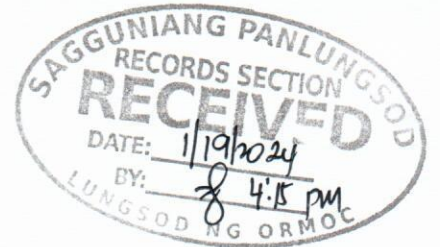




REPUBLIKA NG PILIPINAS
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SANGGUNIANG PANLUNGSOD



Excerpt from the Minutes of the 80th Regular Session of the Sixteenth Sangguniang Panlungsod held on January 09, 2024 at the Sangguniang Panlungsod Session Hall, 3rd Floor, Ormoc City Hall Building, Aunubing St., Cogon, Ormoc City, Leyte.

**ORDINANCE NO. 140
(Series of 2024)**

AN ORDINANCE ESTABLISHING THE ORMOC CITY HUMAN RIGHTS ACTION CENTER, OPERATIONALIZING THE BARANGAY HUMAN RIGHTS ACTION CENTER, AND CAPACITATING THE BARANGAY HUMAN RIGHTS ACTION OFFICER AND DEFINING ITS POWERS AND FUNCTIONS

Authored by: SP Member BURT J. PADES

PREFATORY STATEMENT

Article 2, Section 11 of the 1987 Constitution provides that the State values the dignity of every person and guarantees full respect for human rights.

Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights are the universal and inalienable rights to life, liberty, property, and dignity. It covers the civil, political, economic, social and cultural rights of the people.

As enshrined in Article 1 of the Universal Declaration of Human Rights: "All human beings are born free and equal in dignity and rights." In the Bill of Rights, it sets forth the fundamental civil and political rights of the individual, and imposes limitations on the powers of the government as a means of securing the enjoyment of these rights.

As a guarantee that individuals fully enjoy their rights without arbitrary interference from the government, Section 1 Article III of the Constitution states that "No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be deprived the equal protection of laws."

Equally important are the economic, social, and cultural rights which must be held with utmost importance by the State concerning the basic, social, and economic conditions needed to live a life of dignity and freedom relating to work and workers' rights, social security, health, education, food, water, housing, healthy environment, and culture.

The Department of Interior and Local Government and the Commission on Human Rights Joint Memorandum Circular No. 1 Series of 2014 with subject "Mainstreaming Human Rights through the Rule of Law and Access to Justice at the Level of Provinces, Cities, Municipalities, and Barangays" mandates the establishment of Human Rights Action Center in every province, city and the LGU.

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Pursuant thereto, the City Government of Ormoc is mandated to develop local policies and legislations that will address issues on human rights, rule of law, and access to justice. This City recognized the need for a Human Rights Action Center to ensure the accountability of local authorities in the promotion, protection and full realization of all human rights, and in instilling greater public awareness on human rights.

The Barangay Human Rights Action Center, in coordination with the Commission on Human Rights and the Department of Interior and Local Government, shall together promote to enhance the primacy of human rights, protection of human dignity, and the full respect for human rights.

Pursuant to Book 1, Section 50 (b)(1) of the Local Government Code states that the local government units at the level of provinces, cities, municipalities and barangays are mandated to create a Human Rights Committee as one of the standing committees of their respective Sanggunian. The Human Rights Committees are mandated to develop local policies and legislations that will address issues on human rights, rule of law, and access to justice.

BE IT ORDAINED, by the 16th Sangguniang Panlungsod in its session duly assembled, that:

SECTION 1. TITLE – This Ordinance shall be known as **THE "ORMOC CITY HUMAN RIGHTS ACTION CENTER ORDINANCE OF 2024"**.

SECTION 2. OBJECTIVES. This ordinance aims to:

1. Mainstream human rights through the rule of law and access to justice at the local level;
2. Empower the people in the grassroots level in protecting and promoting human rights, and bringing the services of the Commission on Human Rights closer to the people; and
3. Widen the democratic space for participation of civil society organizations, people's organizations, non-government organizations in local governance.

SECTION 3. DEFINITION OF TERMS. As used in this Ordinance, the following terms are hereby defined as follows:

- a. **Barangay Human Rights Action Center (BHRAC)** – serves as the human rights help desk bringing services and programs of the Commission on Human Rights at the Barangay level;
- b. **Barangay Human Rights Action Officer (BHRAO)**– refers to the person selected and trained to provide and implement the BHRAC programs;
- c. **Commission on Human Rights (CHR)** –the independent constitutional body whose principal mandate is to investigate, on its own or on complaint by any party, all forms of human rights violations involving civil and political rights;

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- d. **Human Rights** – the inherent and inalienable rights of a human person;
- e. **Human Rights Situationer** – presentation and analysis of existing human rights conditions in a particular area;

SECTION 4. ESTABLISHMENT OF ORMOC CITY HUMAN RIGHTS ACTION CENTER. The Ormoc City Human Rights Action Center stationed at the City Legal Office is hereby created and established to act on human rights matters, including human rights promotion, and assist complaints of human rights violations.

