MEETINGS OF THE BIDCC**

- 1425 a) The BIDCC shall meet, in-person or online, once each quarter, or as the need arise.
1426
1427 b) Attendance of a simple majority of voting members shall be sufficient to constitute
1428 a quorum. In appropriate cases, decisions shall be made through the vote of the
1429 majority of those present, there being quorum.
1430
1431 c) Meetings of the BIDCC shall be chaired by its Chairperson, and in his/her absence, by
1432 the Vice Chairperson/s. Such delegation may be permitted depending on the urgency
1433 of the issue/s to be resolved.
1434
1435 d) Notice of the regular quarterly meetings shall be sent at least three (3) days in
1436 advance, with the attached Order of Business.
1437
1438 e) All policy issuances, plans and reports, and communications shall be signed by the
1439 Chairperson, except when others are otherwise allowed in accordance with the
1440 BIDCC's internal rules of procedure.
1441

1442 **Section 61. RELATIONSHIP AND INTERFACING WITH THE BDRRMC**

1443 The BIDCC shall coordinate and provide guidance to the work of the BDRRMC at the policy
1444 and strategic levels on broader aspects of displacement management: *Provided*, That the
1445 BDRRMC shall perform its functions on displacement management at the operational and
1446 tactical levels in relation to its primary mandate over disaster risk reduction and
1447 management.
1448

1449 **Section 62. JOINT MEETINGS WITH THE BDRRMC**

1450 The BIDCC may, when deemed expedient, convene joint meetings with the BDRRMC for the
1451 alignment of policies, harmonization of guidelines, standardization of tools and other
1452 information management systems and coordination of efforts during disasters, as well as
1453 resolution of jurisdictional issues between the two Councils.
1454

1455 Within 90 days from its first meeting as a Council, the BIDCC shall shall convene a Joint
1456 Meeting with the BDRRMC for the purpose of determining and resolving possible operational
1457 overlaps.
1458

1459 **Section 63. COMMITTEES OF THE BIDCC**

- 1460 a) The BIDCC shall determine the composition of each Committee, including the
1461 Chairpersons and Vice Chairpersons thereof, and shall be formalized through the
1462 issuance of a memorandum. The BIDCC may develop internal rules for the effective
1463 performance of its functions and duties.
1464
1465 b) The powers and functions of the BIDCC shall be dispensed through the following
1466 Committees:
1467
1468 1. Committee on Policy Standards, Planning, and Reporting

- 1469 i. In coordination with the Secretariat, it shall review and adopt plans,
1470 policies, and strategies for the protection and promotion of the rights of
1471 IDP for adoption of the BIDCC;
1472
- 1473 ii. Ensure that vulnerable sectors, including women and children, are able
1474 to fully and meaningfully participate in the planning for assistance, and
1475 ensure the responsiveness of regional policies relating to IDPs;
1476
- 1477 iii. Review plans of BMOAs in so far as such plans concern internal
1478 displacement, including the protection of IDPs, and prevention and
1479 resolution of displacement;
1480
- 1481 iv. Ensure that situation reports and accomplishment reports of BMOAs are
1482 referenced and considered as inputs in the drafting of the BIDP; and
1483
- 1484 v. Review the draft BIDCC Annual Report prior to submission to the Chief
1485 Minister.
1486
- 1487 2. Committee on Local Government Capacity
- 1488 i. Ensure the plans of LGUs on IDP protection and promotion of rights are
1489 considered in the planning of regional programs;
1490
- 1491 ii. Ensure that the LGUs are supported in mainstreaming the BIDP and other
1492 related plans within their respective planning policies and documents
1493 and in the crafting of their local Recovery and Rehabilitation Plans;
1494
- 1495 iii. Provide advice to LGUs in the design of local infrastructure projects, in
1496 so far as these can serve as alternative shelters or evacuation facilities
1497 during displacement;
1498
- 1499 iv. Support the local *Sangguniang Panlalawigan, Sangguniang Panlungsod,*
1500 *and Sangguniang Bayan* in the crafting or harmonization of IDP protection
1501 ordinances and other local measures, when requested.
1502
- 1503 3. Committee on Emergency Response
- 1504 i. With the support of the Secretariat, oversee the coordination of all
1505 actors rendering assistance during the first 48 hours of displacement with
1506 the members of the BIDCC and other mechanisms in the BARMM such as
1507 the BARMM Rapid Emergency Assistance on Disaster Incidence (READi);
1508 and
1509
- 1510 ii. Recommend appropriate actions to provide emergency response and
1511 resolve issues on the matter through existing government mechanisms
1512 and in accordance with applicable laws and regulations.
1513
- 1514 4. Committee on Recovery, Rehabilitation and Relocation
- 1515 i. Lead the development of the standard categorization of protracted
1516 displacement including a specific timeframe, taking into account the
1517 local context and experiences within the BARMM;
1518
- 1519 ii. Consolidate and review recovery, rehabilitation and relocation plans for
1520 IDPs who opted to return, locally integrate, or settle elsewhere, as
1521 submitted by BMOAs and LGUs;

