



Republic of the Philippines  
National Police Commission  
**NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE**  
**OFFICE OF THE CHIEF, PNP**  
**PNP HUMAN RIGHTS AFFAIRS OFFICE**

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**HUMAN RIGHTS ADVISORY**  
**ON RENDERING POLICE ASSISTANCE DURING DEMOLITION OF**  
**ILLEGAL STRUCTURES AND EVICTION OF INFORMAL SETTLERS**

1. All PNP personnel must respect, protect, and uphold the People's Right to Shelter<sup>1</sup>. However, the Right to Shelter must not be used to diminish or disregard the constitutional Right to Property Ownership<sup>2</sup>.
2. Section 28 of R.A. 7279 (Urban Development and Housing Act) allows the eviction of settlers and demolition of structures:
  - (a) when persons or entities occupy danger areas such as *esteros*, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and other public places such as sidewalks, roads, parks, and playgrounds;
  - (b) when government infrastructure projects with available funding are about to be implemented; and
  - (c) when there is a court order for eviction and demolition.<sup>3</sup>
3. The Chief of Police and/or designated PNP Ground Commander is responsible for the conduct of Pre-Deployment Briefing and Human Rights Orientation. Said briefing must include a review of Rule 27 on Demolition and Ejectment Orders, as cited in the Revised POP, 2013 Edition.<sup>4</sup>
4. The PNP Ground Commander is advised to check if the Sheriff or equivalent officer is in possession of a valid order for demolition/ejectment from the Court or quasi-judicial/administrative body; and copy of request for police assistance approved by PNP higher headquarters.<sup>5</sup>
5. The Police Human Rights Officer (PHRO) from the concerned jurisdiction shall assist the Chief of Police and/or Ground Commander in the provision of human rights guidelines to all personnel involved in the operation.<sup>6</sup>
6. Exhaust all means to help ensure a peaceful and orderly conduct of demolition, ejectment, and transfer of informal settlers in coordination with the concerned LGU and other government agencies.<sup>7</sup>
7. The conduct of pre-demolition conference with informal settlers and other concerned parties is mandatory.<sup>8</sup>

<sup>1</sup> Universal Declaration of Human Rights; International Covenant on Economic, Social, and Cultural Rights

<sup>2</sup> Article III, Section 1 & 9; Chapter III, Article 425, Civil Code

<sup>3</sup> Section 28, Republic Act 7279 (Urban Development & Housing Act)

<sup>4</sup> Rule 27.2 (a) – (e), Demolition & Ejectment, Revised Police Operational Procedures, PNPM-DO-DS-3-2-13

<sup>5</sup> Rule 27.1 (a), Demolition & Ejectment, Revised Police Operational Procedures, PNPM-DO-DS-3-2-13

<sup>6</sup> Rule 1.2 Functions of A Police Officer, Revised Police Operational Procedures, PNPM-DO-DS-3-2-13

<sup>7</sup> Rule 27.2 (c), Demolition & Ejectment, Revised Police Operational Procedures, PNPM-DO-DS-3-2-13

<sup>8</sup> Rule 27.1 (b) Demolition & Ejectment, Revised Police Operational Procedures, PNPM-DO-DS-3-2-13

8. It is advisable for the PHRO to conduct a comprehensive audio-visual and photo-documentation of the demolition/ejection.
9. The use of helmets and other CDM protective gear is highly recommended to avoid any injury or casualty among PNP personnel.<sup>9</sup>
10. The use of warning shot is strictly prohibited. Use of force must always be lawful, necessary, and proportional to the threat.<sup>10</sup>
11. PNP personnel must not participate in dismantling any physical structure that is the subject of demolition.<sup>11</sup>
12. Extend equal protection to all persons. Extra care and caution must be exercised when dealing with informal settlers that include families, young children/minors, PWDs, and the elderly. The Ground Commander is encouraged to request assistance from the local Social Welfare Officer (DSWD) and/or PNP WCPC when there is a large group of vulnerable persons/groups in the area that is subject to demolition.<sup>12</sup>

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<sup>9</sup> Rule 26, Civil Disturbance Management Operations, Revised Police Operational Procedures, PNPM-DO-DS-3-2-13

<sup>10</sup> Rule 6.3, Requirements of Police Operations, Revised Police Operational Procedures, PNPM-DO-DS-3-2-13

<sup>11</sup> Rule 27.1 (c) – (d), Demolition & Ejection, Revised Police Operational Procedures, PNPM-DO-DS-3-2-13

<sup>12</sup> Standard 1 on Equal Protection, United Nations International Standards for Law Enforcement