



Republic of the Philippines
 Bangsamoro Autonomous Region in Muslim Mindanao
 Province of Maguindanao del Sur
OFFICE OF THE SANGGUNIANG BAYAN
LOCAL GOVERNMENT UNIT OF SOUTH UPI



Notas Lunaran, Barangay Romongpaoh, South Upi, Maguindanao del Sur

EXCERPT FROM THE MINUTES OF THE 15TH REGULAR SESSION FOR THE YEAR 2023 OF THE 15TH SANGGUNIANG OF SOUTH UPI, MAGUINDANAO DEL SUR HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON APRIL 11, 2023 AT 9:00 A.M.

Present:

- Hon. Roldan M. Benito - Municipal Vice Mayor
Presiding Officer
- Hon. Alberto B. Estorninos - Sangguniang Bayan Member
- Hon. Basit U. Kamid - Sangguniang Bayan Member
- Hon. Tessie J. Moendeg - Sangguniang Bayan Member
- Hon. Kervin Ray C. Quinlat - Sangguniang Bayan Member
- Hon. Marlon Michael T. Bansigan - Sangguniang Bayan Member
- Hon. Rommel L. Erese - Sangguniang Bayan Member
- Hon. Joel B. Eran - Sangguniang Bayan Member
- Hon. Tito M. Balinto, Sr. - Liga ng mga Barangay President
Ex-Officio Member
- Hon. Abdul Naim T. Ayob - SK Federation President
Ex-Officio Member
- Hon. Beatriz B. Yap - Indigenous People Mandatory Rep.

Absent:

- Hon. Saturnino C. Cuyong, Jr. - Sangguniang Bayan Member

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 HON. KERVIN RAY C. QUINLAT

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 HON. KERVIN RAY C. QUINLAT

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 HON. ROMMEL L. ERESE

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 HON. TITO M. BALINTO, SR.

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 HON. BEATRIZ B. YAP

ORDINANCE NO. 2023-24

Sponsored by: IPMR Beatriz B. Yap

AN ORDINANCE PROTECTING THE RIGHTS OF INTERNALLY DISPLACED PERSONS IN THE MUNICIPALITY OF SOUTH UPI, MAGUINDANAO DEL SUR, PROVIDING MECHANISMS THEREFOR AND FOR OTHER PURPOSES.

Be it ordained by the 15th Sanggunian in Regular Session assembled:

**CHAPTER I
 PRELIMINARY PROVISIONS**

[Signature]
 HON. ALBERTO B. ESTORNINOS

[Signature]
 HON. TESSIE J. MOENDEG

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 HON. MARLON MICHAEL T. BANSIGAN

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 HON. JOEL B. ERAN

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 HON. ABDUL NAIM T. AYOB



SECTION 1. SHORT TITLE. This ordinance shall be known as "South Upi Protection of Internally Displaced Persons Ordinance."

SECTION 2. PURPOSE. The purpose of this Ordinance is to adopt a human rights-based approach for the promotion and protection of the rights of the Internally Displaced Person (IDPs) in situations of armed conflict, generalized or organized violence, clan wars, violations of human rights, implementation of development projects, and natural or human induced disasters or hazards.

SECTION 3. LEGAL BASIS. Article II, Section 2, of the Philippine Constitution declares that "the State values the dignity of every human person and guarantees full respect for human rights."

Article XIII, Section 1 of the Philippine Constitution further mandates giving the highest priority to the enactment of measures to protect and enhance the rights of all the people to human dignity, reduce, social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.

The Philippine Constitution declares as a State policy to provide local government units (LGUs) genuine and meaningful local autonomy to enable them to attain their fullest development as self-reliant communities and as effective partners in the attainment of national goals.

The LGUs are authorized under Section 16 of Republic Act No. 7160 or the Local Government Code of 1991 and under Muslim Mindanao Autonomy Act no. 25 or the Local Government Code of the Autonomous Region in Muslim Mindanao of 1993 to "exercise the powers necessary, appropriate, or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare."

The Sanggunian Bayan has been specifically empowered under the law to enact and "adopt measures to protect the inhabitants of the municipality from the harmful effects of man-made or natural disasters and calamities and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and their return to productive livelihood following said events."

There is currently a lack of existing national or regional laws, mechanisms, and coordinated systems that prevents Internally displaced persons (IDPs) from getting adequate and sufficient forms of protection and assistance.

Through the initiative of the United Nations High Commissioner for Refugees, the UN Guiding Principles on Internal Displacement (UNGPID) were formulated.

The Local Government of South Upi, Maguindanao hereby adopts through this Ordinance the UNGPID as a guide for the Municipality on how to protect IDPs, to recognize and respect their rights to be protected against enforced or involuntary displacement, to receive humanitarian assistance, to be protected during displacement, and to return safely to their homes or be given the benefit of settlement elsewhere.

HON. ALBERTO B. ESTOBRANOS

HON. JESSIE J. MOERIDEG

HON. MARLON MICHAEL T. BANSIGAN

HON. JOEL B. ERAN

HON. ABDUL NAIM T. AYOB

HON. ALBERTO B. ESTOBRANOS

HON. KERAN RAY C. QUINLAT

HON. ROMMEL L. ERESE

HON. EDWIN B. BALINO, SR.

