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Department of Social Welfare and Development

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Administrative Order No. 09
Series of 2014

LEGAL SERVICE
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SUBJECT : GUIDELINES IN THE IMPLEMENTATION OF TEMPORARY SHELTER ASSISTANCE AND PRIORITIZATION OF VICTIMS OF DISASTER/INTERNALLY DISPLACED PERSONS THERETO

I. RATIONALE

The Philippines, due to its archipelagic and geographic location is naturally vulnerable to various forms of geological and meteorological disasters. An average of 20 to 22 typhoons hit the country annually causing floods and massive destruction to properties. In November 2013, series of disaster hit the country which resulted to massive displacement of families due to devastation. One example of these is the Super Typhoon Yolanda with a maximum sustained winds of 315 kilo meters per hour made four landfalls in the country affecting Regions V, VI, VII, VIII, X, XI, MIMAROPA, CALABARZON and CARAGA. Total number of affected families within the 50 kilometer radius path of Yolanda reached 1,472,251 leaving 493,912 families with partially damaged houses and 518,878 families with totally damaged houses.

In previous disasters wherein so many families left homeless, the government constructed bunkhouses and even distributed shelter kits. This is to protect the vulnerable families from the harmful effects of the debris of devastation. However, there were no policy guidelines on the provision of temporary shelter assistance, though there are already existing policies that guide the implementation of shelter assistance and the provision of shelter kits. Hence, there is a need to further define how the family beneficiaries for the bunk houses or transition shelter assistance will be selected.

II. LEGAL BASES

This guidelines on temporary shelter assistance is anchored in the following:

A. UN Guiding Principles on Internal Displacement

Address the specific needs of internally displaced persons worldwide. Identify the rights and guarantees relevant to the protection of IDPs in all phases of displacement, in line with international human rights and humanitarian law

B. National Laws/Policies and Issuances

- **Republic Act 10121 or the Philippine DRRM Law** which advocates and promotes community based disaster management. This law spells out the roles of members of the National Disaster Risk Reduction and Management Council (NDRRMC) as well as their counterpart at the regional, provincial and city/municipal levels. DSWD Secretary sits as the Vice Chairperson of the council for Disaster Response.
- **Republic Act 7160 or the Local Government Code of 1991**, mandates the LGUs to implement and allocate funds for disaster mitigation, preparedness, response and rehabilitation programs and services.
- **Presidential Decree 1067 or The Water Code of the Philippines**, Article 51 which prohibit the building of any structure on the banks of rivers and shores of lakes or seas.
- **Magna Carta for Women** section 13 of IRR on women's right to protection and security in times of disaster, calamities and other crisis situations.
- **Expanded Senior Citizens Act of 2010** Section h. 3 - Safety Nets/Social safety assistance intended to cushion the effects of economics shocks, disaster and calamities shall be available for senior citizens.
- **Republic Act No. 7277** or the Act Providing for the Rehabilitation, Self Development and Self Reliance of Disabled persons and their Integration into the Mainstream of Society & other purposes, chapter VI Accessibility, section 25 Barrier Free Environment.
- **Batas Pambansa 344**, An Act to Enhance the Mobility of Disabled Persons Requiring Certain Building Institutions, Establishments & other Utilities to Install Facilities & other Devices.

C. DSWD Issuances

- **DSWD Administrative Order 17, Series of 2010 or the Omnibus Guideline on Shelter Assistance**, outlines the eligibility requirements of beneficiaries for the Core Shelter, Modified Shelter and Emergency Shelter Assistance.

III. OBJECTIVES

Overall, this guidelines is crafted to provide a criteria in the identification, selection and prioritization of families who will be entitled to occupy the bunk houses or temporary shelters that the government will construct for the victims of various type of disasters. More specifically it will:

1. Provide specific qualification of family beneficiaries who will be entitled for priority to the bunkhouse or temporary shelter assistance of the government; and
2. Specify the roles/responsibilities of the agencies engaged in the implementation of shelter assistance projects

IV. DESCRIPTION

While awaiting the construction of their permanent homes, construction of bunk houses or temporary shelter assistance are among the major services provided by the government to disaster affected families. Founded on the principles of protection, it ensures that families are safe and not exposed to further harm or danger.

