

Item No.: 37
Date: 09 2025 DEC



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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Province of Leyte
Legal Office
Released by: [Signature]
Time: 9:20
Date: 12-8-25

PROVINCIAL LEGAL OFFICE Sangguniang Panlalawigan
Province of Leyte

2nd INDORSEMENT
November 24, 2025

RECEIVED
Date: DEC 03 2025
By: [Signature]

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2025-003 of the Sangguniang Bayan of Carigara, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 6 series of 2025 entitled: “An Ordinance establishing the Carigara, Leyte Human Rights Action Center and Operationalizing the BHRAC and capacitating the BHRAO and defining its powers and functions”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance to its power under Section 447¹ of the Local Government Code of 1991 (R.A 7160) in consonance with Section 447(5)(xiv)² of the same. Hence, recommending for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.


ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹;The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code

² subject to availability of funds, establish and provide for the operation of centers and facilities for said needy and disadvantaged persons affected by human rights violations.

Province of Leyte
Legal Office
10:30
11/19/25

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Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
19 November 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2025-003** of the **Municipality of Carigara, Leyte**, entitled: **An Ordinance establishing the Carigara, Leyte Human Rights Action Center, operationalizing the Barangay Human Rights Center, and capacitating the Barangay Human Rights Officer and defining its powers and functions.**


FLORINDA JILL STUYVICO
Secretary to the Sanggunian



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BAGONG PILIPINAS

1st INDORSEMENT

November 17, 2025

Respectfully forwarded to the Honorable Members of the Sangguniang Panlalawigan of Leyte, thru the Provincial Board Secretary, Florinda Jill S. Uyvico, the herein **Municipal Ordinance No. 2025-003** – *“An Ordinance Establishing the Carigara, Leyte Human Rights Action Center, Operationalizing the Barangay Human Rights Center, And Capacitating the Barangay Human Rights Officer and Defining its Powers and Functions”*.

For your perusal and appropriate action.


PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian



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EXCERPT FROM THE MINUTES OF THE 17TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON OCTOBER 22, 2025

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: NOV 18 2025
By: *Fermi V*

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PRESENT:

- Hon. Fernando N. Moriel ----- SB Member-Temp. Pres. Officer
- Hon. Vilma M. Domus ----- SB Member
- Hon. Mildred C. Modesto ----- SB Member
- Hon. Carlo Angelo B. Go ----- SB Member
- Hon. Joenlee C. Larraga ----- SB Member
- Hon. Myla L. Aguilar ----- SB Member
- Hon. Guillermo I. Panal ----- SB Member
- Hon. Arvin N. Urmeneta ----- SB Member-Liga Fed. Pres.
- Hon. Daniel N. Ariaso, Jr. ----- SB Member-SK Fed. Pres.

ABSENT:

- Hon. Jimmy A. Camposano ----- Mun. Vice Mayor-Presiding Officer
(OT in Manila)
- Hon. Ulpiano U. Arpon, Jr. ----- SB Member – Sick Leave

* * * * *

MUNICIPAL ORDINANCE NO. 2025 – 003

AN ORDINANCE ESTABLISHING THE CARIGARA, LEYTE HUMAN RIGHTS ACTION CENTER, OPERATIONALIZING THE BARANGAY HUMAN RIGHTS CENTER, AND CAPACITATING THE BARANGAY HUMAN RIGHTS OFFICER AND DEFINING ITS POWERS AND FUNCTIONS.

HON. MILDRED C. MODESTO
Sponsor

Hon. Fernando N. Moriel
Hon. Carlo Angelo B. Go
Hon. Ulpiano U. Arpon, Jr.
Hon. Myla L. Aguilar
Co-sponsors

WHEREAS, 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.

WHEREAS, human rights are tight inherent to all human beings regardless of race,



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

WHEREAS, 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.

WHEREAS, 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."

WHEREAS, 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.

WHEREAS, pursuant thereto, the Local Government of Carigara, Leyte is mandated to develop local policies and legislations that will address issues on human rights, rule of law, and access to justice. This Municipality 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.

WHEREAS, 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.

WHEREAS, 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



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develop local policies and legislations that will address issues on human rights, rule of law, and access to justice.