HON. BEATRIZ B. YAP



The Local Government Unit of South Upi hereby takes initiative to institutionalize the protection of its inhabitants, including the IDPs and other displacement-affected communities, through the establishment of mechanisms to assist and protect them.

SECTION 4. DEFINITION OF TERMS. The following terms as used in this Ordinance shall mean:

a. **Armed Conflict** refers to any use of force or armed violence between States or a protracted armed violence between governmental authorities and organized armed groups or between such groups within a State: *Provided*, That such force or armed violence gives rise, or may give rise, to a situation to which the Geneva Conventions of 12 August 1949, including their common Article 3, apply. Armed conflict may be international, that is, between two (2) or more States, including belligerent occupation; or non-international, that is, between governmental authorities and organized armed groups or between such groups within a State. The armed confrontation must reach a minimum level of intensity and the parties involved in the conflict must show a minimum degree of organization. It does not cover internal disturbances or tensions such as riots, isolated and sporadic acts of violence or other acts of a similar nature.

b. **Clan War** refers to any conflict that may arise between members of different indigenous groups, indigenous cultural communities, or clans; or between and among members of the same indigenous group, cultural community, or clan characterized by sporadic outbursts of retaliatory violence between and among families, kinship groups, and communities.

c. **Disasters or Hazards**, as defined in Republic Act No. 10121, otherwise known as the "Philippine Disaster Risk Reduction and Management Act of 2010", refer to a serious disruption of the functioning of a community or a society involving widespread human, material, economic, or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of the following:

1. the exposure to a hazard;
2. the conditions of vulnerability that are present; and
3. insufficient capacity or measures to reduce or cope with the potential negative consequences.

Disaster impacts may include loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption, and environmental degradation.

d. **Generalized and/or Organized Violence** refers to the purposeful and systematic use of brutality to control individuals, groups, and communities, through the use of overwhelming force, and characterized by widespread, massive or sufficient

HON. SUSTITUSAMID


HON. KERVIN ROY C. QUINLAT


HON. ROMMEL L. ERESE


HON. TEDDY A. BATHO, SR.


HON. BEATRIZ B. YAP




intensity. Its methods may include causing severe pain and suffering, killing, intimidating, threatening, and in some cases, destroying a community, ethnic group or political opposition.

e. **Implementation of Development Projects** refers to the carrying out of any undertaking or activity aimed at economic or political growth, advancement, and expansion that results or may result to internal displacement of persons: *Provided*, That the term does not include legitimate resettlement schemes and/or programs.

f. **Internal Displacement** refers to the involuntary or coerced movement or relocation of persons, families, or communities from their homes or places of habitual residence within the national borders, as a result of or in order to avoid or minimize the effects of armed conflict; situations of generalized and/or organized violence; violations of human rights; implementation of development projects; or natural or human-induced or human-made hazards or disasters.

g. **Internally Displaced Person or Group of Persons (IDP)** refers to any person or group of persons who has or have been forced or obliged to flee or to leave their homes or places of habitual residence within the national borders, as a result of or in order to avoid or minimize the effects of armed conflict, situations of generalized and/or organized violence, violations of human rights, implementation of development projects, or natural and human-induced or human-made hazards or disasters.

SECTION 5. SCOPE. This Ordinance shall primarily provide for the protection of the rights of the inhabitants of the Municipality of South Upi, Maguindanao who are displaced as a result of or in order to avoid the effects of armed conflict; violations of human rights; implementation of development projects; or natural or human induced or human-made hazards or disasters, during and after displacement, as well as their return, local integration, or settlement elsewhere.

This Ordinance shall likewise cover inhabitants of the Municipality of South Upi, Maguindanao who are displaced to areas outside the Municipality, and of non-inhabitants or residents of other localities who are displaced into areas within the territory of the Municipality of South Upi, Maguindanao, duly taking into account the jurisdictional limitations of the Municipality of South Upi, Maguindanao and with due respect for the jurisdictions of the National Government, the Regional Government Bangsamoro Autonomous Region in Muslim Mindanao (BARMM), the Province of Maguindanao, and of the other local government units affected.

To address the risks involved in natural disasters or hazards, and the overall impact of climate change on the rights of those internally displaced, the local mechanisms established under the pertinent provisions of other relevant laws such as Republic Act No. 9729, otherwise known as the Climate Change Act of 2009, and Republic Act No. 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010, and other related laws shall be activated.

CHAPTER II PROTECTION FROM AND PREVENTION OF INTERNAL DISPLACEMENT

HON. ALBERTO B. ESTORRINOS

HON. JESSIE J. MOEIDEG

HON. MARLON MICHAEL T. BANSIGAN

HON. JOEL B. ERAN

HON. ABDUL NAJM T. AYOB

HON. SITI USAMID

HON. KEVIN RAY D. QUINLAT

HON. ROMMEL L. ERESE

HON. ISLAM. BALINTO, SR.

HON. BEATRIZA YAP



SECTION 6. PRIMARY DUTY TO PROTECT. The Municipality of South Upi has the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons (IDPs) within the Municipality, in accordance with their obligations under the pertinent human rights law, humanitarian law, and other related laws.

