

MULTI-SECTORAL HUMAN RIGHTS TRAINING HANDBOOK

Community-based Dialogue Sessions on
Human Rights Promotion and Protection Project



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This project is a collaboration among the:

Armed Forces of the Philippines (through the Human Rights Office [AFP HRO]
and Office of the Deputy Chief of Staff for Civil Military Operations [J7])

Philippine National Police (through the Human Rights Affairs Office [PNP HRAO])

Ninoy and Cory Aquino Foundation (NCAF)

Commission on Human Rights of the Philippines (CHRP)

Philippine Alliance of Human Rights Advocates (PAHRA)

and the Alternative Law Groups (ALG)

The project is supported by the Hanns Seidel Foundation of Germany (HSF).

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The interpretations and conclusions expressed in this publication are those of the resource persons and do not necessarily reflect the views of the project partners listed. The partners have done their best to provide high-quality content, but do not guarantee accuracy, reliability and timeliness of the information herein. Use of this material is encouraged with appropriate credit given to the publishers.

July 2016

MESSAGE

The recent discourse on human rights appears to divide many Filipinos who are frustrated with pervasive failures in law enforcement as well as the justice system.

It is a greater challenge for civil society to draw as much support among disillusioned citizens and even public servants, who regard human rights promotion and protection as a frivolous ideal rather than a practical solution; thus, the groundbreaking project, Community-based Dialogue Sessions as well as one of its resulting initiatives, the Multisectoral Human Rights Training Handbook is a welcome development.



Our longstanding collaboration with the security sector strongly reinforces the contrary-- that the advocacy for human rights actually unifies us while offering a tangible contribution to better governance.

With the continued implementation of the project and the Training Handbook as reference and guide, we look forward to a deeper and more comprehensive understanding and appreciation for the importance of human rights across all communities and sectors.

We are grateful to our project partners, the Commission on Human Rights, Armed Forces of the Philippines, Philippine National Police, Philippine Alliance of Human Rights Advocates, Ninoy and Cory Aquino Foundation, and the funding support of the Hanns Seidel Foundation of Germany for the sustained commitment and belief in this shared endeavor.

Indeed, there is hope that in the universal task to protect and promote the rights of every individual, we can work together as a nation.

ATTY. MARLON J. MANUEL

National Coordinator
Alternative Law Groups



MESSAGE

AFP combat skills and the soldiers' warrior ethos compel military personnel to fight all adversaries in order to achieve victory under any given circumstance. Everyone must know that part of the soldier's creed is to be a professional. Being professional means adhering to the international humanitarian law (IHL) and human rights laws (HRL). Yet, in the course of operations, some military personnel, wittingly or unwittingly, get embroiled in human rights violations.



Although the military personnel are educated and trained on IHL and HRL in their professional career courses, their appreciation of its implications is not fully realized until they are deployed in their field assignments. Out in the field, the theories one has learned in school is put to the test. However, there are no longer instructors in the field that would caution the military personnel to get in line and check on whether they are doing things legally appropriate.

The opportunity captured by the community-based dialogues between the security sector and the civil society organizations under the project consortium of the HSF-ALG-CHR-PAHRA-NCAF-PNP-AFP provided the military and police personnel with a mechanism to prevent the commission of human rights violations and respect the human rights of all persons. The dialogue sessions gave the military and police personnel real-life scenarios on the sad plight of human rights violations victims and the broad range of people's expectations on how professional military and police personnel should behave.

As the project transitioned into the conduct of multi-sectoral human rights training, the military and police personnel are further equipped with the skills and knowledge on how to fulfil their obligations to investigate alleged human rights violations and to uphold the victim's right to a remedy for an alleged violation and an effective ability to secure redress. The training objectives are capsulized in this Multi-Sectoral Human Rights Training Handbook.

I exhort the human rights duty-bearers and rights-holders to treasure the use of this handbook. The subjects herein make for an ideal guide in teaching the principles of human rights and a proverbial checklist of obligations expected of military and police personnel on respecting, protecting, and fulfilling human rights.

Congratulations to the technical working group responsible for putting this handbook together. It is a testament to the commitment of Philippine civil society and the security sector to human rights.



BRIG. GEN. JOSE ANTONIO CARLOS B. MOTRIL

Chief, AFP Human Rights Office
Armed Forces of the Philippines

MESSAGE

We, in the PNP Human Rights Affairs Office, highly commend the publication of this *Multi-Sectoral Human Rights Training Handbook* that serves as a timely, relevant resource for all true defenders of human rights. The handbook itself exemplifies the human rights principle of people empowerment and inclusiveness based on its design and practical value to various sectors of society.



For the first time ever, a human rights knowledge product is now available to both state duty-bearers and claim holders of human rights. Both the spirit and letter of this handbook teaches us that the work to promote and protect people's rights is a shared responsibility. Its pages clearly state the relevant laws, principles, and procedures that must be learned, respected, and complied with by all stakeholders. By using this material in our human rights education, training, and advocacy activities – we are helping to maintain the impartial balance of justice, uphold rule of law, and elevate human dignity.

Rest assured that, we, in your Philippine National Police, are in solidarity with the writers and publisher of this excellent training material. Together, let us use this handbook to further strengthen our ties and to advance our shared cause of building a more just, safe, and inclusive society where there is freedom, dignity, and rights for all.

DENNIS A. SIERVO

Police Chief Superintendent
Chief, PNP Human Rights Affairs Office



MESSAGE

This training handbook is the product of the collective efforts of people active with the Community-based Dialogue Sessions on Human Rights Promotion and Protection. This program is an innovative approach to institutionalize local level human rights discussions. By directly discussing human rights issues and concerns with local stakeholders, the participants help to strengthen human rights advocacy and help to shape relevant policies. I commend our partners, the Philippine National Police (through its Human Rights Affairs Office/PNP HRAO), the Armed Forces of the Philippines (through its Human Rights Office/AFP HRO) and the civil society groups involved in this project such as the Philippine Alliance of Human Rights Advocates (PAHRA), the Ninoy and Cory Aquino Foundation (NCAF), and the Alternative Law Groups (ALG).



This Multi-Sectoral Human Rights Training Handbook can serve as an invaluable tool for human rights trainers as they strive to educate the Filipino people at the grassroots level on the relevance of human rights to our everyday lives. The challenge ahead is considerable, but with diligent efforts of our partners in civil society and the support and cooperation of the government and the security sector, I am confident that we can hurdle whatever difficulties to be encountered in this mission of mainstreaming human rights perspectives in different arenas of public discourse.

This goal of promoting a deeper understanding of human rights is consistent with the common aspiration of our partners in civil society and government to achieve improvement in the lives of all Filipinos, as we seek not only to spread awareness of a body of laws but to also ultimately strengthen respect for the basic human dignity of every person.

Thank you. My Best Regards.

JOSE LUIS MARTIN C. GASCON

Chairperson
Commission on Human Rights



MESSAGE

The human rights we enjoy are the human rights we fight for daily.

Human rights must not only be universal, they must be a collective imperative. Their enforcement, promotion and protection must be a shared and collaborated responsibility across all sectors of society if we are to ensure their full realization. Specifically, this means the public, private and civil society sectors.



Thirty years ago, former President Corazon C. Aquino championed a new conception that enshrined human rights more firmly in the country, setting up the legal framework and environment needed to foster it.

The vision for a just, humane and progressive society requires that the welfare and concerns of the weakest and most marginalized among us be attended to with the great care and urgency. It begins with a vigorous societal adherence to their human rights. One that institutionalizes human rights from the top down and empowers communities from the bottom up. It must be a national struggle participated in by all relevant agencies and at the highest levels.

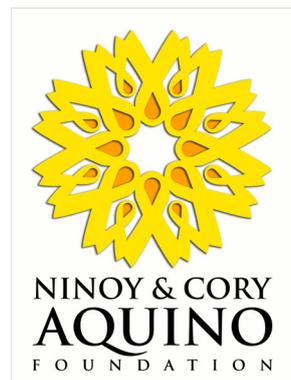
Current reality, with human rights continuing to be threatened here and abroad, has shown that there can be no letup in the fight to ensure human rights for all under all circumstances. The debate on human rights enforcement, its indivisibility and its very universality remains very much in the national and international discourse.

It is in this context that NCAF sees this project on Community Dialogues on Human Rights as a necessary and fitting continuation of its founders' work in human rights. The struggle continues, but hope is high.

We are gratified by the results thus far. We are gratified that the core of the project has been anchored on collaboration and transparency across the Philippine security sector, civil society and local communities, particularly those with a history of conflict. The duty bearers and the rights holders must work together. This is the genius of the project. We are grateful to those who lent their strong support to this undertaking: the soldiers, the police, the community and church workers and the various human rights advocates, who had the courage to collaborate with the "other side" when it was the most dangerous and counter-intuitive thing to do. We are greatly encouraged and impressed by the breadth and depth of the project, reaching all regions and many critical provinces and communities and not sparing the most difficult and wrenching human rights issues. And finally, we are assured that the localization and institutionalization of the dialogues, and indeed of the collaboration and trust fostered by the early phases of the project, is being undertaken.

RAFAEL C. LOPA

President and Executive Director
Ninoy and Cory Aquino Foundation



MESSAGE

The Philippine Alliance of Human Rights Advocates (PAHRA) commends each and every convergent effort of Human Rights Defenders – both Duty-Bearers and Claimholders - as expressed in the publication of this Multi-Sectoral Human Rights Training Handbook sustainably supported by the Hanns Seidel Foundation of Germany.



This is another step forward in our nation's journey towards achieving societal behaviour and culture based on human rights (HR) as preferred values.

The Manual is timely made available at a very challenging time not unlike the circumstances when the project of Community-Based Dialogues was launched. As stated in the Introduction:

At the time the project was launched [in 2008], the Philippines was at the center of attention of the international community as a result of the alarming rise in unresolved cases of extrajudicial killings and enforced disappearances under the administration of then-President Gloria Macapagal-Arroyo. The government was prompted to initiate concrete actions to address the situation. Among the notable government initiatives related to the effort to curb unresolved cases of extrajudicial killings and enforced disappearances was the creation of human rights offices within the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP).

In an emerging period of contested relevance and implementation of human rights in the midst of increasing unlawful killings related to the war against illegal drugs and crime along with other HR Violations, this Manual is a notable initiative with the synergized-potential of hastening and strengthening the human rights "essential link", particularly between the citizenry or claimholders and the security sector or duty-bearers.

It gives opportunities for common deeper grasp and enhanced practice of basic HR concepts and principles, like the universality and indivisibility, in the Philippine context. It recalls, for example, that the principle of universality, as stressed in the Universal Declaration on Human Rights (UDHR), is the cornerstone of international human rights law and has been reiterated in numerous international human rights conventions, declarations and resolutions. This principle is usually articulated in a non-discriminatory call of "All Human Rights for All!"

PAHRA shall work and look forward to common maximization of this Manual so that continuous joint HR education and training sessions produce partners accepted as equals though with different status of duty-bearers and claimholders. We expect, too, that through this Manual, institutionalization of dialogues both in the offices and institutions of civil society organizations and security sector, as well as, especially, in the fields. We look forward as a result of this convergence which this Manual symbolizes that all HRDs promote and protect HR, without compromise.

