



Hanns
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Foundation

MULTI-SECTORAL HUMAN RIGHTS TRAINING HANDBOOK ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ESCR)

COMMUNITY-BASED DIALOGUE SESSIONS ON
HUMAN RIGHTS PROMOTION AND PROTECTION PROJECT



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Alternative Law Groups, Inc.

 Room 216, Benigno Mayo Hall, Social Development Complex,
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 (+632) 426-6001 local 4865 or (+632) 426-8569

 secretariat@alternativelawgroups.ph

 www.alternativelawgroups.ph

 facebook.com/thealternativelawgroups

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Project Partners

Armed Forces of the Philippines Human Rights Office (AFP HRO) and Office of the Deputy Chief of Staff for Civil Military Operations (J7); Philippine National Police (PNP) Directorate for Human Resource and Doctrine Development (DHRDD) and Human Rights Affairs Office (HRAO); Commission on Human Rights of the Philippines (CHR); Philippine Alliance of Human Rights Advocates (PAHRA); and the Alternative Law Groups (ALG) with the support of the Hanns Seidel Foundation of Germany.

Design and Layout

Patricia Clarisse P. Alvarez

LIST OF ACRONYMS

ALG	Alternative Law Groups, Inc.
AO	Administrative Order
AFP	Armed Forces of the Philippines
AR	Agrarian Reform
ARBs	Agrarian Reform Beneficiaries
BARC	Barangay Agrarian Reform Council
BHR	Business and Human Rights
CARP	Comprehensive Agrarian Reform Program
CARPER	CARP Extension with Reforms
CBD	Community-Based Dialogue
CHR	Commission on Human Rights
CLOA	Certificate of Land Ownership Award
CSOs	Civil Society Organizations
DAR	Department of Agrarian Reform
DENR	Department of Environment and Natural Resources
DHRDD	Directorate for Human Resource and Doctrine Development (of the PNP)
DILG	Department of the Interior and Local Government
DND	Department of National Defense
DOJ	Department of Justice
DOLE	Department of Labor and Employment
DSSP	Development Support and Security Plan
ESCR	Economic, Social and Cultural Rights
FPIC	Free, Prior and Informed Consent
HRO	Human Rights Office (of the AFP)
HRAO	Human Rights Affairs Office (of the PNP)
HSF	Hanns Seidel Foundation of Germany
ICC	Indigenous Cultural Communities
IPs	Indigenous Peoples
IPSP	Internal Peace and Security Plan (of the AFP)
IPRA	Indigenous Peoples' Rights Act
LAD	Land Acquisition and Development
LGU	Local Government Unit
LRA	Land Registration Authority
NEDA	National Economic and Development Authority
NCIP	National Commission on Indigenous Peoples
PAHRA	Philippine Alliance of Human Rights Advocates
PDP	Philippine Development Plan
PNP	Philippine National Police
POP Manual	Police Operational Procedures Manual
RDC	Regional Development Council
RPOC	Regional Peace and Order Council
SDG	Sustainable Development Goals
TNA	Training Needs Assessment
UN	United Nations

MESSAGE

As we mark the 70th anniversary of the Universal Declaration of Human Rights (UDHR) this year, we are pleased to be part of the publication of this Multi-sectoral Human Rights Training Handbook on Economic, Social and Cultural Rights (ESCR). This is our contribution to deepen a common understanding of ESCR, with particular discussion on priority themes on indigenous peoples, agrarian reform, labor, and mining. This handbook follows the first Human Rights Training Handbook on Civil and Political Rights published in 2016.



As we face seemingly insurmountable issues related to the promotion and protection of human rights, the pressure on civil society and the security sector to continue our work together is intensified. The longstanding collaboration through the Community-based Dialogue (CBD) Sessions is a sign of commitment to continue to engage and educate each other in pursuit of solidarity.

We would like to express our gratitude to the Commission on Human Rights, Armed Forces of the Philippines, Philippine National Police, Philippine Alliance of Human Rights Advocates, and the support of the Hanns Seidel Foundation of Germany for their shared commitment and confidence in this project. We would also like to express our appreciation for the contributing writers: Ms. Tracy Pabico (PAHRA), Atty. Claire Demaisip (KAISAHAN), Atty. Pocholo Labog (Legal Rights and Natural Resources Center), Atty. Hazel Lavitoria (SALIGAN), and Atty. Jennifer Corpuz (Tebtebba Foundation), without whom this ESCR Handbook would not have been completed.

May this handbook serve as a reminder to our project partners that we have one common goal – strengthening the promotion and protection of human rights, as human rights issues affect us all. As Martin Luther King, Jr. once said:

“Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.”



ATTY. MARIA GENEROSA T. MISLANG

National Coordinator
Alternative Law Groups

MESSAGE

Congratulations to the project consortium for crafting the Multi-Sectoral Human Rights Training Handbook on Economic, Social and Cultural Rights (ESCR). This, indeed, is very commendable in further promoting human rights in our country as it provides the materials to our training institutions for the conduct of education and advocacy programs to our personnel.



It is very remarkable that the Community-Based Dialogue sessions (CBDs) on human rights promotion and protection between the Armed Forces of the Philippines and Philippine National Police, and Civil Society Organizations (CSOs) and local communities that started in the year 2008 contributed to the development of human rights in the Philippines. Coordination and linkages were established, monitoring mechanisms created, and top-level policy dialogues conducted to further address and resolve issues of mutual concern.

Our partnership led to the formulation of the Multi-Sectoral Human Rights Training Handbook on Civil and Political Rights (CPR), and it is therefore just and proper that the training handbook on ESCR should follow, for these two categories of rights guarantee the rights and freedoms of the Universal Declaration of Human Rights.

I therefore laud our project partners – the Philippine National Police (PNP), the Alternative Law Groups (ALG), the Philippine Alliance of Human Rights Advocates (PAHRA), and the Commission on Human Rights (CHR) and the Hanns Seidel Foundation of Germany (HSF) for this worthy project.

Rest assured that we will continue to work hard in promoting and protecting human rights.

Mabuhay tayong lahat!

COL. OLIVER T. VESLIÑO (FA) GSC PA
Chief, AFP Human Rights Office
Camp Aguinaldo, Quezon City



MESSAGE

The PNP has been facing the challenge of deep-rooted stigma of committing human rights violations during police operations. Basic knowledge of the human rights principles was incorporated during training, yet, implementing and practicing at the ground level still remains a problem. Individuals, and in some cases, groups of individuals allege that they are denied of their basic human rights.



Expected to serve and protect, the PNP leadership initiates and implements various programs to address this obstacle. Anchored on the core values of “Makadiyos, Makabayan, Makatao at Makakalikasan” (God-fearing, Nationalistic, Humane and Pro-environment), and in line with the ongoing program thrust to fully institutionalize “Respect for Human Rights as a Way of Life in the Philippine National Police,” the PNP has been very adamant in the conduct of various courses and seminars with the objective of enhancing the knowledge and awareness of police officers on the relevant National and International Human Rights Laws, and how these principles and standards are upheld as police interventions are conducted. This is to ensure that human rights violations are avoided in the performance of their day-to-day duties.

The Directorate for Human Resource and Doctrine Development (DHRDD) appreciates the publication of this Multi-Sectoral Training Handbook on Economic, Social and Cultural Rights which shall serve as a tool for trainers in educating police officers down to the lowest units about the relevance of human rights in their everyday functions. This handbook affirms our belief that the promotion and protection of human rights does not solely lie on the security sector, but is a shared responsibility by all stakeholders.

This partnership with the ALG, CHR, PNP, AFP, PAHRA and HSF, and the publication of this material is a testament to the PNP’s commitment in upholding human rights.

The PNP congratulates the Project Steering Committee, writers, contributors and publishers of this handbook. May this be put into good use to further advance our shared cause of building a safe place to live, work, and do business where the freedom, dignity and rights of everyone are respected.



ATTY. CEDRICK G. TRAIN, CSEE
Police Director
Directorate for Human Resource
and Doctrine Development

MESSAGE

Economic, social, and cultural rights (ESCR) are oft-said to be mere aspirations that are not demandable, much less, justiciable. It is often argued that these are goals and not rights, considering the resources entailed to achieve them. These rights are also relegated to “second-generation” rights, implying that their respect, protection, and fulfillment comes after civil and political rights. All these are myths and assumptions as they contravene fundamental human rights principles and state practice.



Classifying ESC rights differently from civil and political rights undermine the interdependence and interrelatedness of all human rights. It is imperative to focus on all rights – civil, political, economic, social, and cultural – in order that it be said that a State is complying with its international human rights obligations. While it is true that ESCR obligations cannot be fulfilled by States at the same time and pace, the International Covenant on Economic, Social and Cultural Rights mandate States Parties to progressively realize the rights enshrined in the covenant and considering its maximum available resources. What requires focus, therefore, is how these rights can be claimed by individuals, especially the disadvantaged, marginalized and vulnerable.

Beyond lofty legal and academic discussions, ESC rights matter most in communities. These rights are felt by the everyday worker who strives and yearns to earn a living wage, the farmer hoping to one day own the land he or she tills, or by every indigenous cultural community claiming self-determination for their way of life and the preservation of their culture. Given the current human rights situation in the country, in the wake of the campaign against illegal drugs, ESC rights matter more as we trace the roots of the drug abuse problem to violations of ESC rights although first viewed as civil and political rights violations. Solutions lie not only on law enforcement responses founded on civil and political rights obligations but also on economic, social and cultural rights programs.

The focus given by the Community-based Dialogues (CBD) on ESCR is a most welcome development in this front. Ten years since its inception, the CBD has bridged the security sector and civil society organizations to have an open dialogue and commit to work together to address human rights concerns in the community. With its accomplishments over the years, it is no surprise that in the recent Capacity Assessment of the Commission on Human Rights, the CBD project has earned recognition as a widely accepted and effective mechanism.

With the invaluable support of the Hanns Seidel Foundation for the Community-based Dialogues, the Commission is hopeful that further milestones in human rights promotion and protection will be attained as we continue to work with the Alternative Law Groups, the Philippine National Police, the Armed Forces of the Philippines, and the Philippine Alliance of Human Rights Advocates to further strengthen the Community-Based Dialogues program with the view of upholding the dignity of all.

HON. KAREN S. GOMEZ-DUMPIT

Commissioner

Commission on Human Rights of the Philippines



MESSAGE

Human Rights concerns are most of the time equated with issues of rights to life, freedom from torture, freedom of expression, freedom of assembly and to organize which are Civil and Political Rights (CPR). However, there are equally important human rights concerns that pertain to our rights to decent work and highest standard of living, right to health, education, rights and freedom to practice of own religion and so many more which are classified as Economic, Social and Cultural Rights (ESCR). Thus, it is an irony that on numerous occasions, peoples' claiming of their economic, social and cultural rights results to violations of their civil and political rights.



The development of this Multi-Sectoral Human Rights Training handbook on Economic-Social and Cultural Rights is relevant and timely in the midst of confusions on the true essence and elements of human rights. The training handbook will answer questions such as "Why do workers strike?" "Why do Indigenous Peoples rally against encroachment in their ancestral domains?" "Why are the environment groups against large scale mining?" "Why does poverty remain pervasive?" "Why is our food sustainability in peril?" "Why are Human Rights Defenders, IPs, workers, farmers, urban poor leaders, etc. are being detained, harassed and killed in pursuing their advocacies for ESCR?" These issues affect us all.