SECTION 7. PROTECTION FROM DISPLACEMENT AND ADDITIONAL SAFEGUARDS TO PREVENT INTERNAL DISPLACEMENT. The municipal government shall take all measures to prevent the occurrence of displacement. If displacement is inevitable due to circumstances beyond the control of the municipal authorities or that pose hazardous risks to lives and properties of person or persons living in the communities, measures shall be taken to minimize displacement and its adverse effects on the populations that will be affected: *Provided*, That prior to making any decision requiring the displacement of persons, the municipal authorities concerned shall ensure that all feasible alternatives have been explored in order to avoid displacement. In any event, displacement shall not be carried out in a manner that violates the rights to life, liberty, dignity, security, and property of those affected irrespective of their legal status and applied without any adverse distinction.

All concerned authorities, groups, and persons shall observe the following safeguards to prevent or minimize the adverse effects of internal displacement:

a. If displacement is inevitable, the municipal authorities, pursuant to their respective mandates and functions, shall ensure, to the greatest practicable extent, the availability of proper accommodation for the IDPs with satisfactory conditions of safety, nutrition, water and sanitation, health and hygiene, and where the members of the same family, especially women and children are not separated.

b. Indigenous people, minorities, peasants, pastoralist, persons with disabilities (PWDs) and groups with their special dependency or attachment to their lands shall be protected from displacement and its adverse effects, in accordance with Republic Act No. 8371 otherwise known as "The Indigenous Peoples Rights Act of 1997".

c. In situations other than during the emergency stages of armed conflicts and hazards, the following additional guaranties shall be complied with concerning displacement of persons:

1. There must be a specific decision, such as through an Executive Order, that shall be issued by the Municipal Mayor directing such measures, and in which Order there shall be full disclosure of information on the reasons and detailed procedures for the displacement and when applicable, also on the processes and mechanisms for distribution of financial assistance and for relocation;

2. Free and informed consent of those persons to be displaced shall be sought during the implementation of the Order;

3. Authorities implementing the Order shall endeavor to involve those affected, particularly women, elderly persons and PWDs, in the planning and management of their relocation, return, local integration or settlement elsewhere;

HON. ALBERTO B. ESTORINOS
HON. JESSIE J. MASINIG
HON. MARLON MICHAEL T. BANSIGAN
HON. JOEL B. ERAN
HON. ABDULLAH M. T. AYOUB

HON. ERIC U. NEMID
HON. KENYIN KAY C. QUINLAT
HON. ROMMEL L. ERESE
HON. LITA M. BANINTO, SR.
HON. BEATRIZ B. YAP



4. Law enforcement measures, when required, shall be carried out judiciously and only by competent legal authorities; and

5. The right to an effective remedy, including the review of such decisions or orders by appropriate judicial authorities shall be fully respected.

CHAPTER III
RIGHTS OF IDPs AND THE RESPONSIBILITIES OF THE MUNICIPALITY
DURING AND AFTER DISPLACEMENT

SECTION 8. ASSISTANCE DURING DISPLACEMENT OF IDPs. The primary duty and responsibility for providing immediate and emergency humanitarian assistance to IDPs lie with municipal authorities, in close collaboration with the concerned regional ministries and offices of the BARMM and the other LGUs exercising territorial jurisdiction over the affected areas. As such, the concerned municipal agencies and offices shall provide immediate relief and humanitarian assistance to IDPs, families and communities.

Humanitarian assistance to IDPs shall not be diverted for any political or military reason. The municipal authorities shall prioritize, at the earliest possible juncture, coordinating with the military and other national or regional agencies to facilitate the free passage of humanitarian assistance to the internally displaced and ensure rapid, safe and unimpeded access of persons engaged in giving such assistance, their transport and supplies to the displaced communities.

SECTION 9. COORDINATION AND MANAGEMENT OF EVACUATION. The goal of the Municipality of South Upi is to have better managed evacuation procedures and evacuation camps or centers with a well-defined system of leadership, administration, and accountability, and with adequate facilities that enable timely delivery of assistance to the victims.

To achieve this, there shall be created coordination and management structures at the municipal government that shall be responsible for equipping, coordinating, pre-identification of sites and facilities, prepositioning of resources, and defining of the procedures, activities, and processes to improve the manner of carrying out evacuations and the conditions of the evacuation camps or centers and ensure timely delivery of adequate and appropriate response.

SECTION 10. EVACUATION CENTER MANAGEMENT COMMITTEE (ECMC). The ECMC shall be organized within the Municipal Disaster Risk Reduction and Management Office (MDRRMO) to coordinate delivery of assistance and services to the IDPs. The ECMC shall be headed by the MDRRM Officer. The members shall be composed of the:

- a. Municipal Social Welfare and Development Officer
- b. Municipal Chief of Police
- c. Municipal Local Government Operations Officer

HON. ALBERTO S. ESTORINING

HON. JESSIE J. MOERDES

HON. MARLON MICHAEL BANSIGAN

HON. JOEL B. ERAN

HON. ABDUL NAIM T. AYOB

HON. BASIT U. KAMID

HON. KIRVIN KAY C. QUINLAT

HON. ROMMEL L. ERESE

HON. TITIM BALINTOS SR.