MAX M. DE MESA

Chairperson
Philippine Alliance of Human Rights Advocates



MESSAGE

In October 2008, the project "Community-based Dialogue Sessions on Human Rights Promotion and Protection between the Armed Forces of the Philippines and the Philippine National Police, and Civil Society Organizations and Local Communities" was launched to contribute to the improvement of the human rights situation in the country by enhancing the relationship between the security sector and civil society towards human rights promotion and protection.



Regional dialogues were conducted in all seventeen administrative regions nationwide with the participation of ranking officers of the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) from the national headquarters down to the operating units in the field, key representatives of civil society organizations (CSOs) and community leaders, and the regional directors and other officials of the Commission on Human Rights of the Philippines (CHRP).

As a result of the regional dialogue sessions, core groups were organized in the different regions composed of representatives from the AFP, PNP, CSOs and CHRP. The core groups along with the members of the Project Steering Committee (PSC) give a "face" to the project, the main actors in strengthening and institutionalizing the community-based dialogues (CBD) at the local level. They have recognized the value of the project by initiating the conduct of follow-through activities at the provincial, city and municipal levels. Moreover, with the CHRP 5th Commission's approval of an En Banc Resolution acting as the convener of the CBD project at the local level through their regional- and sub-offices, the end-view of sustaining the gains of the project towards institutionalization is well on its way forward.

One important component of the project is the "Human Rights Training Program." It is noteworthy that among the strong recommendations expressed by the participants of the dialogues was to support a human rights training program intended for a multi-sector audience, i.e., AFP, PNP, CSOs and CHRP. Thus, following a process of research, review of available training and education materials on human rights, module development, pilot-testing in the Philippines' three island-groups, and refining the module, we are pleased to support the publication of this "Multi-sectoral Human Rights Training Handbook." Through this training material, the Hanns Seidel Foundation manifests its avowed commitment to democratic principles, respect for human rights and rule of law.

This Handbook aims to benefit trainers, facilitators and educators on human rights, in particular, and the human rights community, in general. It highlights the application of human rights concepts and principles as well as covenants, treaties and instruments, in actual situations being faced on the ground both by duty-bearers and rights-holders.

We would like to express our gratitude and acknowledge the invaluable contributions of our partner organizations - Alternative Law Groups, Armed Forces of the Philippines, Philippine National Police, Ninoy and Cory Aquino Foundation, Philippine Alliance of Human Rights Advocates, and the Commission on Human Rights of the Philippines, for a successful cooperation, and for sharing their time and expertise in coming out with this training handbook.

We invite the end-users and the general public to share this practical and useful training material with a broader segment of Philippine society to further strengthen the promotion and protection of human rights.

GÖTZ HEINICKE

Resident Representative
Hanns Seidel Foundation



**Hanns
Seidel
Foundation**

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INTRODUCTION

I. Overview of the Project

The "*Community-based Dialogue Sessions on Human Rights Promotion and Protection between the Armed Forces of the Philippines (AFP), and the Philippine National Police (PNP), and Civil Society Organizations (CSOs) and Local Communities*" is a project that was launched on October 21, 2008.

The project is a partnership among several government offices and non-government organizations: the Armed Forces of the Philippines (through its Human Rights Office [AFP HRO] and Office of the Deputy Chief of Staff for Civil Military Operations [J7]), the Philippine National Police (through its Human Rights Affairs Office [PNP HRAO]), the Commission on Human Rights (CHR), the Ninoy and Cory Aquino Foundation (NCAF), the Philippine Alliance of Human Rights Advocates (PAHRA), and the Alternative Law Groups (ALG). The project is supported by the Hanns Seidel Foundation of Germany (HSF).

At the time the project was launched, the Philippines was at the center of attention of the international community as a result of the alarming rise in unresolved cases of extrajudicial killings and enforced disappearances under the administration of then-President Gloria Macapagal-Arroyo. The government was prompted to initiate concrete actions to address the situation. Among the notable government initiatives related to the effort to curb unresolved cases of extrajudicial killings and enforced disappearances was the creation of human rights offices within the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP).

While the creation of the respective human rights offices within the AFP and the PNP are initial positive signs of openness within the uniformed and armed components of the government, these efforts should necessarily be complemented by improved relations with civil society and local communities. Without this essential link with communities, the efforts of the AFP and the PNP to improve its credibility and human rights record will not be maximized, and, at worst, may be put to naught.

On the side of the communities, the efforts of the AFP and the PNP to institute programs for human rights protection and promotion should be seen as newly opened venues that can be availed of to seek redress for human rights violations, and to help avoid similar incidents in the future. With the official programs of both the AFP and the PNP on human rights protection and promotion, there should be greater reason for citizens to exact accountability from members of the AFP and the PNP, and to monitor their performance against their avowed human rights promotion objectives.

In light of all this, there was a need to create and enhance venues for the AFP and the PNP, on one hand, primarily through their respective human rights offices, and civil society organizations, on the other hand, to collectively discuss the issue of human rights promotion and protection, and how cooperative efforts for ongoing and future actions toward human rights promotion and protection can be maximized. Thus, the project was started.

The project primarily involves the conduct of a series of dialogue sessions in different areas nationwide. The dialogue sessions have the main goal of contributing to the improvement of the human rights situation in the Philippines primarily through the enhancement of the relationship between the security forces (AFP and PNP), and local communities and civil society organizations, in the common effort to promote human rights.

The dialogue session provides a venue for civilians and officers of the AFP and PNP to discuss and share information about the efforts of the participating government and non-government institutions in the area of promotion and protection of human rights. Issues and gaps in this area

are then identified, and working mechanisms for cooperative efforts are discussed.

By the end of 2011, after three years of project implementation, the program had covered all administrative regions in the country through the conduct of regional-level dialogue sessions. The second phase saw the replication of the dialogue sessions, from the regions to the provinces, and the expansion of the coverage of the program by scaling up the dialogue process from the grassroots to the policy arena, by involving policy makers of lead government offices in Top Level Policy Dialogues.

For its Phase 3, the main objective of the program shall be the Institutionalization of the Human Rights Dialogues at the local level. Specifically, the program aims to achieve the following in the three-year period (2014-2016):

- Institutionalization of the Human Rights Dialogues at the local level as a means to further understand the local human rights issues and local stakeholders, strengthen human rights education, address local issues, and to identify and push for the passage of relevant policies.
- Maximization of opportunities and initiatives occurring at the local level. Deepening localization of the project through enhanced local community participation, pushing for the passage of relevant policies or ordinances, and involvement of more local stakeholders to the program.
- Collation of collective experiences of the Human Rights Officers of the AFP and PNP, which will serve as inputs to the program (especially for the multi-stakeholder Human Rights Education Sessions and Information, Education and Communication/ IEC materials).
- Pursuing the creation of a more favorable policy environment by identifying and proposing policies both at the local and national levels.
- Maximization of the role of the Commission on Human Rights (CHR) as the focal group for the local areas.
- Sharing and celebration of victories on the ground.

For the year 2015, the second year of Phase 3, the project had the following components:

- Trainers' Training on Human Rights.
- Institutionalized Human Rights Dialogues at the local level.
- Policy advocacy.
- Continuing coordination.

II. Rationale of the Training

This Training of Trainers (TOT) is being done to develop a pool of local trainers who can facilitate trainings or education sessions on human rights. We also want to develop and maintain coordination between local trainers from the AFP, PNP, CHR and CSOs.

Session 1 contains the preliminaries of the training which includes registration and filling up of the Training Needs Assessment (TNA) and Pre-Test. These questionnaires will help guide the training team, facilitators and resource persons in conducting the sessions.

Session 2 is a discussion of the basic human rights concepts and principles, and a workshop on case study application. This will help participants have a common understanding of human rights, which shall be the "working definition" to be used for the succeeding discussions and sessions.

Session 3 is a workshop on the local human rights situation. There is a need to look at what is happening concretely at the local level in order to fully understand and appreciate the concepts and principles of human rights. This workshop aims to facilitate discussions and surface experiences of the participants about the local human rights situation.

Session 4 focuses on the human rights programs and policies of the AFP, PNP and CSOs. This is being done so that the participants will be able to learn and appreciate one another's human rights programs. In the past, only the AFP understands the IPSP "*Bayanihan*", only the PNP is knowledgeable about Human Rights-Based Policing, and mostly the CSOs are familiar with Human Rights Defenders. Through *Session 4*, we hope to make all the participants aware of these Human Rights programs and policies. (NOTE: IPSP "*Bayanihan*" is operational until 2016, so please note that there will be changes in the near future. However, as the AFP develops their next IPSP, we envision it to be more of a *continuing* program from "*Bayanihan*", and not significantly different from it).

Session 5 looks at selected procedures where many human rights violations are being committed: search and seizure, arrest, and detention with custodial investigation. The session will be facilitated by the PNP member/s of the local training team.

Session 6 is a discussion of selected laws on Human Rights, specifically R.A. 9851 or the International Humanitarian Law, R.A. 9745 or the Anti-Torture Act, and R.A. 10353 or the Anti-Enforced Disappearance Law. It will be facilitated by the AFP member/s of the local training team.

Session 7 is a Panel Discussion wherein the panelists are composed of the highest-ranking members from the local AFP and PNP, as well as the regional CHR officials, and CSO leaders or officials. The objective of the session is to be able to discuss local human rights issues and concerns, and get institutional perspectives or commitments.

Session 8 focuses on remedies in cases of human rights violations. The topics include: Administrative Remedies in the AFP (by AFP), Administrative Remedies in the PNP (by PNP), National and International Remedies (by CHR), and Judicial and Other Remedies (by CSOs).

Session 9 is a planning workshop for continued coordination of the participants to conduct activities to resolve local human rights issues and concerns.

III. Training of Trainers (TOT) on Human Rights

In 2013, the project consortium conducted a review of existing human rights education materials, and prepared a Human Rights Training Module that is specifically focused on a multi-sector audience composed of both civilians, and military/police personnel. The module primarily contains cases and materials that will enable the application of human rights principles to specific situations encountered by the civilians and the military/police officers as they relate with each other.

After the preparation of the module, the project organized a training session where the module was pilot tested. After the conduct of the pilot test, the training module was reviewed and improved by the Project Steering Committee (PSC). After this enhancement of the module, island-wide training sessions were conducted in the Visayas and Mindanao.

For the year 2014, the project had already organized three (3) human rights multi-sectoral trainings. The multi-sectoral human rights trainings are not traditional trainings with long technical inputs, but are structured so as to maximize sharing of experiences between the security sector, the civilians/CSOs and CHR, and basically continues the dialogue process, and maximizes it to address local issues being experienced on the ground. The training sessions were conducted in the following areas: Northern Luzon/Cordillera Region (Baguio City); Bicol Region (Legazpi City); and Southern Mindanao (Davao City).

Consistent with the objective of institutionalizing the gains of the project, year 2015 started the setting up a network of trainers in different areas in the country, composed of area teams with multi-sector membership. There will be three (3) teams for Luzon, three (3) teams for Visayas, and three (3) teams for Mindanao. Each team is composed of eight (8) members with two (2) officers from the AFP, two (2) officers from the PNP, two (2) officers from the CHR, and two (2) representatives from CSOs. Hence, there are a total of nine (9) teams covering different areas. For the coming years, the number of trainers' teams can be expanded, towards reaching the ideal situation of having one trainers' team for each administrative region.