NOW, THEREFORE, be it **ORDAINED** as it is hereby **ORDAINED** by the Sangguniang Bayan of Carigara, Leyte in session duly assembled, that:

SECTION 1. TITLE. This Ordinance shall be known as **"THE CARIGARA LEYTE HUMAN RIGHTS ACTION CENTER ORDINANCE 2025."**

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 service of the Commission Human Rights closer to the people; and
3. Widen the democratic space for participation of civil society organization, people's 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 Actions 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;
- 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;
- f. Human Rights Violations - all forms of violation involving civil and political



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rights

- g. Civil Society - the aggregate of the non-governmental organizations and institutions that manifest the interest of individuals and organizations in a society that are independent of the government.
- h. Human Rights Education Center - refers to the Commission on Human Rights Education Center that conducts trainings, seminars, symposia, and similar activities, and disseminates information/materials that reach out to the grassroots level. Likewise, it conducts continuing research activities for the promotion and enhancement of Human Rights.

SECTION 4. ESTABLISHMENT OF CARIGARA LEYTE HUMAN RIGHTS ACTION CENTER. The Carigara Leyte Human Rights Action Center stationed at the Municipal Social Welfare and Development Office is hereby created and established, in coordination with the CHR and the DILG to act on human right matters, including human rights promotion, and assist complaints of human rights violations.

SECTION 5. COMPOSITION OF CARIGARA HUMAN RIGHTS ACTION TEAM. The Carigara Leyte Human Rights Action Team is hereby organized and shall be composed of the following:

Chairperson	: Municipal Social Welfare and Development Officer
Vice- Chairperson	: Sangguniang Bayan Member- Chairman, Committee on Police, Fire, Public Safety, Peace and Order & Human Rights Protection
Members	: Municipal Planning and Development Coordinator Municipal Health Officer Municipal Environment and Natural Resource Officer Public Affairs, Information & Assistance Officer Carigara Law Enforcement Unit (PNP & BJMP) Public Attorney's Office (PAO) School District Supervisor Barangay Human Rights Action Officer Association President



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One (1) representative from an LGU-accredited group
advocating human rights

SECTION 6. DUTIES AND RESPONSIBILITIES OF CARIGARA HUMAN RIGHTS ACTION TEAM. The Carigara Human Rights Action Team (CHRACT) shall have the following duties and responsibilities:

1. Develop and implement human rights plan of the Local Government of Carigara, Leyte;
2. Propose to the Sanggunian the integration of human rights programs, project, and activities in the annual budget appropriation;
3. Recommend appropriate legislations to the Committee on Human Rights, Peace and Order and Public Safety of the Sanggunian;
4. Utilize available resource for human rights promotion activities;
5. Spearhead and coordinate the implementation of human rights programs, project, and activities;
6. Posting of human rights programs, project and activities in the websites, bulletin boards, and newsletters of the local government of Carigara Leyte;
7. Provide legal and/or paralegal assistance to victims of human rights violations;
8. Encourage participation of the local government of Carigara Leyte Officials and civil society Organizations in human rights promotion activities;
9. Mobilize sectoral group 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 local Government of Carigara, Leyte;
11. Reproduce and disseminate human rights information, education and communication materials within the local government of Carigara, Leyte;
12. Serve as information center on human rights programs and services, including referral systems within the local government of Carigara, Leyte;
13. Maintain and update the directory of human rights programs and services within the local government of Carigara, Leyte;
14. Organize the association of Barangay Human Rights Action Officers (BHRAOs) at the municipal level and support their operations;

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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 human rights programs, projects and activities;
16. Organize capacity-building on human rights of all local Government of Carigara, Leyte 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 data base 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 the Commission on Human Rights (CHR) copies of these plans;
19. Serve as a hub for access to justice networks;
20. Assist the Barangay Human Rights Action Teams in conducting human rights advocacy, information and educational activities.

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

SECTION 8. SECRETARIAT. The secretariat shall be composed of representatives from the Municipal Social Welfare and Development, and Municipal 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 HRActTs within its jurisdiction;
6. Facilities the Administrative concern of the HRActTs; and



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7. Prepare updates of the complaints, received and referred by BHRAcTs;
8. Semestral monitoring status report of human rights treaties;

SECTION 10. THE CREATION OF COMMITTEES ON HUMAN RIGHTS AT THE BARANGAY LEVEL. A Committee on Human Rights is hereby created at the barangay level.