This guidelines provides the qualification criteria of families who will benefit from these services and ensures that the vulnerable groups are given priority, thereby maximize the limited resources.

This guidelines also include the selection procedures and the lists of the documents needed to support the identification of families who will be entitled to occupy the bunk houses and other shelter facilities that will be constructed by the government after devastation brought about by different types of disaster, natural or human-induced.

The following documents are needed to support the identification of families:

1. Disaster Assistance Family Access Card (DAFAC) (Client's copy)
2. Master list of families with totally damaged houses as certified by the MSWDO.

V. DEFINITION OF TERMS

1. **Vulnerable families/persons** – are families/persons residing in disaster prone areas whose shelter units are totally damaged or partially damaged by typhoon or other types of disaster but their original area of habitation are declared by the national and/or the local government units as “**no dwelling zone**”, thus they are no longer allowed to return to their original area of habitation.
2. **Bunk houses or temporary shelter** – are structures temporarily constructed by the government intended for families affected by a disaster while awaiting transfer to permanent shelters.

3. **Disaster Assistance Family Access Card** – is a card issued to victims of disaster / internally displaced persons (IDPs) indicating the general information of the family head and the members and the assistance provided to them.
4. **Unsafe Zone** - an area or land not safe for habitation.
5. **Internally Displaced Persons** – any person who has left their residence brought about by different types of disaster, natural or human-induced but has not left the territory of their own country.
6. **Totally Damaged Houses** – houses that cannot be repaired and not liveable.
7. **Partially Damaged Houses** – houses that can be repaired and liveable.
8. **Transition Shelter** - established to temporarily host families facing displacement for more than a month and normally waiting for permanent relocation.
9. **Shelter Kits** – contains construction materials and tools provided to the families whose houses are totally or partially damaged by the disaster.
10. **Single parent-led** – refers to those who fall under the category of a solo parent defined under Republic Act No. 8972, otherwise known as the “Solo Parents Welfare Act of 2000”.
11. **Child-Led** – orphan child whose parent/s died during the disaster but capable of assuming the responsibilities of his/her parent/s to his/her younger siblings with guidance from nearest kin.
12. **Okay to build zone** – area where construction of houses are allowed by the government.
13. **Safe Areas** - areas not exposed to danger or risk.
14. **Vulnerable Areas** – those areas that face higher exposure to disaster risk.

VI. ELIGIBILITY

1. General Qualifications

Priority beneficiaries of the bunk houses are the vulnerable families residing in disaster prone areas whose shelter units are totally damaged or partially damaged by all types of disaster but their original area of habitation are declared by the national and/or the local government units as “**unsafe zone**”, thus they are no longer allowed to return to their original area of habitation. They shall also be the priority for other shelter assistance to be provided by government in resettlement or relocation

sites or in their location considered as safe and are not declared “not safe” or “not fit for dwelling.”

2. Eligibility Requirements of Beneficiaries

Should there be a need to further narrow down the list, family beneficiaries shall be prioritized based on the following:

- a. Family with income below the food threshold of the region based on the prevailing food threshold rate report of the NSCB;
- b. Family is not a recipient of any other housing assistance from any other government agencies, non-government organizations, individuals or groups
- c. Family whose head of household died or were incapacitated as a result of the disaster;
- d. Family whose head are seriously ill, incapacitated to work or are differently-abled and cannot provide for the minimum requirements for the food and shelter of the family and have no other sources of support;
- e. Family headed by an older person not receiving social pension or other kinds of retirement pensions and are not capable of earning a living;
- f. Family who have a female member who is pregnant, has just given birth or lactating or who has children below two years old;
- g. Family with more than five (5) members where majority are below 18 years old;
- h. Family headed by a solo parent;
- i. Orphan child whose parent/s died during the disaster but capable of assuming the responsibilities of his/her parent/s to his/her younger siblings with guidance from nearest kin;
- j. Certification from Barangay Captain to support the identification of families, which includes: residency; affected by disaster; and whose house are partially/totally damaged.

