IMPLEMENTING GUIDELINES OF EXECUTIVE ORDER NO. 77, S. 2024 ESTABLISHING AN INTER-AGENCY COMMITTEE ON INTERNATIONAL HUMANITARIAN LAW (IAC-IHL)

ARTICLE I GENERAL PROVISIONS

Section 1. Title. The guidelines contained herein shall be known and cited as the Implementing Guidelines of Executive Order No. 77, s. 2024 (EO 77, s. 2024), Establishing an Inter-Agency Committee on International Humanitarian Law (hereinafter referred as 'IAC-IHL').

Section 2. Purpose. These Implementing Guidelines are promulgated to prescribe the mechanisms, standards, and procedures essential to ensure the effective implementation of EO 77, s.2024 which institutionalizes a permanent inter-agency body to provide substantive coordination and cooperation on International Humanitarian Law (IHL) issues and serve to replace the previous ad hoc coordination structure created under Executive Order No. 134, s. 1999.

Section 3. Operational Definitions. For the purpose of these Implementing Guidelines, the following terms shall be defined as follows:

a. International Humanitarian Law (IHL) - refers to the body of law that governs the conduct of armed conflicts, providing protection for individuals who are not directly involved in hostilities, or no longer participating in the hostilities, and regulating the means and methods of warfare.

b. Inter-Agency Committee on International Humanitarian Law (IAC-IHL) - refers to the committee created under EO 77, s. 2024 tasked with advising and assisting relevant government authorities in the implementation and promotion of IHL

c. Monitoring - A systematic and continuous process of collecting, analyzing, and verifying information to assess IHL compliance, enforcement, and effectiveness of interventions.

d. Reporting - The structured process of documenting, analyzing, and communicating information on IHL development and compliance, violations, and possible remedial actions to relevant authorities, including domestic and international stakeholders.

e. Violations of IHL - Any act or omission that contravenes the provisions of international humanitarian law, including but not limited to unlawful attacks, targeting of civilians, improper treatment of prisoners of war, and destruction of civilian property.

f. Inter-agency Collaboration - The cooperative efforts between different government agencies, NGOs, civil society, and other relevant stakeholders to promote, disseminate, and enforce IHL.

g. International Cooperation - The collaborative efforts between the national government and international organizations, including but not limited to the International Committee of the Red Cross (ICRC) and the United Nations, to enhance the effective implementation of IHL.

h. Political declarations - Non-legally binding statements or commitments adopted by states,

regional, or international bodies to express political will, set norms, guide policy development, or reinforce compliance with IHL and other international legal frameworks.

Section 4. Declaration of Policy. The Philippines, as a party to the 1949 Geneva Conventions, its Additional Protocols, treaties that it has ratified, and political declarations it has endorsed, the national, and other related domestic laws reaffirms its commitment to International Humanitarian Law (IHL) and its principles and recognizes the need for a permanent inter-agency body to promote, coordinate, and ensure compliance with IHL principles, including the protection of vulnerable groups in situations of armed conflict and armed engagements. The institutionalization of the IAC-IHL fulfills a core pledge made by the Philippines during the 33rd International Conference of the Red Cross and Red Crescent in December 2019.

Section 5. Guiding Principles. The implementation of EO 77, s. 2024 and the work of the IAC-IHL shall be guided by the following principles:

1. In the performance of its functions, the IAC-IHL shall be guided by the fundamental principles of International Humanitarian Law:

a. Principle of Humanity: Actions before, during, and after armed conflict must always aim to prevent, alleviate, and limit human suffering wherever it may be found and protect life, health and dignity, particularly for those who are not or no longer participating in hostilities. This principle forbids the infliction of all suffering, injury or destruction not necessary for achieving the legitimate purpose of a conflict.

b. Principle of Distinction: In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants/fighters and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.

c. Principle of Proportionality: It is prohibited to launch an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

d. Principle of Military Necessity: Ensure that actions taken must be limited to only that degree and kind of force required to achieve the legitimate purpose of a conflict, i.e. the complete or partial submission of the enemy at the earliest possible moment with the minimum expenditure of life and resources. This principle does not, however, permit the taking of measures that would otherwise be prohibited by IHL.

e. Principle of Precaution: In the conduct of military operations, constant care must be taken to spare the civilian population, civilians and civilian objects. All feasible precautions must be taken to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects. The parties to the conflict must also take all feasible precautions to protect the civilian population and civilian objects under their control against the effects of attacks.

2. The IAC-IHL shall consistently uphold the Philippines' commitments as a State Party to international conventions and treaties it is a party to, ensuring the effective promotion, observance, and compliance with IHL principles.

