



COMMISSION ON HUMAN RIGHTS  
REPUBLIC OF THE PHILIPPINES

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**INPUTS OF THE COMMISSION ON HUMAN RIGHTS OF THE PHILIPPINES (CHRP) TO THE HRC56 THEMATIC REPORT ON CLIMATE CHANGE AND INTERNAL DISPLACEMENT OF THE SPECIAL RAPPOREUR ON THE HUMAN RIGHTS OF INTERNALLY DISPLACED PERSONS (IDPS)**

April 2024

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The Commission on Human Rights of the Philippines (“CHRP”) respectfully provides the following information on the situation of internally displaced persons in the Philippines, in response to the call for inputs for the HRC56 thematic report on climate change and internal displacement of the UN Special Rapporteur on the Human Rights of IDPs, Ms. Paula Gaviria-Betancur.

### Human rights impacts of planned relocations

- 1. Please describe through concrete examples the critical challenges and human rights impacts of ongoing or already implemented planned relocation processes in the context of disasters and climate change in your country or your geographical area of interest.**

The CHRP, through the Center for Crisis, Conflict, and Humanitarian Protection (CCCHP) and its Regional Offices all over the Philippines, has monitored displacements due to climate-related disasters and other disasters caused by natural hazards.

In permanent housing sites in Tacloban City where families displaced by Super typhoon Haiyan (“Yolanda”), planned relocation encompassed moving displaced families away from the coastline, which were designated as “no-build zones”.<sup>1</sup> In a study conducted by the CHRP and the Stockholm Environment Institute (SEI), the following findings have been observed on the situation of IDPs in Tacloban City, seven (7) years after the onslaught of the typhoon:<sup>23</sup>

- A. On Safety and Security:** Respondent households in the permanent housing shelters feel safer in their current housing than in their previous settlements. It has been shown in the study that the residents’ sense of safety in their current housing is derived from the lower risks of flooding and water-related hazards in the area, as their current shelter sites are no longer by the sea. Issues on occurrence of crimes and lack of security, however, are present.
- B. On Adequate Standard of Living:** Coming from the SEI-CHRP study published in 2022, it was found that durable solutions are yet to be achieved regarding access to water and security of land tenure and housing ownership. The residents did not have adequate access to safe and potable water in the shelter sites. They also expressed concerns as regards ownership of the land and the structure where they reside, as their certificates of award of housing did not specify the ownership arrangements for said properties.<sup>4</sup> It was reported, however, that as regards other economic rights, the residents perceived their access to food,

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<sup>1</sup> Tran, M., Boyland, M., Bermudez, R., Mangada, L., Salamanca, A., Estonio, M.C., Yu, B.J. (2023). Durable Solutions, Human Rights and the Politics of Mobility: Insights from a Study of Internally Displaced People in Post-Typhoon Haiyan Tacloban City, Philippines. *Journal of Social Research*, 46(3).

<sup>2</sup> Ibid.

<sup>3</sup> Tran, M. and Bermudez, R. (2022). *Durable Solutions for People Displaced by Typhoon Haiyan in Tacloban, Philippines*. SEI policy brief. Stockholm Environment Institute, Stockholm. <http://doi.org/10.51414/sei2022.050>

<sup>4</sup> Tran, et. al. (2023)

education, and health services had been better than in their previous housing sites pre-typhoon.

In a follow up visit of the CHRP to the Tacloban housing sites in 2023, residents still complained of the difficulty they face as regards the lack of water connection in their areas, as well as their issues as regards the damaged roads in the sites, which impacts their mobility.<sup>5</sup> There also remain houses under the Yolanda Permanent Housing Project (YPHP) that are unfinished.<sup>6</sup> As for land tenure, many of the residents still do not have their land ownership documents.<sup>7</sup>

- C. **Employment and Livelihood:** Many of the interviewed residents in Tacloban reported that their access to livelihood and employment is worse off in their current sites than in their previous places. Many of the IDPs source their income from their sea-based/coastal-based work or activities. As their resettlement sites are inland, the IDPs found it difficult to go to their jobs coming from their new place of residence.
- D. **Participation in Public Affairs:** It was reported that residents participate in homeowners' association activities and cluster organization meetings, but they experience challenges in engaging with their new neighbors due to their fear of offending their host community colleagues.

- 2. **Please provide information on successful practices and examples of collaboration with affected communities to identify and address the impacts of planned relocations on livelihoods, housing, education, access to public services, food and water, physical and mental health as well as the communal impacts of loss of land, social cohesion, local knowledge and culture.**

National Human Rights Institutions (NHRIs) play a key role in addressing issues of displacements, including those induced by climate change. NHRIs may conduct monitoring, investigations, and inquiries to shed light on the human rights issues of IDPs.<sup>8</sup> The CHRP, in exercise of its mandate as the Philippine NHRI, conducted its National Inquiry on IDPs (“Inquiry”), where the plight of IDPs affected by Typhoon Haiyan in Tacloban City was discussed. The Inquiry is comprised of stakeholders meetings with IDPs and inter-agency consultations with regional and local government agencies. A hearing in Tacloban City was also conducted where the issues of access to water and housing, land, property, and resettlement in Tacloban permanent shelter sites were discussed.