HON. BEA RIZ B. YAP

d. Municipal Health Officer

e. Municipal Engineer

f. Representative from the Office of Civil Defense or the National Disaster Risk Reduction and Management Council (NDRRMC)

g. Representative from the BARMM Ministry of Indigenous Peoples Affairs (MIPA)

h. Representative from the Maguindanao Provincial Government Disaster Risk Reduction Management Council (PDRRMC)

i. Representative of Civil Society Organizations (CSOs) or Human Rights Non-Governmental Organization (NGO)

SECTION 11. FUNCTIONS OF THE ECMC. The ECMC shall have the following functions:

a. Prepare an Evacuation Center Management Plan for the approval of the Municipal Mayor;

b. Activate the Camp Management Plan and the Evacuation Center Management Teams (ECMTs) and hold pre-evacuation conference and planning, following such Guidelines it shall promulgate specifically for that purpose. The ECMTs, among others, shall:

1. Organize the IDPs, identifying their leader to ensure harmonious coordination and collaboration between the camp management and the IDPs;

2. Ensure that the required assistance, services, and protection of the IDPs are provided in a timely manner and are based on the protocols and standards;

3. Establish participative and transparent governance and management systems in the evacuation camp or center, including the crafting of essential rules therefor;

4. Ensure the inclusion of IDPs, especially women and persons with disabilities and persons with special needs, in the management activities and in the decision-making processes;

5. Maintain a database of the IDPs and roll-out the information management system;

6. Mediate and encourage dialogue among IDPs and the host communities towards peaceful coexistence;

7. Coordinate with law enforcement agencies and the Barangay officials in the maintenance of peace and order inside the evacuation centers and camps to ensure

HON. ALBERTO B. ESTERAN

HON. TESSIE J. MOERDEG

HON. MARLON MICHAEL T. BANSIGAN

HON. JOEL B. ERAN

HON. ABDUL WAHAB T. AYOB

HON. SANTIAGO NAMIO

HON. KERWIN KAY C. QUINLAT

HON. ROMMEL L. ERESE

HON. TITO M. BANGGO, SR.

HON. BEATRIZ B. YAP



the safety, preservation of the security of the people, facilities, and properties during the period of occupation by the IDPs;

8. Coordinate with the building or property owner of the evacuation center or camp and ensure their inclusion in the decision-making processes concerning the use, care, and maintenance of their properties and facilities during the period of occupation by the IDPs.

c. Coordinate and monitor service delivery, needs assessment, and identify gaps in the evacuation centers;

d. Coordinate the mobilization of local resources or request for augmentation from the MDRRMO, other national, regional, or provincial agencies, or from external donors, whenever necessary;

e. Identify and map the agencies and groups providing assistance to the various evacuation centers, including the types of assistance being provided (3Ws: Who, What, and Where);

f. Develop area-specific protocols to help the ECMC implement the objectives of this Ordinance that is responsive to the local contexts and needs;

g. Ensure that the municipal agencies, groups, and organizations providing assistance to the evacuation centers are aware of the standards, protocols, and guidelines that will be set forth hereto;

h. Conduct capacity building activities and refresher courses to designated evacuation center or camp managers and teams;

i. Enter into agreements with building, structure, or property owners that will be used as evacuation centers or camps, including the duration, number of persons or families, the duties and responsibilities of the Municipal government and the property owners;

j. Maintain adequate supplies of material resources essential for the Evacuation Center Management Toolkit;

k. Coordinate with the Provincial Camp Coordination and Camp Management Cluster in times of major emergencies in the Municipality of South Upi;

l. Monitor and address needs related to the use of schools as evacuation centers or camps and address the needs related to continue learning within these evacuation centers during emergencies.

SECTION 12. EVACUATION CENTER MANAGEMENT PLAN. Upon the enactment of this Ordinance, the ECMC shall formulate, craft, and develop an Evacuation Center Management Plan (ECMP) that shall include the following essential provisions:

HON. ALBERTO S. CANTANARA

HON. TESSIE J. MOENDEG

HON. MARLON MICHAEL BANSIGAN

HON. JOEL BERAN

HON. ABDUL KAIM T. AYOB

HON. RESIT U. KAMID

HON. KERVIN RAY C. QUINLAT

HON. ROMMEL L. ERESE

HON. TRINIDAD BALINGO, SR.

HON. BEATRIZ B. YAP



a. List of Evacuation Centers or Camps with the information or details of the respective ECMTs; and contingency locations (privately owned-included);

b. List of activities to be undertaken within the duration of the IDPs' stay inside the evacuation centers or camps;

c. Responsible persons or partner agencies involved in the management of the evacuation centers or camps and their contact information and details;

d. List of resources needed, including the identification and listing of potential properties that can be used as temporary shelters, the maximum capacity of persons or families that can be housed therein, public and private open spaces that can be used for setting up of transitional shelters or tents, inventory of facilities for medical clinic or its equivalent, facilities for special services like breast feeding stations, rooms for washing and bathing, toilets, connections of water pipelines, electricity and power, kitchen facilities, and others;

e. Expected output per activity in the evacuation centers or camps

SECTION 13. IDPs OUTSIDE EVACUATION CENTERS AND THEIR HOST COMMUNITIES. Notwithstanding the above provisions specifically mentioning actions, mechanisms, and processes within or pertaining to evacuation centers or camps, nothing in this Ordinance shall be interpreted to mean that IDPs living or staying outside of evacuation camps or centers are not entitled to protection and the promotion of their rights and welfare during and after displacement.