- iii. Coordinate and harmonize efforts and movements towards durable solutions to displacement; and
- iv. Ensure that protection and durable solutions are integrated into the design of such plans pursuant to the criteria in Sec. 40, Rule IV.
- 5. Committee on Stakeholder and Public Engagement
 - i. With the support of the Secretariat, harmonize efforts pertaining to concerns raised by human rights and humanitarian organizations;
 - ii. Raise awareness on the issue of internal displacement in the Bangsamoro at the international, national, and regional levels as well as among all agencies and instrumentalities of the Bangsamoro Government; and
 - iii. Ensure multi-stakeholder cooperation and coordination with the full and meaningful participation by IDPs including women, children and other vulnerable sectors in the work of the BIDCC.
- 6. Other committees as the BIDCC may deem necessary.
- c) Committee plans and reports shall contain a separate section on how protection for internally displaced women, children and ICCs/IPs and durable solutions are upheld and observed.
- d) In dispensing its mandate, each Committee may propose standards, forms and other tools that may assist it in functions, for adoption by the BIDCC.

Section 64. MEETINGS OF THE COMMITTEES

Notices of committee meetings shall be sent to members and resource persons at least three (3) days prior and signed by the Committee Chairperson, with notice to the BIDCC Chairperson and Secretariat.

Section 65. TECHNICAL WORKING GROUPS AND AD-HOC BODIES

The Chairperson of the BIDCC may authorize the formation of such Technical Working Groups (TWG) or any other ad hoc bodies to aid in the work of the BIDCC including those at the Committee level.

RULE VIII. THE BANGSAMORO INTERNAL DISPLACEMENT MANAGEMENT AND MONITORING DIVISION (BIDMMD) OF THE MSSD

Section 66. FUNCTIONS AND STRUCTURE OF THE DIVISION

Under the supervision and control of the Programs and Operations Services of the MSSD, the Division serves as the Bangsamoro Government's institutional and administrative focal point for IDPs and the Secretariat of the BIDCC. The Division shall advise the BIDCC or any of its members on the minimum standards of humanitarian assistance, and render technical support to BMOAs, LGUs, and other stakeholders in crafting, implementing, monitoring and evaluation of IDP policies, plans, and programs.

The functions of Division, as enumerated under Section 18 of the Act, are hereby clustered as follows:

a) Planning and Development Section

1. Formulate the BIDP, in consultation with IDPs especially women, children, vulnerable sectors, other affected populations, and stakeholders, for review, consideration, and approval of the BIDCC: *Provided*, That the BIDP shall consider the Recovery and Rehabilitation Plans of the regional and local DRRM;
2. Operationalize the policies issued by the BIDCC in pursuance of the Act, and work closely with and provide technical assistance to BMOAs and LGUs in the formulation, implementation and monitoring of the BIDP and local Recovery and Rehabilitation Plans, respectively;
3. Coordinate and consolidate displacement reports submitted by the LIDCs and other reliable sources; and
4. Draft annual accomplishment reports in collaboration with other sections in the Division to be submitted to the BIDCC for review and approval.

b) Policy and Coordination Section

1. Policy

- i. Develop guidelines and minimum standards of humanitarian assistance for the effective implementation of the Act, including the crafting and periodic review of the standard categorization of protracted displacement;
- ii. Develop evidence-based policy and research agenda; and
- iii. Formulate, harmonize, and translate research results and findings into policies and legislative agenda.