3. The IAC-IHL shall ensure that all actions, programs, and decisions are pursued with integrity, transparency, and full accountability to its stakeholders and consistent with its national laws and policies without discrimination based on race, ethnicity, religion, nationality, or any other criteria, with respect to their intersectionality and diversity.

4. The IAC-IHL shall reaffirm the primacy of peace consistent with Section 2, Article II of the 1987 Philippine Constitution where the Philippines renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land, and adheres to the policy of peace, equality, justice, freedom, cooperation and amity with all nations.

ARTICLE II DUTIES AND RESPONSIBILITIES OF THE IAC-IHL

Section 1. Mandate of the IAC-IHL. The IAC-IHL shall serve as the national committee tasked to advise and assist relevant government authorities in implementing, developing, and raising public awareness regarding IHL.

Section 2. Functions of the IAC-IHL. The Committee shall perform the following functions, subject to existing laws, rules, and regulations:

- a. Formulate and implement year-round programs and activities for the promotion of IHL and other relevant treaties, international agreements, and other instruments to which the Philippines is a party, including commemoration of IHL Day every 12th day of August;
- Study and submit recommendations to concerned government agencies regarding the effective implementation of and compliance with IHL;
- c. Coordinate and collaborate with concerned government agencies, as well as non-government organizations (NGOs), civil society groups, the academe, and other stakeholders, towards the promotion of and compliance with IHL. The IAC-IHL may likewise invite them as observers and/or resource persons to aid the performance of the Committee's mandate;
- d. Serve as focal point for coordination and cooperation both within the Philippine government and with external partners on IHL promotion and compliance before, during and after wars or armed conflicts;
- e. Monitor compliance of agencies with IHL and report violations thereof to relevant authorities;
- f. Provide guidance on addressing specific IHL issues such as protection of children in armed conflict and respect for the principles of IHL during armed engagements, recovery, rehabilitation and reintegration of affected persons in armed conflict; and other related issues;
- g. As may be necessary, create, convene, and reorganize sub-committees or technical working groups to assist in the implementation of this Order; and
- h. Perform such other functions as may be directed by the President and/or the Executive Secretary.

ARTICLE III COMPOSITION AND ORGANIZATION

Section 1. Inter-Agency Committee on International Humanitarian Law (IAC-IHL). The IAC-IHL shall be composed of the heads of the following agencies:

a. Chairpersons:

The Department of National Defense (DND) and the Department of Foreign Affairs (DFA) shall jointly serve as the Chairpersons of the IAC-IHL.

b. Members:

The following government agencies shall serve as members of the IAC-IHL:

- (1) Department of the Interior and Local Government (DILG)
- (2) Department of Justice (DOJ)
- (3) Department of Social Welfare and Development (DSWD)
- (4) Department of Trade and Industry (DTI)
- (5) Department of Health (DOH)
- (6) Armed Forces of the Philippines (AFP)
- (7) Philippine National Police (PNP)
- (8) Philippine Coast Guard (PCG)
- (9) National Commission on Indigenous Peoples (NCIP)
- (10) Commission on Higher Education (CHED)
- (11) Office of the Presidential Adviser on Peace, Reconciliation, and Unity (OPAPRU)
- (12) Presidential Human Rights Committee Secretariat (PHRCS)

The Co-Chairpersons and members of the IAC-IHL may designate their respective alternates, with ranks not lower than Assistant Secretary or its equivalent, who are fully authorized to decide for or on their behalf.

Section 2. Joint Secretariat. The Department of National Defense (DND) and the Department of Foreign Affairs (DFA) shall jointly serve as the Secretariat, providing administrative and technical support to the IAC-IHL. The Secretariat may seek assistance from a member of the Committee to facilitate the effective performance of these functions.

The DND and the DFA shall designate appropriate focal persons to work together in carrying out the administrative and technical support functions required by the Committee. These personnel will be responsible for assisting in the implementation of the Committee's decisions and ensuring smooth communication between relevant stakeholders.

The Joint Secretariat shall perform the following functions:

a. Administrative Support:

- (1) Meeting Coordination: The Secretariat shall organize and facilitate the logistics of Committee and TWG meetings, including scheduling, documentation, and ensuring that necessary resources are available.
- (2) Record-Keeping: The Secretariat shall ensure accurate records of Committee meetings, decisions, and official communications are maintained and properly archived.

(3) Correspondence and Communication: The Secretariat shall manage official correspondence, coordinate communication between Committee members and external entities, and ensure the timely dissemination of information to all concerned parties.

b. Technical Support:

- Research and Analysis: The Secretariat shall assist in providing technical expertise, including gathering relevant data, conducting research, and preparing briefing materials for the Committee's deliberations.
- (2) Reporting: The Secretariat shall assist in the preparation of periodic reports on the activities, programs, projects and outcomes of the Committee, ensuring that stakeholders are kept informed on progress and decisions.