Toward this end, it shall also be the mandate of the ECMC to look after and consider, in the dispensation of their mandates and tasks as are deemed applicable and relevant, the needs and requirements of the IDPs living or staying outside of the evacuation camps or centers. Furthermore, the ECMC shall, as far as practicable, also ensure that host communities are properly attended to and provided adequate assistance. The ECMC shall include, in their plans and programs, such specific interventions or assistance dedicated to IDPs living outside the evacuation centers or camps and for the host communities as well.

SECTION 14. RIGHTS OF IDPs DURING AND AFTER DISPLACEMENT. The following rights shall be afforded to the IDPs within and outside Evacuation Camps or Centers during and after their displacement, without any discrimination of any kind, such as those based on tribe, sex, language, religion or belief, political or other opinion, ethnic or social origin, legal or social status, age, disability, property, birth or any other similar criteria:

a. **Provision and Access to Basic Necessities.** At the minimum, regardless of the circumstances, and without discrimination, the concerned municipal authorities through the ECMC and other instrumentalities, shall provide IDPs with and ensure their safe access to:

1. Essential and adequate food and nutrition and potable water, in conformity with cultural and religious sensitivities of the displaced population;

HON. ALBERTO S. ESTORRINOS

HON. JESSIE J. MORALES

HON. MARLON MICHAEL BANSIGAN

HON. JOEL EBAN

HON. ABDUL NAIM T. AYOB

HON. BASIT U. RAMID

HON. KERIMUN S. QUINLAT

HON. ROMMEL L. ERESE

HON. TITIM B. BANTO, SR.

HON. BEA NIZ E. YAP



c. Recognition, Issuance, and Replacement of Documents. The municipal authorities, through the Office of the Municipal Civil Registrar, the concerned Barangay officials, and other agencies, shall issue to the IDPs all documents necessary for the enjoyment and exercise of their legal rights, which shall be detailed in an Executive Order to be issued by the Municipal Mayor for that purpose. In particular, the Order shall cover the manner and procedure for issuance of new documents lost in the course of displacement without imposing fees and other conditions as far as practicable and without discrimination against men and women, who shall have equal rights to obtain and to be issued the same in their own names.

d. Family Unity and Missing Persons. Members of displaced families who wish to remain together shall be allowed to do so. Families that are separated by displacement and whose personal liberty have been restricted by internment or confinement in any evacuation center, facility, encampment, or other settlements should be reunited immediately, with appropriate measures taken to expedite the reunion, particularly when the children are involved.

For this purpose, the ECMC, ECMTs, under the leadership of the Municipal Social Welfare and Development Officer in coordination with local police authorities shall cooperate with the IDPs, the local humanitarian organizations engaged in the task of family reunification, and other organizations to establish the fate and whereabouts of the IDPs reported missing, inform the next-of-kin on the progress of the investigation, and notify them of any result.

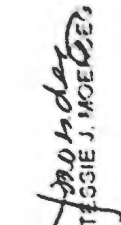
Whenever populations affected by displacement encounter deaths, the municipal authorities concerned shall endeavor to collect and identify the mortal remains of the deceased, prevent their despoliation or mutilation, and facilitate the return of those remains to the next-of-kin or dispose of them respectfully; and facilitate their proper burial in conformity with the cultural and religious affiliation of the deceased, if known. Grave sites of deceased IDPs shall be protected and respected in all circumstances and living IDPs shall have the right of access to the grave sites of their deceased relatives.


e. Health and Education. IDPs shall be entitled to access health services to the fullest extent practicable and with the least possible delay. Special attention shall be provided to the health needs of women, children, persons with disabilities, and the elderly, taking into account their respective health conditions and other special health needs; and the prevention of contagious and infectious diseases among IDPs.

The municipal authorities, in coordination with the local school board and the BARMM Ministry of Basic, Higher, and Technical Education (MBHTE) shall ensure that IDPs, in particular, displaced children, receive continuing education that shall be free and compulsory at the primary level and that respect for their cultural identity, language and religion. Educational and training facilities shall be made available to them as soon as circumstances permit.

f. Property and Possessions. The property and possessions of IDPs, in all circumstances, shall be protected against pillage or looting, direct and indiscriminate attacks or other acts of violence, from being used to shield military operations or objectives, or be made the object of reprisal or be destroyed or appropriated as a form

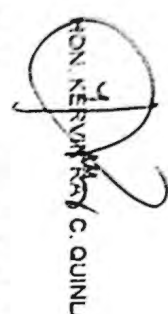

HON. JESSIE J. HOEBES



HON. MARLON MICHAEL T. DANSIGAN


HON. JOEL B. ERAN

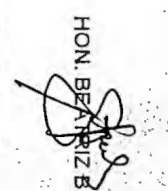

HON. ABDUL NAIM T. AYOB


HON. ROMMEL L. ERESE


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HON. ROMMEL L. ERESE

The Municipal Government, through the Office the Municipal Mayor, in consultation with the Municipal Engineer, Social Services and Health Officers, shall ensure that alternative locations, including privately owned lots or households, are identified, and made available as alternate shelter for IDPs whenever designated evacuation centers or camps become full or exceed normal capacities.

The Municipal Mayor, with the assistance of the Municipal Engineer, MDRRMO, MSWDO, among other agencies, shall craft an Early Recovery Plan, with support from the regional agencies of the BARMM and after due consultations with the affected IDPs, which may include the putting up of specific infrastructure for temporary shelter in accordance with existing applicable laws.