## Legal, policy and institutional frameworks

- 1. **Please describe any measures, including policies, legislation, practices, strategies, or institutional arrangements that your government or the government(s) in your area of geographical interest have used or have available at the regional, national or sub-national level to conduct planned relocations and/or policy frameworks to prevent arbitrary displacement. Please also identify institutional and governance gaps.**

In the Philippines, the Disaster Risk Reduction and Management (DRRM) Act of 2010 serves as the legal framework for the government’s humanitarian response to displacement.<sup>9</sup> The law provides the mechanism for which response should be delivered, emphasizing the role of the national and local governments in disaster management, through the National Disaster Risk Reduction and Management Council. While the DRRM Act is considered a landmark legislation for DRRM, the law

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<sup>5</sup> Commission on Human Rights of the Philippines (2024). *Report on the Human Rights Situation of Internally Displaced Persons (IDPs) in the Philippines, Second Semester 2023*.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> UN High Commissioner for Refugees (2021). *Handbook on Internal Displacement for National Human Rights Institutions*. Accessed from URL = <https://www.unhcr.org/fr-fr/en/media/handbook-internal-displacement-national-human-rights-institutions>

<sup>9</sup> Bermudez, R., Temprosa, F.T., and Gonzalez Benson, O. (2018). A disaster approach to displacement: IDPs in the Philippines. *Forced Migration Review*, 59.

lacks human rights approaches in supporting IDPs;<sup>10</sup> there was no discussion on the rights of IDPs and there was no mentioned mechanism for consultation for durable solutions and grievance redress.

At present, the CHRP advocates for the passage of a national IDP law which highlights the rights of IDPs, the accountability of government and non-government actors who violate IDP rights, and mechanisms for inter-agency monitoring to ensure a whole-of-nation approach towards IDP protection. The CHRP also lobbies with local governments for the passage of local IDP ordinances, pending approval of the national IDP law.

### **Engagement of communities and regional and international actors**

- 1. Please indicate how the group(s) to be relocated were informed, consulted and enabled to participate in decisions on whether, when, where and how the planned relocation was to occur. Please also explain how people who wished to stay behind at the site of origin and people who had already moved away prior to planned relocation and may also wish to join at new site, were informed and consulted in the process. As well as information on any challenges or obstacles to the meaningful participation of affected communities in the planned relocation process.**

In Tacloban City, there was no systematic mechanism employed in ensuring the IDP communities' views as regards planned relocation and access to livelihood. Coming from the SEI-CHRP study, it was reported that more than half of the 311 households profiled and interviewed expressed that there were no consultations conducted with them as regards their livelihood needs.<sup>11</sup> It has also been noted that the affected IDPs in Tacloban did not have adequate access to official communication from the government and that there are no mechanisms in place as regards grievance redress.<sup>12</sup>

### **Consideration of specific needs of relocated and affected populations**

- 1. Please provide information on how the specific rights, needs, circumstances, customs, social bonds and vulnerabilities of relocated persons were taken into account and addressed in all phases of planned relocation in your country or your areas of geographical interest. Please include considerations linked to socio-economic, health and demographic characteristics, special attachment to land and members of groups in vulnerable situations, including women, girls, minorities, older persons, persons with disabilities, LGBTI+ persons, Indigenous Peoples, displaced persons, migrants, renters and informal settlers.**

Gender disparities were documented in the SEI-CHRP study on the Tacloban City displacement. It has been noted that women primarily have the burden of care and domestic work in their households.<sup>13</sup> Citing other researches, the SEI-CHRP study also noted that in post-Haiyan displacements, sexual and reproductive health rights of IDP women and girls were not adequately responded to by service providers, which exposes them to further harm and violence, both within and outside the household.<sup>14</sup>

### **Data collection, analysis, and availability**

- 1. Please describe any quantitative and qualitative data as well as frameworks, mechanisms and tools that exist in your country to monitor, assess, measure, calculate, report on and evaluate the impacts of planned relocations on relocated**

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<sup>10</sup> Ibid.

<sup>11</sup> Tran, et. al. (2023)

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid., citing Su & Tanyag, 2020.

**persons and affected communities, including over the long term, and to map future needs given climate change forecasts.**

The CHRP IDP Monitoring Tool is used by the CHRP to ascertain the living conditions of IDPs in the country. The Tool is designed to help the CHRP assess the situation of IDPs in emergency, transitory, and permanent housing contexts, and effectively document the human rights issues that displaced communities experience. In the context of Tacloban City, the CHRP utilized the tool in its monitoring activities in the City from 2017 to present. The Tool has yielded results which were used as basis in the crafting of CHRP's human rights situation reports.

## **Recommendations**

- 1. Please provide specific recommendations on how to address the critical challenges and impacts that emerge during planned relocations in the context of disasters and the adverse effects of climate change to ensure they are people-centered, anchored in human rights-based approaches and preserve cultural identity. Please include actions to be taken at the local, national, regional, and international levels, as well as by different groups of stakeholders: governments, communities to be relocated, potential host communities, development agencies, financing institutions, and others.**

Coming from the Tacloban experience, the following were initially recommended for consideration of stakeholders and actors involved and interested in exploring human rights issues in the context of climate-related displacements:<sup>15</sup>

- A. Displaced persons must be included in the process of determining their desired solutions to their displacement. In the case of Tacloban City, there was lack of consultation as regards relocation vis-a-vis livelihood, which affected the IDPs' capacity to earn a living or access sources of income. The lack of access to official communication also created uncertainty amongst the IDP households. There must be clear guidelines from the government as regards provision of basic services, as well as proper grievance redress mechanisms to document and respond to issues experienced by IDPs.
- B. The land tenure and ownership process must be fully cascaded and explained by the government to the IDP beneficiaries, so as to reduce issues of lack of information within the affected communities.
- C. There must be holistic social preparation and intervention mechanisms to support community integration, especially between IDPs and host community members.
- D. It is highly recommended for the Philippine Congress to pass an IDP legislation that fully responds to the rights and needs of IDPs.

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<sup>15</sup> Ibid.