2. Coordination

- i. Coordinate and monitor the implementation of the BIDP, track humanitarian activities and assistance to IDPs, and adopt tools for this purpose;
- ii. Advise the BIDCC on the status of operations and conditions of IDPs, with the support of the Information and Management Section;
- iii. To ensure complementary efforts, coordinate with the B/LDRRMC in addressing internal displacement caused by disasters and other emergencies;
- iv. Assist in and coordinate, through the BHRC and the CHR, the conduct of public inquiries, the documentation of violations human rights, assistance to IDPs seeking redress of grievances, and the response by the concerned authorities, including the implementation of applicable mechanisms on transitional justice and reconciliation; and
- v. Maintain a directory of humanitarian actors working in the BARMM and regularly update these.

1625 3. Monitoring

- 1626 i. Monitor the development and implementation of LIDC plan;
- 1627
- 1628 ii. Monitor the development and implementation of policy issuances
- 1629 mandated by the Act;
- 1630
- 1631 iii. Monitor and evaluate the compliance and enforcement by BMOAs of the
- 1632 various laws, guidelines, codes or technical standards as required in the
- 1633 Act;
- 1634
- 1635 iv. Establish an IDP grievance and referral mechanism and monitor the issues
- 1636 and actions taken thereon, including complaints on property loss and
- 1637 damage, and raise unresolved matters to the Chairperson for inclusion in
- 1638 the BIDCC's Order of Business;
- 1639
- 1640 v. Establish a donation monitoring system; and
- 1641
- 1642 vi. Monitor and assess efforts and movements towards the attainment of
- 1643 durable solutions for IDPs, with the criteria to be set by the BIDCC.
- 1644

1645 c) Information and Management Section

1646

- 1647 1. As the official repository of all IDP-related data in the BARMM, the Division,
- 1648 through this Section, shall establish, maintain and update a displacement
- 1649 database containing information on displaced persons as to the number, age-
- 1650 ,sex-, and disability-disaggregated information, origin and place of
- 1651 displacement, cause or type of displacement, whether the IDPs are in evacuation
- 1652 centers or home-based, indicating the length or duration of displacement, their
- 1653 vulnerabilities and current needs, including sector-specific needs such as those
- 1654 of children, women, persons with disabilities, among others;
- 1655
- 1656 2. Develop an assessment tool, for the approval of the BIDCC, to be used for the
- 1657 identification of IDPs, monitoring of access to rights and services, and pursuit of
- 1658 durable solutions: *Provided*, That the lack of an assessment tool, however, shall
- 1659 not preclude access to rights and services by IDPs;
- 1660
- 1661 3. Design and/or adopt an IDP profiling system that shall be used by all the BMOAs,
- 1662 constituent LGUs of the BARMM, and humanitarian actors and other groups in
- 1663 tracking the assistance received by the IDPs;
- 1664
- 1665 4. Establish clear guidelines on how displacement data will be publicly accessed and
- 1666 presented, ensuring transparency while protecting the privacy of IDPs and
- 1667 confidentiality;
- 1668
- 1669 5. Provide such anonymized data to the BIDCC and any of its Committees as well as
- 1670 any instrumentality of the Bangsamoro Government, when requested in writing;
- 1671
- 1672 6. Draft a data privacy protocol in handling personal or sensitive data of IDPs for
- 1673 adoption of the BIDCC;
- 1674
- 1675 7. Review any proposal for or draft data-sharing agreements, as directed by the
- 1676 BIDCC, subject to clearance of the Legal Officers of the MSSD;
- 1677

8. Support the Monitoring and Coordination Section by setting up and maintaining a grievance and referral system to document issues raised by IDPs, monitor the actions taken thereon, take note of the remaining gaps in the response, and other relevant information;
 9. Provide guidance to government agencies and non-government organizations seeking to conduct data-gathering exercises among displaced populations in the BARMM; and
 10. Maintain a list of evacuation centers and structures that serve as such during times of displacement.
- d) Secretariat to the BIDCC
1. Provide secretariat and logistical support to meetings of the BIDCC, including sending of notices and invitations, undertaking administrative and logistical arrangements, coordinating event, as well as overseeing documentation of these meetings and events;
 2. Draft initial agenda of BIDCC meetings, under the guidance and subject to the approval of the Chairperson, for consideration of the BIDCC; and
 3. Assist the BIDCC in the latter's horizontal coordination with the BDRRMC.
- The distribution of tasks per section is subject to MSSD's rationalization, as may be necessary: *Provided*, That the functions of the Division under the Act is not diminished.