In selecting the locations, crafting of the designs, deciding on the management or system of administration of the sites, and the other requirements for setting up the temporary or transitory shelters, the municipal authorities concerned shall follow established due diligence requirements designed to prevent the threats or minimize the risks of secondary displacement due to natural hazards, existence of conflicting land or other legal claims, and other causes.

- 1. Appropriate clothing and essential non-food items; and
- 2. Essential medical and dental services and sanitation, including psychosocial services and essential drugs and medicine.

b. Freedom of Movement. Every IDP has the right to liberty of movement and the right to move freely in and out of the evacuation center, camp or other settlements, subject to existing rules and regulations. The IDPs, at any point during the period of their displacement shall also have the right to:

- 1. Seek safety in another part of the Municipality;
- 2. Be allowed to visit their residences in their places of origin, in order for them to check on their properties, engage in livelihood activities, including harvesting of crops, whenever safety and security conditions allow;
- 3. Leave their Sitio, Barangay or Municipality and seek safety in another locality; and
- 4. Be protected against forcible return to resettlement in any place where their lives, safety, liberty and/or health would be at risk.

Towards this purpose, the ECMC and other concerned municipal authorities shall endeavor to regularly consult and check with the IDPs within their evacuation centers or camps about any plans or desire to move out or seek another place of safety and shelter during the period of displacement for the purpose of extending assistance to them in that regard. In all cases, the municipal authorities shall enable the IDPs to make informed decisions on their choice of return, integration, or settlement elsewhere in the country.


HON. JESSIE J. MORALES


HON. TESSIE J. MORALES


HON. MARLON MICHAEL J. BANSIGAN


HON. JOEL B. ERAN

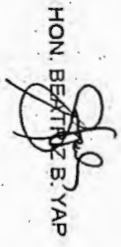

HON. ABDUL MALIK T. AYOB


HON. KERWIN RAY C. QUINLAT


HON. ROMMEL L. ERESE


HON. TITON S. LINTO, SR.


HON. BEATRIZ B. YAP


HON. BEATRIZ B. YAP



c. Recognition, Issuance, and Replacement of Documents. The municipal authorities, through the Office of the Municipal Civil Registrar, the concerned Barangay officials, and other agencies, shall issue to the IDPs all documents necessary for the enjoyment and exercise of their legal rights, which shall be detailed in an Executive Order to be issued by the Municipal Mayor for that purpose. In particular, the Order shall cover the manner and procedure for issuance of new documents lost in the course of displacement without imposing fees and other conditions as far as practicable and without discrimination against men and women, who shall have equal rights to obtain and to be issued the same in their own names.

d. Family Unity and Missing Persons. Members of displaced families who wish to remain together shall be allowed to do so. Families that are separated by displacement and whose personal liberty have been restricted by internment or confinement in any evacuation center, facility, encampment, or other settlements should be reunited immediately, with appropriate measures taken to expedite the reunion, particularly when the children are involved.

For this purpose, the ECMC, ECMTs, under the leadership of the Municipal Social Welfare and Development Officer in coordination with local police authorities shall cooperate with the IDPs, the local humanitarian organizations engaged in the task of family reunification, and other organizations to establish the fate and whereabouts of the IDPs reported missing, inform the next-of-kin on the progress of the investigation, and notify them of any result.

Whenever populations affected by displacement encounter deaths, the municipal authorities concerned shall endeavor to collect and identify the mortal remains of the deceased, prevent their despoliation or mutilation, and facilitate the return of those remains to the next-of-kin or dispose of them respectfully; and facilitate their proper burial in conformity with the cultural and religious affiliation of the deceased, if known. Grave sites of deceased IDPs shall be protected and respected in all circumstances and living IDPs shall have the right of access to the grave sites of their deceased relatives.

e. Health and Education. IDPs shall be entitled to access health services to the fullest extent practicable and with the least possible delay. Special attention shall be provided to the health needs of women, children, persons with disabilities, and the elderly, taking into account their respective health conditions and other special health needs; and the prevention of contagious and infectious diseases among IDPs.

The municipal authorities, in coordination with the local school board and the BARMM Ministry of Basic, Higher, and Technical Education (MBHTE) shall ensure that IDPs, in particular, displaced children, receive continuing education that shall be free and compulsory at the primary level and that respect for their cultural identity, language and religion. Educational and training facilities shall be made available to them as soon as circumstances permit.

f. Property and Possessions. The property and possessions of IDPs, in all circumstances, shall be protected against pillage or looting, direct and indiscriminate attacks or other acts of violence, from being used to shield military operations or objectives, or be made the object of reprisal or be destroyed or appropriated as a form

HON. ALBERTO E. ESTERANCO
HON. JESSIE J. MOERBER
HON. MARLON MICHAEL T. BANSIGAN
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HON. ERASIT U. KAMID
HON. KERWIN R. C. QUINLAT
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of collective punishment. Neither shall these properties be subject to destruction, arbitrary and illegal appropriation, occupation or use.

For this purpose, the municipal police, the concerned Barangay officials tasked with maintenance of peace and order, and in coordination with the Armed Forces of the Philippines, shall work together to extend security and other assistance to the IDPs. Furthermore, all concerned municipal authorities shall assist the IDPs in the recovery of their property and possessions, ensure safety in the transit or transport thereof, and shall provide or assist these persons in obtaining appropriate financial assistance or other forms of just reparation, whenever warranted.

