



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE JOURNAL OF THE 68th REGULAR SESSION OF THE 10th SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 27 OCTOBER 2020, 11:00 P. M. AT THE SANGGUNIANG BAYAN SESSION HALL.

Present:

Vice Mayor Gualberto V. Magno	- Presiding Officer
Councilor Jerwin S. Dimapilis	- Member
Councilor Agustin L. Cusi	- Member
Councilor David D. De La Cruz	- Member
Councilor John John S. Yason	- Member
Councilor Robert S. Quatchon	- Member
Councilor Lucille T. Bacay	- Member
Councilor Juan Rafael M. Talens	- Member
Councilor Ronel S. Sescar	- Member
Councilor Elmira May V. Tarac	- Member, SKMF President
Councilor Celso M. Dimapilis	- President, Liga ng Barangay

Absent: N O N E

MUNICIPAL ORDINANCE NO. 24
Series of 2020

AN ORDINANCE ESTABLISHING THE RESPONSE MECHANISM AND PROTOCOL IN HANDLING GENDER-BASED VIOLENCE (GBV) AND VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (VAWC) IN THE MUNICIPALITY OF ROXAS, ORIENTAL MINDORO.

Author:
Councilor LUCILLE T. BACAY

- WHEREAS, Article II Section 14 of the 1987 Philippine Constitution provides that the state recognizes the role of women in nation building, and shall ensure fundamental equality before the law of women and men;
- WHEREAS, pursuant to Republic Act 9710, otherwise known as The Magna Carta of Women is a comprehensive women's human rights law that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women, especially those in the marginalized sectors. Section 12D, Rule IV of the Rules and Regulations implementing the Magna Carta of Women provides for the establishment of Violence Against Women Desk in every barangay to ensure that violence against women cases are fully addressed in a gender-responsive manner;
- WHEREAS, under the Local Government Code or RA 7160, the provision of services to women, children, youth and other sectors is within the auspices of the city and municipality, thus, this referral system is based in the municipality;

LEO G. CUSI, SR.

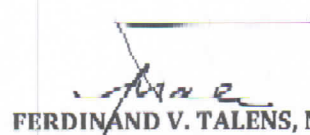
GUALBERTO V. MAGNO

FERDINAND V. TALENS, MPA ¹

- WHEREAS, pursuant to RA 11313, otherwise known as The Safe Spaces Act, local government units bear the primary responsibility in ensuring the localization of systems and mechanisms to effectively respond to gender-based violence. This response mechanism shall include the establishment of a hotline to receive and record complaints and incidents as well as act as a referral mechanism for complainants;
- WHEREAS, Ra 10175 or the Cybercrime Prevention Act enjoins local government units to support and participate in the creation of cybercrime prevention programs;
- WHEREAS, RA 9208 or the Anti-Trafficking in Persons Act of 2003 mandates local government units to establish and implement preventive, protective and rehabilitative programs for trafficked persons and to support initiatives which address trafficking in persons;
- WHEREAS, RA 9262 or the Anti-Violence Against Women and their Children Act of 2004 provides that the barangay shall have a barangay VAW desk that shall coordinate a one-stop help desk and that this shall be open to provide 24-hour response;
- WHEREAS, in compliance with the Law the Department of the Interior and Local Government, Department of Social Welfare and Development, Department of Education, Department of Health and Philippine Commission on Women, issued a Joint Memorandum Circular No. 2010-2 requiring all local government units to establish a violence against women desk in every barangay;
- WHEREAS, Section 3 of RA 8505 or the Rape Victim Assistance and Protection Act commands the establishment in every province and municipality a Rape Crisis Center located in a government hospital, health clinic or in any other suitable place that will provide psychological counselling, medical and health services with medico-legal examination, free legal assistance, privacy and safety for victims;
- WHEREAS, RA 7877 or the Anti-Sexual Harassment Act of 1995 declares sexual harassment in the employment, education or training environment unlawful, which defines the conditions under which such harassment occurs;
- WHEREAS, there is a need to improve public safety response services to incidents of violence against women and their children and gender-based violence by providing a clear command structure for responsibility and accessibility, and by encouraging and facilitating the prompt deployment of a seamless nationwide communication infrastructure for emergency services;
- WHEREAS, there is a need to adapt modalities of interventions for GBV and VAWC as women and girls experience a distinct challenge as disasters exacerbate already existing risks of Gender-Based Violence and Violence Against Women and Children as confinement increase risks of violence, as well as worsened socio-economic situation within the household;


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WHEREAS, the establishment of a response referral system provides for an intervention that will ease reporting, expedite investigation and provide instant response and information on GBV and VAWC. It also raises the consciousness of the public in recognizing the dignity of women, ensuring support for victims, bringing perpetrators to justice and making a long term plan to prevent violence in all forms.

NOW THEREFORE, BE IT ENACTED by the Sangguniang Bayan of Roxas Oriental Mindoro in session duly assembled:

SECTION 1. TITLE. This ordinance shall be known and cited as An Ordinance Establishing the Response Mechanism and Protocol in Handling Gender-Based Violence (GBV) and Violence Against Women and their Children (VAWC) Cases in the Municipality of Roxas, Oriental Mindoro.

SECTION 2. DEFINITION OF TERMS. For the purpose of this Ordinance, the following terms and phrases shall apply:

- a) Gender-Based Violence – refers to violence targeted towards a particular person because of their sex, sexual orientation, gender identity and expression that causes or is likely to cause another's mental, emotional or psychological distress and fear of personal safety, sexual harassment acts including unwanted sexual remarks and comments.
- b) Violence Against Women and their Children (VAWC) – refers to any act of gender-based violence that results in or is likely to result in physical, sexual or psychological harm or suffering to women and their children, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in private and public life, or online. It shall be understood to encompass, but not limited to the following:
 - 1) Physical, sexual, psychological and economic violence occurring in the family, including battering, sexual abuse of children in the household, dowry-related violence, marital rape and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
 - 2) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking, prostitution and online sexual exploitation; and
 - 3) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs. It also includes acts of violence against women as defined in Republic Act Nos. 9208 and 9262. Under the Magna Carta of Women, this term is used interchangeably with gender-based violence.
- c) GBV-VAWC Desk – a facility that would address GBV and VAWC cases in a gender-responsive manner, managed by a person designated by the Punong Barangay. It is situated within the premises of the barangay hall. In the absence of a barangay hall, the GBV-VAWC Desk shall be established within the premises where the punong barangay holds office.

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The definition of terms provided in Act RA 9710, otherwise known as the Magna Carta of Women as far as applicable are hereby made part of this ordinance.

- d) GBV-VAWC Hotline – a designated number institutionalized as the Municipality Wide Emergency Hotline number to respond to cases of GBV-VAWC.

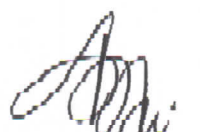
SECTION 3. SCOPE AND COVERAGE. This Ordinance shall be enforced within all Barangays in the Municipality of Roxas.

SECTION 4. ESTABLISHMENT OF GBV-VAWC DESK IN EVERY BARANGAY:

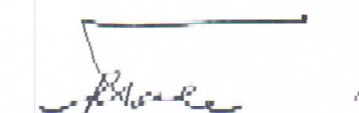
- 4.1. Setting up the GBV-VAWC Desk – The Punong Barangay shall designate an area within the barangay hall for the GBV-VAWC desk. They shall provide for the necessary furniture and fixtures such as, but not limited to, table, chairs, separate filing cabinet and log book for record-keeping of cases. Likewise, the punong barangay shall ensure the confidentiality of the case and privacy and safety of the victim-survivor.
- 4.2. Designation of GBV-VAWC Desk person – The punong barangay shall designate a GBV-VAWC person who is trained in gender-sensitive handling of cases; preferably a woman barangay kagawad or woman barangay tanod. In cases where there are no trained personnel, ensure that the person assigned shall undergo basic gender sensitivity training and orientation on GBV and anti-VAWC laws.

SECTION 5. FUNCTIONS OF THE BARANGAY GBV-VAWC DESK. The Barangay GBV-VAWC Desk shall perform the following tasks:

- a) Respond to gender-based violence and anti-violence against women and their children cases brought to the barangay
- b) Respond to gender-based violence and anti-violence against women and their children cases as referred by the Hotline.
- c) Keep GBV – VAWC case records confidential and secured and ensure that only the authorized personnel can access it;
- d) Assist victim-survivors of GBV – VAWC in securing the Barangay Protection Order and access necessary services as requested or needed;
- e) Join in the development of the gender-responsive plan for the barangay level in addressing GBV-VAWC including referral and support services, capacity building and reporting and responsive system.
- f) Coordinate with and refer to government agencies, non-government agencies (NGOs), institution and other service providers as necessary.


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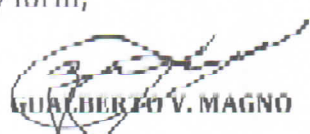

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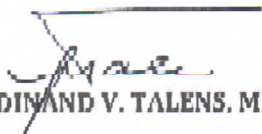
- g) Provide expertise and information in the creation of municipality-led advocacies in the elimination of GBV and VAWC in the community.

SECTION 6. PROTOCOL IN RESPONDING AND HANDLING GBV-VAWC CASES. The following protocols shall be observed by the responding officer of the GBV-VAWC desk when responding to GBV and VAWC:

- A. For a GBV-VAWC victim-survivor who approaches the GBV-VAWC Desk or the victim-survivor themselves goes to the barangay:
- a) Make the victim-survivor feel comfortable in a safe and private room by giving her privacy and other immediate needs as may be necessary;
 - b) Get initial information to determine the risks at hand and if immediate medical attention is needed, facilitate the referral to the nearest medical facility;
 - c) As soon as the victim-survivor has stabilized, conduct a gender-responsive, non judgmental and respectful investigation in a language and manner understood by the victim-survivor;
 - d) Inform the victim-survivor of their rights and remedies available, as well as the processes involved particularly in relation to the Barangay Protection Order (BPO).
 - e) Assist the victim-survivor in filing the application if they decide to acquire a BPO;
 - f) Record the incident using the GBV-VAWC documentation system barangay form;
 - g) If the victim-survivor desires to be in a safe protection center, seek the assistance of the other barangay officials, barangay tanod or the police in getting their belongings and refer to a protection center or women's center or the Municipal Social Welfare and Development Office;
 - h) Assist in the filing for a Temporary Protection Order (TPO) or Permanent Protection Order (PPO) with the nearest family court within 24 hours after issuance of the BPO, if the victim-survivor so desires they may directly apply for the TPO/PPO instead of BPO;
 - i) Report the incident within six (6) hours after receipt to the PNP and the Municipal Social Welfare and Development Office.
- B. If the incident of GBV-VAWC is reported by another community member other than the GBV-VAWC victim-survivor
- a) Verify the information and if needed, seek assistance from the PNP;
 - b) Assess the situation and facilitate the rescue of the victim-survivor when necessary to ensure their safety and when applicable the safety of their children;
 - c) Inform the victim-survivor of their rights and remedies available to them;
 - d) Assist them in the filing and application for a BPO, if they may desire;
 - e) Refer the victim-survivor for medical care and temporary protection center and other needs when needed based on the assessment done;
 - f) Record the incident using the GBV-VAWC documentation system barangay form;


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