To help prepare the trainers' teams, there were three (3) Trainers' Training sessions: one (1) session for Luzon, one (1) for Visayas, and one (1) for Mindanao. Aside from enhancing the capacity of the trainers to deliver the training program, based on the module, the Trainers' Training session also included a planning session that discusses the expected roles of the training teams, and the expected activities for the year. During this session, each team commits to implement an assignment, which consists of a training session or a number of sessions that the team will conduct in their respective areas. A few months after the Trainers' Training session, selected members from each team (or selected teams) are gathered for a Skills Upgrading and Sharing Session, where the teams reported on their accomplishments and experiences in the conduct of training sessions.



ABOUT THIS HANDBOOK

I. Purpose of the Training Handbook

The Training Handbook consists of training Sessions that were jointly formulated by the Commission on Human Rights (CHR), AFP Human Rights Office (AFP HRO), PNP Human Rights Affairs Office (PNP HRAO), Philippine Alliance of Human Rights Advocates (PAHRA), Ninoy and Cory Aquino Foundation (NCAF), and Alternative Law Groups (ALG), with support from Hanns Seidel Foundation of Germany (HSF). This Handbook is intended to be the standard resource material for the human rights training program conducted under this Project. The training program aims to enhance the knowledge and skills of a diverse group of participants from the AFP, PNP, CHR and CSOs. As a result, the program helps develop local pools of human rights education, trainers or facilitators in the different local areas.

II. Target Participants

This Training Handbook is intended for facilitators, trainers and resource persons from the AFP, PNP, CHR and CSOs, who will provide capacity-building activities on human rights. The resource persons or facilitators of the training ideally should have participated in the Training of Trainers (TOT) conducted under this project, and must have thoroughly read and understood this training handbook before conducting the training.

III. How to Use this Training Handbook

The Training Handbook has eleven (11) Sessions. The training is intended for three (3) days. The methodologies of each session are identified in each session guide and can be customized according to the results of the Training Needs Assessment (TNA) and based on the previous knowledge and skills of the target participants.

The Training Handbook is divided into the following Sessions:

- Session 1: **Registration, Answering of Training Needs Assessment (TNA) and Pre-Test Form.**
- Session 2: **Input and Application on Basic Concepts and Principles of Human Rights.**
- Session 3: **Workshop on Local Human Rights Situationer.**
- Session 4: **Presentations on Human Rights Programs and Policies:** Internal Peace and Security Plan (IPSP) "*Bayanihan*" (by AFP), Human Rights-Based Policing (by PNP), Human Rights Defenders in the Philippines (by CSOs).
- Session 5: **Input and Application on Selected Procedures – by PNP:** Search and Seizure, Arrest, and Detention with Custodial Investigation.
- Session 6: **Input and Application on Selected Laws – by AFP:** Republic Act (R.A.) 9851, R.A. 9745, and R.A. 10353.
- Session 7: **Panel Discussion.**
- Session 8: **Input and Application on Human Rights Protection:** Administrative Remedies in the Armed Forces of the Philippines (by AFP), Administrative Remedies in the Philippine National Police (by PNP), National and International Remedies (by CHR), and Judicial and Other Remedies (by CSOs).
- Session 9: **Planning Workshop.**
- Session 10: **Overall Evaluation and Post-Test.**
- Session 11: **Closing Program.**

Each Session is divided into the following sections:

Objective: states the specific goals that each participant is expected to accomplish at the end of the session.

Outline: provides an overview of the activities to be used in the session.

Activity: is a tool to assess the level of knowledge of the participants and to ensure that participants are actively engaged during the session. Each activity shall include the following: *Time, Methodology, Activity Guide, Key Learning Points, and Notes to the Facilitator.*

Time: states the duration of the activity.

Methodology: describes the procedures to be used by the trainer to accomplish the objectives in the session. This may include a variety of methods, including lecture, role playing, video showing, etc.

Materials Needed: list of the materials needed to accomplish the activities.

Activity Guide: provides the detailed instructions on how to conduct the activity and relating the same to the inputs given by the resource person.

Key Learning Points: enumerates the main ideas that the facilitator should be able to explain to the participants.

Notes to the Facilitator: list of additional guidance notes for the facilitator in conducting the sessions.

References: list of reference materials used in the session.

IV. 3-Day Human Rights Training Program

This training design provides an overview of the activities, coverage of each session, and duration of the activity.

(Dates, Venue)

DAY/TIME	ACTIVITY
DAY 1 – (date)	
8:00 – 8:30 am	Session 1: Registration, Answering of TNA and Pre-Test Forms - Participants are asked to fill up Registration, Training Needs Assessment (TNA) & Pre-Test Forms.
8:30 – 9:00 am	Opening Program - Welcome Remarks. - Background of the Activity. - Overview of the Community-Based Dialogue Sessions on Human Rights Project.
9:00 – 10:00 am 10:00 – 12:00 nn	Session 2: Input and Application on Basic Concepts and Principles of Human Rights - Basic Concepts and Principles of Human Rights. - Workshop on Case Study Application.
12:00 nn – 1:00 pm	Lunch (<i>NOTE: this can be a <u>working lunch</u> if pressed for time</i>)

DAY/TIME	ACTIVITY
1:00 – 3:30 pm 3:30 – 4:00 pm	Session 3: Workshop on Local Human Rights Situationer - Workshop per sector (AFP, PNP, CSOs, CHR). - Plenary presentation per sector (AFP, PNP, CSOs, CHR).
4:00 – 5:00 pm 5:00 – 6:00 pm 6:00 – 7:00 pm	Session 4: Presentation of Human Rights Programs and Policies 4.1 – Internal Peace and Security Plan (IPSP) " <i>Bayanihan</i> " (by AFP). 4.2 – Human Rights-Based Policing (by PNP). 4.3 – Human Rights Defenders (by CSOs).
7:00 pm	Dinner
DAY 2 – (date)	
8:00–8:30 am	Recap of Day 1
8:30 – 9:30 am 9:30 – 10:30 am 10:30 – 11:30 am	Session 5: Input and Application on Selected Procedures – by PNP 5.1 – Search and Seizure. 5.2 – Arrest. 5.3 – Detention with Custodial Investigation.
11:30 am – 12:30 pm	Lunch (<i>to include grouping of the participants + Distribution of case studies + Video showing on IHL</i>)
12:30 – 2:00 pm 2:00 – 3:00 pm 3:00 – 4:00 pm	Session 6: Input and Application on Selected Laws – by AFP 6.1 – R.A. 9851 (International Humanitarian Law). 6.2 – R.A. 9745 (Anti-Torture Act). 6.3 – R.A. 10353 (Anti-Enforced Disappearance Act).
4:00 – 5:00 pm	Session 7: Panel Discussion - Panelists are from the AFP, PNP, CHR and CSO. The panelists will answer questions from the participants.
5:00 – 6:00 pm 6:00 pm onwards	- Sharing of Experiences. - Dinner and Fellowship Night.
Day 3 – (date)	
8:00 – 8:30 am	Recap of Day 2
8:30 – 9:25 am 9:25 – 10:20 am 10:20 – 11:15 am 11:15 – 12:00 nn	Session 8: Input and Application on Human Rights Protection 8.1 – Administrative Remedies in the AFP (by AFP). 8.2 – Administrative Remedies in the PNP (by PNP). 8.3 – National and International Remedies (by CHR). 8.4 – Judicial and Other Remedies (by CSOs).
12:00 nn – 1:00 pm	Lunch
1:00 – 2:30 pm 2:30 – 3:00 pm	Session 9: Planning Session - Planning per area. - Brief presentation of regional plans.
3:00 – 3:30 pm	Session 10: Overall Evaluation and Post-Test - Participants are asked to fill up Evaluation and Post-Test Forms.
3:30 – 4:30 pm	Session 11: Closing Program



THE SESSION GUIDES

SESSION 1

Registration, Answering of Training Needs Assessment (TNA) and Pre-Test Forms

OBJECTIVES: By the end of the session, the participants should have:

1. Filled up the Registration Form;
2. Answered the Training Needs Assessment (TNA) Form; and
3. Answered the Pre-Test Form.

OUTLINE:

- **ACTIVITY 1** – Answering of Forms (Registration Form, TNA Form, Pre-Test Form)

SESSION GUIDE:

ACTIVITY 1: Answering of Forms

TIME: 20 minutes

METHODOLOGY: Answering of Forms

MATERIALS NEEDED: Registration Form, TNA Form, Pre-Test Form

ACTIVITY GUIDE:

- a. The facilitator will instruct the participants to fill up the required forms:
 - ✓ Registration Form
 - ✓ Training Needs Assessment Form
 - ✓ Pre-Test Form
- b. **NOTE:** For the Pre-Test Form, the participant is required to put a name, code or any mark on the first page which will distinguish it from the forms signed by the other participants. They are not required to put in their names, but they need to put in a mark which will allow them to distinguish the form that they answered. This is important because the Pre-Test Form is also the Post-Test Form, which they will answer again after the training, and which will be the training team's basis to gauge whether the participants had a change or increase in knowledge, awareness or perception. Once the participants have answered the Pre-Test, the training team will collect them, cover the Pre-Test portion so that the participants will not be able to see their answers. The training team will return them at the end of the training as Post-Test.

PROCESSING:

- a. As the forms are quite long, it would be very helpful for the participants if the training team can help guide them in answering the forms.

NOTES TO THE FACILITATOR:

- The training team must make sure that when the participant submits his/her Pre-Test Form, it has a distinguishing mark because the Pre-Test Form is also the Post-Test Form, so the participant need to be able to tell which one is theirs.
- Allow the resource persons to read through the TNAs. This will give them an idea of the background of the participants. But it will be most helpful if the training team does a summary of the TNAs for the convenience of the resource persons.
- At the end of the entire training, be ready to give the participants the "Answer Key" to the Pre- and Post-Test.

KEY LEARNING POINTS:

- a. The difference in the answers from the Pre-Test and Post-Test Form will allow the Training Team to monitor if there had been any changes in knowledge, awareness or perception by the participants.
- b. Please let the resource persons see the TNAs of the participants to give them a better understanding of the composition of the participants.

REFERENCE:

- The training team should prepare the following beforehand: Registration Form, Training Needs Assessment Form, Pre-Test Form and Answer Key.



SESSION 2

Input and Application on Basic Concepts and Principles of Human Rights

OBJECTIVES: By the end of the session, the participants should be able to:

1. Have a common or collective understanding of the basic concepts on human rights, which will then be used as the "working definition" for the succeeding discussions and sessions;
2. Explain the basic principles of human rights; and
3. Relate the discussion of human rights concepts and principles to the historical context in the Philippines (Martial Law, etc).

OUTLINE:

- ACTIVITY 1 – Basic Concepts and Principles of Human Rights
- ACTIVITY 2 – Workshop on Case Study Application
- ACTIVITY 3 – Historical Context, Summary

SESSION GUIDE:

ACTIVITY 1: Basic Concepts and Principles of Human Rights

TIME: 1 hour

METHODOLOGY: Lecture on Basic Concepts and Principles on Human Rights

MATERIALS NEEDED: Powerpoint presentation, laptop, projector

ACTIVITY GUIDE:

- a. The facilitator will start the discussion by dissecting the term "Human Rights" into its two component words: "Human" and "Rights."
- b. The facilitator will ask the participants the respective individual meanings of the two terms. Also ask for the local translation of these words.
- c. The facilitator will now ask them what the two (2) words combined ("Human Rights") would mean. The facilitator will also ask which word is the main word in the phrase, and which is the qualifier.
- d. After the discussion, the facilitator will then continue with the presentation and present the next slides on the "Basic Concepts on Human Rights."