SECTION 5. COMPOSITION OF ORMOC CITY HUMAN RIGHTS ACTION TEAM. The Ormoc City Human Rights Action Team is hereby organized and shall be composed of the following;

- Chairperson : City Administrator
- Co-Chairperson : City Legal Officer
Chairperson of the Committee on Justice and Human Rights of the Sangguniang Panlungsod ng Ormoc
- Members : City Social Welfare and Development Officer
City Planning and Development Coordinator
City Health Officer
Environment and Natural Resources Officer
Public Affairs, Information & Assistance Officer
Ormoc City PNP Human Rights Affairs Officer
School City Superintendent
Barangay Human Rights Action Officer Association President
One (1) representative from an LGU-accredited group advocating human rights

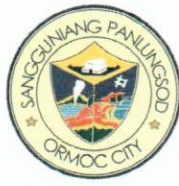
SECTION 6. DUTIES AND RESPONSIBILITIES OF ORMOC CITY HUMAN RIGHTS ACTION TEAM. The Ormoc City Human Rights Action Team (OHRACt) shall have the following duties and responsibilities:

1. Develop and implement human rights plan of the City Government of Ormoc;
2. Propose to the Sanggunian the integration of human rights programs, projects, and activities in the annual budget appropriation;
3. Recommend appropriate legislations to the Committee on Justice and Human Rights of the Sanggunian;
4. Utilize available resources for human rights promotion activities;
5. Spearhead and coordinate the implementation of human rights programs, projects, and activities;
6. Posting of human rights programs, projects and activities in the websites, bulletin boards, and newsletters of the City Government of Ormoc;
7. Provide legal and/or paralegal assistance to victims of human rights violations;
8. Encourage participation of the City Government of Ormoc Officials and Civil Society Organizations in human rights promotion activities;

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9. Mobilize sectoral groups and locally-based people's organizations and civil society organizations in the community to participate in human rights activities;
10. Publish feature articles on various human rights concerns and issues in the websites, bulletin boards, and newsletters of the City Government of Ormoc;
11. Reproduce and disseminate human rights information, education and communication materials within the City Government of Ormoc;
12. Serve as information centers on Human Rights Programs and Services, including referral systems within the City Government of Ormoc;
13. Maintain and update the Directory of Human Rights Programs and Services within the City Government of Ormoc;
14. Organize the association of Barangay Human Rights Action Officers (BHRAOs) at the City level and support their operations;
15. Strengthen linkages with the regional/field offices of the Commission on Human Rights (CHR), Department of the Interior and Local Government (DILG), the other human rights service providers and Civil Society Organizations in the implementation of the human rights programs, projects and activities;
16. Organize capacity-building on human rights of all City Government of Ormoc Officials in close coordination with regional/field offices of the Commission on Human Rights (CHR) and the Department of Interior and Local Government (DILG);
17. Establish and maintain a database of human rights situationers including the monitoring of status of complaints of human rights violations referred to the Commission on Human Rights (CHR) Regional Offices and other appropriate agencies;
18. Provide technical inputs on human rights to the Committee on Justice and Human Rights of the Sanggunian and/or its related Technical Working Group of the City Government;
19. Consolidate semestral human rights situationer reports submitted by the Barangay Human Rights Action Teams (BHRAcTs) and have them published in the city websites, newsletters, and bulletin boards. The Ormoc City Human Rights Action Team shall submit these reports to the Commission on Human Rights (CHR) and the Department of the Interior and Local Government (DILG) Regional Offices;
20. Assist the Barangay Human Rights Action Teams (BHRAcTs) in referral of complaints of human rights violations to the Commission on Human Rights (CHR) Regional Offices and other appropriate agencies and monitoring their status thereof; and
21. Assist the Barangay Human Rights Action Teams (BHRAcTs) in the conduct of human rights advocacy, information and educational activities.

SECTION 7. MEETINGS. The OCHRAcT shall meet regularly once every quarter. The Chairperson may call for special meetings as the need arises.



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SECTION 8. SECRETARIAT. The secretariat shall be composed of representatives from the Office of the City Administrator, City Social Welfare and Development, and City Planning and Development Office.