RULE IX. THE LOCAL INTERNAL DISPLACEMENT COUNCILS

Section 67. COMPOSITION OF THE LOCAL INTERNAL DISPLACEMENT COUNCILS (LIDCs) IN PROVINCES

The LIDCs in Provinces shall be composed of:

- a) The Provincial Governor as the Chairperson;
- b) The Provincial Social Welfare and Development Officer appointed by the provincial LGU as Vice Chairperson. If none has been appointed, the Provincial Social Welfare and Development Officer appointed by the MSSD shall be the interim Vice-Chairperson;

Members:

- c) The Provincial Director of the MILG;
- d) The Provincial Engineer;
- e) The Provincial Director of MAFAR; If none has been appointed, the highest provincial officer appointed by the MAFAR shall be the interim member;

- f) The Provincial Health Officer appointed by the provincial LGU. If none has been appointed, the Provincial Health Officer appointed by the MOH shall be the interim member;
- g) The highest provincial officer/s representing Basic Education, Higher Education, Technical Education, and Madaris Education;
- h) Provincial Director of the BHRC
- i) Provincial Disaster Risk Reduction and Management Officer;
- j) Provincial Planning and Development Coordinator;
- k) The Provincial Director of the Cooperatives and Social Enterprises Authority (CSEA);
- l) The Provincial Chief of Police;
- m) The representative of the Gender and Development (GAD) focal point system of the provincial LGU;
- n) Representative from among the organized and accredited women's organizations in the province;
- o) The representative of the federation of youth organizations at the provincial level;
- p) The provincial indigenous peoples' mandatory representative, if any;
- q) The representative of the Muslim religious leaders in the province;
- r) The representative of affected settler communities, if any;
- s) Mayors of the affected cities/municipalities in the province;
- t) Two (2) representatives from the IDPs; and
- u) Two (2) representatives from relevant CSOs with track record of working on IDP issues.

Regional Offices above mentioned with no provincial directors shall be represented by its head of office at the provincial level.

Section 68. COMPOSITION OF THE LOCAL INTERNAL DISPLACEMENT COUNCILS (LIDCs) IN CITIES AND MUNICIPALITIES

The LIDCs in municipalities and cities shall be composed of the following:

- a) The Municipal/ City Mayor as Chair;
- b) The Municipal/ City Social Welfare and Development Officer appointed by the municipal/ city LGU as the Vice Chairperson. If none has been appointed, the Municipal Social Welfare and Development Officer appointed by the MSSD shall be the interim Vice-Chairperson;

1779 Members:

- 1780 a) The Municipal/City Local Government Operations Officer;
- 1781
- 1782 b) The Municipal/City Engineer;
- 1783
- 1784 c) Municipal/ City Agriculture Officer, if one has already been appointed by the
- 1785 municipal/ city LGU. Otherwise, the MAFAR Municipal Officer be the interim
- 1786 member;
- 1787
- 1788 d) The Municipal/City Health Officer appointed by the municipal LGU. If none has been
- 1789 appointed, the Municipal/ City Health Officer appointed by the MOH shall sit as
- 1790 member in the interim;
- 1791
- 1792 e) The highest municipal officer/s representing the Basic Education, Higher Education,
- 1793 Technical Education, and Madaris Education;
- 1794
- 1795 f) The Municipal/ City DRRM Officer;
- 1796
- 1797 g) The Municipal/ City Planning and Development Coordinator;
- 1798
- 1799 h) The Municipal/City Chief of Police;
- 1800
- 1801 i) The representative of the GAD focal point system of the municipal/ city LGU;
- 1802
- 1803 j) Women's sector representative from among the organized and accredited women's
- 1804 organizations in the municipality/ city;
- 1805
- 1806 k) The representative of the federation of youth organizations at the municipal/ city
- 1807 level;
- 1808
- 1809 l) Representatives from Muslim religious leaders in the municipality/ city;
- 1810
- 1811 m) Indigenous peoples' mandatory representative, if any;
- 1812
- 1813 n) Representative of affected settler communities, if any;
- 1814
- 1815 o) Punong Barangays of the affected barangays;
- 1816
- 1817 p) Two (2) representatives from the IDPs; and
- 1818
- 1819 q) Two (2) representatives from non-government organizations in the city/municipality
- 1820 with track record of working on IDP issues.