The Philippine Alliance of Human Rights Advocates (PAHRA) continuously engages with the human rights duty holders, our Government (including the Security Sector, the Police and Military), in our continuous advocacy for the respect, protection and fulfillment, not only of civil and political rights, but also with our economic, social and cultural rights.

PAHRA is proud to contribute to this training handbook on ESCR, the final manual to the handbook on CPR released in 2016. Our alliance remains committed to pursue joint Human Rights Education equal in partnership with the Commission on Human Rights, the Security Sector, and other Human Rights Defenders.



ROSEMARIE R. TRAJANO
Secretary General
PAHRA

MESSAGE

In 2008, we launched the project on “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” in cooperation with our local partner organizations. The project is currently on its fourth phase (2017-2019) with an expected impact of an enhanced relationship between the Armed Forces of the Philippines (AFP) and Philippine National Police (PNP), on one hand, and local communities and civil society organizations (CSOs), on the other hand, ultimately leading to better framework conditions for social justice to be realized and protected, and for the rule of law to prevail. The current project phase is giving primary focus on the institutionalization of the community-based dialogues (CBD) both within the AFP and PNP organizations, as well as at the community level.



This Multi-sectoral Training Handbook on Economic, Social and Cultural Rights (ESCR) is the second major publication developed and published through the auspices of the project led by the Project Steering Committee (PSC) following the first one concerning civil and political rights. There are four (4) ESCR themes included in the handbook, namely, indigenous peoples, agrarian reform, mining and labor, as recommended by the participants in the dialogue sessions. We are pleased to support this undertaking as we acknowledge the changing landscape and the important role that the security sector (police and military officers) plays in it, particularly persistent challenges affecting social and economic development.

As we continue our work with the benefit of lessons learned and the strategic direction we are taking consistent with the objectives we have set to institutionalize the CBD mechanism, this training handbook on ESCR is intended to be a handy reference manual, not only for our partners, but more importantly, for our growing engagement with a wider community of stakeholders including other relevant government agencies, local government units, local development bodies as well as peace and order councils, the academe and the private sector, among others.

We would like to express our appreciation and gratitude to the people responsible for the development of this training handbook led by the members of the PSC representing the Alternative Law Groups (ALG), AFP, PNP, CHR, Philippine Alliance of Human Rights Advocates (PAHRA) and the Hanns Seidel Foundation/Germany (HSF) together with the module writers, who also served as resource persons during the conduct of the training activities, for their invaluable contributions.

GÖTZ HEINICKE
Resident Representative
Hanns Seidel Foundation Philippine Office

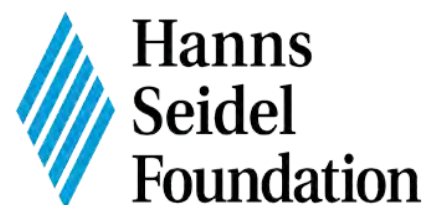


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INTRODUCTION

I. OVERVIEW OF THE PROJECT

The “Community-based Dialogue Sessions on Human Rights Promotion and Protection between the Armed Forces of the Philippines and the Philippine National Police, and Civil Society Organizations and Local Communities” is a project cooperation among the Armed Forces of the Philippines Human Rights Office (AFP HRO) and Office of the Deputy Chief of Staff for Civil Military Operations (AFP J7), Philippine National Police Directorate for Human Resource and Doctrine Development through the Training Service and its Regional Specialized Training Units (DHRDD-TS/RSTUs) and Human Rights Affairs Office (PNP HRAO), Commission on Human Rights (CHR), Philippine Alliance of Human Rights Advocates (PAHRA), Alternative Law Groups (ALG) and the Hanns Seidel Foundation (HSF) of Germany.

The overall objective of the project is to contribute to the improvement of the Human Rights situation in the Philippines primarily through the enhancement of the relationship between the AFP and PNP, on one hand, and local communities and civil society organizations, on the other hand, in the common effort to promote human rights. The specific objective of the project is to help create venues for the AFP and the PNP on one hand, primarily through their respective human rights offices and training units, 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.

The project has completed three phases and is now on the second year (2018) of its fourth phase. The project was launched in 2008, at a time when the Philippines got the attention of the international community as a result of the alarming rise in unresolved cases of extrajudicial killings and enforced disappearances.

After 10 years of implementation, the project shall continue its framework and essential components, but with a renewed strategic direction that is envisioned to sustain its gains and achieve the goal of institutionalizing the project (especially at the local level). There is a need for the project to adapt to the changing landscape, while continuing to address persistent issues and challenges. With the very fruitful experience of the past 10 years, and with the benefit of lessons learned from previous engagements and activities, the project shall hold on to its gains and take a strategic direction that is compelled by the current situation.

Strengthening Partnerships, Deepening Dialogues

A major achievement of the project is the partnership that it has cultivated not only among the project partners, but among the different stakeholders, especially in local areas. Indeed, the level of engagement between the security forces, on one hand, and the Commission on Human Rights and the CSOs, on the other hand, has been very dynamic. The project shall harness this partnership that has been built through years of dialogue and cooperation. It is this partnership that sets the project apart from other similar human rights initiatives. This continuing partnership, in itself, becomes a platform for many collaborative efforts among the stakeholders, both within the project, and through related initiatives.

The project partners still see the value of working within the framework of dialogues. This entails the constructive discussion of human rights issues, policy gaps and policy reforms, aimed at the effective resolution of issues. It will still utilize community-based dialogues as its main mechanism but will complement this with top- or regional-level policy dialogues, which will be venues for the formulation of concrete policy issuances, and also for the monitoring and resolution of issues and cases on the ground.

In view of the urgent need to address conflicts concerning economic, social and cultural rights (ESCR), particularly, the involvement of military and police personnel in these disputes, the dialogues shall progress from its former special focus on civil and political rights to an expanded coverage that will give emphasis on ESCR. The objective will not only be to help the police and military officers, as well as civilian communities, understand ESCR, but also, and more importantly, to address the issues on the involvement of the police and military in ESCR-related conflicts.

Institutionalizing Local Cooperation and Action

Consistent with the objective of institutionalizing the gains of the project, starting in 2017, the project will activate the local multi-sectoral networks or regional core groups of officers from the CHR, AFP and PNP, and human rights advocates from the CSOs. The objective will be to institutionalize the community-based dialogue mechanism at the local level (which can serve as early warning system for prevention of HRVs, quick reaction teams, monitoring/resolution of cases, training, etc.). The CHR Regional Office serves as the convenor of the local multi-sectoral network, with the designated human rights, civil-military and/or training officers of the AFP and/or PNP in the local areas, and the volunteer human rights advocates from CSOs as network members.

With the issuance in 2015 of the CHR En banc resolution mandating the CHR Regional Offices to convene Community-Based Dialogues, to co-organize multi-sectoral Human Rights

education and training activities, and to coordinate Regional-Level Policy Dialogues, the CHR Regional Offices are expected to play a more active role, and more robust localization and institutionalization of the dialogues are foreseeable. What the project needs to do is to ensure that the members of the local multi-sectoral networks have the necessary capacity to do their expected tasks.

Beginning with regional-level workshops that will gather the local stakeholders from the CHR, AFP, PNP and CSOs, at the start of the fourth phase (2017-2019), the project shall provide the necessary support for strengthening the local coordination mechanism. After 10 years, the different regions are now ready to further harness the cooperation and coordination that had been developed through the past project activities. The project needs to strengthen the local coordination mechanism and this will be done by convening Institutionalization-Localization workshops and strengthening the regional core groups (AFP, PNP, CHR, CSOs). The workshops will include scanning of the various social justice and human rights issues in each area, updates on planned follow-through activities, identification of cooperative efforts and next steps, which will guide the project implementation, as well as formulation of an appropriate monitoring and evaluation system.

There will be workshop sessions held in focus areas, covering different areas that are grouped based on the formation of the AFP, i.e., the location of the military divisions, brigades and battalions (since the CHR, PNP and CSOs are present in all regions). Each session will gather around 50-60 participants (including members of the Project Steering Committee), composed of around 25-30 military officers, 9-18 police officers (3-4 from each region), 6 from the CHR (2-3 per region), 8 from CSOs and the rest from the other stakeholders. It is expected that the project shall expand the stakeholders at the local level to involve or include the officers of the Department of the Interior and Local Government (DILG), the National Economic and Development Authority (NEDA), the Regional Peace and Order Councils (RPOCs), the Regional Development Councils (RDCs), Local Government Units (LGUs), the Barangay Human Rights Action Centers (BHRAC) and other local actors. The military will be the biggest group since the project wants to reach all human rights, civil-military operations (CMO) or training officers of the divisions, brigades and battalions, as much as possible.

During the planning sessions, the different regional core groups are expected to discuss and finalize their respective work-plans on how they can utilize the multi-sectoral network to address human rights issues and continue to promote human rights in their respective areas.

With improved relationships between the security forces and civilian communities, and with local cooperative mechanisms in place, the dialogues are expected to deepen, and result in actual resolution of issues, as far as the roles of the police and military personnel in these ESCR-related conflicts are concerned.

II. RATIONALE OF THE TRAINING

This multi-sectoral training on economic, social and cultural rights (ESCR) is being undertaken in response to the strong and consistent recommendations of the participants of the dialogue sessions to have a common and deeper understanding of the role of the security forces (AFP and PNP) in the promotion and protection of ESCR. We also want to sustain coordination and cooperation between and among the training participants from the AFP, PNP, CHR and CSOs.

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

Session 2 - will provide the participants a background on the project and its evolution over time.

Session 3 - is a discussion on the Context and Framework. The facilitator will discuss the concept of Human Rights and Economic, Social and Cultural Rights. S/he will also introduce the concept of Business and Human Rights, and some relevant laws and policies.

Session 4 - is a discussion on State Obligations, Roles and Responsibilities on Economic, Social and Cultural Rights. There will be a discussion on the United Nations' Sustainable Development Goals (SDGs), the Philippine Development Plan 2017-2022 and "AmBisyon Natin 2040," as well as the Development Support and Security Plan (DSSP) "Kapayapaan" of the AFP, and The Philippine National Police and its role in the protection and promotion of ESCR.

Sessions 5, 6, 7 and 8 - tackle the thematic sessions, wherein specific ESCR issues or themes are discussed. The four (4) priority thematic sessions included in the handbook are Agrarian Reform, Mining, Labor and Indigenous Peoples.

Session 9 - is a Planning workshop to identify strategies and activities which aim to institutionalize the CBD mechanism at the local level, and pursue continued coordination and cooperation to resolve area-specific human rights issues and concerns.

Session 10 - focuses on monitoring and evaluation which is an important component in every training activity. In this brief session, the participants will share their assessment of the CBD project through a focus group discussion and fill up relevant forms. The training team will use the information to measure improvements or changes in terms of the participants' knowledge and attitude on the promotion and protection of human rights.

Session 11 - is the Closing Program to thank and acknowledge the contributions of the partners and stakeholders in the conduct of the activity.

ABOUT THIS HANDBOOK

I. PURPOSE OF THE TRAINING HANDBOOK

The Training Handbook consists of training Sessions that were jointly formulated by the Alternative Law Groups (ALG), the Commission on Human Rights (CHR), the AFP Human Rights Office (AFP HRO), the PNP Directorate for Human Resource and Doctrine Development (DHRDD) and Human Rights Affairs Office (HRAO), and the Philippine Alliance of Human Rights Advocates (PAHRA), with support from the 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 to develop a local pool of human rights educators, 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, in particular, Economic, Social and Cultural Rights (ESCR).

The facilitators or resource persons of the training ideally should have participated in the trainings and other activities conducted under this project, and must have thoroughly read and understood this training handbook before conducting their own trainings.

III. HOW TO USE THIS TRAINING HANDBOOK

The Training Handbook has eleven (11) Sessions covering a period of three (3) days. The objectives and 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 and Pre-Test Forms
- **Session 2:** Opening Program
- **Session 3:** Context and Framework: Human Rights and Economic, Social and Cultural Rights
- **Session 4:** State Obligations, Roles and Responsibilities on ESCR
- **Session 5:** Thematic Session on Agrarian Reform
- **Session 6:** Thematic Session on Mining
- **Session 7:** Thematic Session on Labor
- **Session 8:** Thematic Session on Indigenous Peoples
- **Session 9:** Planning Workshop
- **Session 10:** Overall Evaluation and Post-Test
- **Session 11:** Closing Program

NOTE: Although four (4) Thematic Sessions (Agrarian Reform, Mining, Labor and Indigenous Peoples) were prioritized for this Handbook, institutional partners or local multi-sectoral core groups may decide to discuss all or some of the four (4) thematic issues, depending on the priority issues in their areas of operation. Ideally, the training team should have identified the priority thematic issues before conducting the training. Moreover, all resource materials used during the training will be made available as part of this training handbook for reference with proper acknowledgements attributed to the project (see USB at inside back cover).

IV. 3-DAY TRAINING PROGRAM

DAY / TIME	TOPIC/SESSION
DAY 1	
10:00 AM - 12:00 PM	SESSION 1: Arrival and Registration <ul style="list-style-type: none"> - Fill up Registration, Training Needs Assessment and Pre-Test Forms
12:00 PM - 1:00 PM	LUNCH
1:00 PM – 1:45 PM	SESSION 2: Opening Program <ul style="list-style-type: none"> - Welcome Remarks - Self-Introductions - House Rules - Principles of Dialogue - Overview of the “Community-Based Dialogues” Project

1:45 PM - 4:45 PM	SESSION 3: Context and Framework: Human Rights and ESCR <ul style="list-style-type: none"> - What do you need to live? (Workshop) - Rights and Responsibilities - Let's Watch and Learn (a video clip presentation) - Relevant Laws and Policies
4:45 PM - 5:15 PM	SESSION 4: State Obligations, Roles & Responsibilities on ESCR <ul style="list-style-type: none"> - UN Sustainable Development Goals – by CHR
6:00 PM	DINNER
DAY 2	
8:30 AM – 9:00 AM	Recap of Day 1
9:00 AM – 9:30 AM 9:30 AM – 10:00 AM 10:00 AM – 10:30 AM	SESSION 4 (Continuation): <ul style="list-style-type: none"> - Philippine Development Plan 2017-2022 & “AmBisyon Natin 2040” – by NEDA - Development Support and Security Plan “Kapayapaan” – by AFP - The Philippine National Police and ESCR – by PNP
10:30 AM – 12:00 NN	SESSION 5: Thematic Session on Agrarian Reform <ul style="list-style-type: none"> - Activity 1: Surfacing of Issues
12:00 PM – 1:00 PM	LUNCH
1:00 PM – 2:30 PM	SESSION 5: Thematic Session on Agrarian Reform (Continuation) <ul style="list-style-type: none"> - Activity 2: Interactive Discussion - Activity 3: SLE – “TEPOK o BUHAY” (optional)
2:30 PM – 5:30 PM	SESSION 6: Thematic Session on Mining <ul style="list-style-type: none"> - Activity 1: Introduction to Mining - Activity 2: Surfacing of Issues - Activity 3: Video Presentation - Activity 4: Remedies
6:00 PM	DINNER AND FELLOWSHIP

DAY 3	
8:30 – 9:00 AM	Recap of Day 2
9:00 – 11:00 AM	SESSION 7: Thematic Session on Labor - Activity 1: SLE- “Labor Situations” - Activity 2: Interactive Discussion
11:00 AM – 12:00 NN	SESSION 8: Thematic Session on Indigenous Peoples - Activity 1: Buzz Session – “Who are the IPs and where can they be found?” - Activity 2: Interactive Presentation: The Security Sector and ESCR in the IPRA
12:00 – 1:00 PM	LUNCH
1:00 – 3:00 PM	SESSION 8: Thematic Session on Indigenous Peoples (Continuation) - Activity 3: Role Play
3:00 – 4:30 PM	SESSION 9: Planning Workshop - Group Discussion (by sector) - Presentation of Workshop Outputs - Processing of Workshop Outputs (by facilitator/training team)
4:30 – 5:15 PM	SESSION 10: Overall Evaluation and Post-Test - Presentation on Monitoring and Evaluation - Focus Group Discussion on M & E (fill up Answer Sheet) - Fill up Overall Evaluation and Post-Test Forms
5:15 PM - 5:30 PM	SESSION 11: Closing Program - Synthesis of the ESCR Training - Reflections/Feedback from Participants (per sector) - Closing Remarks - Distribution of Certificates of Participation and Directory of Participants

NOTE: The Thematic Sessions do not need to follow a particular order, nor do you have to discuss all 4 priority themes. It will largely depend on the prevailing issues in a particular area (some areas can tackle the top 3 ESCR thematic issues). You may also opt to discuss other ESCR issues that are relevant in the area, apart from those included in this module.

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
3. Answered the Pre-Test Form

OUTLINE:

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

SESSION GUIDE:

Activity 1.1: Answering of Forms (Registration, TNA, Pre-Test)

- **TIME:** 30 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 (TNA) Form
- Pre-Test Form

PROCESSING:

- As the forms are quite long, it would be 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 will be able to tell which one is his/hers.
- Allow the resource persons to read through the TNA forms. This will give them an idea of the background of the participants. It will be most helpful if the training team does a summary of the TNA forms 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. The TNA forms of the participants will show a better understanding of the composition, qualification and experience of the participants.

REFERENCES:

The Training Team should prepare the following beforehand:

- Registration Form
- Training Needs Assessment(TNA) Form
- Pre-Test/Post-Test Form and Answer Key
- Samples of these forms are found in the Annexes

SESSION 2: Opening Program

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

- 1. Have a clear understanding of the rationale, goal, objectives, activities, accomplishments and impact, partner organizations, and future direction of the project;
- 2. Appreciate the value of this pioneering undertaking towards the promotion and protection of human rights anchored on the framework of open and constructive dialogue; and,
- 3. Be able to work together based on mutual trust and respect.

OUTLINE:

- Activity 2.1 – Opening Program
- Activity 2.2 – Project Overview

SESSION GUIDE:

Activity 2.1: Opening Program

- **TIME:** 15 minutes
- **METHODOLOGY:** Opening Invocation, National Anthem, Self-Introductions, Welcome Remarks, Principles of Dialogue
- **MATERIALS NEEDED:** Powerpoint presentation, Laptop, Projector, Microphone



ACTIVITY GUIDE:

- a. After the Opening Invocation, the Philippine National Anthem and a round of Self-Introductions (name, designation/position/rank, organization), representatives of the Project Steering Committee (PSC) shall be invited to give the Welcome Remarks.
- b. Since the project adopts the strategy of “dialogue” (primarily between the security sector and CHR and CSOs, and also other relevant stakeholders such as LGUs and government agencies), it is important for the training team to give the participants an idea of the “Principles of Dialogue” as jump-off point for the discussions.
- c. The CBD Project Overview (Activity 2.2) will give the participants a background on the project and its aim to improve the local human rights situation by enhancing the relationship between the security sector (AFP and PNP) and civilian community.

NOTES TO THE FACILITATOR:

- It is important to stress to the participants the need for open dialogue in order to address issues. Both sides must be willing to listen and try to see the issues from the perspective of one another’s experience.

KEY LEARNING POINTS:

- a. For an effective dialogue, both sides must have an open mind and broader understanding towards the common good, ability to listen, willingness to express his/her perspectives and experiences in a constructive way, and respect the values and beliefs of others.

Activity 2.2: Project Overview

- **TIME:** 30 minutes
- **METHODOLOGY:** Interactive discussion
- **MATERIALS NEEDED:** Powerpoint presentation, Laptop, Projector, Microphone

ACTIVITY GUIDE:

- a. A member of the training team will present the “Project Overview” (a Powerpoint presentation) and entertain questions from the participants.

KEY LEARNING POINTS:

- a. The CBD project is a partnership among the AFP, PNP, CHR and CSOs, and has been ongoing since 2008.
- b. The project has several key components, as follows: Regional Dialogue Sessions (including inter-regional and provincial dialogues), Top-Level and Regional-Level Policy Dialogues, Human Rights Trainings, Training of Trainers, Planning Sessions, Coordination and Monitoring Workshops, and Development of Training Modules. In all project activities, the essence of “dialogue” between the security sector (AFP, PNP) and civilian community (CHR, CSOs, human rights defenders, community leaders, academe) is given importance.

c. In the current project phase (2017-2019), the focus is on the promotion and protection of Economic, Social and Cultural Rights (ESCR), and the institutionalization of the Community-Based Dialogues (CBD) mechanism.

REFERENCES:

- Principles of Dialogue (Powerpoint presentation)
- Overview of the “Community-based Dialogue Sessions on Human Rights Promotion and Protection” Project (ALG, 2018)

SESSION 3: Context and Framework: Human Rights and Economic, Social & Cultural Rights (ESCR)

INTRODUCTION:

The session will set the context and framework for a better understanding of the concepts of economic, social and cultural rights (ESCR) among security forces and civil society organizations. The session will review the participant’s understanding of the basic concepts of human rights in order to better appreciate economic, social and cultural rights.

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

1. Have a common understanding on the basic concepts of human rights and economic, social and cultural rights;
2. Understand the State obligations in the implementation of the International Covenant on Economic, Social and Cultural Rights;
3. Learn the UN Guiding Principles on Business and Human Rights; and
4. Identify the relevant laws and policies that affect economic, social and cultural rights .

OUTLINE:

- Activity 3.1: What do you need to live?
- Activity 3.2: Rights and Responsibilities
- Activity 3.3: Let’s Watch and Learn
- Activity 3.4: What are our laws and policies that respect, protect and fulfill Human Rights?



SESSION GUIDE:

Activity 3.1: What do you need to live?

- TIME: 60 Minutes
- METHODOLOGY: Participatory/Interactive Discussion
- MATERIALS NEEDED: Metacards (4-6 per participant), Markers, Masking Tape, a wide blackboard or a wall (to post the metacards on), Microphone

ACTIVITY GUIDE:

- a. The facilitator will group the participants into small workshop groups or per table. The participants will be asked to think of their needs and wants in order for them to live a life with dignity and freedom. The small workshop groups can discuss their answers and write them down in the metacards.
- b. The facilitator will ask the participants to rank their answers and write down in metacards their top 3-4 priority needs and wants. Have the groups post the metacards on the blackboard in front.
- c. Ask for volunteers to briefly share their answers to the group. During the sharing, the facilitator can ask the participants to expound on their answers. The facilitator can also challenge some answers. The facilitator will look for common answers and cluster the answers into minimum basic needs (food, shelter, clothing).
- d. After the sharing, the facilitator will summarize the answers of the participants as the needs of every human being to live a life with dignity and that these needs are translated into “rights” through laws.
- e. The facilitator will present a brief input on the basic concepts of human rights, dignity and economic, social and cultural rights.

PROCESSING:

- The facilitator may discuss additional points or expound on the salient points of the presentation based on the questions and comments of the participants.

NOTES TO THE FACILITATOR:

- The facilitator may highlight answers with qualifiers or modifiers, such as “adequate” food, “decent” shelter, or “quality” education to underscore the need for requisite minimum standards – for example, if they say “food” – you can ask, “would it be alright if we just ate instant noodles every day? Is that enough for you to live a life of dignity?”
- Make sure that you have enough metacards, markers and masking tape, and a blackboard or a clean wall in which you can post the metacards.

KEY LEARNING POINTS:

- a.** Human rights are inherent to all human beings. All human beings are born free and equal in dignity and rights. (Article 1, UDHR)
- b.** Human beings are all equally entitled to human rights without discrimination.
- c.** Human rights are all interrelated, interdependent and indivisible.
- d.** Human rights are guaranteed by law in the form of treaties, customary international law and other international laws. International human rights laws oblige the State to respect, protect and fulfill human rights.
 - Universal Declaration of Human Rights (UDHR); International Covenant on Civil and Political Rights (ICCPR); International Covenant on Economic, Social and Cultural Rights (ICESCR); Convention on the Rights of the Child (CRC); Convention on the Elimination of Discrimination Against Women (CEDAW); International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- e.** Human rights are based on a relation between two parties: the State as duty-bearers and the people as rights-holders.
- f.** Economic, social and cultural rights are human rights that guarantee everyone with social and economic conditions needed to live a life of dignity and freedom.
- g.** Economic, social and cultural rights as enumerated in the International Covenant on Economic, Social and Cultural Rights are the following:
 - Right to self-determination; Right to work; Right to just and favorable conditions of work; Right to form and join trade unions; Right to social security; Right to protection of the family; Right to an adequate standard of living (food, clothing, housing); Right to health; Right to education; Right to take part in the cultural life of the community; Right to enjoy the fruits of scientific progress; Freedom to pursue scientific research and creative activity; Right to benefit from scientific, literary and artistic creation of which s/he is the author
- h.** As with other human rights, recognizing economic, social and cultural rights together with the principle of non-discrimination puts the focus on the most excluded, discriminated and marginalized groups in society.



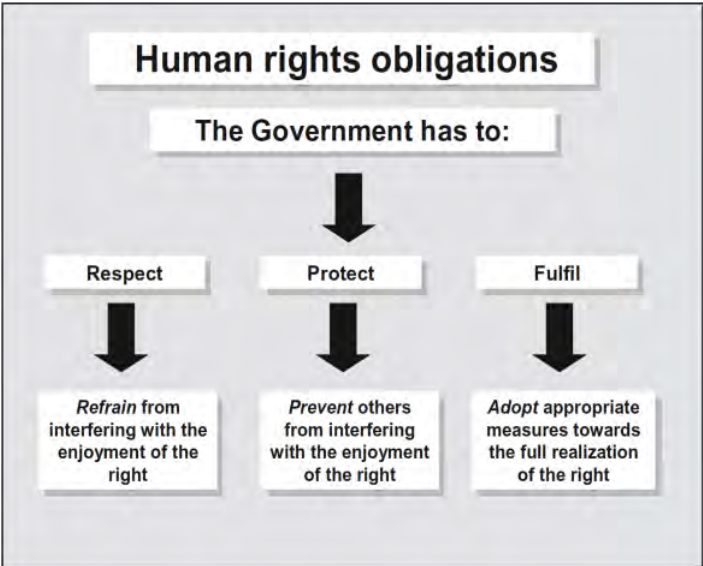
- i. Economic, social and cultural rights are guarantees that create legal obligations on government to ensure that everyone enjoys these rights and to provide remedies if these rights are violated.
- j. State obligations are better understood through the obligations to respect (refrain from interfering with the enjoyment of the right), to protect (prevent others from interfering with the enjoyment of the right) and to fulfill (adopt appropriate measures towards the full realization of) economic, social and cultural rights.

Activity 3.2: Rights and Responsibilities

- **TIME:** 60 Minutes
- **METHODOLOGY:** Role Play, Group Discussion
- **MATERIALS NEEDED:** Laptop, Projector, Metacards, Markers, Microphone

ACTIVITY GUIDE:

- a. The facilitator will divide the participants into three (3) groups. The facilitator will provide each group a scenario that they will role-play: (1) low income family, (2) middle income family and (3) high income family. Based on their scenario, the group will discuss how are these needs (that have been identified in Activity 1) that became rights can be realized by each member of the family. The group will be given 30 minutes to discuss and practice their short play. The short play should run for only five (5) minutes.
- b. The facilitator will call each group to present their short play. After each presentation, the facilitator will ask the participants to write their observations by answering the following questions:
 - What are the rights presented in the short play?
 - Who are responsible?
 - What are the responsibilities?
 - Who are the beneficiaries?
 - What are the challenges?



PROCESSING:

- After all the groups have presented, the facilitator will process all the observations of the participants and relate the answers to the State obligations to respect, protect and fulfill human rights.
- Further input on State Obligations in the implementation of the International Covenant on Economic, Social and Cultural Rights will be discussed. The discussion will also mention the Philippine Development Plan and tackle the obligations of the security sector as part of the State.

KEY LEARNING POINTS:

- a. The States’ obligations are put under three headings: to respect (refrain from interfering with the enjoyment of the right), to protect (prevent others from interfering with the enjoyment of the right) and to fulfill (adopt appropriate measures towards the full realization of) economic, social and cultural rights.
- b. Article 2 (1) of the International Covenant on Economic, Social and Cultural Rights requires States “to take steps” to the maximum of their available resources to achieve progressively the full realization of economic, social and cultural rights by all appropriate means including the adoption of legislation.
- c. The Covenant also requires States to guarantee the enjoyment of economic, social and cultural rights without discrimination and to ensure the equal right of men and women to the enjoyment of these rights.
- d. The core of the obligation is to take appropriate measures towards the full realization of economic, social and cultural rights to the maximum of their available resources.
- e. While States may realize economic, social and cultural rights progressively, they must also take economic, social and cultural rights without discrimination and to ensure the equal right of men and women to the enjoyment of these rights.
- f. Protection from starvation, primary education, emergency healthcare, and basic housing are among the minimum requirements to live a dignified life and it is the duty of governments to ensure these at all times.
- g. The Philippine Development Plan (PDP) 2017-2022 is the first medium-term plan that is anchored on a national long-term vision, “AmBisyon Natin 2040.” According to the National Economic and Development Authority (NEDA), the PDP takes off from the 0 to 10-point Socioeconomic Agenda’s goal of reducing poverty incidence from 21.6% in 2016 to 14% by 2022.



- h.** According to the Philippine National Police (PNP) Guidebook on Human Rights-Based Policing, the PNP must promote and protect human rights because this task lies at the very core of maintaining peace and order, ensuring public safety, and upholding the rule of law in the country. It can be said that Human Rights Protection is the First Business of Policing.
- i.** The draft National Security Policy (NSP) 2017-2022 puts the preservation and enhancement of the people's welfare and well-being and the protection of national interests at the core of the country's national security. It calls for the creation of conditions conducive for economic and human development, with emphasis on human security, health security, food security, rule of law, and respect for human rights.

Activity 3.3: Let's Watch and Learn

- **TIME:** 30 minutes
- **METHODOLOGY:** Video showing, Interactive discussion
- **MATERIALS NEEDED:** Video on "The UN Guiding Principles on Business and Human Rights: An Introduction" – from <https://www.youtube.com/watch?v=BCoL6JVZHrA>, Laptop, Projector, WiFi, Microphone

ACTIVITY GUIDE:

- a. The facilitator will begin the activity by asking the participants if they have knowledge on the UN Guiding Principles on Business and Human Rights.
- b. A short video will be shown to provide an introduction to the UN Guiding Principles on Business and Human Rights.
- c. Facilitate an open discussion to elaborate on the UN Guiding Principles on Business and Human Rights.

PROCESSING:

- The facilitator may discuss additional points or expound on the salient points of the presentation based on the questions and comments of the participants.

KEY LEARNING POINTS:

- a. The UN Guiding Principles on Business and Human Rights were unanimously endorsed by the Human Rights Council in June 2011 and supported by governments from all regions of the world.
- b. The UN Guiding Principles are founded on three (3) pillars:
 - The State duty to protect human rights against abuse by third parties, including business, through appropriate policies, legislation, regulations and adjudication;
 - The corporate responsibility to respect human rights, which means to act with due diligence to avoid infringing on the rights of others and to address adverse impacts that occur; and,
 - The need for greater access to effective remedy, both judicial and non-judicial, for victims of business-related human rights violations and abuses. (Image is from <https://www.shiftproject.org/un-guiding-principles/>)

Activity 3.4: What are our laws and policies that respect, protect and fulfill Human Rights?

- **TIME:** 30 minutes
- **METHODOLOGY:** Interactive discussion
- **MATERIALS NEEDED:** Laptop, Projector, Metacards, Markers, Microphone

ACTIVITY GUIDE:

a. The facilitator will begin the activity by asking the participants if they know of existing laws and policies that respect, protect and fulfill the economic, social and cultural rights of the Filipinos.

Write the law or policy on a metacard.

b. The facilitator will ask the participants to put their metacards in a box.

c. The facilitator will ask each participant to pick one metacard from the box and read the answer.

d. The facilitator can ask the following questions:

- Are the participants familiar with the law or policy?

- Does it guarantee the enjoyment of economic, social and cultural rights?

e. The facilitator will provide brief input on the articulation of economic, social and cultural rights in the Philippine Constitution and specific laws.

PROCESSING:

- The facilitator may discuss additional points or expound on the salient points of the presentation based on the questions and comments of the participants.

KEY LEARNING POINTS:

a. The economic, social and cultural rights are enshrined in the 1987 Philippine Constitution as reflected in Article II (Declaration of Principles and State Policies). These rights are further articulated in:

- Article III (Bill of Rights)

- Article XII (National Economy and Patrimony)

- Article XIII or the Social Justice and Human Rights, divided into the following categories: Labor (Sec. 3), Agrarian Reform (Sec. 4-8), Urban Land Reform and Housing (Sec. 9-10), Health (Sec. 11-13), Women (Sec. 14), Role and Rights of People's Organizations (Sec. 15-16), Article XIV (Education, Science and Technology, Arts, Culture and Sports), and Article XV (The Family).

b. Specific laws have also been enacted that promote and uphold the economic, social and cultural rights.