PROCESSING:

- a. Are there any differences in perception from the different sectors (AFP, PNP, CSOs and CHR)? At the start, ask the different sectors how they understand the terms.
- b. How do the sectors/participants understand the words "Human," then "Rights," and then the combined term, "Human Rights?"



NOTES TO THE FACILITATOR:

- There are no “correct” or “wrong” answers. The question is meant to allow the surfacing of the participants’ understanding of the terms Human, Rights and Human Rights (through their attempts to explain which is the main word and which is the qualifier).
- If there is disagreement among the participants, that should be used as a starting point for the discussion. It is important, however, to arrive at a common understanding of what the phrase “Human Rights” mean. The use of local languages and their local translation should also be encouraged because they add different local dimensions to the meanings.
- In explaining the basic concepts on human rights (inherent, inalienable, equal and imprescriptible), provide 2-3 concrete examples. You may also refer back to the answers provided by the participants during the discussions. You may also contrast them against ordinary rights.

KEY LEARNING POINTS:

- a. All persons, regardless of personal circumstance (rich, poor, man, woman, youth, LGBT or lesbian, gay, bisexual, transgender, educated, homeless, farmer, fisherfolk, urban poor, indigenous peoples or IP, persons with disabilities or PWDs, overseas Filipino workers or OFWs, etc.) – they all have the same human rights.
- b. Human rights are inherent, inalienable, equal, imprescriptible and universal.

ACTIVITY 2: Workshop on Case Study Application

TIME: 1 hour (Workshop), 30 minutes (Plenary Presentation)

METHODOLOGY: Workshop

MATERIALS NEEDED: Powerpoint presentation, laptop, projector, case studies on different types of human rights (printed on bond paper)

ACTIVITY GUIDE:

- a. The facilitator will first present and discuss the slides pertaining to the United Nations (UN) Charter, International Bill of Rights, Universal Declaration of Human Rights (UDHR), core international human rights instruments and categories of human rights.
- b. To proceed to the workshop, the facilitator will randomly group the participants into 3-4 groups (through count-off). Each group will elect their own rapporteur, documenter and reporter.
- c. The facilitator will distribute, at random, 3-4 case studies per group.
- d. Let the participants distribute and read the case studies first, then let them discuss and review each of the case studies as a group. The groups should then decide on one case study that is very similar to what is happening at the local context. They will then write a local case study which approximates that particular case. Each group will share this local case study to the plenary. They will share the following to the plenary:
 - ✓ The name and organization of each member of the group.
 - ✓ What is their local case study about?
 - ✓ What human right/s was/were involved?
 - ✓ The rights involved – are they civil, political, economic, social, or cultural rights?

- ✓ What rights were violated?
- ✓ Who were the relevant stakeholders and what were their actions?

PROCESSING:

- a. Each group will share one case study to the plenary (one that approximates what is happening at the local context).
- b. To ensure that the participants will not spend too much time with their presentation, the facilitator must tell the participants that they should limit the presentation to a maximum of 5-8 sentences only.
- c. The facilitator may also ask the other groups to add in what they think are other rights that the group was not able to identify during the presentation.

NOTES TO THE FACILITATOR:

- A sufficient number of case studies are needed so that each group will have at least 2-3 case studies.
- This activity will be a jump-off point for the short lecture that follows (Activity 3), so take note of their answers on what human rights were involved.
- In explaining the different categories of human rights, provide 2-3 concrete examples.
- The facilitator may stress the fact that there is a wide variety of human rights, as demonstrated by the case studies.

KEY LEARNING POINTS:

- a. There is a wide variety of human rights. Human rights may be individual or collective. They may also be divided into several aspects of life – civil, political, economic, social and cultural rights. It encompasses almost all aspects of daily human living.

ACTIVITY 3: Historical Context and Summary

TIME: 30 minutes

METHODOLOGY: Interactive Lecture

MATERIALS NEEDED: Powerpoint presentation, laptop, projector

ACTIVITY GUIDE:

- a. The facilitator presents the slides on the "Basic Concepts and Principles of Human Rights" - it is both a right as well as an obligation; state obligations and principal obligations under two (2) important international human rights instruments (International Convention on Civil and Political Rights or ICCPR and International Convention on Economic, Social and Cultural Rights or ICESCR).
- b. For the Philippine context, ask the participants what comes into their minds when the phrase "Human Rights" is mentioned. For a lot of participants, it means torture, extra-judicial killing and enforced disappearance. This is because of the many cases of human rights violations committed during the Martial Law period.
- c. The session ends with a video showing.

PROCESSING:

- a. The facilitator discusses the basic principles of human rights and obligations.
- b. The facilitator will then discuss the historical context of human rights in the Philippines. The facilitator will start the discussion by asking the participants: "In the Philippines, at what point in the country's history have we seen numerous violations of human rights?" While the Martial Law period is expected to surface in the discussion, some participants may also cite a more recent period (i.e., post-Martial Law period).
- c. The participants may say that in the Philippines, the term "Human Rights" had been closely associated with Martial Law violations, and, more recently, with extra-judicial killings, enforced disappearances, and torture. But the term "Human Rights" covers many other types of rights, as shown by the case studies. The facilitator will then discuss the basic principles of human rights.
- d. The facilitator will end the session by showing a short video on human rights.



NOTES TO THE FACILITATOR:

- The facilitator may mention that the UDHR describes many different types of human rights, and may give some examples (refer from the case studies found in the BBC website).

KEY LEARNING POINTS:

- a. Although for the Philippines, civil and political rights are highlighted, there are also economic, social and cultural rights which are equally important.

REFERENCES:

- Examples of (international) Case Studies on human rights can be downloaded from the BBC website (www.bbc.co.uk).
- Video on human rights (refer to attached files inside the accompanying DVD at the back of the Handbook)



SESSION 3

Workshop on Local Human Rights Situationer

OBJECTIVES: At the end of the session, the participants should be able to:

1. Identify the major human rights issues within the regions and human rights instruments that are involved and/or violated;
2. Appreciate and understand the causes of the violations and their impacts on the lives of the victims, community and society as a whole; and
3. Enumerate claim holders and duty bearers and their interventions to particular human rights issues and discuss the sufficiency of their actions.

OUTLINE:

- ACTIVITY 1 – Introduction to the Workshop
- ACTIVITY 2 – Workshop Proper
- ACTIVITY 3 – Plenary Reporting of Workshop Results
- ACTIVITY 4 – Open Forum and Synthesis

SESSION GUIDE:

ACTIVITY 1: Introduction to the Workshop

TIME: 15 minutes

METHODOLOGY: Introduction of Workshop/instructions, grouping

MATERIALS NEEDED: Laptop per workshop group, blank Workshop matrix, designated area for workshop

ACTIVITY GUIDE:

- a. Facilitator groups the participants into sectors (AFP, PNP, CHR, CSOs).
- b. The facilitator presents and explains the following matrix:

Human Rights Issues	Reasons or Causes	Results or Impacts	Duty Bearers & their Interventions	Claim Holders & their Interventions
- This pertains to perceived human rights issues that are common or are happening on the ground	- What are the reasons for the human rights issues?	- What are the results or impacts of these human rights issues or concerns?	- Who are the duty bearers and what are their interventions and actions taken on these human rights issues and concerns?	- Who are the claim holders and what are their interventions or actions taken on these human rights issues and concerns?

- c. The facilitator explains that the human rights issues should not be limited to civil and political rights issues, but can include economic, social and cultural rights concerns as well.
- d. The security sector should not limit their discussions on work-related and/or reported human rights cases filed against them, but to also include their own observed human rights concerns and that of the people within the region.

- e. Each workshop group shall elect their own rapporteur, documenter and presenter.
- f. Instruct the participants that they will be given one-and-a-half (1.5) hours for the workshop, and to be ready for plenary presentation by then (ideally through MS Powerpoint or Word presentation).

ACTIVITY 2: Workshop Proper

TIME: 1.5 hours

METHODOLOGY: Workshop

MATERIALS NEEDED: Laptop and USB per workshop group, blank Workshop matrix in Powerpoint (from Activity 1), designated areas for workshop groups

ACTIVITY GUIDE:

- a. Workshop groups per sector (PNP, AFP, CSOs and CHR).
- b. Groups to identify their own rapporteur, documenter and reporter.
- c. Workshop proper (1 hour) to discuss and answer the matrix, and prepare for plenary presentation (30 minutes).

ACTIVITY 3: Plenary Reporting of Workshop Results

TIME: 30 minutes

METHODOLOGY: Plenary discussion

MATERIALS NEEDED: Laptop, projector (*NOTE: If laptops and projector are not available, they may use Manila paper, markers and masking tape*)

ACTIVITY GUIDE:

- a. Each group to present their workshop outputs.
- b. Each group is given a maximum of seven (7) minutes to present their outputs to the plenary.

ACTIVITY 4: Open Forum and Synthesis

TIME: 45 minutes

METHODOLOGY: Question and Answer

MATERIALS NEEDED: Microphones

ACTIVITY GUIDE:

- a. The facilitator to summarize and emphasize common human rights concerns of the different sectors (PNP, AFP and CSOs) and counterpose these concerns to the human rights violations reported by the CHR.
- b. Facilitator to link the various issues identified by the participants.

KEY LEARNING POINTS:

- a. All concerns/issues are related to human rights.
- b. Indivisibility of rights: one issue is a result/outcome/impact of other rights that are not fulfilled.
- c. Civil and political rights violations are usually a result of people's struggles for their economic, social and cultural rights. For example:
 - ✓ Killings of IP leaders because they are against mining in their Ancestral Domains.
 - ✓ Arrest and detention of workers because they are picketing the factories.

- d. Human rights issues are not only gross violations such as EJK, EDs and Torture, but all other concerns that provide dignity to a person/community and with consideration for their particularities, including cultural identity for Indigenous Peoples, and religion for Muslims, Christians, etc.
- e. A lot of what is happening at the local human rights situation is really a reflection of the national human rights situation.

NOTES TO THE FACILITATOR:

- The facilitator facilitates the Open Forum and summarizes important learnings that surfaced during the discussions.



REFERENCES:

- Reports of the regional Commission on Human Rights (CHR) offices regarding the local human rights situation



SESSION 4

Presentation of Human Rights Programs and Policies

This session consists of sessions on the different programs and policies of the AFP, PNP and CSOs particularly the following: Internal Peace and Security Plan (IPSP) "*Bayanihan*" (by AFP); Human Rights-Based Policing (by PNP); and Human Rights Defenders (by CSOs).

Session 4.1 Internal Peace and Security Plan (IPSP) "*Bayanihan*"

OBJECTIVE: At the end of the session, the participants should be able to:

Understand the AFP's Internal Peace and Security Plan (IPSP) "*Bayanihan*."

OUTLINE:

- ACTIVITY 1 – Interactive Lecture
- ACTIVITY 2 – Open Forum

SESSION GUIDE:

ACTIVITY 1: Interactive Lecture

TIME: 30 minutes

METHODOLOGY: Lecture

MATERIALS NEEDED: Powerpoint presentation, laptop, projector, microphones

ACTIVITY GUIDE:

- a. The facilitator leads the presentation through an interactive discussion.

ACTIVITY 2: Open Forum

TIME: 30 minutes

METHODOLOGY: Question and Answer

MATERIALS NEEDED: Microphone

ACTIVITY GUIDE:

- a. Questions from the participants are entertained. The facilitator moderates the discussions. Some questions can be directed to certain groups (e.g., AFP, PNP, CHR or CSOs).

PROCESSING:

- a. The short lecture puts emphasis on a "People-Centered Approach" which seeks to enhance the promotion of human rights and human development efforts, and the necessary conditions to create a peaceful and secure environment under the broader frame of Human Security, particularly on:
 - ✓ The government's commitment to peace and development, and the importance of the active involvement of all stakeholders, for development will continue if peace is achieved through the efforts of everyone, through the "*Bayanihan*" (helping one another) trait of Filipinos;
 - ✓ The AFP campaign plan is focused on "winning the peace" rather than "defeating the enemy." It embraces human security more than state security;

and gives equal emphasis to combat and non-combat dimensions, thus, the term "focused military operations" which is directed at the armed elements of threat groups; and,

- ✓ IPSP "*Bayanihan*" is an open document that can be downloaded from the internet, and is shared, co-owned and co-authored by other stakeholders. Stakeholders, including government agencies, were involved from the planning to the implementation and evaluation phases.

KEY LEARNING POINTS:

- a. The AFP conducts support operations to "win the peace" in order to help the Filipino nation create an environment conducive for sustainable development and a just and lasting peace.
- b. The operations campaign plan is underpinned by a strategic intent, approaches, concepts, and initiatives.
- c. In keeping with the security sector reform agenda, the AFP has a "Transformation Roadmap" that is geared towards: (a) capability development, (b) professionalization of soldiers, and (c) institutionalization of stakeholder engagement.
- d. To move forward, the AFP will pursue its peace-building efforts, enhance the security climate, synergize efforts in peace and development, support government's overall peace efforts with different threat groups, and be in the forefront in disaster risk reduction and management.
- e. What needs to be done: Paradigm shift on the resolution of insurgency problem: from the perspective that insurgency is merely the AFP's responsibility towards a perspective of understanding where insurgency is accepted as everybody's responsibility. Peace and security can be fully achieved through the concerted and united efforts of all stakeholders.



REFERENCES:

- IPSP "*Bayanihan*"
- Department of National Defense (DND)/AFP Circulars and Standard Operating Procedures (SOPs)
- AFP Policies and Letter-Directives
- Articles of War and Manual for Courts-Martial



SESSION 4.2 Human Rights-Based Policing

OBJECTIVES: At the end of the session, participants should be able to:

1. Define human rights;
2. Identify the sources of Human Rights Law;
3. Describe how the PNP personnel perceive human rights;
4. Discuss human rights in law enforcement and powers of the state;
5. Enumerate PNP Doctrines, Policies and Issuances which relate to human rights;
6. Identify the root cause/s of Human Rights violations and how it can be prevented;
7. Explain Human Rights-Based Policing (HRBP);
8. Enumerate the reasons why the PNP needs to become a rights-based police organization; and
9. Enumerate the components of the Human Rights Development Program which are relevant to HRBP.

OUTLINE:

- ACTIVITY 1 – Sharing of personal insights on the meaning and importance of PNP Human Rights-Based Policing (HRBP)
- ACTIVITY 2 – Interactive Lecture
- ACTIVITY 3 – Open Forum

SESSION GUIDE:

ACTIVITY 1: Sharing of personal Insights on the meaning and importance of PNP Human Rights-Based Policing (HRBP)

TIME: 10 minutes

METHODOLOGY: Sharing of insights, interactive discussion

MATERIALS NEEDED: Metacards, permanent markers, masking tape, blackboard

ACTIVITY GUIDE:

- a. The facilitator asks the participants to write down in metacards what they think about when they hear the phrase "Human Rights-Based Policing."
- b. The facilitator gathers all the metacards, shows and reads them aloud, and posts them in the blackboard. The facilitator asks for clarification if there are some metacards that are vague or unclear.
- c. The answers in the metacards will give the facilitator an idea of the level of awareness of the participants as well as surface some questions which the participants may have. In proceeding with Activity 2 (Interactive Lecture), please refer back to the answers in the metacards.

ACTIVITY 2: Interactive Lecture

TIME: 20 minutes

METHODOLOGY: Lecture

MATERIALS NEEDED: Powerpoint presentation, laptop, projector

ACTIVITY GUIDE:

- a. The facilitator presents and discusses the Powerpoint presentation, and leads the group into an interactive discussion of the topic, referring also to the answers given in the metacards (Activity 1).

ACTIVITY 3: Open Forum

TIME: 30 minutes

METHODOLOGY: Question and Answer

MATERIALS NEEDED: Microphones

ACTIVITY GUIDE:

- a. The facilitator entertains comments, clarifications and questions from the participants.

KEY LEARNING POINTS:

- a. The institutionalization of Human Rights-Based Policing is consistent with the government's constitutional mandate to serve and protect the people; the PNP's legal mandate to enforce the laws of the land including human rights-related laws; and the administration's National Security Policy on pursuing Security Sector Reform (SSR) which includes the provision of human rights education and training for members of the uniformed services. While the human rights record of the PNP and the Security Sector, as a whole, had improved dramatically since 2007, there is still a pressing need to enhance the policy environment, improve mechanisms to prevent human rights abuses, and build a culture in the police organization that empowers all police personnel to sincerely and consistently respect, protect, and fulfill human rights.
- b. The institutionalization of Human Rights-Based Policing in the PNP is anchored on the following elements or pillars: (a) Implementation of Human Rights Policies in the Police Organization; (b) Conduct of Human Rights Education and Training; (c) Adoption of a Recognition and Rewards System for Human Rights Exemplars; and (d) Enhancement of Police Professionalism and Competency as the foundation for Human Rights-Based Policing.

REFERENCES:

- Universal Declaration of Human Rights (UDHR)
- United Nations Code of Conduct for Law Enforcement Officials
- United Nations General Assembly Resolution 34/169, dated 17 December 1979
- Charter of the United Nations
- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- 1987 Philippine Constitution
- Republic Act (R.A.) 9851 (Philippine Act on Crimes Against International Humanitarian Law, Genocide, and Other Crimes Against Humanity)
- Republic Act (R.A.) 6975 (Department of the Interior and Local Government Act of 1990)
- Republic Act (R.A.) 8551 (Philippine National Police Reform and Reorganization Act of 1998)
- Administrative Order 249
- Republic Act (R.A.) 9745 (Anti-Torture Act of 2009)
- Letter of Intent (LOI) 55/07 "*Pamana*"
- PNP Guidebook on Human Rights-Based Policing



SESSION 4.3 Human Rights Defenders in the Philippines

OBJECTIVES: At the end of the session, the participants should be able to:

1. Understand what Human Rights Defenders (HRDs) are, its history in the Philippines, and what HRDs do;
2. Know the challenges that face HRDs in the Philippines; and,
3. Know about national, regional and international HRD initiatives.

OUTLINE:

- ACTIVITY 1: Characteristics, Roles and Challenges of HRDs
- ACTIVITY 2: Short Input
- ACTIVITY 3: Open Forum

SESSION GUIDE:

ACTIVITY 1: Characteristics, Roles and Challenges of HRDs

TIME: 20 minutes

METHODOLOGY: Workshop/use of metacards

MATERIALS NEEDED: Powerpoint presentation, laptop, projector, metacards (at least 3 colors are needed), markers/pentel pens, masking tape, a large blackboard or wall (to tape the metacards)

ACTIVITY GUIDE:

- a. Metacards in 3 different colors (white, yellow and blue) are distributed to the participants.
- b. The participants are asked to write in metacards:
 - ✓ White – Characteristics or description of HR Defenders
 - ✓ Yellow – Issues and challenges that face HR Defenders
 - ✓ Blue – Roles and tasks that HR Defenders do
- c. The facilitator posts three (3) metacards on the board, representing "Description" (white), "Challenges" (yellow), and "Roles" (blue).
- d. After 15 minutes, the participants are asked to post their metacards under the appropriate heading.
- e. Read all the metacards and check those that need clarification. You may place "similar idea" metacards together, or one on top of each other.

ACTIVITY 2: Short Input

TIME: 20 minutes

METHODOLOGY: Lecture

MATERIALS NEEDED: Powerpoint presentation, laptop, projector

ACTIVITY GUIDE:

- a. Present and discuss the prepared Powerpoint presentation, referring often to the answers given in the metacards.

ACTIVITY 3: Open Forum and Synthesis by Facilitator

TIME: 20 minutes

METHODOLOGY: Question and answer, synthesis

MATERIALS NEEDED: Microphones

ACTIVITY GUIDE:

- a. After the short input, the facilitator opens the floor for any questions or clarifications from the participants. The facilitator then synthesizes the discussions and the session.

NOTES TO THE FACILITATOR:

- The NGO/CSO participants will probably have a lot to contribute during the discussions, but do not leave out the participants from the AFP, PNP and CHR.
- The different groups may have some pre-conceived ideas and notions about each other. It is our challenge to make them understand that these are biases and must be avoided.

KEY LEARNING POINTS:

- a. Anyone can be a Human Rights Defender, whether you are from the CSOs, AFP, PNP or CHR.

REFERENCES:

- UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms or the Declaration on HRDs; 9 December 1998, UN GA Resolution 53/144
- UN General Assembly Human Rights Council Resolution Protecting HRDs, A/HRC/22/L.13 March 15, 2013



SESSION 5

Input and Application on Selected Procedures – By PNP

This session consists of sub-sessions discussing the following procedures: Search and Seizure, Arrest, and Detention with Custodial Investigation.

Session 5.1 Search and Seizure

OBJECTIVES: At the end of the session, the participants should be able to:

1. Present the proper conduct of search in accordance with established Police Operational Procedures (POP);
2. Develop a common understanding on how "search and seizure" should be conducted;
3. Highlight the human rights issues that attend the conduct of "search and seizure;" and
4. Understand that human rights must be protected at all times.

OUTLINE:

- ACTIVITY 1 – Structured Learning Exercise on the Proper Conduct of Search and Seizure
- ACTIVITY 2 – Interactive Lecture
- ACTIVITY 3 – Open Forum and Synthesis by Facilitator

SESSION GUIDE:

ACTIVITY 1: Structured Learning Exercise on the Proper Conduct of Search and Seizure

TIME: 20 minutes

METHODOLOGY: Structured Learning Exercise (SLE or game)

MATERIALS NEEDED: Questions (refer to Activity Guide below)

ACTIVITY GUIDE:

- a. The participants are divided into several groups. One way to group the participants would be by sector: AFP, PNP, CHR, CSOs, but if one group is too small in number, the facilitator can choose to group the participants randomly (by counting-off).
- b. The facilitator shall read several statements and then ask the questions provided below. Each group that gives the correct answer gets a point. The group with the highest point wins.
- c. Questions:
 - ✓ Police Inspector Victor Ramos wants to file a search warrant. Among the data he has prepared for submission before the Court are the following: the name of his police office, the name of the officer-applicant, the name of the subject, the address of the subject where the illegal firearms are believed to be kept and will be subjected to the search, specific statement of the firearms kept with the following information: type, calibre and brand. *Question:* Are these data sufficient to file a search warrant? *Answer:* NO.
 - ✓ If not, then what more data is needed?
Answer: Sketch of the place to be searched.