1821 **Section 69. FUNCTIONS OF LIDCs**

1822

1823 The LIDCs shall have the following functions:

- 1824 a) Prescribe the procedures and processes of response and solutions to displacement at
- 1825 the local level, using a rights-based and solutions-oriented approach;
- 1826
- 1827 b) Lead the drafting of the Recovery and Rehabilitation Plan with the support of the
- 1828 BIDMMD and BDPA, ensuring meaningful participation of IDPs in pursuant to Section
- 1829 12 of the Act;

1830

- c) Align local policies and plans such as, but not limited to, the CLUP, local investment plan, DRRM Plan, with the BIDP at the regional level;
- d) Work with mandated authorities in identifying evacuation centers and/or structures that may be used as evacuation centers during displacement;
- e) Lead/oversee the conduct of assessment, and validation of IDPs;
- f) Conduct investigation on any development projects that may cause displacements;
- g) Determine safety and security in the return of IDPs. In case of disputes and conflict of interest with the officials of the LIDC, the concern may be elevated to the immediately higher LIDC or to the BIDCC, in the case of provincial LIDCs and LDCs of independent component cities. The higher LIDC or the BIDC may also, *motu proprio* intervene;
- h) Coordinate closely with the BIDCC through the Division in the effective implementation of IDP-related plans, policies, and programs and ensure that initiatives are integrated in their respective appropriations;
- i) Support the local chief executive in ensuring that, in selecting the locations, crafting of the designs, deciding on the management or system of administration of the sites, and the other requirements for setting up the temporary or transitory shelters, the LGUs follow established due diligence requirements designed to prevent the threats or minimize the risks of secondary displacement due to natural hazards, existence of conflicting land or other legal claims, and other causes.
- j) Include and consult the IDPs, including vulnerable sectors, such as but not limited to women, children, and persons with disabilities, in different matters pertaining to displacement;
- k) Member CSOs and private sector shall assist in organizing IDPs to better coordinate the response of the BMOAs and other relevant stakeholders;
- l) Decide on the process of selection and terms of office of LIDC members representing the civil society and IDPs and other sectoral representatives, when warranted: *Provided*, That the decision on such matters shall be based on criteria and process adopted by the LIDC; and
- m) Call for joint meetings of the LIDC and the LDRRMC, when warranted.

Section 70. THE LIDC SECRETARIAT

The office of the local social welfare officer shall provide Secretariat support, including the following functions:

- a) Ensure that the the programs, activities and projects of the LGU integrate protection of IDPs as well as responses and solutions to displacement;
- b) Monitor instances of displacement within their areas of responsibility and advise the LIDC on matters within its competence; and
- c) Provide secretariat and logistical support to the LIDC, especially during meetings thereof.

1882
1883 **Section 71. MEETINGS OF THE LIDCS**

1884 The LIDCs shall meet once every quarter or as often as deemed necessary. The LIDC
1885 Chairperson shall preside over the meetings, ensuring orderly discussions and decision-
1886 making.

1887
1888 In the absence of the LIDC Chairperson, the LIDC Vice Chairperson will perform the former's
1889 said functions.

1890
1891 The members shall regularly attend meetings, and participate in the deliberation proceedings
1892 of the LIDC, and report accomplishments.

1893
1894 The LIDC may invite resource speakers from the BIDCC or the Division to provide capacity
1895 training on various aspects of displacement management and monitoring, or any other
1896 individual, private or public, who may support the work of the LIDC.

1897
1898 The LIDC Secretariat shall maintain close coordination with the Division.
1899

1900 **Section 72. RELATIONSHIP WITH THE LOCAL DRRM COUNCIL**

1901 The LIDCs shall not replace the Local DRRM Councils (LDRRMCs), which shall continue to craft
1902 and implement their respective strategic and contingency plans as part of their overall DRRM
1903 plans. However, the latter shall abide by standards, strategies and principles that may be
1904 issued by the LIDCs on the protection of human rights of IDPs, prevention of displacement,
1905 and measures to attain durable solutions.

1906
1907 **Section 73. RELATIONSHIP WITH THE LIDC AT THE HIGHER LEVEL**

1908 In cases where an LIDC attempts to enforce the return of IDPs to an insecure area, or a
1909 relocation to areas which are unsafe or unfit, the matter shall be escalated to the next LIDC
1910 of the higher LGU or the BIDCC, as the case may be.