REFERENCES:

- Modules on Economic, Social and Cultural Rights (ESCR), Philippine Human Rights Information Center, 2006
- <https://www.ohchr.org/Documents/Issues/ESCR/FAQ%20on%20ESCR-en.pdf>
- https://pnppro1.org/Downloads/PNP_GUIDEBOOK_opt.pdf
- <https://www.afp.mil.ph/images/AFP-Development-Support-and--Security-Plan-Kapayapaan-2017-2022.pdf>

- <https://www.youtube.com/watch?v=BCoL6JVZHrA>
- <https://www.ungpreporting.org/resources/the-ungps/>
- <https://www.un.org/en/universal-declaration-human-rights/>
- <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>
- <https://www.ohchr.org/EN/Issues/ESCR/Pages/WhataretheobligationsofStatesonESCR.aspx>
- https://pnppro1.org/Downloads/PNP_GUIDEBOOK_opt.pdf
- <https://www.afp.mil.ph/images/AFP-Development-Support-and--Security-Plan-Kapayapaan-2017-2022.pdf>
- <https://www.youtube.com/watch?v=BCoL6JVZHrA>

SESSION 4: State Obligations, Roles and Responsibilities on ESCR

INTRODUCTION:

The Philippines, as a state party to the ICESCR, has the obligation to progressively realize these rights to the maximum level based on available resources. There are international and national programs which aim to respond to ESCR concerns. All these programs are in line with state compliance to our country's international obligations on ESCR.

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

1. Learn about the Philippine government's policies and programs on ESCR.
2. Become familiar with the United Nations' Sustainable Development Goals (SDGs), Philippine Development Plan 2017-2022 and "AmBisyon Natin 2040," Armed Forces of the Philippines (AFP)'s "Development Support and Security Plan (DSSP) "Kapayapaan," and the Philippine National Police (PNP)'s role in the protection and promotion of ESCR.

OUTLINE:

- Activity 4.1: The UN Sustainable Development Goals (SDGs) – by CHR
- Activity 4.2: The Philippine Development Plan (PDP) 2017-2022 and "AmBisyon Natin 2040" – by NEDA
- Activity 4.3: The Armed Forces of the Philippines' Development Support and Security Plan "Kapayapaan" – by AFP
- Activity 4.4: The Philippine National Police and ESCR – by PNP



SESSION GUIDE:

Activity 4.1: The UN Sustainable Development Goals (SDGs) - by CHR

OUTLINE:

- TIME: 30 minutes
- METHODOLOGY: Interactive discussion
- MATERIALS NEEDED: Powerpoint presentation, Projector, Microphone

ACTIVITY GUIDE:

- a. The Powerpoint presentation on the SDGs is presented and discussed.

NOTES TO THE FACILITATOR:

- The United Nations' SDGs are global anti-poverty and development goals.
- The PDP and "AmBisyon Natin" are the Philippine government's plans in order to reach the global anti-poverty goals.
- The DSSP "Kapayapaan" is the AFP's latest campaign plan, and is also aligned to the PDP and "AmBisyon Natin."
- PNP personnel are guided by their POP (Police Operational Procedures) Manual.

KEY LEARNING POINTS:

- a. SDGs are a framework for development adopted by the UN Member States in 2015. They are a universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity. It consists of a set of 17 goals and 169 targets which UN Member States must strive to turn into a reality in the next 15 years.
- b. Human rights and SDGs are inextricably linked as the goals reflect the contents of human rights standards contained in international treaties and conventions.
- c. Human rights and the SDGs are both intended to contribute towards enabling people to enjoy a dignified quality of life.

REFERENCES:

- United Nations' Sustainable Development Goals (SDGs)

Activity 4.2: The Philippine Development Plan (PDP) 2017-2022 and "AmBisyon Natin 2040" - by NEDA

OUTLINE:

- TIME: 30 minutes
- METHODOLOGY: Interactive discussion
- MATERIALS NEEDED: Powerpoint presentation on PDP 2017-2022, Video on "AmBisyon Natin 2040", Projector, Microphone

ACTIVITY GUIDE:

- a. Presentation on the PDP 2017-2022 and “AmBisyon Natin 2040” and interactive discussion.

KEY LEARNING POINTS:

- a. The Philippine Development Plan 2017-2022 seeks to lay down the foundations for inclusive growth, a high-trust and resilient society, and a globally-competitive knowledge economy. It will do so through three strategic pillars: (1) enhancing the social fabric, (2) reducing inequality, and (3) increasing growth potential.
- b. “AmBisyon Natin 2040” is the long-term National Vision (25 years) and development agenda for the Philippines which will serve as the anchor for development planning across several administrations.

REFERENCES:

- Philippine Development Plan 2017-2022
- “AmBisyon Natin 2040”

Activity 4.3: The Development Support and Security Plan (DSSP) “Kapayapaan” - by AFP

OUTLINE:

- **TIME:** 30 minutes
- **METHODOLOGY:** Interactive discussion
- **MATERIALS NEEDED:** Powerpoint presentation on the DSSP “Kapayapaan,” Projector, Microphone

ACTIVITY GUIDE:

- a. Interactive discussion as the Powerpoint presentation is given.

KEY LEARNING POINTS:

- a. DSSP “Kapayapaan” supports President R. Duterte’s aspiration for attaining “permanent and lasting peace.” It adopts a “Development-Governance-Security” approach which seeks to address the socio-politico-economic concerns in Geographically Isolated and Disadvantaged Areas (GIDAs) and sustain internal stability.



b. It is aligned to, and is guided by, “AmBisyon Natin 2040,” the Philippine Development Plan (PDP) 2017-2022, and the National Peace and Development Agenda.

REFERENCES:

- Philippine Development Plan 2017-2022
- “AmBisyon Natin 2040”
- National Security Policy 2016
- SND (Secretary of National Defense) Guidance 2016

Activity 4.4: The PNP and ESCR - by PNP

OUTLINE:

- **TIME:** 30 minutes
- **METHODOLOGY:** Interactive discussion
- **MATERIALS NEEDED:** Powerpoint presentation on Rights-Based Policing, Projector, Microphone

ACTIVITY GUIDE:

a. Interactive discussion as the Powerpoint presentation is given.

KEY LEARNING POINTS:

a. Human Rights are indivisible, inter-related and inter-dependent. We cannot exercise our civil and political rights if our economic, social and cultural rights are being violated.

b. The PNP Manual on Police Operational Procedures (POP) contains the rules that must be followed in relation to police work. In terms of ESC Rights:

- Rule 19 contains the rules to be observed during labor disputes
- Rule 21 contains rules on police assistance regarding final decisions or orders of courts, quasi-judicial or administrative bodies
- Rule 23 contains rules to be observed during rallies and demonstrations

c. The joint guidelines observed by DOLE, DILG, DND, DOJ, AFP and PNP states that workers and employees have the right to life, liberty, and property as well as the right to political dissent within the bounds of law. The PNP can only intervene when requested in writing by the DOLE; when a crime has been committed, is being committed, or about to be committed; and in case when actual violence arises during a labor dispute or protest activity.

REFERENCES:

- POP (Police Operational Procedures) Manual 2013
- United Nations Code of Conduct for Law Enforcement Officials
- 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)
- Letter of Intent (LOI) 55/07 “Pamana”
- “Human Rights-Based Policing.” Philippine National Police- Human Rights Affairs Office
- “Human rights in policing.” Wolfgang Regler, M.A., Eichstätt Police Department
- “Practical Training for Police Officers.” Bavarian Police Academy

SESSION 5: Thematic Session on Agrarian Reform

INTRODUCTION:

The actual and peaceful possession of farmer beneficiaries (FBs) of their awarded lands is one of the challenges in the successful implementation of the Comprehensive Agrarian Reform Program (CARP). The receipt of the Certificates of Land Ownership Award (CLOAs) by the farmers does not necessarily ensure their security of tenure. In many instances, the previous landowners do not respect, recognize and accept the ownership of the CLOA holders. Various machinations are employed by the previous landowners to remain in control of the land.

The assistance from the Department of Agrarian Reform (DAR) and the security sector (AFP and PNP) is crucial in ensuring the actual and peaceful possession of farmers of their awarded lands, especially where resistance from the former landowner is strong and unrelenting.

These agencies provide installation guidelines in cases where the FBs need DAR and PNP/AFP assistance to assert their rights of ownership over their property.



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

1. Know the basic concepts and principles related to Agrarian Reform and its land acquisition and distribution (LAD) process.
2. Recognize the role of the security sector (AFP and PNP) in the implementation of the LAD particularly in the installation of the Agrarian Reform Beneficiaries (ARBs).
3. Identify issues confronted by stakeholders in asserting their land rights.

OUTLINE:

- Activity 5.1: Surfacing of Issues
- Activity 5.2: Interactive Discussion
- Activity 5.3: Structured Learning Exercise (SLE) – “TEPOK o BUHAY” (optional)

SESSION GUIDE:

Activity 5.1: Surfacing of Issues

- **TIME:** 1 hour and 30 minutes
- **METHODOLOGY:** Workshop/Sharing of insights
- **MATERIALS NEEDED:** Metacards, Markers, Manila Paper, Masking Tape

ACTIVITY GUIDE:

- a. The participants are divided into sectors (AFP, PNP, CSOs, CHR and other Government Agencies).
- b. Each group will choose their own facilitator, documenter and reporter.
- c. The groups will be given 20 minutes for the sharing/discussion. They will answer the following guide questions (Please use the matrix below/Sample Answers):

What are the land conflicts/issues experienced in your communities?	How are these issues being addressed?			
	By the AFP	By the PNP	By the CSOs	By Government Agencies

- d. Each group will present to the plenary the key points of their sharing session.
- e. The facilitator will summarize the issues raised and insights shared by the participants, taking note also of how each sector tries to address the issues raised.

Sample Answers (for reference):

What are the land conflict/issues experienced in your communities?	How are these issues being addressed?			
	Community (NGOs/POs/CSOs)	AFP	PNP	Agencies/LGUs
1. Landholding has blue guards/goons	Dialogue with landowners Consultation with DAR/Other agencies in filing of case Support farmers in their dialogue with DAR & landowner	Continuous planning and coordination with DAR (if planning for installation)	Continuous planning and coordination with DAR (if planning for installation)	Continuous planning and coordination with PNP (if planning for installation); also, with AFP if their assistance is needed
2. Farmers have CLOAs already but landowner does not want to surrender control of the land	Planning with DAR and PNP and other agencies for installation Assistance in installation planning	Planning with DAR for installation	Planning with DAR for installation	Planning with PNP and community; with AFP if their assistance is also needed
3. Land has been issued Notice of Coverage (NOC) but landowner is bulldozing the area converting it to a subdivision	Gathering of documents for filing of illegal conversion	Provide assistance to the community to maintain peace and order	Provide assistance to the community to maintain peace and order	
4. Both farmers and landowners ask for security assistance related to the same landholding				
5. Landowner will not allow survey team to enter landholding	Assist DAR in gathering of documents Assist DAR in the conduct of survey	Assist DAR in the conduct of survey	Assist DAR in the conduct of survey	Coordinate with PNP in conducting survey; also, with AFP if their assistance is needed
6. Contending farmer beneficiary groups are fighting over a piece of land and both ask assistance from the police				
7. Land for installation still has a pending case for Petition for Cancellation				

PROCESSING:

- After the groups have presented their outputs, the facilitator will then summarize the issues, and address hanging issues during the interactive discussion (summary of land issues and how they are being addressed).
- The facilitator may stress that most of the issues relate to either one or more of the following factors: (a) on the implementation of CARP under Agrarian Reform (AR) and the effective compliance of agencies to their mandates in the completion of CARP/AR; (b) the rights of the stakeholders under CARP; and, (c) maintenance of peace and order in the exercise of the stakeholders’ rights under AR.