- ✓ Continuation of the story: After completing the data needed, a search warrant was issued by the court. On June 25, Inspector Ramos organized a team to implement the search warrant. They arrived at the address subject of warrant at 5:30 in the afternoon because it is quite far from the police station. When the police introduced themselves, the wife of the suspect would not allow them to enter the premises because it is already dusk. *Question: Is the wife correct not to admit the police officers to conduct the search? Answer: NO.*
- ✓ Why?

Answer: Because the search warrant states that it can be served anytime of the day or night.
- ✓ Continuation: Despite the wife's complaint, the police team managed to enter the house. On the sketch submitted to the court, it is shown that the firearms and ammunitions are allegedly stored inside a cabinet found in the master's bedroom. Inspector Ramos, therefore, proceeded to the master's bedroom. However, they passed another locker in the living room similar to the one inside the master's bedroom. Suspecting that the locker had been moved, Inspector Ramos directed his men to check the locker while he proceeded inside the bedroom.

Question: Did Inspector Ramos do the right thing in having the locker in the living room checked for firearms and ammunitions? Answer: YES or NO (depending on their supporting answers).

YES - Because the search warrant directs the search of the residence.

NO - Because the sketch specified that the location of firearms is in the locker inside the master's bedroom.
- ✓ Continuation: "Is this the same locker that is found inside your bedroom?" Inspector Ramos asked the wife. "No. it is a different one?" The wife answered. "May we check if indeed it is not the one?" Inspector Ramos further asked. "Suit yourself because it is not the one." The wife answered. *Question: If one of the firearms listed in the search warrant that must be seized is found inside the said locker, can it be legally seized? Answer: YES.*
- ✓ Why? Because there was a consented search by the wife based on conversation.
- ✓ Continuation: After conducting the search, the firearms and ammunitions referred to in the warrant were all found. In fact, another extra unlicensed firearm was also found. The wife prevents the police officers from taking the extra firearm alleging that the same is not among those listed in the search warrant.

Question: Is she correct? NO.
- ✓ Why? Because the firearm is unlicensed therefore it is illegal and only lawful properties not specifically described in the search warrant shall not be taken.
- ✓ Continuation: Before leaving, Inspector Ramos issued a receipt for all items taken, except for the extra firearm that is not subject of the warrant alleging that the same is being confiscated for being illegal.

Question: Is he right? Answer: NO.

- ✓ Why? Because all items taken in the conduct of a search by virtue of a search warrant must be receipted and given to the occupant of the place or owner.
- ✓ Continuation: After the search was completed and appropriate inventory was made, the same were turned over to the court. A case for illegal possession of firearms was filed.
Question: As the lawyer of the respondent, what defense could you present so that your client will be set free? *Answer:* The search warrant was already void because it was served more than ten days after date of issuance.
- ✓ *Question:* What is the appropriate thing that Inspector Ramos should have done? *Answer:* He should have applied before the court for extension in the service of search warrant when it expired.
- ✓ *Question:* What is the implication of this voided search? *Answer:* Evidence gathered from an illegal search are inadmissible in court.

ACTIVITY 2: Interactive Lecture

TIME: 20 minutes (lecture on POP Rule 14)

METHODOLOGY: Short input, interactive discussion

MATERIALS NEEDED: Powerpoint presentation with lecture guide, laptop, projector, microphone, blackboard for listing of critiques, handouts for participants

ACTIVITY GUIDE:

- a. The facilitator proceeds with the short input (using the Powerpoint presentation), but referring back to the answers given during the SLE in Activity 1.

ACTIVITY 3: Open Forum and Synthesis by Facilitator

TIME: 20 minutes

METHODOLOGY: Question and answer, interactive discussion, synthesis

MATERIALS NEEDED: Microphones, Copies of POP Rule 14 (preferably)

ACTIVITY GUIDE:

- a. Experts from the PNP and CHR are given time to give their comments and the facilitator gives the synthesis of the session.

KEY LEARNING POINTS:

- To translate the human rights motto or slogan "Human Rights as a Way of Life in the PNP" in practical terms; must be consistently demonstrated in the language, values, attitude, and actions of PNP personnel as they perform their daily tasks and functions.
- All PNP personnel must demonstrate professionalism, courtesy, and decorum in dealing with all persons, regardless of their socio-economic or political status, sex or gender, religious affiliation, ethno-linguistic group, or any other status.

REFERENCE:

- Police Operational Procedures 2013 or POP (Rule 14)



Session 5.2 Arrest

OBJECTIVES: At the end of the session, the participants should be able to:

1. Know the proper conduct of arrest in accordance with established Police Operational Procedures (POP);
2. Develop a common understanding on how arrest should be conducted, and;
3. Highlight the appurtenant human rights that attend the conduct of arrest, and which must be protected.

OUTLINE:

- ACTIVITY 1 – Role Play on the Proper Conduct of Arrest
- ACTIVITY 2 – Critique of the Role Play, and Interactive Lecture
- ACTIVITY 3 – Open Forum and Synthesis by the Lecturer

SESSION GUIDE:

ACTIVITY 1: Role Play on the Proper Conduct of Arrest

TIME: 20 minutes (11 minutes for instructions and preparations, 3 minutes each for role plays by CSOs, AFP and PNP)

METHODOLOGY: Role Play and Input

MATERIALS NEEDED: Name Tags to identify roles (cardboard, string, markers), other props as determined by participants to make the role play more realistic

ACTIVITY GUIDE:

The participants are divided into 3 groups. They are given scenarios which they will role play. The scenarios are as follows:

a. Arrest with Warrant

PO3 Santos and PO2 Ramos are on foot patrol. While patrolling they chanced upon Jose Ruiz, a person known to them to be the subject of a warrant of arrest for rape issued by Judge Rosales and had eluded several attempts of arrests before. Sensing that there are police around, Jose Ruiz tried to run away. PO3 Santos and PO2 Ramos ran after him and declared an arrest for rape. When caught, Jose Ruiz insisted on seeing the warrant of arrest or he will not go with the police. Unfortunately, the arresting officers did not have a copy of the warrant of arrest. He resisted arrest and tried to wrestle himself free. Thus, PO3 Santos handcuffed him and brought him to the police station. Dramatize the documentation process inside the police station.

b. Warrantless Arrest

PO3 Santos and PO2 Ramos are already off-duty and on the way home when they saw Jose Ruiz snatch the necklace of Jane Jacinto. Immediately, they arrested Ruiz after declaring themselves as policemen. Ruiz tried to question the police officers alleging they are fake policemen because they are not in uniform. Thus, PO3 Santos handcuffed him and brought him to the police station for documentation. Dramatize the documentation process inside the police station.

c. Citizen's Arrest

Barangay (Village) Captain Jose Mariano and Tanod (Watchman) Juan Sison are on their way home when they saw Jose Ruiz snatch the necklace of Jane Jacinto. They decided to accost Jose Ruiz. Dramatize how the arrest should be conducted.

NOTES TO THE FACILITATOR:

- If time is limited, the participants can be divided into just two (2) groups: one for Arrest with Warrant, and the other for Warrantless Arrest.

ACTIVITY 2: Critique of the Role Play and Interactive Lecture

TIME: 20 minutes (10 minutes critique from participants, 10 minutes lecture on POP Rule 14)

METHODOLOGY: Critiquing of role plays based on the Critique Guide (see below).

MATERIALS NEEDED: Microphones, blackboard for listing of critiques, Powerpoint presentation on POP Rule 13 by facilitator, Critique Guide, Powerpoint presentation with lecture guide

CRITIQUE GUIDE:

- a. Arrest with warrant:
 - ✓ Can the police arrest a known suspect with warrant of arrest even if he does not carry it during the time of arrest?
 - ✓ Is there a need to read him his rights as an accused?
 - ✓ Must the suspect be restrained?
 - ✓ What is the procedure that the police should observe after effecting the arrest?
 - ✓ What are the procedures in documenting a case?
- b. Warrantless Arrest:
 - ✓ Can an off-duty police make an arrest? NOTE: Citizen's Arrest
 - ✓ What must the police do when his authority is being challenged?
 - ✓ Was the restraining proper?
 - ✓ Are the procedures in documenting a case properly done?

After the group critiques, the facilitator proceeds to deliver the Powerpoint presentation on Arrest.

ACTIVITY 3: Open Forum and Synthesis by the Facilitator

TIME: 20 minutes

METHODOLOGY: Interactive discussion

MATERIALS NEEDED: Microphones, Copy of POP Rule 13

ACTIVITY GUIDE:

- a. The participants are given some time to share their insights, comments and suggestions, then the facilitator will summarize and highlight the importance for strict adherence to the POP. This session is focused on ensuring the adherence of law enforcers to the POP on making Arrests.

REFERENCE:

- Police Operational Procedures 2013 (Rule 13)



Session 5.3 Detention with Custodial Investigation

OBJECTIVES: At the end of the session, the participants should be able to:

1. Understand the legal procedures in the commitment, visitation, transfer of custody and release of detainees; and
2. Highlight the appurtenant human rights of a person under detention that must be protected.

OUTLINE:

- ACTIVITY 1 – Interactive Lecture
- ACTIVITY 2 – Synthesis by the Facilitator

SESSION GUIDE:

ACTIVITY 1: Interactive Lecture

TIME: 40 minutes

METHODOLOGY: Interactive Lecture

MATERIALS NEEDED: Powerpoint presentation, laptop, projector, handouts

ACTIVITY GUIDE:

- a. The facilitator gives the Powerpoint presentation.

NOTES TO THE FACILITATOR:

- The facilitator should focus on the following session topics:
 - a. Requirements for detention
 - b. Procedures on the right of visitation
 - c. Transferring custody of detainees
 - d. Segregation of detainees
 - e. Procedure on the release of detainees

ACTIVITY 2: Open Forum and Synthesis by Facilitator

TIME: 20 minutes

METHODOLOGY: Question and answer, synthesis

MATERIALS NEEDED: Microphones, POP Rule 20, Section 2

ACTIVITY GUIDE:

- a. Participants are asked to give their comments and questions or clarifications. The facilitator ends the session by giving a synthesis or summary of the session.

REFERENCE:

- Police Operational Procedures 2013 (Rule 20, Section 2)



SESSION 6

Input and Application on Selected Laws – By AFP

This session consists of sub-sessions discussing the following laws: Republic Act (R.A.) No. 9851, Republic Act (R.A.) 9745, and Republic Act (R.A.) 10353.

