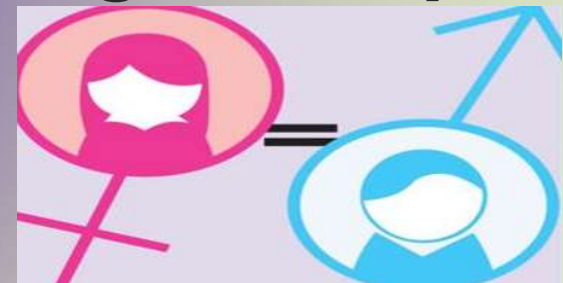


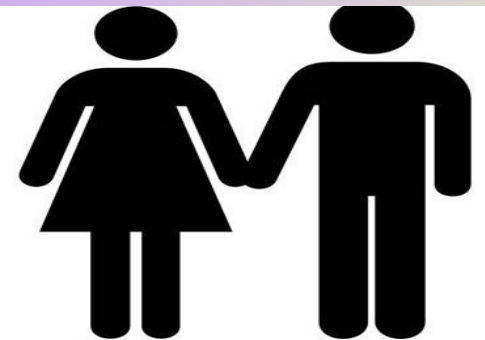


**Baguio City Ordinances on WOMEN**  
**Baguio Convention Center, Baguio City**  
**April 26, 2022**



**Presented by : Jonalyn D. Pagada, PhD**

- ➡ **ORDINANCE No. 33, SERIES OF 2005  
as amended**
  - ➡ **ORDINANCE Numbered 105  
(Series of 2020)**
- [THE GENDER EQUALITY AND  
DEVELOPMENT CODE OF BAGUIO  
CITY (GEAD CODE)]**





# **ORDINANCE Numbered 105 -2020**

## **GENDER EQUALITY AND DEVELOPMENT CODE (65 Sections)**

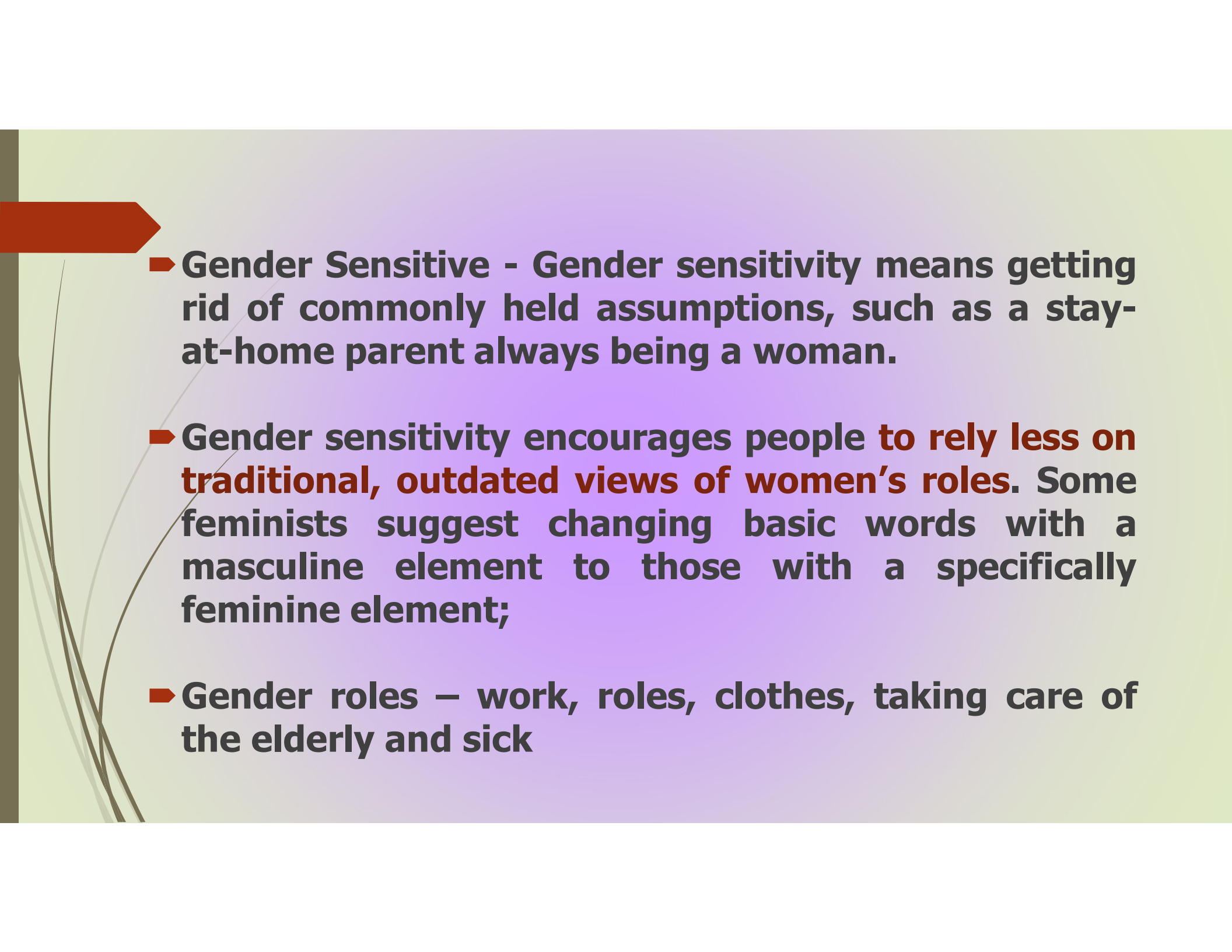
- **STATEMENT OF POLICY.** - The City Government of Baguio located at the heart of the Cordillera Administrative Region, recognizes the various needs of its diverse and multi-ethnic population.
- Accordingly, the programs and projects of the City Government shall be gender sensitive and gender fair.

