



Republic of the Philippines
Office of the President

HOUSING AND URBAN DEVELOPMENT COORDINATING COUNCIL

HUDCC RESOLUTION NO. 1
Series of 2014

**MORATORIUM ON PAYMENT OF MONTHLY AMORTIZATIONS
AND/OR LEASE OF VICTIMS OF ARMED CONFLICTS**

WHEREAS, "armed conflict" is defined under International Humanitarian Law as either "International Armed Conflicts"¹ or "Non International Armed Conflicts"²;

WHEREAS, the Philippines, and Filipinos abroad have not been immune from such incidents³;

WHEREAS, in the immediate aftermath of armed conflict, the housing sector is often confronted with the critical need to provide emergency assistance to affected loan borrowers/buyers/lessees/members of KSAs;

WHEREAS, in order to avert the accumulation of the victims' unpaid amortizations/rent and to ease their economic difficulties, all KSAs should provide emergency assistance to loan borrowers/buyers/lessees/members living or working in areas where armed conflict is taking place/took place in the form of a grant of moratorium on payments of their monthly amortizations/lease payments/contributions as well as other schemes as their respective Boards deem appropriate;

THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED that a moratorium on payments of monthly amortizations/lease payments on housing loans/leases shall be imposed and other benefits may be extended to affected loan borrowers/buyers/lessees/members following the occurrence of armed or other man made conflict, subject to the ratification of the KSAs' respective Boards of Directors/Trustees at their next Board meeting.

RESOLVED, FURTHER, THAT a declaration of a state of calamity as a result of armed or other man made conflict by the Local Government Unit or a certification by the Philippine Consulate, where the armed or other man made conflict is taking place/took place shall be sufficient for the Moratorium to take effect, provided that the respective boards of the KSAs' may also, in the exercise of their functions, declare the imposition/lifting of the

¹ International armed conflict exists whenever there is a resort to armed force between states (ICTY The Prosecutor v. Dusko Tadic, Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction, IT-94-1-A, 2 October 1995, para. 70.)

² Non-International armed conflict is defined as armed conflict not of an international character occurring in the territory of one of the High Contracting Parties. It is also defined as conflict which takes place in a territory of a high contracting party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this protocol. (Additional Protocol II, art. 1, para. 1)

³ According to the National Statistics Office, between April to September 2012, the estimated number of Overseas Filipino Workers (OFWs) was over 2.2 Million, many of whom are in areas actually in armed conflict or vulnerable to armed conflict due to the presence of insurgents and extremists in said areas.

moratorium, setting up eligibility requirements of borrowers/buyers/lessees/members in availing themselves of the said program, as well as the extension/withdrawal of benefits pursuant to this resolution.

RESOLVED, FINALLY, THAT the Key Shelter Agencies concerned shall craft guidelines on the moratorium and/or grant of other benefits to victims of armed or other man made conflict which they shall submit to their respective Boards for approval during the Board meeting immediately succeeding the approval of this Resolution.

APPROVED this 27th day of May 2014, at Pasay City, Philippines.