Session 6.1 R.A. 9851, "Philippine Act on International Humanitarian Law, Genocide, War Crimes and Crimes Against Humanity"

OBJECTIVE: At the end of the session, the participants should be able to:

Discuss the salient provisions of R.A. 9851, specifically on the following:

1. Concept of International Humanitarian Law (IHL);
2. Prohibited Acts under IHL; and
3. Criminal Responsibilities.

OUTLINE:

- ACTIVITY 1 – Interactive Lecture
- ACTIVITY 2 – Tableau

SESSION GUIDE:

ACTIVITY 1 – Interactive Lecture

TIME: 30 minutes

METHODOLOGY: Lecture

MATERIALS NEEDED: Powerpoint presentation, handouts, laptop, projector

ACTIVITY GUIDE:

- a. The facilitator presents and discusses the Powerpoint presentation

ACTIVITY 2– Tableau

TIME: 1 hour

METHODOLOGY: Use of Tableau to demonstrate IHL Principles

ACTIVITY GUIDE:

- a. Divide the participants into four (4) groups, making sure that the AFP participants are distributed among all the groups.
- b. Each group shall be assigned an IHL principle, and they shall act it out for all participants:
 - ✓ Group 1: Principle of Distinction
 - ✓ Group 2: Principle of Proportionality
 - ✓ Group 3: Principle of Limitation
 - ✓ Group 4: Principle of Precaution
- c. The AFP members shall lead each group in coming up with a scenario for the tableau. A tableau is a non-moving depiction of a scene.
- d. Inform the participants that they are given thirty (30) minutes for discussions and preparations (e.g., creation of props, etc.).

- e. After each tableau presentation, discussions follow.

PROCESSING:

- a. The groups shall present their IHL principle through a tableau.
- b. Presentations shall be given a maximum of five (5) minutes per group.
- c. After the presentation, the participants from the other groups shall provide their critiques.
- d. Open forum and discussion follows.
- e. The last activity is the video showing on IHL (from the Philippine Coalition for International Criminal Court/PCICC or ICRC).

NOTES TO THE FACILITATOR:

- Grouping of the participants is random (count-off 1 to 4, with participants of the same number grouped together).
- Ensure that an AFP official is a member of each group. The AFP member shall lead the group in coming up with a scenario for the tableau.
- Each group is given five (5) minutes to present their outputs.
- Include as example a case on beheading of AFP soldiers by armed groups (IHL violation).

KEY LEARNING POINTS:

- a. Rules of engagement (ROE) should always be consistent with IHL.
- b. Even in armed conflicts, there are basic human rights that are non-derogable.
- c. Rules of engagement in relation to State actors.

REFERENCES:

- R.A. 9851 (Philippine Act on Crimes Against International Humanitarian Law, Genocide, and Other Crimes Against Humanity)
- Implementing Rules and Regulations (IRR) of R.A. 9851
- Case Studies: Doña Remedios Trinidad case, Zamboanga Siege case
- Guidelines on Protection of Children in Situations of Armed Conflict (CSAC), Guidelines on Grave Child Rights Violations (GCRV), Video on IHL (from ICRC or PCICC)



Session 6.2 R.A. 9745, "An Act Penalizing Torture and other Cruel, Inhuman and Degrading Treatment or Punishment"

OBJECTIVE: At the end of the session, the participants should be able to:

Explain the salient provisions of R.A. 9745 (Anti-Torture Law), specifically on:

1. Acts that constitute torture and other prohibited acts; and
2. Criminal liability of perpetrators and protection of torture victims.

OUTLINE:

- ACTIVITY 1 – Case Study Analysis
- ACTIVITY 2 – Short lecture

SESSION GUIDE:

ACTIVITY 1: Case Study Analysis

TIME: 40 minutes

METHODOLOGY: Case Study

MATERIALS NEEDED: Powerpoint presentation, laptop, projector, case studies

ACTIVITY GUIDE:

- a. Divide the participants into two (2) groups.
- b. Each group shall be assigned a case study.
- c. Inform the participants that they are given thirty (30) minutes for discussions and preparations for plenary presentation.
- d. Each group shall select their own rapporteur, documenter and presenter.
- e. Instruct participants to discuss their assigned cases based on the following questions:
 - ✓ What are the acts of torture committed? What other prohibited activities were committed?
 - ✓ Who are criminally liable as perpetrators?
- f. Request a volunteer per group to present their outputs.

PROCESSING:

- a. The participants shall present their output per question.
- b. The facilitator will try to bring out other perspectives from the participants and discuss them. At this point, there is no need to resolve the different perspectives (that will be reserved for the input portion).

NOTES TO THE FACILITATOR:

- Grouping of the participants is random (count-off 1 to 2, with participants of the same number grouped together).
- The groups are given thirty (30) minutes to discuss their cases.
- Each group is given five (5) minutes to present their outputs.
- The case studies assigned shall depend on the profile of the participants (what sector they are from – indigenous peoples, farmers, urban poor, etc.)

ACTIVITY 2: Short lecture

TIME: 20 minutes

MATERIALS NEEDED: Powerpoint presentation, laptop, projector

ACTIVITY GUIDE:

- a. The facilitator proceeds to discuss and present the prepared Powerpoint presentation, citing the discussions from the case study analysis (from Activity 1).

KEY LEARNING POINTS:

- a. Regardless of the victims' circumstances, torture is prohibited.
- b. Government officials will be held accountable under the principle of Command Responsibility.

REFERENCES:

- UN Convention Against Torture (CAT)
- R.A. 9745 (Anti-Torture Act of 2009)
- Implementing Rules and Regulations (IRR) of R.A. 9745



Session 6.3 R.A. 10353, "An Act Defining and Penalizing Enforced or Involuntary Disappearance"

OBJECTIVE: At the end of the session, the participants should be able to:

Discuss the salient provisions of R.A. 10353 (Anti-Enforced or Involuntary Disappearance Law) specifically on:

1. Concept of enforced or involuntary disappearance; and
2. Criminal liability of perpetrators.

OUTLINE:

- ACTIVITY 1 – Interactive Lecture
- ACTIVITY 2 – Video Presentation

SESSION GUIDE:

ACTIVITY 1: Interactive Lecture

TIME: 45 minutes

METHODOLOGY: Lecture/Input

MATERIALS NEEDED: Powerpoint presentation, laptop, projector, handouts

ACTIVITY GUIDE:

- a. Short lecture on Anti-Enforced Disappearance (ED) Law on the following topics:
 - ✓ Concept of enforced or involuntary disappearance
 - a) Definition of enforced or involuntary disappearance;
 - b) Who are agents of the State, and the right of the victim to have access to communication; and
 - c) Duties of the State.

- ✓ Criminal liability of perpetrators
 - a) Command Responsibility;
 - b) Who are criminally liable?;
 - c) Preventive suspension or summary dismissal; and
 - d) Statute of limitations.

ACTIVITY 2: Video Showing

TIME: 15 minutes

METHODOLOGY: Video showing

MATERIALS NEEDED: Powerpoint presentation, laptop, projector, video on Enforced Disappearance

ACTIVITY GUIDE:

- a. Video is shown and discussed afterwards.
- b. The facilitator will ask the following questions from the participants:
 - ✓ If the victim of Enforced Disappearance is a family member of yours, how would you feel? What impact will that have on yourself, your family, and community?
 - ✓ What is the effect of Enforced Disappearance on the person, if still alive?
- c. Open Forum

KEY LEARNING POINTS:

- a. Enforced Disappearance is a continuing crime until the victim (or his/her remains) finally surface. It is a continuing human rights violation.
- b. The Philippines has yet to ratify ICPAPED (UN International Convention for the Protection of All Persons from Enforced Disappearance).

REFERENCES:

- Republic Act 10353 (Anti-Enforced or Involuntary Disappearance Law)
- Implementing Rules and Regulations (IRR) of R.A. 10353
- Video on Enforced Disappearance



SESSION 7

Panel Discussion

OBJECTIVE: At the end of the session, the participants should be able to:

Reflect on the institutional perspectives of the project partners (AFP, PNP, CHR, CSOs) with regard to specific questions, issues and cases on human rights.

DURATION: 1 hour

MATERIALS NEEDED: Chairs in front (for panel members), microphones

SESSION GUIDE:

- a. The Panel will be composed of the highest ranking officers of the AFP and PNP, as well as officials from the CHR and CSOs.
- b. The Panel Discussion is a chance for the participants to ask the security sector and CHR to give their institutional perspectives on specific cases, issues and problems that they encounter on the ground.
- c. It also offers a chance for the participants to ask questions which came up during the previous five (5) sessions.

NOTES TO THE FACILITATOR:

- Beforehand, make sure to invite the highest-ranking officers of the local AFP and PNP (or a representative who can speak on behalf of their organization), as well as officials from the CHR and CSO leaders. Please send the invitations at least one week prior to the activity (the earlier, the better!).



SESSION 8

Input and Application on Human Rights Protection

This session includes discussion on the following: Administrative Remedies in the Armed Forces of the Philippines (by AFP), Administrative Remedies in the Philippine National Police (by PNP), National and International Remedies (by CHR), and Judicial and Other Remedies (by CSOs).

Session 8.1 Administrative Remedies in the Armed Forces of the Philippines (AFP)

OBJECTIVES: At the end of the session, the participants should be able to:

Understand the existing protocols on administrative remedies in the AFP, as well as the procedures in handling complaints in the AFP, particularly on:

1. Reporting of incidents on human rights violations to the AFP particularly to the Human Rights Officer and the Provost Marshal, especially to report grave violations such as extrajudicial killing (EJK), enforced disappearance (ED), act of torture and International Humanitarian Law (IHL); and
2. The conduct of investigation by the AFP and filing of charges against the implicated military personnel under the military justice system, resulting in trial before military tribunals or administrative proceedings for discharge/separation from the military service.

OUTLINE:

- ACTIVITY 1: Interactive Lecture
- ACTIVITY 2: Case Study
- ACTIVITY 3: Open Forum

SESSION GUIDE:

ACTIVITY 1: Interactive Lecture

TIME: 15 minutes

METHODOLOGY: Lecture

MATERIALS NEEDED: Powerpoint presentation, laptop, projector

ACTIVITY GUIDE:

- a. Powerpoint presentation/discussion
 - ✓ The facilitator will present and discuss the prepared Powerpoint presentation on the Administrative Remedies in the AFP.

ACTIVITY 2: Case Study

TIME: 15 minutes

METHODOLOGY: Case Study

MATERIALS NEEDED: Powerpoint presentation, laptop, projector, case study

ACTIVITY GUIDE:

- a. Discussion of a case study – The facilitator will cite a case to demonstrate how it was resolved using the available administrative remedies in the AFP.

- b. Processing – The facilitator will ask the participants the following questions:
- ✓ Given the case study, what do you think are the processes to obtain legal remedies?
 - ✓ What are the specific complaints, and what are the specific remedies?

ACTIVITY 3: Open Forum

TIME: 25 minutes

METHODOLOGY: Open Forum

MATERIALS NEEDED: Microphones

ACTIVITY GUIDE:

- a. Questions will be entertained from the participants.

KEY LEARNING POINTS:

- a. There is a justice mechanism internal to the AFP that the civilian sector should be aware of. Incidents of human rights violations involving the military should be reported immediately to the military authorities, instead of availing recourse through the CSOs, the CHR, or other third parties.
- b. Perpetrators of human rights violations in the military sector should be prosecuted and should not be allowed to go unpunished if found guilty. These remedies are meant to address impunity.

NOTES TO THE FACILITATOR:

- The participants should be enlightened that the military justice system is different from the criminal justice system in that the military justice system is based on the Articles of War, which primarily puts a high premium on MILITARY DISCIPLINE. It must also be emphasized that victims or families of victims of human rights violations perpetrated by the military sector have the right to file criminal charges against the latter in civilian courts.
- The presentation outlines the protocol in the investigation of cases under the military justice system, and the remedies available to victims of human rights violations. It is imperative that offenses committed by military personnel must be reported to military authorities so that an investigation is immediately conducted for just resolution of cases.
- Be conscious of the time. Sometimes, workshops take up more time than expected.