# Gender Equality

Gender equality is achieved when women and men enjoy the same rights and opportunities across all sectors of society, including:

- economic participation and decision-making, and when the different behaviors, aspirations and needs of women and men are equally valued and favored;

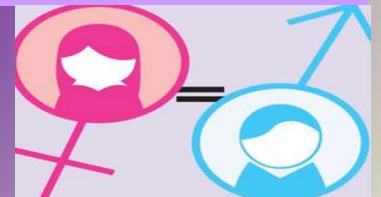


- 
- **Gender Sensitive** - Gender sensitivity means getting rid of commonly held assumptions, such as a stay-at-home parent always being a woman.
  - Gender sensitivity encourages people **to rely less on traditional, outdated views of women's roles**. Some feminists suggest changing basic words with a masculine element to those with a specifically feminine element;
  - Gender roles – work, roles, clothes, taking care of the elderly and sick

**ORDINANCE No. 120-2018  
amended by Ordinance No. 105-2021**

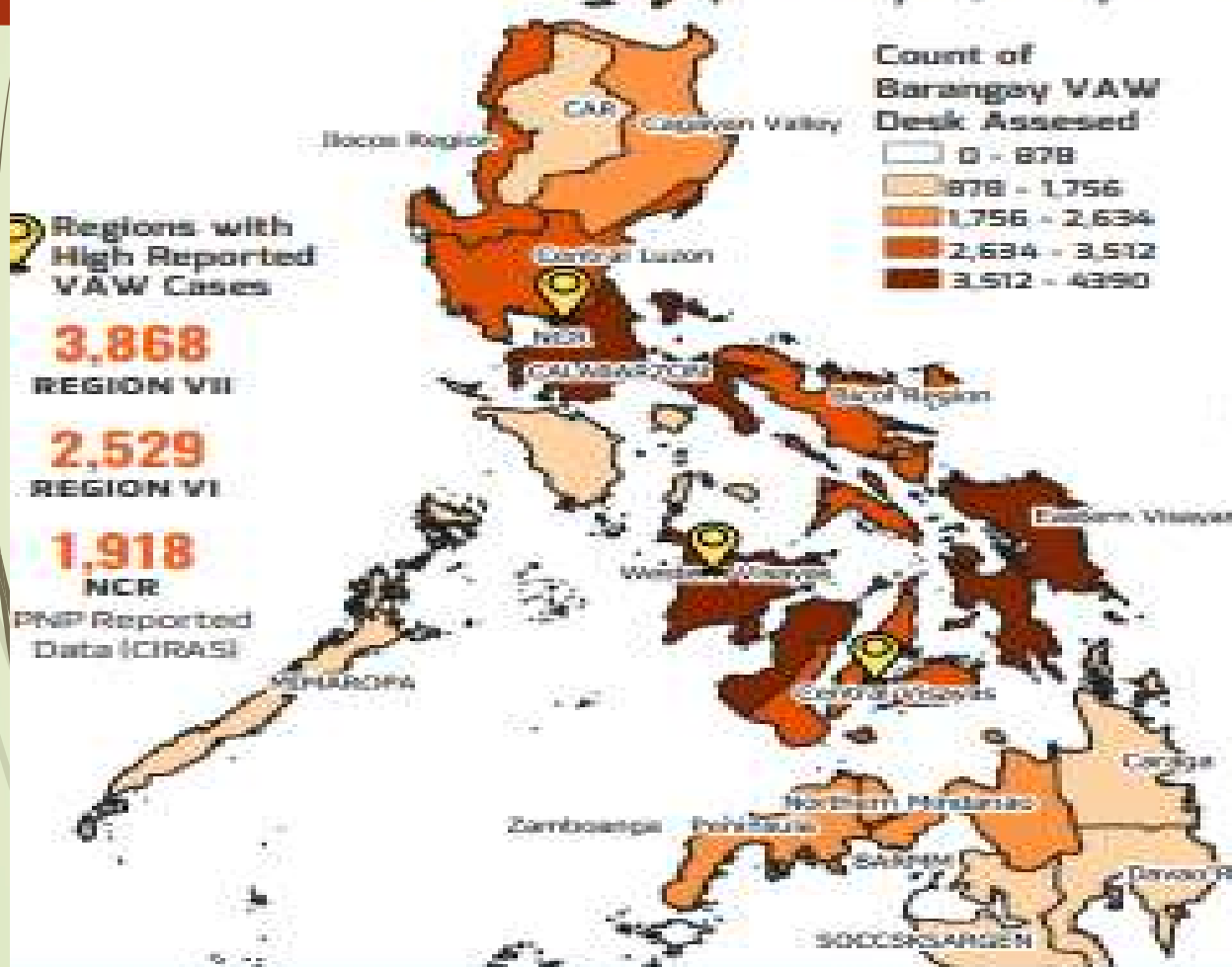
**“Establishment of Violence Against Women (VAW), Violence Against Women and Their Children (VAWC), and Gender-Based Violence (GBV) Desk in the 128 Barangays of the City of Baguio and Providing Funds Thereof”.**

**(ANTI-VIOLENCE VIOLENCE AGAINST WOMEN AGAINST WOMEN AND THEIR CHILDREN AND THEIR CHILDREN ACT OF 2004)**



# DILG - BARANGAY VAW DESKS

(as of May 25, 2020)



**38,824**  
ESTABLISHED  
VAW DESK

**or 92.3%**

of Barangays in 2019  
have VAW Desks  
categorized<sup>5</sup> as follows:

**4.8 %**

**Basic**

20% and below of the  
requirements satisfied

**22.3 %**

**Progressive**

21% to 50% of the  
requirements satisfied

**53.4 %**

**Mature**

51% to 80% of the  
requirements satisfied

**10.4 %**

**Ideal**

81% to 100% of the

## DID YOU KNOW?



Violence against Women (V) in physical, sexual, or mental such acts, coercion or arbit public or private life.