NOTES TO THE FACILITATOR:

- Below is a summary of issues based on the sample answers given (Sample Answers – for reference):
- Ownership/possession issues: Farmers already owning lands but cannot cultivate; with pending cases.
 - Still owned by landowner but is already under CARP coverage and is changing the actual use of the land.
 - Threat to DAR in implementing CARP: cannot proceed with the survey because prohibited by the owner.
 - Conflicts between farmer beneficiaries both claiming a right over the land.
 - Note that there is also a separate session on farm laborers and agricultural workers (under the session on Labor).

KEY LEARNING POINTS:

- a. There is need for a deeper discussion of CARP in relation to the rights of stakeholders and the effective exercise of the government’s obligation to implement CARP.

Activity 5.2: Interactive Discussion

- **TIME:** 1 hour and 30 minutes
- **METHODOLOGY:** Lecture
- **MATERIALS NEEDED:** Powerpoint presentation, Laptop, Projector, Microphone

ACTIVITY GUIDE:

- a. The facilitator will provide a brief input on agrarian reform concepts and relevant procedures (e.g., land acquisition and distribution/LAD process).
- b. After the presentation, the facilitator will allot some time for answering clarificatory questions and sharing of insights related to the topic discussed.
- c. Refer to Annex B for Lecture Notes.



NOTES TO THE FACILITATOR:

- The facilitator should be able to address other land rights issues raised by the participants.
- A Structured Learning Exercise (SLE) or Game is included in Annex A – “TEPOK o BUHAY.” The training team may opt to facilitate this if you have the time.
- Some issues that may come up during the discussion of Agrarian Reform include the following: SCAA, CAFGU, AFP; “Blue guards”/private security guards, PNP (SOCIA Guidelines); Violations by NPAs; AFP and PNP special policies and guidelines related to land issues (ex. PNP POP, AFP DSSP “Kapayapaan,” etc.); Agrarian Reform implementation.

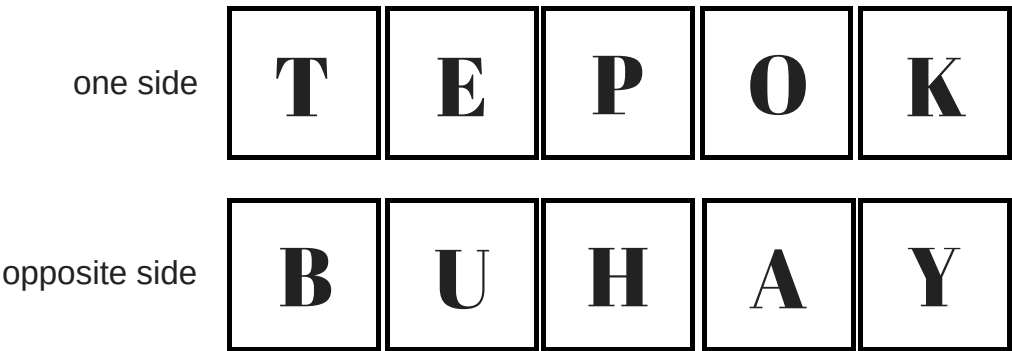
KEY LEARNING POINTS:

- a. CARP Implementation has three (3) components: (a) Land Tenure Improvement (LTI); (b) Agrarian Justice Delivery (AJD); and (c) Program Beneficiaries Development (PBD). The program covers all agricultural lands regardless of tenurial arrangements and crops planted therein.
- b. The ARBs have the right to take possession of their lands from the time their titles are awarded to them through a registered CLOA.
- c. The actual and peaceful occupation of farmer beneficiaries in their awarded lands is one of the challenges in the successful implementation of the CARP. The receipt of the CLOAs by the farmers does not necessarily translate to security of tenure for them.
- d. The DAR, PNP and AFP assistance is crucial in ensuring the actual and peaceful possession of farmers in their awarded lands, especially where landowner resistance is strong and unrelenting. These agencies provide for installation guidelines in cases where the FBs need DAR and security assistance to assert their rights of ownership over their property.
- e. The DAR, in cooperation with the AFP, PNP and/or the LGU shall ensure that ARBs shall continue to enjoy their right of ownership and possession of the awarded land to the farmers.
- f. In implementing CARP, security assistance can be given to DAR and/or the farmers in the execution/fulfillment of final orders issued by the DAR as well as the conduct of preliminary agrarian activities (such as land survey, field investigation, ocular inspections, etc.)



Activity 5.3: Structured Learning Exercise (SLE) – “TEPOK O BUHAY” (Optional)

- **TIME:** 20 minutes
- **METHODOLOGY:** Interactive discussion; Game
- **MATERIALS NEEDED:** 3 sets of 5 pieces short-sized bond paper with the letters T – E – P – O – K written on one side, and the letters B – U – H – A – Y on the other side. This is how the bond paper will appear:



ACTIVITY GUIDE:

- a. NOTE: “TEPOK o BUHAY” is an optional activity. The facilitator can opt to do this activity if time is not a constraint. Depending on the available time, it can be used instead of Activity 1 (Workshop on Surfacing of Issues), or it can be given after Activity 1 before the Interactive Lecture (to determine the level of knowledge of the participants on the topic).
- b. The participants will be divided randomly into three (3) groups.
- c. Each group will select members who will hold the cards.
- d. The facilitator will ask questions or present situations related to agrarian reform implementation.
 - If the group agrees with the facilitator or answers in the affirmative, they will raise the cards to read “B – U – H – A – Y”
 - If the group disagrees with the facilitator or answers in the negative, they will raise the cards to read “T – E – P – O – K”
- e. The group which gives the correct answer to the question (with “TEPOK” or “BUHAY” spelled correctly) wins the round.
- f. The group with the most number of correct answers wins the game.
- g. After each question, the facilitator will elicit responses and insights from the participants on the reason for their answers. The discussion will serve as a springboard for the next activity (Interactive lecture on Agrarian Reform).
- h. The questions and answers are found in Annex A.

REFERENCES:

- R.A. 6657
- R.A. 9700
- DAR Administrative Order No. 7, Series of 2011, Revised Rules and Procedure Governing the Acquisition and Distribution of Private Agricultural Lands Under Republic Act (R.A.) 6657, as amended
- Joint DAR-DILG-DND Circular No. 5, Series of 2002, Law Enforcement of Agrarian Reform Laws and Programs
- Revised Philippine National Police Operational Procedures, December 2013
- Updates to Agrarian Reform Laws, Rules and Regulations: A Paralegal Manual, 2017 Edition, AR Now!

SESSION 6: Thematic Session on Mining

INTRODUCTION:

Environmental degradation in the Philippines is largely caused by mining operations. In recent years, various reports have been published on the impact of mining operations to communities. Affected residents have suffered economic, social and cultural rights violations, particularly their right to a healthy environment, access to water, and right to livelihood, among others. Our legal system thus provides various standards that aim to mitigate environmental impacts and maintain a viable mining industry.

State security forces play a role in the implementation of the mining law. They safeguard the rights of the relevant parties involved. This module aims to apprise stakeholders of the salient provisions of the Mining Act of 1995, other related laws, and the rights that ought to be protected by the State, in relation to mining and other development projects.

This session consists of laws covering activities that impact the environment heavily such as mining, and quarrying.

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

1. Understand the mining industry in the Philippines: its legal context, life cycle, and economic contributions;
2. Understand mining's impact on the environment and affected communities;
3. Recognize the obligations of the State and mining companies to affected communities; and
4. Learn the different international and domestic laws that protect the people's rights against destructive mining, as well as available remedial measures.

OUTLINE:

- Activity 6.1: Introduction to Mining
- Activity 6.2: Surfacing of Issues
- Activity 6.3: Video Presentation
- Activity 6.4: Remedies

SESSION GUIDE:

Activity 6.1: Introduction to Mining

- **TIME:** 30 Minutes
- **METHODOLOGY:** Interactive discussion
- **MATERIALS NEEDED:** Powerpoint presentation, Laptop, Projector, Microphone

ACTIVITY GUIDE:

a. The facilitator will apprise participants on the salient features of Mining as an extractive activity, particularly on the following:

1. Legal & Policy context

- a. 1987 Constitution
- b. 1991 Small-Scale Mining Act and its Implementing Rules and Regulations
- c. 1995 Mining Act and its Implementing Rules and Regulations

2. Mining life cycle

- a. Exploration
- b. Development and Construction
- c. Extraction
- d. Closure

3. Mining rights

- a. Exploration Permit
- b. Mineral Agreements
- c. Financial Technical Assistance Agreement
- d. Other Permits

4. Economic contributions



Activity 6.2: Surfacing of Issues

- **TIME:** 60 Minutes
- **METHODOLOGY:** Brainstorming/group discussion, presentation
- **MATERIALS NEEDED:** Manila paper, markers, crayola/colored pencils/oil pastels, masking tape

ACTIVITY GUIDE:

- a.** The facilitator will divide the participants into 4-5 groups (depending on the total number of participants).
- b.** The group members will share their personal knowledge of mining-related economic, social, and cultural rights violations – based on their personal experience, from the experience of people or groups that they know, or based on what they heard or read about.
- c.** Each group will come up with a picture (drawing or artwork) that would reflect the human rights violations that they had just discussed. The group should also identify and list down the economic, social and cultural rights violations mentioned during their discussion.
- d.** After they have completed their drawings, a representative from each group will briefly report on their work.

Activity 6.3: Video Presentation - “Running Dry: Didipio’s Fight for their Community Waters”

- **TIME:** 60 Minutes
- **METHODOLOGY:** Video presentation, group discussion
- **MATERIALS NEEDED:** Video clip, Laptop, Projector, Microphone

ACTIVITY GUIDE:

- a.** The instructor/facilitator will play a video showing an example that illustrates human rights violations caused by mining (“Running Dry: Didipio’s Fight for their Community Waters” – link: https://www.youtube.com/watch?v=p1_lffhCBO4&feature=youtu.be.)
- b.** The instructor/facilitator will ask from the plenary what they think were the human rights violations committed based on the video shown.
- c.** After the brief plenary discussion, the facilitator will discuss the findings of the CHR’s Resolution A2011-004 on the rights violations committed in the video shown in relation to:
 - Right to adequate housing and property
 - Right to manifest culture and identity
 - Right to water
 - Right to clean air/balanced and healthful ecology
- d.** The facilitator will refer back to the UN Guiding Principles on Business and Human Rights. S/he will discuss the three pillars highlighting the following: policy commitment, human rights due diligence and remediation.