The transition between Secretariats shall be facilitated through a formal turnover process and submission of a turnover report to ensure continuity and efficiency in the Committee's operations.

- (3) Policy and Documentation: The Secretariat shall prepare and maintain the necessary policy and technical documents for Committee review, ensuring that all materials are up-to-date and consistent with the Committee's objectives.
- (4) Performance Evaluation: The Secretariat shall periodically evaluate its own performance, identifying areas for improvement and recommending measures to ensure more effective support for the Committee.

Section 3. Technical Working Group (TWG). A Technical Working Group (TWG) shall be established to assist the IAC-IHL in carrying out its mandate of ensuring the effective implementation and promotion of IHL within the country. The TWG shall serve as the operational body of the IAC-IHL, responsible for providing the technical and expert support necessary for IHL initiatives, strategies, and activities.

The TWG shall be composed of the duly authorized representatives of the following agencies:

a. Chairpersons of the TWG

Duly authorized representatives of the Department of Foreign Affairs and the Department of National Defense shall jointly serve as the Chairpersons of the TWG.

- The TWG Co-Chairpersons shall have the following responsibilities:
- Provide strategic guidance to the TWG's activities and ensure that the group's work aligns with IAC-IHL priorities.
- · Facilitate coordination between TWG members and the IAC-IHL.
- Approve the TWG's work plans, initiatives, and recommendations for submission to the IAC-IHL.
- Oversee the preparation of reports and other documentation.
- b. Members of the TWG

The TWG shall consist of technical representatives under Article III, Section 1 (b) of the Implementing Guidelines.

The TWG shall perform the following functions covering the following thematic areas based on the IAC-IHL mandates:

(1) Education, Training, and Advocacy

- Develop and implement IHL awareness campaigns, training programs, and integration into academic curricula (e.g. IHL Day commemoration).
- Organize capacity-building initiatives for government, military, law enforcement, and civil society organizations.
- Facilitate engagement with media and public outreach initiatives.

(2) Monitoring and Reporting

- Develop and maintain mechanisms for documenting and taking note of IHL violations.
- Provide annual compliance reports to relevant national and international bodies.
- Coordinate with government agencies on IHL compliance and enforcement efforts.

(3) IHL Development on Current and Emerging Issues

- Conduct research on current and new challenges in IHL, including cyber warfare, autonomous and other weapons, climate-related conflicts, the protection of cultural property, and other emerging issues.
- Review and recommend updates to national IHL policies.
- Support the Philippines' positioning and stance on IHL at regional and international fora such as ASEAN, to galvanise greater respect for IHL.
- Act as a liaison with international organizations on policy recommendations.

(4) Inter-Agency Coordination and Legal Advisory

- Ensure harmonized government action on IHL-related concerns, particularly among law enforcement, military, diplomatic, humanitarian, regional, and international agencies.
- Provide legal and policy guidance to member agencies on IHL-related treaties, conventions, and agreements (including their domestic application).
- Assist in harmonizing Philippine laws, policies, and institutional frameworks to be in full compliance with IHL obligations.
- Facilitate coordination between government agencies, civil society, and international actors to ensure a whole-of-government approach.
- Provide technical legal assistance to government agencies, including legislative proposals, treaty ratifications and implementation, and compliance reporting.

Section 4. Sub-Committees. The TWG may establish sub-committees, on a need basis, to focus on specific projects and to provide specific outputs. The TWG may invite other government agencies, academic institutions, non-government organizations, civil society groups, international organizations, and other stakeholders to form part of the sub-committees. These sub-committees will report directly to the TWG and submit their findings and recommendations.

Section 5. Reporting of the TWG and Sub-Committees. The TWGs and Sub-Committees shall submit regular reports to the IAC-IHL Secretariat.

Section 6. Observers. The IAC-IHL shall designate the CHR, PRC, ICRC as permanent observers, pursuant to their respective mandate. Other entities may be invited as observers.

Section 7. Inter-agency and Stakeholder Coordination. The TWG shall foster inter-agency and stakeholder coordination and collaboration by organizing meetings, consultations, and workshops among members of the IAC-IHL, Sub-Committees, Observers, and other stakeholders, including technical experts, resource persons from non-government organizations (NGOs), civil society groups, the academe, and international partners.

ARTICLE IV MEETINGS OF THE COMMITTEE

Section 1. Presiding Officer. The Co-Chairpersons, or their designated representatives, shall preside over the general meetings of the Committee.