### MOST REPORTED CASES OF VIOLENCE AGAINST WOMEN





## Top 3 Clients Served by DSWD <sup>3</sup>

January - December 2019  
(as of February 21, 2020)



### WOMEN

**420**

VICTIMS OF TRAFFICKING

**268**

PROSTITUTION/  
EMOTIONALLY ABUSED

**222**

SEXUALLY EXPLOITED



### CHILDREN

**637**

Girl  
SEXUALLY ABUSED

**7**

Boy

**279**

Girl  
NEGLECTED

**305**

Boy

**336**

Girl  
VICTIMS OF TRAFFICKING

**18**

Boy

## TOP 3 REPORTED SEXUAL VIOLENCE PERPETRATORS

(Percentage of Women Aged 15 - 49 Who Have Experienced Sexual Violence, by Reported Perpetrator)

### EVER MARRIED

Current husband/partner **49.4%**

Former husband/partner **32.2%**

Other Relative **7.0%**

### NEVER MARRIED

Own friend/acquaintance **20.2%**

Other Relative **17.6%**

Stranger **16.8%**

\*Women can report more than one person who committed the violence

## **Over 3,600 cases of violence against women, children reported since lockdown – Duterte report**

**By: Christia Marie Ramos - INQUIRER.net June 08, 2020**

A total of over 3,600 cases of violence against women and children have been reported to authorities since the government imposed an enhanced community quarantine on the entire Luzon mid-March.

President Rodrigo Duterte in his 11th report to Congress on Monday said that as of June 4, 2020, the Philippine National Police (PNP) has recorded 1,945 cases of violence against women and 1,745 cases of violence against children.

# GENDERED IMPACTS OF THE COVID-19 TO WOMEN

#JeansSaPaskahanNgCorona

## DOMESTIC VIOLENCE

In situations like the current community quarantine, intimate partner violence may rise, with more people spending time indoors and having limited movement to seek help.



**1 in 4**

women in the Philippines, aged 15 to 49, experience physical, emotional, or sexual violence from their husband or partner.

Source: National Demographic Health Survey 2017



[www.doh.gov.ph](http://www.doh.gov.ph)



PCOrphan



@PCOrphan



CommissionOnWomensPH



8738-9881  
8738-1246

(W) is any act of gender-based violence that result harm or suffering to women, including threats of any deprivation of liberty, whether occurring in  
- United Nations



## FORMS OF VIOLENCE

(Percentage of Women Aged 15-49 Who Have Ever Experienced Different Forms of Violence)



**13.3%**

PHYSICAL  
VIOLENCE  
ONLY



**1.7%**

SEXUAL  
VIOLENCE  
ONLY



**3.5%**

PHYSICAL &  
SEXUAL VIOLENCE



**18.5%**

PHYSICAL OR  
SEXUAL VIOLENCE

2017 NDHS<sup>2</sup>

## TOP 3 REPORTED PHYSICAL VIOLENCE PERPETRATORS<sup>4</sup>

(Percentage of Women Aged 15 - 49 Who Have Experienced Physical Violence, by Reported Perpetrator)



### EVER MARRIED

Current husband/partner	<b>47.5%</b>
Former husband/partner	<b>24.7%</b>
Mother/Stepmother	<b>15.6%</b>

### NEVER MARRIED

Mother/Stepmother	<b>26.1%</b>
Father/Stepfather	<b>25.3%</b>
Sister/Brother	<b>19.2%</b>

**2017 NDHS<sup>2</sup>**

## **Violence Against WOMEN and their Children (VAWC)**

- – refers to any act or a series of acts committed by any person against a woman who is his wife, or against a woman with whom the person has or had a sexual dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty.