REFERENCES:

- AFP Policies and Letter-Directives
- Articles of War and Manual for Courts-Martial
- Administrative Order (A.O.) 35 Operational Guidelines
- Monitoring, Reporting, and Response System (MRRS) Protocols
- National Monitoring Mechanism (NMM)



Session 8.2 Administrative Remedies in the Philippine National Police (PNP)

OBJECTIVES: At the end of the session, the participants should be able to:

Identify the various administrative mechanisms available for members of the community in the filing of administrative cases against PNP uniformed personnel.

OUTLINE:

- ACTIVITY 1 – Participants shall answer the question: "Where can you file a case against erring PNP Personnel?"
- ACTIVITY 2 – Interactive Lecture
- ACTIVITY 3 – Open Forum

SESSION GUIDE:

ACTIVITY 1: Participants shall answer the question "Where can you file a case against erring PNP Personnel?"

TIME: 15 minutes

METHODOLOGY: Workshop/Use of Metacards

MATERIALS NEEDED: Metacards, markers, masking tape

ACTIVITY GUIDE:

- a. Participants are asked to write in metacards where they think they can file a case against erring PNP personnel.
- b. The answers are posted in front.

ACTIVITY 2: Interactive Lecture

TIME: 15 minutes

METHODOLOGY: Lecture

MATERIALS NEEDED: Powerpoint presentation, laptop, projector

ACTIVITY GUIDE:

- a. The facilitator presents and discusses the Powerpoint presentation on the salient points of the PNP Administrative Remedies, citing the answers written in the metacards (Activity 1).

ACTIVITY 3: Open Forum

TIME: 25 minutes

METHODOLOGY: Open Forum

MATERIALS NEEDED: Microphones

ACTIVITY GUIDE:

- a. Questions from the participants are discussed and answered.

KEY LEARNING POINTS:

- a. All sectors of the community shall be able to know how to file administrative cases against erring PNP uniformed personnel.
- b. Each police personnel is reminded that they have a duty to promote, defend, and respect the rights of others just as no law enforcer shall inflict, instigate or tolerate any cruel, inhuman, or degrading treatment, or punishment against any person.

NOTES TO THE FACILITATOR:

- At the end of the session, the participants will be able to know the various administrative remedies. The administrative remedies are in place in order to encourage a culture of professionalism and competency in each of our law enforcers as they perform police functions.

REFERENCES:

- NAPOLCOM MC No. 2016-002, "Revised Rules of Procedure Before the Administrative Disciplinary Authorities and the Internal Affairs Service of the Philippine National Police"
- PNP Code of Ethics



Session 8.3 National and International Remedies

OBJECTIVES: At the end of the session, the participants should be able to:

1. Have a common or collective understanding of national and international remedies for violations of human rights; and
2. Learn what the Commission on Human Rights (CHR) is and understand its mandates, services and programs.

OUTLINE:

- ACTIVITY 1: National and International Remedies for Violations of Human Rights
- ACTIVITY 2: Open Forum

SESSION GUIDE:

ACTIVITY 1: National and International Remedies for Violations of Human Rights

TIME: 20 minutes

METHODOLOGY: Short lecture

MATERIALS NEEDED: Powerpoint presentation, laptop, projector

ACTIVITY GUIDE:

- a. The facilitator will present and discuss the prepared Powerpoint presentation on National and International Remedies for Violations of Human Rights.

ACTIVITY 2: Open Forum

TIME: 35 minutes

METHODOLOGY: Question and Answer

MATERIALS NEEDED: Powerpoint presentation, Laptop, Projector

ACTIVITY GUIDE:

- a. The floor is open for clarifications and questions.

REFERENCES:

- 1987 Philippine Constitution
- Programs and services of the Commission on Human Rights
- International remedies for violations of human rights



Session 8.4 Judicial and Other Remedies

OBJECTIVE: At the end of the session, the participants should be able to:

Understand special judicial and other remedies for violations of human rights, particularly the Writs of Habeas Corpus, Amparo and Habeas Data.

OUTLINE:

- ACTIVITY 1 – Case Study Analysis
- ACTIVITY 2 – Interactive Lecture

SESSION GUIDE:

ACTIVITY 1: Case Study Analysis

TIME: 30 minutes

METHODOLOGY: Case Study

MATERIALS NEEDED: Case studies on Writs of Habeas Corpus, Amparo and Habeas Data

ACTIVITY GUIDE:

- a. The facilitator divides the group into 3 (randomly by count-off).
- b. Case Studies:
 - *Writ of Habeas Corpus*
 - ✓ Abe Corpus is the president of a farmers' organization. One day, a group of soldiers went to his house and invited him to go to the military camp in the area. The soldiers told Abe that they are investigating an incident where armed groups attacked the camp and that they just need to ask questions. Abe had no choice but to go with the soldiers.
 - ✓ Five days had passed and Abe still remains in the camp. His wife went to the camp and was able to see Abe, but she was told that the investigation is not yet finished, and Abe cannot yet go home.
 - *Case Study on Writ of Amparo*
 - ✓ Amparo is the leader of a rural women workers' association in her province. Her group is currently engaged in a campaign for the implementation of agrarian reform in their area. They are asking for the distribution of a big

hacienda to the farmers.

- ✓ In the past few weeks, Amparo and her colleagues have noticed that they are being followed by unidentified men. Armed men have also been seen near the house of Amparo, with some of them asking the neighbors about Amparo.
 - *Case Study on Writ of Habeas Data*
 - ✓ Dada is a school teacher and the president of the faculty union in her school. Last year, the faculty union staged a strike when they reached a deadlock in the negotiations for a collective bargaining agreement (CBA). Before the strike ended, there were a number of violent incidents, including a dispersal of the strikers that involved some police officers.
 - ✓ Dada learned recently that the City Police Office maintains a file of records about her, including records that are in her supposedly confidential 201 file (personnel/employment file).
- c. The facilitator asks the groups the question: "What can they do?"

ACTIVITY 2: Interactive Lecture

TIME: 25 minutes

METHODOLOGY: Lecture

MATERIALS NEEDED: Powerpoint presentation, laptop, projector

ACTIVITY GUIDE:

1. The facilitator presents and discusses the prepared Powerpoint presentation, citing also the answers given by the participants from Activity 1.

NOTES TO THE FACILITATOR:

- This is the final presentation for the training. Prior to this session, the AFP and PNP will present their administrative remedies, and the CHR will present some local and international remedies available.
- Time management must be practiced (especially for the earlier sessions) because there is a tendency for the participants to go into questions on specific cases. The facilitators must shift the discussions back to the general procedures and principles.

KEY LEARNING POINTS:

- There are three (3) special judicial remedies available for human rights violations: Writs of Habeas Corpus, Amparo and Habeas Data.

REFERENCES:

- The Rule on the Writ of Amparo; A.M. No. 07-9-12-SC (25 September 2007).
- The Rule on the Writ of Habeas Data; A.M. No. 08-1-16-SC (22 January 2008).
- R.A. No. 9745 (Anti-Torture Act of 2009)



SESSION 9 Planning Workshop

OBJECTIVE: At the end of the session, the participants should be able to:

Discuss and identify action plans in their respective areas (regional) to sustain the initiatives.

OUTLINE:

ACTIVITY 1 – Planning Workshop and presentation

SESSION GUIDE:

ACTIVITY 1: Planning Workshop

TIME: 1.5 hours (Workshop) and 30 minutes (plenary presentation)

METHODOLOGY: Workshop

MATERIALS NEEDED: Powerpoint presentation, laptop, projector

ACTIVITY GUIDE:

- a. The participants are divided into their regions. The facilitator presents the following template and asks the participants to complete the form with their group's plan of action.

Region: _____

OBJECTIVES	MAJOR ACTIVITY or PROGRAM	STEPS/ACTIVITIES NEEDED	TARGET TIME FRAME	IN-CHARGE

Directory of Participants:

NAME	ORGANIZATION/UNIT	CELLPHONE	EMAIL ADDRESS

- b. Each of the groups shall present their plan of action in the plenary session, and submit their outputs to the project secretariat.
- c. Comments and/or suggestions from the participants and partner organizations are welcome.

NOTES TO THE FACILITATOR:

- The participants are divided according to their regional groupings.
- As much as possible, all the regions must have representatives from the AFP, PNP, CHR and CSOs.
- In preparing the action plan, the facilitator should guide the participants with the following pointers:
 - i. Identify the needs of the community.
 - ii. Focus of the plan should be based on those needs.
 - iii. Formulate objectives that are SMART (Specific, Measurable, Attainable, Realistic and Time-bound).
 - iv. The activities identified should all contribute to accomplish the objectives.
 - v. Consider the resources (funding, time and personnel) to be used for each activity.
- For faster communications in the implementation of the action plan, the participants should provide their email addresses and cellphone numbers. Each participant should receive a copy of the Directory of Participants.
- The participants are requested to send updates to ALG on their follow-up activities (please send to secretariat@alternativelawgroups.ph or to re neclem.alg@gmail.com), what pushed through or what did not push through (and what were the challenges or difficulties).



SESSION 10

Overall Evaluation and Post-Test

OBJECTIVE: At the end of the session, the participants should be able to:

Provide the training team with feedback on what were the good points of the training, as well as their suggestions for improvement of the training program.

OUTLINE:

ACTIVITY 1 – Evaluation and Post-Test

SESSION GUIDE:

ACTIVITY 1: Evaluation and Post-Test

TIME NEEDED: 30 minutes

METHODOLOGY: Answering Overall Evaluation and Post-Test Forms

MATERIALS NEEDED: Copies of Overall Evaluation and Pre-Test/Post-Test forms

ACTIVITY GUIDE:

- a. The facilitator presents the format used for the Overall Evaluation and the Post-Test (NOTE: The Post-Test is also the Pre-Test form which the participants filled up during registration. The training team should fold the Pre-Test form so that the participants will not be able to see their answers during the Pre-Test).
- b. Everyone is requested to fill up the 2 forms (Evaluation and Post-Test).
- c. The Pre-/Post-Test and Overall Evaluation forms are found in the attached files inside the accompanying DVD at the back of this Handbook.
- d. The training team should review the answers of the participants as inputs to improve future trainings, education sessions, and other related activities.



SESSION 11

Closing Program

OBJECTIVE: To properly close the activity.

DURATION: 1 hour

MATERIALS NEEDED: Microphone, Certificates of Participation

SESSION GUIDE:

ACTIVITY 1: Synthesis:

- a. The training team prepares a summary or synthesis of all the sessions/topics, major learnings and other highlights from the training.
- b. This will serve to remind the participants of the scope and breadth of the training.

ACTIVITY 2: Feedback from the Participants

- a. The facilitator asks for feedback from the participants: at least one each from the AFP, PNP, CHR and CSOs.

ACTIVITY 3: Closing Remarks

- a. Closing remarks are provided by the partner organizations.

ACTIVITY 4: Distribution of Certificates

- a. Certificates of Participation are handed out. Make sure that the certificates are printed ahead of time. Make sure that the names are spelled right and their positions or ranks are accurate.
- b. If time is very limited, you may group the certificates according to sector (AFP, PNP, CHR and CSOs), then put them on a table and ask them to just get their certificates as they leave.

∞ END ∞



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