SECTION 9. DUTIES AND RESPONSIBILITIES OF SECRETARIAT. The secretariat shall have the following duties and responsibilities:

1. Receives, consolidates and prepares Annual Human Rights Situationer/Report submitted by the BHRACts;
2. Prepares minutes of the meeting;
3. Assist in coordinating Human Rights matters with concerned agencies;
4. Establish and maintain database of Human Rights Reports;
5. Maintain and update a directory of HRACts within its jurisdiction;
6. Facilitates the Administrative concerns of the HRACts; and
7. Prepare updates of the complaints, received and referred by BHRACts.
8. Semestral monitoring status report of human rights treaties;

SECTION 10. ESTABLISHMENT AND COMPOSITION OF BARANGAY HUMAN RIGHTS ACTION TEAM. The Barangay Human Rights Action Team is hereby mandated to organize and shall be composed of the following:

Barangay Human Rights Action Officer	Chairperson, Committee on Human Rights
Members	Barangay Secretary Barangay Chief Tanod Barangay Health Worker Barangay VAW Desk Officer Barangay Social Welfare and Development Officer Lupong Tagapamayapa Police Officer assigned in the Barangay Principal from public or private school located in the barangay One (1) representative of Civil Society Organizations/Non-Government Organizations/People's Organizations operating in the Barangay

SECTION 11. DUTIES AND RESPONSIBILITIES OF BARANGAY HUMAN RIGHTS ACTION TEAM - The BHRaCT shall have the following duties and responsibilities:



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1. Consolidate human rights reports both from barangay-based institutions (e.g. Lupong Tagapamayapa, BAWC Desks, etc.) and non-government entities (e.g. sectoral CSOs and purok leaders) in the community;
2. Submit semestral Barangay human rights situationer reports to OCHRaCT; and
3. Receive complaints of human rights violations and refer the same to the nearest CHR Regional Offices and other appropriate agencies copy furnished the OCHRaCT and monitor the status thereof;

SECTION 12. BARANGAY HUMAN RIGHTS OFFICER. The BHRaCT shall be presided by the Chairperson of the Barangay Human Rights Committee and shall act as Barangay Human Rights Officer.

SECTION 13. DUTIES AND RESPONSIBILITIES OF THE BARANGAY HUMAN RIGHTS OFFICER. The Barangay Human Rights Officer shall have the following duties and responsibilities:

1. As training and information officer:
 - a. Installing and maintaining barangay bulletins and other information and updates on human rights matters;
 - b. Distribution of training and information materials and releases;
 - c. Education of communities thru seminars on human rights.
2. As coordination and referral officer:
 - a. Maintaining barangay directories or services/programs
 - b. Receiving giving feedbacks on referral actions;
 - c. Implementation or coordination of services at the barangay level.
3. As human rights complaints officer:
 - a. Assist complainants in securing legal services and/or any other financial assistance from government agencies.

SECTION 14. GUIDELINES AND PROCEDURE. The following guidelines and procedures shall be observed in the filing of a human rights complaint:

1. Any resident of the barangay can file a complaint before the BHRAC.
2. The BHRAO shall interview the complainant to determine whether the subject of the complaint is a human rights violation or a common crime.
3. If the complaint is not a human rights violation, the BHRAO may endorse it to the Lupon ng Tagapamayapa or the PNP, as the case may be; if it does, the BHRAO shall assist the complainant to accomplish the prescribed forms and request him/her to submit evidence and supporting documents.
4. The BHRAO may accompany the victim/s to the City Legal Office, Public Attorney's Office or any private counsel for the preparation and execution of the appropriate complaint.
5. The BHRAO shall transmit the complaint together with other documents to the CHR Regional Office or Field Office whichever is nearer.



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SECTION 15. BARANGAY ADVISORY GROUP. The BHRAO has to organize and build a support group who can be partners in the promotion and protection of human rights in the barangay. The BHRAO can mobilize certain cause-oriented individuals, groups, sectors, and/or organizations to constitute the human rights advisory group, such as:

1. Religious-based organizations
2. School-based organizations
3. Barangay-based sectoral organizations
 - a. Women
 - b. Farmers
 - c. Fishermen
 - d. Youth
 - e. Labor
4. Barangay-based NGOs
5. Local media

SECTION 16. BARANGAY ALLOCATION. All Sangguniang Barangays in the City of Ormoc shall give priority to the creation and operationalization of the BHRACs as herein contemplated. For this purpose, they shall conduct regular review of their human rights plan of action for inclusion in the annual budget appropriation of each barangay.

