

AN ORDINANCE ESTABLISHING THE SURIGAO CITY HUMAN RIGHTS ACTION CENTER, THE BARANGAY HUMAN RIGHTS ACTION CENTERS IN THE 54 BARANGAYS OF SURIGAO CITY, ORGANIZING THE HUMAN RIGHTS ACTION TEAM, DEFINING ITS POWERS AND FUNCTIONS, AND PROVIDING FUNDS THEREOF.

WHEREAS, Human Rights are rights inherent to all human beings, regardless of race, sex nationality, ethnicity, language, religion, or any other status. Human rights include the rights to Life and Liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education and many more. They cover civil, political, economic, social, cultural, and people's rights.

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

WHEREAS, the Committee on Human Rights of the Sangguniang Panlungsod is mandated to develop local policies and legislation to address issues on human rights, the rule of law, and access to justice.

WHEREAS, Joint Memorandum Circular No. 1 Series of 2014, dated December 16, 2014, of the Department of Interior and Local Government and the Commission on Human Rights mandate the creation of the Human Rights Action Center and Rule of Law to widen the democratic space of civil society organizations/people's organization/non-government organization to be part of the local governance.

WHEREAS, in strengthening the Human Rights Action Center and Rule of Law strategy of the Commission on Human Rights (CHR) and the Department of Interior and Local Government (DILG), there is a need 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.

WHEREAS, the said action center shall address the issues and concerns of human rights, the rule of law, and access to justice at the grassroots level.

NOW, THEREFORE, be it ordained by the Sangguniang Panglungsod of Surigao City in regular session assembled:

SECTION 1. TITLE

This Ordinance shall be known as "An Ordinance Establishing The Surigao City Human Rights Action Center, The Barangay Human Rights Action Centers in the 54 Barangays of Surigao City, Organizing the Human Rights Action Team, Defining its Powers and Functions, and providing Funds thereof";

SECTION 2. STATEMENT OF PURPOSE

The Surigao City Human Rights Action Center shall provide local structural support to the Barangay Human Rights Action Centers. These centers shall serve to:

- a. Enhance the capacity of the Commission on Human Rights to discharge its investigation, monitoring, and education programs thereby empowering rights holders to assert their rights, and duty bearers to understand;
- b. Deliver on their obligations to promote, protect, and fulfill human rights and access to justice; and

- c. Provide the use of human rights-based approaches to local governance and development programming.

SECTION 3. ESTABLISHMENT OF THE SURIGAO CITY HUMAN RIGHTS ACTION CENTER

It is hereby established a center called "The Surigao City Human Rights Action Center" under the Office of the City Mayor in coordination with the Commission on Human Rights (CHR) and the Department of Interior and Local Government (DILG), various associations and league of local government functionaries. The same shall be operationalized by the Human Rights Action Team.

SECTION 4. COMPOSITION

The Surigao City Human Rights Action Team (SCHRAcT) shall be composed of the following:

- a. City Administrator as Chairperson;
- b. City Legal Officer as Co-Chairperson;
- c. City Council Chairman for Committee on Human Rights as Co-Chairperson;

Members:

- d. City Social Welfare Development Officer (CSWDO);
- e. City Planning and Development Officer (CPDO);
- f. City Health Officer (CHO);
- g. City Public Information Office, Head (CPIO);
- h. Surigao City Philippine National Police (PNP) Human Rights Affairs Officer;
- i. DepEd Surigao City Superintendent;
- j. Barangay Human Rights Action Officer (BHRAO) Association President;
- k. At least one (1) representative from the Civil Society Organization.