CHAPTER IV RIGHTS OF IDPs AND THE RESPONSIBILITIES OF THE MUNICIPALITY OVER DURABLE SOLUTIONS

SECTION 15. RECOVERY ASSISTANCE TO IDPs. Under the supervision of the MSWDO, the necessary recovery assistance for the return, local integration, or settlement elsewhere of IDPs shall be given: *Provided*, that in no case shall recovery assistance exceed the amount to be determined later by the Sanggunian Bayan.

The Sanggunian Bayan shall identify the corresponding amounts and the specific fund source for such recovery assistance and enact the necessary Ordinance or Resolution for its release, following the data, advice, reports, and recommendations of the ECMC and other relevant municipal authorities.

The receipt of such recovery assistance from the Municipal Government of South Upi shall be without prejudice to the amount of assistance granted under other government programs, which may be made available to IDPs under existing laws, rules and regulations.

SECTION 16. EARLY RECOVERY PLAN. Pursuant to the provisions of Section 13, paragraph (a), item 2 above, it shall be the responsibility of the Municipal Mayor, with support from the Office of the Municipal Engineer, MDRRMO, MSWDO, among other agencies, to craft and formulate the Early Recovery Plan, which may include the putting up of specific infrastructure for temporary or transitory shelter in accordance with existing applicable laws. They shall coordinate with the provincial and regional agencies of the Province of Maguindanao and of the BARMM, whenever warranted, and act only after due consultations with the affected IDPs.

SECTION 17. RETURN, LOCAL INTEGRATION OR SETTLEMENT ELSEWHERE. Competent municipal authorities, in cooperation with the military and law enforcement agencies conducting operations, the BARMM Ministry of Social Services and Development (MSSD), the Ministry of Health (MOH), the Bangsamoro Human Rights Commission (BHRC), and other appropriate government agencies, shall have the primary duty and responsibility to establish conditions and provide means for IDPs to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in places of refuge and/or in another part of Municipality, taking into consideration the right of IDPs to choose residence.

HON. ALBERTO S. ...

HON. JESSIE J. MOCHIDEG

HON. MARLON MICHAEL T. BANSIGAN

HON. JOSEL B. ERAN

HON. ABDUL NAIM T. AYOB

HON. ...

HON. KERVIN RAY C. QUINLAT

HON. ROMMEL L. ERESE

HON. ...

HON. BEATRIZ B. YAP



Authorities, including the D-IRC and the national Commission on Human Rights (CHR), shall likewise ensure prior consultations and the full participation of IDPs during and after planning and management of their return, local integration or settlement elsewhere.

In cases of settlement across LGUs, the support for IDPs shall extend to full and complete integration and without discrimination. All LGUs affected shall coordinate in this regard.

SECTION 18. CLAN WARS AND POLITICAL VIOLENCE. The Municipal Government, through the Office of the Mayor and in coordination with the Ministry of Public Order and Safety of the BARMM, shall formulate and implement policies and programs for the effective settlement of clan wars, including but not limited torido and other horizontal conflicts in the region, as well as for the prevention of the recurrence of such conflicts.

As far as practicable, the peace compacts or peace agreements at the local level shall contain provisions relating to access to mechanisms, whether formal or informal, to resolve property disputes and other matters that will prevent further displacements.

SECTION 19. DEVELOPMENT OF HOST COMMUNITIES. The Municipality of South Upi values and encourages the benevolence and acts of duty that its communities and inhabitants offer while acting as hosts for the IDPs. As such, the municipal government, through the Municipal Planning and Development Council and its Executive Committee, shall undertake the continuous development of these host communities by ensuring that the relevant socio-economic, infrastructure and public works, and other development and investment plans, programs, and funding of the municipality adequately and proportionately include the specific needs and requirements of these communities and localities.

Furthermore, the municipal government shall prioritize liaising and coordinating with the counterpart provincial and regional development plans and agencies to specifically incorporate the development needs and requirements of the communities hosting IDPs in order to boost their area's socio-economic potential and competitiveness, whenever warranted.

CHAPTER V MISCELLANEOUS PROVISIONS

SECTION 20. MECHANISM FOR INTERNATIONAL HUMANITARIAN ASSISTANCE. International humanitarian organizations, their local counterparts, and other appropriate actors shall have the right to offer their services, including humanitarian assistance, in support of the internally displaced. These acts shall be considered done in good faith and not as unfriendly acts or interference in the internal affairs of the government. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.

HON. ALBERTO B. ESTABAN

HON. JESSIE J. MORDEG

HON. MARLON MICHAEL BANSIGAN

HON. JOEL B. ERAN

HON. ABDUL NAIM T. AYOB

HON. ROSTIN RAMAN

HON. KEMVIN RAY C. QUINLAT

HON. ROMMEL L. ERESE

HON. JESON BALIANO, SR.

HON. BEATRIZ B. YAP

When providing assistance to IDPs, aid organizations shall respect relevant domestic laws, international standard and codes of conduct. They shall give due regard to the protection of the needs and human rights of the IDPs.

SECTION 21. CIVIL AND ADMINISTRATIVE LIABILITIES. Any public officer or employee, or any private person, who directly or indirectly obstructs, defeats, violates or in any manner impedes or impairs any of the rights and liberties of another person enunciated in this Ordinance shall be liable civilly and/or administratively, as the case may be.