All Barangays in the City shall allocate from their annual barangay budget a sufficient amount to be determined by the Barangay Chairperson and by the Sangguniang Barangay for the exclusive use and operation of the BHRACs, including reasonable salaries and wages or allowances for the Barangay Human Rights Officers, subject to accounting and auditing rules and procedures.

SECTION 17. NATIONAL HUMAN RIGHTS CONSCIOUSNESS WEEK. Pursuant to RA 9201, otherwise known as the National Human Rights Consciousness Week Act of 2002, December 4 to 10 is hereby declared, observed, and celebrated as the National Human Rights Consciousness Week in the City of Ormoc;

SECTION 18. SIMPLE CELEBRATION. All government agencies, including government-owned and-controlled corporations, are enjoined to celebrate the week through simple and appropriate ceremonies and activities to make the people aware of their basic human rights in relation to the functions and services offered by these government instrumentalities.

All levels of education/learning institutions, both public and private, shall celebrate the week through simple and appropriate ceremonies and activities to propagate, particularly among the students, a human rights culture that aims at sustainable development in the country.

SECTION 19. PREPARATION AND IMPLEMENTATION. A local committee composed of the following shall take the lead in the preparation and implementation of the guidelines on how to celebrate the week through simple and appropriate ceremonies and activities:



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- Chairperson : City Administrator
- Co-Chairperson : City Legal Officer
- Members : City Social Welfare and Development Officer
City Planning and Development Coordinator
Public Affairs, Information & Assistance Officer
Schools City Superintendent or any duly authorized representative from the Department of Education – Ormoc City
Representative from the Department of Labor and Employment - Ormoc City
At least 1 (one) representative from accredited CSO advocating human rights operating in the city

SECTION 20. APPROPRIATION. The appropriations for the full implementation of human rights programs of the OCHRAct shall be included in the Annual Budget of the City Legal Office subject to the availability of funds.

SECTION 21. SEPARABILITY CLAUSE. If, for any reason, any part/s or provision(s) of this Ordinance shall be declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 22. REPEALING CLAUSE. All ordinances or portion thereof which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 23. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately upon its approval, subject to the compliance of the necessary posting and publication requirements as provided for in the Local Government Code of 1991.

ENACTED, January 09, 2024.

RESOLVED FURTHER, to furnish copies of this Ordinance each to the City Mayor Lucy Torres Gomez, City Administrator, Mr. Vincent L. Emnas, City Legal Officer Atty. Josephine Mejia-Romero; CSWD; CPDO; PAIAO; CHD; ENRO; Ormoc City PNP Headquarters; Commission on Human Rights Region 8; Liga ng mga Barangay Ormoc City Chapter; Department of Labor and Employment Ormoc City; Department of Education-Ormoc City Division; the City Local Government Operations Officer-DILG; and all other offices concerned in Ormoc City.

CARRIED UNANIMOUSLY.

WE HEREBY CERTIFY to the correctness of the above ordinance.

MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod



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ROILAND H. VILLASENCIO
SP Member
(On Leave)


NOLITO M. QUILANG
SP Member
Majority Floor Leader

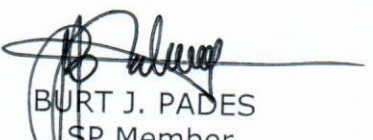

REY F. EVANGELISTA
SP Member

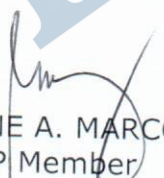
PETER M. RODRIGUEZ
SP Member
(Acting City Mayor)



JASPER M. LUCERO
SP Member
1st Asst. Majority Floor Leader



MARIA CARMEN JEAN T. RAMA
SP Member


EDMUND B. KIERULF
SP Member


BURT J. PADES
SP Member
2nd Asst. Majority Floor Leader


LALAINA A. MARCOS
SP Member


ESTEBAN V. LAURENTE
Ex-Officio SP Member
Chapter President
Liga ng mga Barangay ng Ormoc


KRIZEA CAESSANDRA A. MERCADAL
Ex-Officio SP Member
Chapter President
Panlungsod na Pederasyon
ng mga Sangguniang
Kabataan ng Ormoc

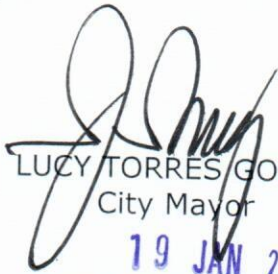


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ATTESTED:


GREGORIO G. YRASTORZA III
SP Member
Presiding Officer "Pro-Tempore"

APPROVED:


LUCY TORRES GOMEZ
City Mayor
19 JAN 2024
(Date)