Activity 6.4: Remedies

- **TIME:** 30 Minutes
- **METHODOLOGY:** Interactive lecture
- **MATERIALS NEEDED:** Powerpoint presentation, laptop, projector, microphone

ACTIVITY GUIDE:

- a. The facilitator will discuss the various remedies available to communities affected by Mining:
- State-based Judicial Mechanisms
 - State-based Non-Judicial Mechanisms
 - Non-State-based Mechanisms

NOTES TO THE FACILITATOR:

- Please refer to Annex A for the Lecture Notes.
- Some issues that may come up during the discussions on mining include the following: SCAA (Special Civilian Active Auxiliary); CAFGU (Civilian Armed Forces Geographical Unit); “Blue guards”/private security guards, PNP (SOCIA Guidelines); Violations by the NPA (New People’s Army); Based on the government’s mining audit, there may be a “model” mining area from which lessons can be gleaned from – for discussion and analysis (link the policies to some related cases); CHR case/petition against 50 “carbon majors”(complaint against world’s largest oil, coal, cement and mining companies that their greenhouse gas emissions have violated the human rights of millions of people living in the Philippines, e.g., Exxon, Chevron, etc.); LGU officials’ involvement with mining companies; AFP and PNP special policies and guidelines related to mining operations (PNP POP, AFP DSSP “Kapayapaan”); Other development projects which also greatly affects the environment: coal-fired power plants, dams and mega-dams, geothermal plants, and others.



KEY LEARNING POINTS:

- a.** Mining is an extractive activity allowed by the State for economic development but must be exercised with the view of sustainable development and respect for the environment and human rights.
- b.** Stakeholders must be able to understand that mining produces devastating impacts on the environment and to the rights of members of affected communities.
- c.** The State has the duty to protect the rights of people affected by Mining as expressed through the passage of laws and their implementation. The State also has a duty to provide victims with access to remedies (based on CHR Resolution A2011-004).
- d.** Mining companies also have the obligation to respect human rights of people affected by their activities as can be expressed through corporate policies and mechanisms.

REFERENCES:

- 1987 Constitution
- R.A. 7942 or Mining Act of 1995
- Executive Order 192, S. 1987
- Executive Order 270, S. 2004
- Executive Order 79, S. 2012
- DENR Department Order No. 2017-07
- 2016 PH-EITI Report (FY 2014)
- Commission on Human Rights Resolution A2011-004
- International Covenant on Economic, Social and Cultural Rights
- R.A. 8749 or Philippine Clean Air Act of 1999
- R.A. 7160 or Local Government Code of 1991
- UN Guiding Principles on Business and Human Rights
- P.D. 1586 or Environmental Impact Statement System
- A.M. No. 09-6-8-SC or Rules of Procedure for Environmental Cases

SESSION 7: Thematic Session on Labor

INTRODUCTION:

Workers' rights are human rights. The right of workers to concerted actions is guaranteed under the UDHR, the ICCPR, the ICESCR, the 1987 Constitution, and the Philippine Labor Code. For agricultural workers, their rights are guaranteed under the 1987 Constitution and R.A. 6657 (Comprehensive Agrarian Reform Law).

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

1. Understand the concepts of labor disputes and concerted actions; and
2. Know the instances, procedures, and limitations where law enforcement agencies are called upon to respond to labor and agrarian disputes and concerted actions.

OUTLINE:

- Activity 7.1: Structured Learning Exercise on the Concepts of Concerted Actions and the Involvement of Law Enforcement Agencies (“Labor Situations”)
- Activity 7.2: Interactive Discussion

SESSION GUIDE**Activity 7.1: Structured Learning Exercise–“Labor Situations”**

- **TIME:** 30 Minutes
- **METHODOLOGY:** Structured Learning Exercise (SLE) on Labor Situations
- **MATERIALS NEEDED:** Questions, Case Study, Powerpoint presentation, Projector, Microphone

ACTIVITY GUIDE:

- a. The participants will be divided into five (5) groups with 5-7 members each. The facilitator must ensure that each group has diverse participants representing different agencies or offices.
- b. Each group will be given a “labor situation” and will: (1) Determine whether the situation calls for the intervention of agencies or offices; and (2) Deliberate on the response of each agency or office represented in the group.
- c. After 10 minutes, a group representative will present to the plenary the response or action. At this point, the participants will be asked to take note of their reactions to the response. The group presentations will be referred to by the facilitator as he/she delivers the lecture.

PROCESSING:

- Refer to Annex B for the labor situations and answers. Annex A is the Lecture Notes.

Activity 7.2: Interactive Discussion

- **TIME:** 1 hour and 30 minutes
- **METHODOLOGY:** Interactive discussion
- **MATERIALS NEEDED:** Powerpoint Presentation (with lecture guide), Laptop, Projector, Metacards, Masking Tape, Handouts, Microphone

ACTIVITY GUIDE:

- a. The facilitator will give an input on Workers’ Collective Actions and the Role of Law Enforcement Agencies (based on the Labor Powerpoint presentation). The session also discusses agricultural workers and farm workers.
- b. After the input, the facilitator will entertain questions from the participants (Open Forum).

NOTES TO THE FACILITATOR:

- Some issues that may arise during the discussion on Labor may include: End of contract/Contractualization (the so-called “Endo”); Trade unions and union busting; Joint Guidelines on Labor – by DOLE, DILG, DND, DOJ, AFP & PNP
- Issues for agricultural workers include being charged with theft, qualified theft or estafa.

KEY LEARNING POINTS:

- Workers’ right to concerted actions such as pickets and strikes, is part of the basic human right to free speech and association, hence, it should be respected and protected at all times.
- Labor disputes shall be under the primary and sole jurisdiction of DOLE. Law enforcement agencies shall not intervene in labor disputes, except when: (1) Expressly requested in writing by DOLE; (2) Pursuant to Rule 113 of the Revised Rules on Criminal Procedure; or (3) Actual violence is present.
- The involvement of law enforcement agencies is limited to: (1) Maintenance of peace and order; (2) Enforcement of laws; and (3) Implementation of legal orders of the duly constituted authorities.
- Agrarian dispute usually stems from tenurial arrangements (whether leasehold, tenancy, stewardship or others), over lands devoted to agriculture (including disputes concerning farm workers' associations or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms of conditions of such tenurial arrangements).
- For all agrarian disputes, the DAR (Department of Agrarian Reform) has sole jurisdiction.

REFERENCES:

- 1987 Philippine Constitution
- Labor Code of the Philippines (follow this link: <https://blr.dole.gov.ph/2014/12/11/labor-code-of-the-philippines/>)
- “Manual ng Manggagawang Paralegal” (SALIGAN, 2014)
- Guidelines on the Conduct of the DOLE, DILG, DND, DOJ, AFP and PNP Relative to the Exercise of Workers’ Rights and Activities (May 7, 2012)
- Philippine National Police Handbook PNP-DO-DS-3-2-13: Revised Philippine National Police Operational Procedures (December 2013)
- Joint DOLE-PNP-PEZA Guidelines in the Conduct of PNP Personnel, Economic Zone Police and Security Guards, Company Security Guards and Similar Personnel During Labor Disputes (2011)
- The Labor Code with Comments and Cases Volumes II-A and II-B, Azucena Jr., C.A. (8th Edition) (2013)



- R.A. No. 6975, as amended by RA No. 8551
- R.A. No. 7055
- Reiteration for Compliance with “Guidelines on the Conduct of the DOLE, DILG, DND, DOJ, AFP and PNP Relative to the Exercise of Workers’ Rights and Activities” dated 07 May 2012 (DOJ M.C. No. 016, 22 April 2014)
- Operational Guidelines of the National and Regional Tripartite Monitoring Body on the Application of International Labor Standards, in particular, ILO Convention on Freedom of Association and Protection of the Right to Organize (No. 87) (DOLE A.O. No. 32, Series of 2018)
- CHR Resolution No. A95-069
- Biflex vs. Filflex, GR No. 155679, December 19, 2006

SESSION 8: Thematic Session on Indigenous Peoples (IPs)

INTRODUCTION:

The majority of indigenous peoples' (IPs) territories or ancestral domains are located in remote and mountainous areas, which places them in close proximity with armed rebel and revolutionary groups, as well as the military and the rest of the security sector who seek to control these groups. Being rich in minerals and other natural resources, these ancestral domains are also where extractive industries seek to operate. This context places indigenous peoples in vulnerable and risky situations as far as their rights are concerned. In particular, and for the purpose of this session, the following economic, social and cultural rights (ESCR) of IPs may be particularly affected when the security sector becomes involved in activities within the ancestral domains: right to land, right to development, right to a clean and healthy environment, women's rights, right to education, right to health, right to culture, and access to justice. This session identifies, based on experience, the possible roles and obligations of the members of the security sector with respect to the ESCR of IPs.



This session consists of three (3) main activities that seek to stimulate discussion and reflection among the participants on their previous interactions with indigenous peoples in the course of their duties and on whether or not these interactions have been in accordance with the Indigenous Peoples' Rights Act (IPRA) and its implementing rules. The law and rules pertinent to indigenous peoples' ESCR and the security sector will then be presented, and questions encouraged. The session ends with a role play that illustrates the roles and obligations of the security sector with respect to ESCR of IPs.

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

1. Identify and recognize indigenous peoples (IPs) and their four (4) bundles of rights (ancestral domain, and customary governance structures);
2. Explain the role of the security sector in relation to the respect for and protection of economic, social and cultural rights (ESCR) of IPs; and
3. Clarify the obligations of and restrictions on the security sector in the fulfillment of ESCR of IPs.

OUTLINE:

- Activity 8.1: Buzz Session: "Who are the IPs and where can they be found?"
- Activity 8.2: Interactive Presentation: "The Security Sector and ESCR in the Indigenous Peoples' Rights Act (IPRA)"
- Activity 8.3: Role Play

SESSION GUIDE:

Activity 8.1: Buzz Session - "Who are IPs and where can they be found?"

- **TIME:** 45 minutes
- **METHODOLOGY:** Individual Reflection and Group Sharing
- **MATERIALS NEEDED:** Metacards, Projector or Manila Paper (containing bullet points of the definition of "Indigenous Peoples"), Markers, Masking Tape

ACTIVITY GUIDE:

- a. The facilitator shall open the session by presenting the background of the session and the bullet points containing a summarized version of the definition of indigenous peoples.
- b. The facilitator then asks the participants to reflect individually on whether they have interacted with IPs in the past and, if so, how they were able to recognize their identity, their ancestral domains, or their customary leadership structures.
- c. The participants shall be given five (5) minutes to reflect and write their answers on Metacards (which they should hold on to as reference when asked to present their reflections).

d. At the end, the facilitator shall ask for up to a maximum of 10 volunteers to briefly share their reflections with the group.

PROCESSING:

- The facilitator shall note the questions raised by the participants by listing them on a board or a piece of Manila Paper. These questions will be referred to in the following activities.
- The facilitator should correlate each presentation of reflections with the definition of IPs provided at the start of the activity.

NOTES TO THE FACILITATOR:

- There is likely to be plenty of questions regarding the difficulty of identifying IPs and their leadership structures. The facilitator should adequately prepare answers to questions such as on: degraded customary governance structures / degree of assimilation into the mainstream; internal divisions among the IPs; IPs who have joined rebel groups or are sympathizers, etc.
- Some issues that may rise up during the discussion of Indigenous Peoples include: militarization; SCAA, CAFGU, AFP; “Blue guards”/private security guards, PNP (SOCIA Guidelines); Violations by NPAs; AFP and PNP special policies and guidelines related to IPs (ex. PNP POP, AFP DSSP “Kapayapaan,” etc.); IPRA implementation; Ancestral domains; Proper observance of FPIC

KEY LEARNING POINTS:

- a. The law recognizes indigenous peoples, provides a definition of who they are, their ancestral domains, and the role of their customary governance structures, and provides protection for their rights.
- b. Indigenous peoples may be difficult to identify, but need to be recognized so that their rights may be respected and protected.
- c. Indigenous peoples have unique governance and decision-making structures, which are different from the mainstream and need to be recognized in order to ensure respect and protection.