1911
1912
1913 **RULE X. INTERGOVERNMENTAL RELATIONS**
1914

1915 **Section 74. COORDINATION WITH LGUs OUTSIDE THE BARMM**

1916 Assistance to displaced residents outside the BARMM shall be made in coordination with the
1917 concerned local government unit.

1918
1919 Upon a resolution of the BIDCC, the Chairperson may enter into Memoranda of Understanding
1920 with the concerned provincial local government units for this purpose: *Provided*, That such
1921 assistance will be for augmentation purposes; *Provided further*, That no request for
1922 humanitarian assistance shall be denied purely on account of lack of coordination of
1923 information on the part of the LGU.

1924
1925 **Section 75. COORDINATION WITH THE NATIONAL GOVERNMENT**

1926 The BIDCC shall initiate coordination with the National Government, through the Protection
1927 Cluster of the National Disaster Risk Reduction and Management Council (NDRRMC), or similar
1928 inter-agency body, for the establishment of mutually agreed protocols and mechanisms. This
1929 is to facilitate collaboration in addressing displacement caused by armed conflict and huge-
1930 scale disasters, and to promote efficient and effective responses, ensure complementation
1931 of efforts, resolve issues, and foster cooperation.

The BIDCC shall serve as the representative of the Bangsamoro Government on IDP-related matters outside the region.

The protocols shall include coordination of response, IDP protection during huge-scale disasters and durable solutions.

Data and information sharing agreements with the National Government and other regional offices shall be jointly established by the concerned BMOAs or concerned private organizations, subject to the provisions of the *Data Privacy Act of 2012*.

RULE XI. GENERAL PROVISIONS

Section 76. TRANSITORY PROVISIONS

The existing Marawi Rehabilitation Program (MRP) under the Office of the Chief Minister shall not be affected by provisions of the Act. The LIDC of Marawi City, once established, shall coordinate closely with the MRP Project Management Office (PMO) to ensure the complementation of efforts in addressing the needs of IDPs from the said city; *Provided*, That the LIDC-Marawi City, in coordination with the MRP PMO, shall formulate a Recovery and Rehabilitation Plan.

Section 77. INTEGRATION OF IDP RIGHTS IN THE REHABILITATION AND DEVELOPMENT PLANS.

Pursuant to Article XIV of the *Bangsamoro Organic Law*, the Bangsamoro Government shall integrate all plans and policies formulated under this Act to the Bangsamoro Development Plan to guide the utilization of the General Appropriations Act for the Bangsamoro, and the Special Development Fund intended for the rebuilding, rehabilitation, and development of its conflict-affected communities, consistent with the goals and principles of transitional justice.

Section 78. MECHANISMS FOR INTERNATIONAL HUMANITARIAN ASSISTANCE.

International humanitarian organizations, their local counterparts, and other appropriate actors are enjoined to offer their services, including humanitarian assistance, in support of IDPs. These acts shall be considered done in good faith and not as 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 including regional laws, international standards, and codes of conduct. They shall give due regard to the protection of the needs and human rights of the IDPs. Said organizations and all parties concerned shall likewise adhere to the Do No Harm and Safeguarding Principles so as to avoid exposing the affected populations to additional risks. They shall at all times prevent and mitigate any negative impact of their actions on affected populations.

Such organizations conducting operations in emergency-affected areas, or are directly or indirectly interacting with the IDPs, are subject to Philippine laws on sexual exploitation and sexual abuse such as but not limited to:

- a) Sexual activity with children, as defined under existing laws;
- b) Use of sex in exchange of money, employment, goods or services including the engagement in prostitution; and

1986 c) Any sexual relationship with beneficiaries that involves improper use of position or
1987 authority.
1988

1989 Humanitarian aid workers shall uphold their duty of care towards the displaced populations
1990 and shall maintain the trust of the communities being served. They are obliged to create and
1991 maintain an environment that prevents sexual exploitation and abuse.
1992

1993 **Section 79. HALAL COMPLIANCE OF HUMANITARIAN ASSISTANCE, AID, AND DONATIONS.**

1994 The humanitarian assistance, aid, or donations to Muslim IDPs in the BARMM made by the
1995 Bangsamoro Government, national government, local authorities, or international
1996 organizations shall adhere to the *halal* standards and certifications issued by recognized *halal*
1997 certifying bodies in the Philippines. The humanitarian actors shall collaborate to ensure that
1998 humanitarian aid programs are culturally appropriate and respectful of the beliefs and
1999 practices of the displaced Muslim population.