SECTION 11. 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 and Peace and Order (if there is no such committee, the Punong Barangay shall appoint the BHRAO)
Member	Barangay Secretary Barangay Chief Tanod Barangay Health worker Barangay VAW Desk Officer Barangay Social welfare and development officer Lupong Tagapamayapa Police from public or private school located in the barangay One (1) representative of the Accredited Civil Society Organizations/Non-Government Organizations/people's Organizations operating in the Barangay

SECTION 12. DUTIES AND RESPONSIBILITIES OF BARANGAY HUMAN RIGHTS ACTION TEAM – the BHRaCT shall have the following duties and responsibilities:

1. Consolidate human rights reports both from barangay-based institutions (e.g.,



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- Lupong Tagapamayapa, BAWC Desk, etc.) and non-government entities (e.g., sectoral CSOs and purok leaders) in the community;
2. Submit semestral Barangay human right situationer reports to CHRaCT; and
 3. Receive complaints of human rights violations and refers the same to the nearest CHR regional Offices and other appropriate agencies copy furnished the CHRaCT and monitor the status thereof;
 4. Conduct human rights advocacy, information and educational activities.

SECTION 13. 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 (BHRAO), and shall undergo training in the CHR and receive a proper deputation certificate and identification card from the Commission on Human Rights (CHR).

SECTION 14. 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 service/programs
 - b. Receiving giving feedbacks on referral actions;
 - c. Implementation or coordination of service 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 15. GUIDELINES AND PROCEDURE. The following guidelines and



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procedures shall be observed in the filling 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 Public Attorney's office, MSWDO, PNP 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.

SECTION 16. 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-organizations to constitute the human rights advisory groups, 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 NGO's

SECTION 17. BARANGAY ALLOCATION. All Sangguniang Barangays in the Municipality of Carigara, Leyte 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



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barangay.

All Barangays in the Municipality 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.

SECTION 18. NATIONAL HUMAN RIGHTS CONSCIOUSNESS WEEK AND INTERNATIONAL HUMAN RIGHTS DAY. Pursuant to RA 9201, otherwise known as the Nation Human Rights Consciousness Week Act of 2002, December 4 to 10 is hereby declared, observed and celebrated as the National Human Rights Consciousness Week, and in observation of the International Human Rights Day held annually every December 10, the Municipality of Carigara, Leyte joins in the commemoration of the adoption of the Universal Declaration of Human Rights.

SECTION 19. 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 student, a human rights culture that aims at sustainable development in the country.

SECTION 20. PREPARATION AND IMPLEMENTATION. The Carigara, Leyte Human Rights Action Team (CHRAct) shall take the lead in preparation and implementation of the guidelines on how to celebrate the week through simple and appropriate ceremonies and activities.

SECTION 21. APPROPRIATION. The appropriations for the full implementation of human rights programs of the CHRAct shall be included in the Annual Budget of the Municipal Social Welfare and Development Office subject to the availability funds.

SECTION 22. SEPARABILITY CLAUSE. If for any reason, any parts/s or provision(s) of this Ordinance shall be declared unconstitutional or invalid, other parts or



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provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 23. REPEALING CLAUSE. All ordinance or portion thereof which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 24. 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 Cod of 1991.

ENACTED by the Sangguniang Bayan on October 22, 2025 at Carigara, Leyte.

APPROVED UNANIMOUSLY

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I HEREBY CERTIFY to the correctness of the foregoing ordinance.


PAULINO T. MARQUEZ
Legal Assistant I
Acting-SB Secretary

Attested:


FERNANDO. N. MORIEL
SB Member
Temp. Presiding Officer

JIMMY A. CAMPOSANO
Mun. Vice Mayor /Presiding Officer
OT in Manila

Concurred:


VILMA M. DOMUS
SB Member


MILDRED C. MODESTO
SB Member



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CARLO ANGELO B. GO
SB Member


ULPIANO B. ARPON JR.
SB Member – Sick Leave


JOENLEE C. LARRAGA
SB Member


MYLA L. AGUILAR
SB Member


GUILLERMO I. PANAL
SB Member


ARVIN N. URMENETA
SB Member-LnB President


DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

APPROVED:


EDUARDO T. ONG, JR.
Municipal Mayor

DATE: 11/14/2025



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CERTIFICATION

THIS IS TO CERTIFY Municipal Ordinance No. 2025-003 –
“An Ordinance Establishing the Carigara, Leyte Human Rights Action Center, Operationalizing the Barangay Human Rights Center, And Capacitating the Barangay Human Rights Officer and Defining its Powers and Functions”, has been posted last November 14, 2025 in accordance with R.A. 7160, otherwise known as the Local Government Code of 1991.

ISSUED this 17th day of November, 2025.


PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian