

[MEMORANDUM ORDER NO. 57, August 02, 2013]

DIRECTING THE SECRETARY OF THE INTERIOR AND LOCAL GOVERNMENT TO IMMEDIATELY SPEARHEAD THE TRANSFER OF INFORMAL SETTLER FAMILIES LIVING IN DANGER AND HIGH-RISK AREAS

WHEREAS, it is a declared policy of the State under Article II, Section 5 of the 1987 Constitution that "[t]he maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;"

WHEREAS, it is also a declared policy of the State under Article II, Section 9 of the 1987 Constitution "to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and improved quality of life for all;"

WHEREAS, the Social Justice provisions of the Constitution, under Article XIII, Section 9 thereof, mandate that "[t]he State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost, decent housing and basic services to under-privileged and homeless citizens in urban centers and resettlement areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of such program the State shall respect the rights of small property owners;"

WHEREAS, under Article XIII, Section 10 of the 1987 Constitution, further mandates that "urban or rural poor dwellers shall not be evicted nor their dwelling demolished, except in accordance with law and in a just and humane manner. No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated;"

WHEREAS, Section 28, in conjunction with Section 29, of Republic Act (RA) No. 7279 or the Urban Development Housing Act of 1992 (UDHA) provides that the local government units (LGUs), in coordination with the National Housing Authority (NHA), shall implement the relocation and resettlement of persons living in danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and in other public places;

WHEREAS, as emphasized by the President in his State of the Nation Address (SONA) on 22 July 2013, the Administration's thrust is to: (i) provide refuge to our countrymen living in the aforesaid danger or high-risk areas by providing them better housing, with access to public transport; (ii) prioritize their safety in properly reassigning their residential locations after clearing the clogged waterways of our