SECTION 5. DUTIES AND RESPONSIBILITIES OF SURIGAO CITY HUMAN RIGHTS ACTION TEAM (SCHRACT)

The Surigao City Human Rights Action Team (SCHRACT) shall have the following duties and responsibilities:

- a. Develop and implement the Human Rights promotion and protection plan of the Surigao City Government;
- b. Propose and ensure the integration of human rights programs, projects, and activities in the annual budget appropriation;
- c. Recommend appropriate legislation to the Human Rights Committee of the Sanggunian;
- d. Spearhead and coordinate the implementation of human rights programs, projects, and activities;
- e. Serve as an information center on human rights programs and services, including referral systems within the local government

- f. Posting of human rights programs, projects, and activities on the websites, bulletin boards, and newsletters of the local government;
- g. Provide legal and/or paralegal assistance to victims of human rights violations;
- h. Encourage participation of Surigao City Government Officials and Civil Society Organizations in human rights promotion activities;
- i. Reproduce and disseminate Human Rights Information, Education, and Communication (IEC) materials within the locality;
- j. Strengthen linkages with the regional/field offices of the Commission on Human Rights (CHR), Department of the Interior and Local Government (DILG), other human rights service providers, and Civil Society Organizations in the implementation of the human rights programs, projects, and activities;
- k. Organize capacity-building on human rights for all LGU Officials in close coordination with regional/field offices of the Commission on Human Rights (CHR) and the Department of Interior and Local Government (DILG);
- l. Establish and maintain a database of human rights situations including monitoring the status of complaints of human rights violations referred to the Commission on Human Rights (CHR) Regional Offices and other appropriate agencies;
- m. Consolidate Annual Human Rights Situations Reports submitted by the Barangay Human Rights Action Teams (BHRAcTs) and submit the same to the Provincial Human Rights Action Teams (PHRAcTs);
- n. Assist the Barangay Human Rights Action Teams in the referral of complaints of human rights violations to the Commission on Human Rights (CHR) Regional Offices and other appropriate agencies, and monitor the status thereof; and
- o. Assist the Barangay Human Rights Action Teams in conducting human rights advocacy, information, and educational activities.

SECTION 6. CREATION OF THE HUMAN RIGHTS ACTION CENTER AND TEAM AT THE BARANGAY LEVEL

The Human Rights Action Center is hereby established to act on human rights matters, including human rights promotion and complaints of human rights violations which shall be operated by the Barangay Human Rights Action Team and shall be composed of the following:

- a. Barangay Human Rights Committee as Chairperson;
- b. Barangay Secretary;
- c. Barangay Health Worker;
- d. Police Officer Assigned in the Barangay;
- e. Barangay VAW Desk;
- f. Representative of Barangay Council for the Protection of Children;
- g. Representative of Lupong Tagapamaya;
- h. Representative of Barangay Peace and Order Committee;
- i. The principal of the public or private school;
- j. Barangay Social Worker and Development Officer (if applicable);
- k. One representative of a Civil Society Organization.

All barangays of Surigao City, through their respective Sanggunian, shall pass an ordinance creating the same within 30 days of the approval of this ordinance.

SECTION 7. DUTIES OF THE HUMAN RIGHTS ACTION CENTER AND TEAM IN THE BARANGAYS

All Barangay Human Rights Action Centers shall perform the following:

- a. Consolidate human rights reports from Lupong Tagapamayapa, VAW Desk, Barangay Council for the Protection of Children, and other barangay-based institutions;
- b. Submit annual barangay human rights reports to the Surigao City Human Rights Action Center;
- c. Conduct human rights advocacy, information, and educational activities; and
- d. Receive complaints of human rights violations and refer the same to the nearest CHR regional office and the Surigao City Human Rights Action Center, and monitor the status thereof.

SECTION 8. APPROPRIATION

The funding for the Surigao City Human Rights Action Center shall be sourced from the funds of the Office of the City Mayor. On the other hand, funding for the Barangay Human Rights Action Center shall be taken from the funds of each barangay.

SECTION 9. SEPARABILITY CLAUSE

If for any reason any part of this ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 10. REPEALING CLAUSE

Any or all ordinances, rules, and regulations that are inconsistent or in conflict with the sections or provisions of this Ordinance are hereby repealed, revoked, and modified accordingly.

SECTION 11. EFFECTIVITY

This ordinance shall take effect immediately upon its approval.