3. Selection Procedures

- a. The LGU through its Local Social Welfare and Development Office (LSWDO) shall administer the Disaster Assistance Family Access Card (DAFAC) which indicates the circumstances of the family, and conduct actual validation on site if their homes are totally or partially damaged and located in areas declared as no dwelling zone. Once

DAFAC is completed, LSWDO shall submit immediately a masterlist of families with totally and partially damaged houses to DSWD Field Office.

- b. DSWD Field Office shall conduct an area visit to further validate the list of families with totally and partially damaged houses submitted by the LGU. Verify the names on such list with other Government Agencies like the COMELEC for confirmation of their residence, and with the National Housing Authority (NHA) for confirmation if the names are not previous beneficiaries of NHA Administered Resettlement Program. Shall meet with the LSWDO to discuss the results of the validation which shall be the basis in determining whether the families are qualified as beneficiaries of the bunk houses or other shelter facilities and come up with the final list based on the criteria set in these guidelines.
- c. DSWD and LGU's LSWDOs shall orient the family beneficiaries on the procedure, selection, awarding and maintenance of the shelter units
- d. Beneficiaries shall undertake a contract with the DSWD and the LGUs that the former shall not sell, rent out or mortgage the shelter unit.
- e. Qualified families with more than five (5) family members shall be provided with two (2) rooms.

VII. INSTITUTIONAL ARRANGEMENTS

1. Department of Social Welfare and Development

1.1. Field Office (FO)

- Conduct field visit to validate the LGU list of target beneficiaries for the bunk house and/or transition shelter assistance
- Meet with the LGUs to come up with a final list of beneficiaries for the bunk house and/or temporary shelter assistance
- Provide technical assistance to the LGU in the social preparation activities
- In partnership with the LGUs, undertake contract with the beneficiaries and ensure compliance of the family beneficiaries to the signed contract
- Monitor the status of the family beneficiaries in the bunk houses and other temporary shelter facilities
- Provide technical assistance to the LGU in the organization of family beneficiaries into an association
- Submit periodic progress report on weekly basis to the DSWD-DRRROO

1.2. Disaster Risk Reduction and Response Operation Office (DRRROO)

- Monitor the status of the project/assistance in coordination with the DSWD Field Office and the LGU
- Ensure that the services are implemented based on existing guidelines
- Provide technical assistance to the FOs

2. Local Government Units

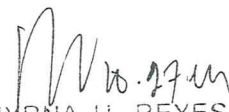
- Undertake registration of beneficiaries using the Disaster Assistance Family Access Cards
- Meet with the DSWD Field Office and a representative from beneficiary community to come up with a final list of beneficiaries for the bunk house, other shelter assistance
- Submit a list of family beneficiaries for the bunk houses and other shelter assistance to the DSWD Field Office for validation
- In partnership with the DSWD Field Office, undertake contract with the beneficiaries and ensure compliance of the family beneficiaries to the signed contract
- Conduct the social preparation activities
- Undertake the transfer of the family beneficiaries to the shelter units
- Closely monitor the status of the family beneficiaries in the bunk houses and other temporary shelter facilities
- Ensure that the shelter units are occupied only by family beneficiaries
- Ensure safety and protection of the vulnerable sectors in the transfer of the beneficiaries to the bunk houses
- Ensure compliance of the family beneficiaries to the signed contract
- Organize the family beneficiaries into an association
- Submit periodic progress report to the DSWD Field Office

VIII. EFFECTIVITY

This order shall take effect immediately.

Issued this September 24, 2014 in Quezon City

Certified Copy:


MYRNA H. REYES
Officer In-Charge
Records Unit


CORAZON JULIANO-SOLIMAN
Secretary