Section 2. Quorum. A simple majority of all members of the Committee shall constitute a quorum. In the absence of a quorum, the committee members present may opt to discuss the items stated in the agenda and provide the necessary recommendations and/or information to the Committee for consideration in the next meeting.

Section 3. Schedule of Meetings. The IAC-IHL shall have regular quarterly meetings, to be conducted either in person or hybrid, and such special meetings as may be called by the Co-Chairperson when deemed necessary.

Section 4. Technical Working Group Meetings and Special Meetings. Technical Working Group meetings will be conducted on a monthly basis. Special meetings may be arranged based on necessity.

Section 5: Decision Making Process

The IAC-IHL shall strive to reach consensus. If consensus cannot be reached, a majority vote of all members of the IAC-IHL is required. If a decision has implications on vulnerable sectors or groups, coordination and consultation efforts should be made with concerned government agencies and stakeholders.

The Secretariat shall provide necessary administrative assistance to facilitate timely decision-making within the Committee, including preparing agendas and supporting discussions during meetings. It will also assist in the tracking and implementation of decisions made by the IAC-IHL, ensuring that all actions are carried out in accordance with agreed timelines.

ARTICLE V FUNDING AND SUPPORT

Section 1. Initial Funding. The funding requirements for the implementation of EO 77, s. 2024 shall be sourced from the current and available appropriations of member agencies, subject to pertinent budgeting, accounting, and auditing rules and regulations.

Section 2. Sustained Funding. After the initial funding, future funding requirements shall be included in the budget proposals of member agencies, subject to the usual budget preparation process.

Section 3. Supporting Funds and Grants. The IAC-IHL shall be authorized to negotiate and receive external funding opportunities, including support funds or grants from foreign government agencies and offices, international organizations, and non-governmental

organizations, for the continued implementation of the functions of the Committee, subject to the relevant provisions of the Office of the President Memorandum Circular No. 51, signed on 13 May 2024 pertaining to "Requests for Authority to Negotiate and/or Sign International Agreements, Foreign Loan Agreements, Foreign Grant Agreements, and Guarantees."

Section 4. Support Fund Reporting. The IAC-IHL shall be informed of any and all programs provided with support funds or grants, in full or partial, for documentation and to ensure alignment with Philippine programs and priorities. Updates on programs benefiting from support funds or grants are further required to be reported through the Committee's reporting mechanism.

ARTICLE VI STAKEHOLDERS' ENGAGEMENT

The IAC-IHL shall explore opportunities, whenever feasible, and strengthen engagements with stakeholders, including:

Commission on Human Rights of the Philippines (CHRP)

• Development Partners: Engage bilateral and multilateral partners to secure additional support for capacity-building and advocacy programs.

• International Organizations: Collaborate with international bodies, such as, but not limited to the International Committee of the Red Cross (ICRC) and the United Nations, to align standards and programs with global standards and best practices.

• Academe : Partner with universities and other educational and research institutions, such as, but not limited to the Philippine Judicial Academy (PhilJA), to develop training materials, conduct studies, and facilitate knowledge-sharing initiatives.

 Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs): Engage with NGOs and CSOs, such as, but not limited to the Philippine Red Cross (PRC), Philippine Campaign to Ban Landmines (PCBL), Balay Rehabilitation Center, and Sulong Peace, to ensure inclusive participation in IHL-related programs and activities and enhance community-based initiatives.

ARTICLE VII MONITORING AND REPORTING

Section 1. Monitoring. The IAC-IHL shall develop mechanisms to monitor respect for IHL, track IHL-related activities and programs, and regularly assess the effectiveness of programs and activities.

Section 2. Reporting Mechanism. The Inter-Agency Committee through the DFA and DND shall submit to the Office of the President, through the Office of the Executive Secretary, an annual report on the policies, plans, program, services and activities relative to the implementation of this order.

Members of the Inter-Agency Committee including the relevant agencies shall submit an annual report to the Committee Secretariat regarding their respective programs and initiatives every 15th day of the month after each year for consolidation and onward submission to the Office of

IMPLEMENTING GUIDELINES OF EXECUTIVE ORDER NO. 77, S. 2024 ESTABLISHING AN INTER-AGENCY COMMITTEE ON INTERNATIONAL HUMANITARIAN LAW (IAC-IHL)

ARTICLE I GENERAL PROVISIONS

Section 1. Title. The guidelines contained herein shall be known and cited as the Implementing Guidelines of Executive Order No. 77, s. 2024 (EO 77, s. 2024), Establishing an Inter-Agency Committee on International Humanitarian Law (hereinafter referred as 'IAC-IHL').

Section 2. Purpose. These Implementing Guidelines are promulgated to prescribe the mechanisms, standards, and procedures essential to ensure the effective implementation of EO 77, s.2024 which institutionalizes a permanent inter-agency body to provide substantive coordination and cooperation on International Humanitarian Law (IHL) issues and serve to replace the previous ad hoc coordination structure created under Executive Order No. 134, s. 1999.

Section 3. Operational Definitions. For the purpose of these Implementing Guidelines, the following terms shall be defined as follows:

a. International Humanitarian Law (IHL) - refers to the body of law that governs the conduct of armed conflicts, providing protection for individuals who are not directly involved in hostilities, or no longer participating in the hostilities, and regulating the means and methods of warfare.

b. Inter-Agency Committee on International Humanitarian Law (IAC-IHL) - refers to the committee created under EO 77, s. 2024 tasked with advising and assisting relevant government authorities in the implementation and promotion of IHL

c. Monitoring - A systematic and continuous process of collecting, analyzing, and verifying information to assess IHL compliance, enforcement, and effectiveness of interventions.

d. Reporting - The structured process of documenting, analyzing, and communicating information on IHL development and compliance, violations, and possible remedial actions to relevant authorities, including domestic and international stakeholders.

e. Violations of IHL - Any act or omission that contravenes the provisions of international humanitarian law, including but not limited to unlawful attacks, targeting of civilians, improper treatment of prisoners of war, and destruction of civilian property.

f. Inter-agency Collaboration - The cooperative efforts between different government agencies, NGOs, civil society, and other relevant stakeholders to promote, disseminate, and enforce IHL.

g. International Cooperation - The collaborative efforts between the national government and international organizations, including but not limited to the International Committee of the Red Cross (ICRC) and the United Nations, to enhance the effective implementation of IHL.

h. Political declarations - Non-legally binding statements or commitments adopted by states,

regional, or international bodies to express political will, set norms, guide policy development, or reinforce compliance with IHL and other international legal frameworks.

Section 4. Declaration of Policy. The Philippines, as a party to the 1949 Geneva Conventions, its Additional Protocols, treaties that it has ratified, and political declarations it has endorsed, the national, and other related domestic laws reaffirms its commitment to International Humanitarian Law (IHL) and its principles and recognizes the need for a permanent inter-agency body to promote, coordinate, and ensure compliance with IHL principles, including the protection of vulnerable groups in situations of armed conflict and armed engagements. The institutionalization of the IAC-IHL fulfills a core pledge made by the Philippines during the 33rd International Conference of the Red Cross and Red Crescent in December 2019.

Section 5. Guiding Principles. The implementation of EO 77, s. 2024 and the work of the IAC-IHL shall be guided by the following principles:

1. In the performance of its functions, the IAC-IHL shall be guided by the fundamental principles of International Humanitarian Law:

a. Principle of Humanity: Actions before, during, and after armed conflict must always aim to prevent, alleviate, and limit human suffering wherever it may be found and protect life, health and dignity, particularly for those who are not or no longer participating in hostilities. This principle forbids the infliction of all suffering, injury or destruction not necessary for achieving the legitimate purpose of a conflict.

b. Principle of Distinction: In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants/fighters and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.

c. Principle of Proportionality: It is prohibited to launch an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

d. Principle of Military Necessity: Ensure that actions taken must be limited to only that degree and kind of force required to achieve the legitimate purpose of a conflict, i.e. the complete or partial submission of the enemy at the earliest possible moment with the minimum expenditure of life and resources. This principle does not, however, permit the taking of measures that would otherwise be prohibited by IHL.

e. Principle of Precaution: In the conduct of military operations, constant care must be taken to spare the civilian population, civilians and civilian objects. All feasible precautions must be taken to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects. The parties to the conflict must also take all feasible precautions to protect the civilian population and civilian objects under their control against the effects of attacks.

2. The IAC-IHL shall consistently uphold the Philippines' commitments as a State Party to international conventions and treaties it is a party to, ensuring the effective promotion, observance, and compliance with IHL principles.

3. The IAC-IHL shall ensure that all actions, programs, and decisions are pursued with integrity, transparency, and full accountability to its stakeholders and consistent with its national laws and policies without discrimination based on race, ethnicity, religion, nationality, or any other criteria, with respect to their intersectionality and diversity.

4. The IAC-IHL shall reaffirm the primacy of peace consistent with Section 2, Article II of the 1987 Philippine Constitution where the Philippines renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land, and adheres to the policy of peace, equality, justice, freedom, cooperation and amity with all nations.

ARTICLE II DUTIES AND RESPONSIBILITIES OF THE IAC-IHL

Section 1. Mandate of the IAC-IHL. The IAC-IHL shall serve as the national committee tasked to advise and assist relevant government authorities in implementing, developing, and raising public awareness regarding IHL.

Section 2. Functions of the IAC-IHL. The Committee shall perform the following functions, subject to existing laws, rules, and regulations:

- a. Formulate and implement year-round programs and activities for the promotion of IHL and other relevant treaties, international agreements, and other instruments to which the Philippines is a party, including commemoration of IHL Day every 12th day of August;
- b. Study and submit recommendations to concerned government agencies regarding the effective implementation of and compliance with IHL;
- c. Coordinate and collaborate with concerned government agencies, as well as non-government organizations (NGOs), civil society groups, the academe, and other stakeholders, towards the promotion of and compliance with IHL. The IAC-IHL may likewise invite them as observers and/or resource persons to aid the performance of the Committee's mandate;
- d. Serve as focal point for coordination and cooperation both within the Philippine government and with external partners on IHL promotion and compliance before, during and after wars or armed conflicts;
- e. Monitor compliance of agencies with IHL and report violations thereof to relevant authorities;
- f. Provide guidance on addressing specific IHL issues such as protection of children in armed conflict and respect for the principles of IHL during armed engagements, recovery, rehabilitation and reintegration of affected persons in armed conflict; and other related issues;
- g. As may be necessary, create, convene, and reorganize sub-committees or technical working groups to assist in the implementation of this Order; and
- h. Perform such other functions as may be directed by the President and/or the Executive Secretary.

ARTICLE III COMPOSITION AND ORGANIZATION

Section 1. Inter-Agency Committee on International Humanitarian Law (IAC-IHL). The IAC-IHL shall be composed of the heads of the following agencies:

a. Chairpersons:

The Department of National Defense (DND) and the Department of Foreign Affairs (DFA) shall jointly serve as the Chairpersons of the IAC-IHL.

b. Members:

The following government agencies shall serve as members of the IAC-IHL:

- (1) Department of the Interior and Local Government (DILG)
- (2) Department of Justice (DOJ)
- (3) Department of Social Welfare and Development (DSWD)
- (4) Department of Trade and Industry (DTI)
- (5) Department of Health (DOH)
- (6) Armed Forces of the Philippines (AFP)
- (7) Philippine National Police (PNP)
- (8) Philippine Coast Guard (PCG)
- (9) National Commission on Indigenous Peoples (NCIP)
- (10) Commission on Higher Education (CHED)
- (11) Office of the Presidential Adviser on Peace, Reconciliation, and Unity (OPAPRU)
- (12) Presidential Human Rights Committee Secretariat (PHRCS)

The Co-Chairpersons and members of the IAC-IHL may designate their respective alternates, with ranks not lower than Assistant Secretary or its equivalent, who are fully authorized to decide for or on their behalf.

Section 2. Joint Secretariat. The Department of National Defense (DND) and the Department of Foreign Affairs (DFA) shall jointly serve as the Secretariat, providing administrative and technical support to the IAC-IHL. The Secretariat may seek assistance from a member of the Committee to facilitate the effective performance of these functions.

The DND and the DFA shall designate appropriate focal persons to work together in carrying out the administrative and technical support functions required by the Committee. These personnel will be responsible for assisting in the implementation of the Committee's decisions and ensuring smooth communication between relevant stakeholders.

The Joint Secretariat shall perform the following functions:

a. Administrative Support:

- (1) Meeting Coordination: The Secretariat shall organize and facilitate the logistics of Committee and TWG meetings, including scheduling, documentation, and ensuring that necessary resources are available.
- (2) Record-Keeping: The Secretariat shall ensure accurate records of Committee meetings, decisions, and official communications are maintained and properly archived.

(3) Correspondence and Communication: The Secretariat shall manage official correspondence, coordinate communication between Committee members and external entities, and ensure the timely dissemination of information to all concerned parties.

b. Technical Support:

- (1) Research and Analysis: The Secretariat shall assist in providing technical expertise, including gathering relevant data, conducting research, and preparing briefing materials for the Committee's deliberations.
- (2) Reporting: The Secretariat shall assist in the preparation of periodic reports on the activities, programs, projects and outcomes of the Committee, ensuring that stakeholders are kept informed on progress and decisions.

The transition between Secretariats shall be facilitated through a formal turnover process and submission of a turnover report to ensure continuity and efficiency in the Committee's operations.

- (3) Policy and Documentation: The Secretariat shall prepare and maintain the necessary policy and technical documents for Committee review, ensuring that all materials are up-to-date and consistent with the Committee's objectives.
- (4) Performance Evaluation: The Secretariat shall periodically evaluate its own performance, identifying areas for improvement and recommending measures to ensure more effective support for the Committee.

Section 3. Technical Working Group (TWG). A Technical Working Group (TWG) shall be established to assist the IAC-IHL in carrying out its mandate of ensuring the effective implementation and promotion of IHL within the country. The TWG shall serve as the operational body of the IAC-IHL, responsible for providing the technical and expert support necessary for IHL initiatives, strategies, and activities.

The TWG shall be composed of the duly authorized representatives of the following agencies:

a. Chairpersons of the TWG

Duly authorized representatives of the Department of Foreign Affairs and the Department of National Defense shall jointly serve as the Chairpersons of the TWG.

The TWG Co-Chairpersons shall have the following responsibilities:

- Provide strategic guidance to the TWG's activities and ensure that the group's work aligns with IAC-IHL priorities.
- Facilitate coordination between TWG members and the IAC-IHL.
- Approve the TWG's work plans, initiatives, and recommendations for submission to the IAC-IHL.
- Oversee the preparation of reports and other documentation.

b. Members of the TWG

The TWG shall consist of technical representatives under Article III, Section 1 (b) of the Implementing Guidelines.

The TWG shall perform the following functions covering the following thematic areas based on the IAC-IHL mandates:

(1) Education, Training, and Advocacy

- Develop and implement IHL awareness campaigns, training programs, and integration into academic curricula (e.g. IHL Day commemoration).
- Organize capacity-building initiatives for government, military, law enforcement, and civil society organizations.
- Facilitate engagement with media and public outreach initiatives.

(2) Monitoring and Reporting

- Develop and maintain mechanisms for documenting and taking note of IHL violations.
- Provide annual compliance reports to relevant national and international bodies.
- Coordinate with government agencies on IHL compliance and enforcement efforts.

(3) IHL Development on Current and Emerging Issues

- Conduct research on current and new challenges in IHL, including cyber warfare, autonomous and other weapons, climate-related conflicts, the protection of cultural property, and other emerging issues.
- Review and recommend updates to national IHL policies.
- Support the Philippines' positioning and stance on IHL at regional and international fora such as ASEAN, to galvanise greater respect for IHL.
- Act as a liaison with international organizations on policy recommendations.

(4) Inter-Agency Coordination and Legal Advisory

- Ensure harmonized government action on IHL-related concerns, particularly among law enforcement, military, diplomatic, humanitarian, regional, and international agencies.
- Provide legal and policy guidance to member agencies on IHL-related treaties, conventions, and agreements (including their domestic application).
- Assist in harmonizing Philippine laws, policies, and institutional frameworks to be in full compliance with IHL obligations.
- Facilitate coordination between government agencies, civil society, and international actors to ensure a whole-of-government approach.
- Provide technical legal assistance to government agencies, including legislative proposals, treaty ratifications and implementation, and compliance reporting.

Section 4. Sub-Committees. The TWG may establish sub-committees, on a need basis, to focus on specific projects and to provide specific outputs. The TWG may invite other government agencies, academic institutions, non-government organizations, civil society groups, international organizations, and other stakeholders to form part of the sub-committees. These sub-committees will report directly to the TWG and submit their findings and recommendations.

Section 5. Reporting of the TWG and Sub-Committees. The TWGs and Sub-Committees shall submit regular reports to the IAC-IHL Secretariat.

Section 6. Observers. The IAC-IHL shall designate the CHR, PRC, ICRC as permanent observers, pursuant to their respective mandate. Other entities may be invited as observers.

Section 7. Inter-agency and Stakeholder Coordination. The TWG shall foster inter-agency and stakeholder coordination and collaboration by organizing meetings, consultations, and workshops among members of the IAC-IHL, Sub-Committees, Observers, and other stakeholders, including technical experts, resource persons from non-government organizations (NGOs), civil society groups, the academe, and international partners.

ARTICLE IV MEETINGS OF THE COMMITTEE

Section 1. Presiding Officer. The Co-Chairpersons, or their designated representatives, shall preside over the general meetings of the Committee.

Section 2. Quorum. A simple majority of all members of the Committee shall constitute a quorum. In the absence of a quorum, the committee members present may opt to discuss the items stated in the agenda and provide the necessary recommendations and/or information to the Committee for consideration in the next meeting.

Section 3. Schedule of Meetings. The IAC-IHL shall have regular quarterly meetings, to be conducted either in person or hybrid, and such special meetings as may be called by the Co-Chairperson when deemed necessary.

Section 4. Technical Working Group Meetings and Special Meetings. Technical Working Group meetings will be conducted on a monthly basis. Special meetings may be arranged based on necessity.