Activity 8.2: Interactive Presentation: The Security Sector and ESCR in the Indigenous Peoples' Rights Act (IPRA)

- **TIME:** 60 minutes
- **METHODOLOGY:** Interactive presentation
- **MATERIALS NEEDED:** Laptop, Projector, Powerpoint presentation, Microphone

ACTIVITY GUIDE:

- a. The facilitator will present provisions of the IPRA and its implementing rules that are pertinent to ESCR of IPs and the role of the security sector.
- b. Questions will be encouraged during the presentation.

PROCESSING:

- The facilitator shall refer to the following provisions that are most relevant to ESCR of IPs and the security sector.

Relevant Provisions of the IPRA:

SEC. 7. Rights to Ancestral Domains. – The rights of ownership and possession of ICCs/IPs to their ancestral domains shall be recognized and protected. Such rights shall include:

- g) Right to Claim Parts of Reservations.** – The right to claim parts of the ancestral domains which have been reserved for various purposes, except those reserved and intended for common and public welfare and service;

SEC. 22. Rights during Armed Conflict. – ICCs/IPs have the right to special protection and security in periods of armed conflict. The State shall observe international standards, in particular, the Fourth Geneva Convention of 1949, for the protection of civilian populations in circumstances of emergency and armed conflict, and shall not recruit members of the ICCs/IPs against their will into the armed forces, and in particular, for use against other ICCs/IPs; nor recruit children of ICCs/IPs into the armed forces under any circumstance; nor force indigenous individuals to abandon their lands, territories and means of subsistence, or relocate them in special centers for military purposes under any discriminatory condition.

Relevant Provisions under NCIP Administrative Order No. 3, series of 2012 (Revised FPIC Guidelines)

Section 19. Extractive/Intrusive/Large Scale. The following plans, projects, programs, and activities are considered large scale/extractive/intrusive:

- k) Establishment of temporary or permanent military facilities; conduct of military exercises, or organizing paramilitary forces;**

The foregoing shall be governed by the FPIC process in Section 22 of the Guidelines [Full FPIC Process].

Section 44. Emergency Cases. Where the conduct of plans, projects or activities of the government or any civic, religious, or similar organizations within ancestral domains is in response to emergency situations involving public order, health, security or safety including military operations within ancestral domain areas when made in connection with hot pursuit operations, securing vital government installations, programs and projects against clear and imminent danger, FPIC shall not be required.

NOTES TO THE FACILITATOR:

- The facilitator should anticipate questions on the claiming by IPs of parts of military reservations and be ready to point out the relevant provisions.
- Questions on hot pursuit of rebels or criminals through ancestral domains and the need for FPIC are also likely to be asked.
- Questions about the relationship between IP communities and rebels or revolutionary armed groups are also likely to be asked, so the facilitator should be prepared to answer the question.

KEY LEARNING POINTS:

- a. The IPRA explicitly covers the rights of indigenous peoples to claim parts of military reservations as part of their ancestral domains, as well as their rights during armed conflict. These rights are essential to ensuring the rights to land, to development, to health, and to a clean and healthy environment.
- b. The FPIC guidelines require FPIC for certain military activities. This should be respected at all times for the identified activities.

Activity 8.3: Role Play

- **TIME:** 1 hour and 15 minutes
- **METHODOLOGY:** Role play
- **MATERIALS NEEDED:** Metacards, Markers and other props for each working group, Printouts of role play instructions (found in Annexes)

ACTIVITY GUIDE:

- a. The facilitator shall divide the participants randomly into four (4) groups, representing the rights-holders, duty-bearers, representatives of project partner/s, and other stakeholders. If there are not enough participants, the facilitator may drop Group 4 (other stakeholders).
- b. Printouts of the role play instructions shall be given to each group (Annex A).
- c. The groups will have 15 minutes to discuss the instructions, assign roles among the group members, and strategize on how to approach the role play/simulation.
- d. There will then be a role play/simulation, where members of each group act out the roles assigned to them.



PROCESSING:

- After the role play/simulation, the facilitator may ask each group about the process of strategizing the simulation: What were the difficulties they encountered? What provisions of the law or rules did they choose to invoke?
- On the actual simulation, the facilitator may ask the participants: What were the challenges they encountered in carrying out their assigned roles? Do they think that the laws were followed, based on how the role play was carried out? Do they think that justice was served for indigenous peoples?
- The facilitator may also ask others to comment and share their reflections.
- The facilitator should then wrap up the session by pointing out the applicable laws and rules, as well as anything that the groups may have overlooked in preparing and carrying out the role play/simulation.

NOTES TO THE FACILITATOR:

- The facilitator should study the role play scenario carefully, and anticipate the likely questions that will be asked by the participants.
- Make sure to explain to the participants that the role play will focus on the actual community meeting where the representatives of “New Jack City” (fictional) will present their proposal. The designated Cabinet Secretary should facilitate the community meeting where the IP community is asked about their concerns, then come to a resolution in the end.

KEY LEARNING POINTS:

- a. The security sector has a key role and obligations in the respect for and protection of indigenous peoples' ESCR. Sometimes these obligations require the security sector to refrain from doing something.
- b. Cultural sensitivity and respect for rights are key in resolving conflicts involving the role of the security sector in ECSR of IPs.

REFERENCES:

- Republic Act No. 8371 (Indigenous Peoples Rights Act), 1997
- National Commission on Indigenous Peoples Administrative Order No. 3, series of 2012, The Revised Guidelines on Free, Prior and Informed Consent (FPIC) and Related Processes of 2012
- Joint DAR-DENR-LRA-NCIP Administrative Order (JAO) No. 1, series of 2012
- United Nations Declaration on the Rights of Indigenous Peoples (approved by the United Nations General Assembly on 13 September 2007)
- General Comments of UN Human Rights Committee, Art. 1 in relation to Art. 27 (Self-Determination in connection to Cultural Rights)

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 to sustain the initiatives.

OUTLINE:

- Activity 9.1: Planning workshop and presentation of outputs

SESSION GUIDE:

Activity 9.1: Planning Workshop

- **TIME:** 1 hour (Workshop) and 30 minutes (plenary presentation)
- **METHODOLOGY:** Workshop
- **MATERIALS NEEDED:** Powerpoint presentation, laptop, projector, Manila paper, Markers, Masking tape

ACTIVITY GUIDE:

- a. The participants are divided according to their regional or area groupings. As much as possible, all the regions must have representatives from the AFP, PNP, CHR and CSOs.
- b. Each group will choose a moderator, documenter and presenter.
- c. In preparing the action plan, the facilitator shall guide the participants with the following pointers:
 - Identify the needs of the community
 - Focus of the plans should be based on those needs
 - Formulate objectives that are SMART (Specific, Measurable, Attainable, Realistic and Time-bound)
 - The activities identified should all contribute to accomplish the objectives
 - Consider the resources (funding, time and personnel) to be used for each activity
- d. The following planning template (printed or e-copy) will be shared with the groups as guide during their discussions and in preparing their action plans.
- e. Each of the groups shall present their plan of action during the plenary session. Comments and feedback will be entertained from the other groups.
- f. The groups shall submit their plans of action to the training secretariat for documentation, monitoring, and follow-up.

Region: _____

ESCR ISSUES	PLANS to address ESCR Issues	TIMEFRAME	IN-CHARGE (Who will be in-charge for each activity?)

Directory of Core Group Members:

NAME	ORGANIZATION/POSITION	CELLPHONE	EMAIL ADDRESS

NOTES TO THE FACILITATOR:

- For easier coordination and faster communication 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 reneeclem.alg@gmail.com), what planned activities were implemented, or what was not implemented (and what were the challenges or difficulties).
- The Core Group members are a minimum of one each from the CHR (Convenor), CSOs (Co-Convenor), AFP, and PNP. If there are others that the group feels should be invited to the Core Group (in view of their position/standing in the group or community, or their membership/participation in the RPOC/RDC), they are free to do so.
- Comments and/or suggestions from the participants and partner organizations are welcome.

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 suggestions for improvement of the training program.

OUTLINE:

- Activity 10.1: Focus Group Discussion on Monitoring and Evaluation
- Activity10.2: Evaluation and Post-Test

SESSION GUIDE:

Activity 10.1: Focus Group Discussion on Monitoring and Evaluation (FGD-M&E)

- **TIME:** 25 minutes
- **METHODOLOGY:** Focus Group Discussion
- **MATERIALS NEEDED:** Copies of FGD-M&E Form, Powerpoint presentation, Laptop, Projector, Microphone

ACTIVITY GUIDE:

- a. The facilitator will present a short input on M&E, then ask the participants to group themselves by sector (AFP, PNP, CHR, CSOs).
- b. The FGD on M&E answer sheet will be shared with the groups (printed or e-copy) and they will be requested to accomplish it (refer to Annex A).
- c. The training secretariat will collate the answer sheets. The results will serve as guide for the conduct of future activities.

Activity 10.2: Evaluation and Post-Test

- **TIME:** 20 minutes
- **METHODOLOGY:** Answering Overall Evaluation and Post-Test Forms
- **MATERIALS NEEDED:** Copies of Overall Evaluation and Post-Test Forms

ACTIVITY GUIDE:

- a. The facilitator will distribute the printed forms 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 shall cover the Pre-Test portion so that the participants will not be able to see their answers during the Pre-Test*).
- b. Everyone is requested to fill up these forms (Evaluation and Post-Test).
- c. The training secretariat will collate the forms. The results will serve as guide for the conduct of future activities.

PROCESSING:

- a. The training team should review the response/answers of the participants to serve as inputs/guide in future training and education sessions, and other related activities.



SESSION 11: Closing Program

OBJECTIVE: The training team should be able to properly close the program.

- **TIME:** 15 minutes
- **METHODOLOGY:** Closing program
- **MATERIALS NEEDED:** Microphone, Laptop, Projector, Certificates of Participation, Directory of Participants

OUTLINE:

- Activity 11.1: Synthesis of the ESCR Training
- Activity 11.2: Feedback from Participants
- Activity 11.3: Closing Remarks
- Activity 11.4: Distribution of Certificates of Participation and Directory of Participants

SESSION GUIDE:

Activity 11.1: Synthesis of the ESCR Training

- 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 11.2: Feedback from Participants

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

Activity 11.3: Closing Remarks

- a. The representative of the partner organizations present will be asked to say a brief closing message.

Activity 11.4: Distribution of Certificates of Participation and Directory of Participants

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



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ALTERNATIVE LAW GROUPS

Room 216, Benigno Mayo Hall, Social Development Complex,
Ateneo de Manila University, Quezon City, Philippines 1108

(+632) 426-6001 local 4865 or (+632) 426-8569

www.alternativelawgroups.ph

facebook.com/thealternativelawgroups

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