2000

2001 The BIDCC, through the Division, shall conduct regular monitoring, evaluation, and
2002 educational outreach to promote understanding of and adherence to *halal* standards among
2003 the humanitarian actors, ensuring the integrity of *halal* practices in all aspects of
2004 humanitarian efforts directed towards the Muslim IDPs in the BARMM. The BIDCC may
2005 establish a comprehensive *halal* compliance framework.
2006

2007 **Section 80. LOCAL GOVERNMENT DEVOLUTION OF FUNCTIONS**

2008 In coordination with the BIDCC, the MILG shall identify which mandates related to IDP
2009 protection of the Ministries at the regional level has been devolved to local government units,
2010 and shall support the transition and handover of those functions to the LGUs.
2011

2012 The local social welfare officer shall serve vice-chair of the LIDC and his/her office shall also
2013 act as the LIDC Secretariat. However in areas where the social welfare functions are not yet
2014 fully devolved, this function shall in the meantime, be held by the employee of the MSSD
2015 staff designated as the social welfare officer of the province or the city/ municipality the
2016 MSSD until such time that a local social welfare officer is appointed by the LGU.
2017

2018 **Section 81. ANNUAL DISPLACEMENT SITUATION AND ACCOMPLISHMENT REPORT**

2019 In compliance with its mandate to submit reports to the Chief Minister as provided under
2020 Section 28 of BAA No. 62, the BIDCC through the BIDMMD shall submit to the Office of the
2021 Chief Minister a report on or before every 17th day of April¹, covering the IDP situation and
2022 accomplishments of the BIDCC and LIDCs for the previous year. Such a report shall include,
2023 among others, a list of programs being implemented and the status of implementation.
2024

2025 **Section 82. IDP-FRIENDLY AWARD**

2026 The BIDCC shall issue the necessary criteria and guidelines for the award of the IDP-Friendly
2027 LGUs.
2028

2029 **Section 83. APPROPRIATIONS.**

2030 The amount necessary for the initial implementation of this Act shall be Fifty Million Pesos
2031 (PHP 50,000,000.00) and shall be charged to the budget of the Office of the Chief Minister,
2032 subject to existing accounting and auditing rules and regulations.
2033

2034 The BIDCC shall ensure that the BIDP is included in the Bangsamoro Development Plan and the
2035 Bangsamoro Investment Development Plan, and that the BIDP's specific programs, activities,

¹ Proposed date to coincide with the anniversary of the adoption of the Guiding Principles on Internal Displacement

projects are funded through the General Appropriations Act of the Bangsamoro or the Special Development Fund, as appropriate.

The LIDCs shall ensure that the Recovery and Rehabilitation Plans are included in their respective Annual Investment Plan (AIP) and local annual appropriations.

Section 84. PERIODIC REPORTS.

The BIDCC shall submit an annual report to the Chief Minister indicating, among others, the list of programs being implemented and the stage of implementation. It shall likewise submit such periodic or other reports as may be required from time to time.

Section 85. MANDATORY REVIEW ON THE IMPLEMENTATION OF THE ACT.

Every five (5) years after the effectivity of this Act, an independent review panel composed of experts, to be appointed by the Chief Minister, shall review the implementation of this Act and shall make recommendations, based on its findings, to the Chief Minister and to the Parliament.

Section 86. SEPARABILITY CLAUSE

If any part or provision of these Rules shall be declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall remain in full force and effect.

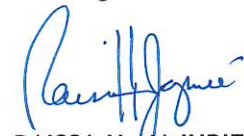
Section 87. REPEALING CLAUSE

Any issuance, executive order, administrative order, proclamation, charter, rule or regulation and/or parts thereof contrary to or inconsistent with the provisions of this Implementing Rules and Regulations hereby repealed, modified or amended accordingly.

Section 88. EFFECTIVITY

This Implementing Rules and Regulations of the Act shall take effect fifteen (15) days after publication in the Bangsamoro Gazette.

Promulgated this 5th of Ramadan 1446 AH | 5th of March 2025



RAISSA H. UAJURIE
Chairperson, BIDCC
Minister, MSSD