SECTION 22. MUNICIPAL LEGISLATIVE OVERSIGHT COMMITTEE. A joint Municipal Legislative Oversight Committee is hereby created, composed of:

Chairperson : Municipal Vice Mayor

Vice-chairperson: Member of the Sanggunian Bayan, Chairperson of Responsible Committee

Members:

1. Liga ng mga Barangay President
2. Sangguniang Kabataan Federation President
3. Municipal Indigenous People Mandatory Representative

The Municipal Legislative Oversight Committee shall convene in meetings to ask or seek clarificatory questions on any matter related to displacement and the implementation of the Ordinance. It shall receive the quarterly reports from the IDP Coordinating Committee.

SECTION 23. MONITORING OF COMPLIANCE. An inter-agency IDP Coordinating Committee is hereby created and shall be tasked to periodically to monitor compliance with this Ordinance. The Committee shall be headed by the Municipal Mayor, with the MDRRMO as the Vice Chair.

The Members of the Committee shall be composed of:

1. Municipal Social Welfare and Development Officer
2. Municipal Chief of Police
3. Municipal Local Government Operation Officer
4. Municipal Health Officer
5. A representative of human rights non-governmental organizations (NGOs) or other human rights groups
6. A representative from the BARMM Ministry of Indigenous Peoples Affairs (MIPA)

HON. ALEJANDRO ESTORINOS
HON. JESSIE J. MOETICOG
HON. MARLON MICHAEL T. BANSIGAN
HON. JOEL BERAN
HON. ABDUL NAIM T. AYOB

HON. BASIT U. KAMID
HON. KERWIN KAY C. QUINLAT
HON. ROMMEL L. ERESE
HON. THOMAS M. EXLINTA SR.
HON. BEATRIZ B. YAP



The Committee shall work towards the collection of data on the number and conditions of IDPs, leading to a database that will aid the government in efficient planning and policy making regarding issues affecting IDPs.

The Committee shall likewise prioritize the release of immediate assistance allotted by its component agencies, to those affected by internal displacement.

The Committee shall submit quarterly reports to the Municipal Legislative Oversight Committee herein created. Such quarterly report shall be the basis for proposed amendments to existing legislation to improve the conditions of IDPs. The Committee shall likewise furnish copies of its reports to the relevant offices of the provincial and regional governments of the Province of Maguindanao and the BARMM, respectively.

SECTION 24. APPROPRIATIONS. The amount necessary for the initial implementation of this Ordinance shall be charged against the current year's appropriations of MDRRMO. Thereafter, such sums as may be necessary for the continued implementation of this Ordinance shall be included in the Municipal Appropriations Ordinance.


SECTION 25. SEPARABILITY CLAUSE. If any part or provision of this Ordinance shall be declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall remain in full force and effect.

SECTION 26. REPEALING CLAUSE. All executive orders, memorandum orders, memorandum circulars, administrative orders, ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby deemed repealed or modified accordingly.

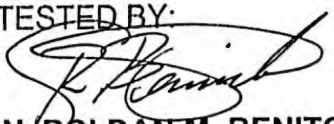
SECTION 27. EFFECTIVITY CLAUSE. The provisions of this Ordinance shall take effect upon its enactment by the Sangguniang Bayan.

UNANIMOUSLY APPROVED AND ENACTED this 11th day of April, 2023 at South Upi, Maguindanao del Sur.

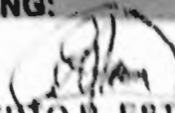
I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

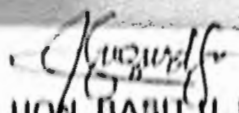

ROLONINO T. SILADAN
Secretary to the Sangguniang Bayan

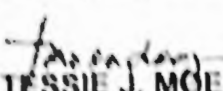
ATTESTED BY:


HON. ROLDAN M. BENITO
Municipal Vice Mayor
Presiding Officer

CONCURRING:



HON. ALBERTO B. ESTORNINOS
Sangguniang Bayan Member

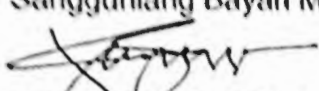

HON. DABIT U. KAMID
Sangguniang Bayan Member



HON. TESSIE J. MOENDEG
Sangguniang Bayan Member



HON. KERVINRAY C. QUINLAT
Sangguniang Bayan Member



HON. MARLON MICHAEL T. BANSIGAN
Sangguniang Bayan Member


HON. ROMMEL L. ERESE
Sangguniang Bayan Member

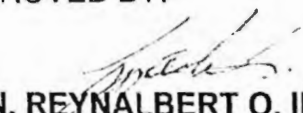

HON. JOEL B. ERAN
Sangguniang Bayan Member


HON. TITO M. DALINTO, SR.
Ligang mga Barangay President
Ex-Officio Member


HON. ABDUL NAIM T. AYOB
SK Federation President
Ex-Officio Member


HON. BEATRIZ B. YAP
IPMR

APPROVED BY:


HON. REYNALBERT O. INSULAR
Municipal Mayor

Municipality of South Upi	
OFFICE OF THE MUNICIPAL MAYOR	
South Upi, Maguindanao	
RECEIVED	
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