Section 5: Decision Making Process

The IAC-IHL shall strive to reach consensus. If consensus cannot be reached, a majority vote of all members of the IAC-IHL is required. If a decision has implications on vulnerable sectors or groups, coordination and consultation efforts should be made with concerned government agencies and stakeholders.

The Secretariat shall provide necessary administrative assistance to facilitate timely decision-making within the Committee, including preparing agendas and supporting discussions during meetings. It will also assist in the tracking and implementation of decisions made by the IAC-IHL, ensuring that all actions are carried out in accordance with agreed timelines.

ARTICLE V FUNDING AND SUPPORT

Section 1. Initial Funding. The funding requirements for the implementation of EO 77, s. 2024 shall be sourced from the current and available appropriations of member agencies, subject to pertinent budgeting, accounting, and auditing rules and regulations.

Section 2. Sustained Funding. After the initial funding, future funding requirements shall be included in the budget proposals of member agencies, subject to the usual budget preparation process.

Section 3. Supporting Funds and Grants. The IAC-IHL shall be authorized to negotiate and receive external funding opportunities, including support funds or grants from foreign government agencies and offices, international organizations, and non-governmental

organizations, for the continued implementation of the functions of the Committee, subject to the relevant provisions of the Office of the President Memorandum Circular No. 51, signed on 13 May 2024 pertaining to *"Requests for Authority to Negotiate and/or Sign International Agreements, Foreign Loan Agreements, Foreign Grant Agreements, and Guarantees."*

Section 4. Support Fund Reporting. The IAC-IHL shall be informed of any and all programs provided with support funds or grants, in full or partial, for documentation and to ensure alignment with Philippine programs and priorities. Updates on programs benefiting from support funds or grants are further required to be reported through the Committee's reporting mechanism.

ARTICLE VI STAKEHOLDERS' ENGAGEMENT

The IAC-IHL shall explore opportunities, whenever feasible, and strengthen engagements with stakeholders, including:

• Commission on Human Rights of the Philippines (CHRP)

• Development Partners: Engage bilateral and multilateral partners to secure additional support for capacity-building and advocacy programs.

• International Organizations: Collaborate with international bodies, such as, but not limited to the International Committee of the Red Cross (ICRC) and the United Nations, to align standards and programs with global standards and best practices.

• Academe : Partner with universities and other educational and research institutions, such as, but not limited to the Philippine Judicial Academy (PhilJA), to develop training materials, conduct studies, and facilitate knowledge-sharing initiatives.

• Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs): Engage with NGOs and CSOs, such as, but not limited to the Philippine Red Cross (PRC), Philippine Campaign to Ban Landmines (PCBL), Balay Rehabilitation Center, and Sulong Peace, to ensure inclusive participation in IHL-related programs and activities and enhance community-based initiatives.

ARTICLE VII MONITORING AND REPORTING

Section 1. Monitoring. The IAC-IHL shall develop mechanisms to monitor respect for IHL, track IHL-related activities and programs, and regularly assess the effectiveness of programs and activities.

Section 2. Reporting Mechanism. The Inter-Agency Committee through the DFA and DND shall submit to the Office of the President, through the Office of the Executive Secretary, an annual report on the policies, plans, program, services and activities relative to the implementation of this order.

Members of the Inter-Agency Committee including the relevant agencies shall submit an annual report to the Committee Secretariat regarding their respective programs and initiatives every 15th day of the month after each year for consolidation and onward submission to the Office of

the President.

The Committee Secretariat shall prescribe a common and uniform reporting template for reference of all the members and other relevant agencies. The report shall also include information on the support funds or grants, in full or partial.

ARTICLE VIII FINAL PROVISIONS

Section 1. Continuity. All ongoing and planned programs, projects, and activities of the former IHL Ad-Hoc Committee shall be seamlessly transitioned under the purview of the IAC-IHL. The IAC-IHL reserves the authority to discontinue programs, projects, and activities it determines to be inconsistent with its mandate or objectives.

Section 2. Compliance. All agencies involved in the implementation of EO 77, s. 2024 shall faithfully, completely, and diligently execute their duties and responsibilities under the purview of the work of the Committee and shall hold themselves accountable for their actions.

Section 3. Amendments. Any amendment or revision in the text of the Implementing Guidelines shall be done in consultation with the member agencies of the IAC-IHL. Such amendment or revision shall take effect in accordance with the provision on effectivity.

Section 4. Separability Clause. If any section of this Implementing Guidelines or part of it is held invalid or unconstitutional, the remainder not otherwise affected shall remain valid and subsisting.

Section 5. Effectivity. These Implementing Guidelines shall take effect immediately upon concurrence of all State agencies concerned.

Adopted by the Inter-Agency Committee on International Humanitarian Law (IAC-IHL) on ______at _____.