# THE 4 TYPES OF GENDER BASED VIOLENCE:

control arms

RESEARCH PROJECT

2008-2011



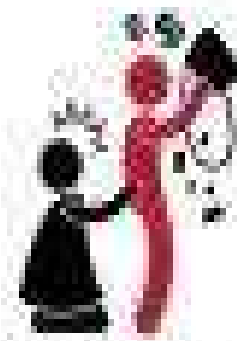
PHYSICAL  
VIOLENCE



SEXUAL  
VIOLENCE



EMOTIONAL &  
PSYCHOLOGICAL  
VIOLENCE



SOCIOECONOMIC  
VIOLENCE



**It includes, but it not limited to, the following acts:**

1. Physical Violence – refers to acts that include bodily or physical harm



## Physical Violence



<https://www.worldpulse.com/community/users/pertulla-ezigha/posts/85070>

## 2. Sexual Violence

refers to an act which is sexual in nature, committed against a woman or her child. It includes, but is not limited to:

Rape, sexual harassment, acts of lasciviousness, treating a woman or her child as a sex object, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim's body, forcing her/him to watch obscene publications and indecent shows or forcing the woman or her child to do indecent acts and/or make films thereof, forcing the wife and mistress/lover to live in the conjugal home or sleep together in the





## 2. Sexual Violence

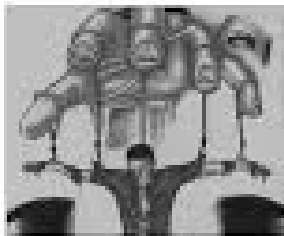
- It includes causing or allowing the victim to witness the physical, sexual or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and/or visitation of common children; and

### 3. Psychological Violence

- refers to acts or omissions causing or likely to cause mental or emotional suffering of the victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and mental infidelity.



### 3. Psychological Violence



Black mailing



Ignoring





# Psychological Violence

DATA SOURCE: 2005



## 85%

of survivors said the perpetrator used the children to threaten and control them



## DECIDED CASE

- Araza v. People, G.R. No. 247429 (08 September 2020)]
- “The prosecution has established Araza’s guilt beyond reasonable doubt by proving that he committed psychological violence upon his wife by committing marital infidelity. AAA’s testimony was strong and credible. She was able to confirm that Araza was living with another woman,”  
Supreme Court



## 4. Economic Abuse

– refers to acts that make or attempt to make a woman financially dependent which includes, but is not limited to the following:

- a. Withdrawal of financial support or preventing the victim from engaging in any legitimate profession, occupation, business or activity, except in cases wherein the other spouse/partner objects on valid, serious and moral grounds as defined in Article 73 of the Family Code;



## 4. Economic Abuse

- b. Deprivation or threat of deprivation of financial resources and the right to the use and enjoyment of the conjugal, community or property owned in common;
- c. Destroying household property; and
- d. Controlling the victims' own money or properties or solely controlling the conjugal money or properties.



## DECIDED CASES

- **G.R. No. 229762, November 28, 2018 ]**
- ***AAA, PETITIONER, VS. PEOPLE OF THE PHILIPPINES***
- Petitioner AAA was sentenced to suffer an indeterminate penalty of six (6) months and one (1) day of *prision correccional*, as minimum, to eight (8) years and one (1) day of *prision mayor*, as maximum.
- He is also ordered to (a) pay a fine in the amount of One Hundred Thousand Pesos (P100,000.00);
- (b) to undergo mandatory psychological counseling or psychiatric treatment; and
- (c) to report to the court his compliance with counseling or treatment.



## Supreme Court Decided case

- **G.R. No. 223477, February 14, 2018**
- **CELSO M.F.L. MELGAR, *Petitioner*, v. PEOPLE OF THE PHILIPPINES, *Respondent*.**
- sentencing petitioner Celso M.F.L. Melgar: (a) to suffer the penalty of imprisonment for an indeterminate period of six (6) months of *arresto mayor*, as minimum, to four (4) years and two (2) months of *prision correccional*, as maximum; (b) to pay a fine in the amount of P300,000.00; and (c) to undergo a mandatory psychological counselling or psychiatric treatment and report compliance to the Regional Trial Court of Cebu City, Branch 6.

# Supreme Court Decided case

➤ **G.R. No. 232678, July 03, 2019**

➤ **ESTEBAN DONATO REYES, PETITIONER, v. PEOPLE OF THE PHILIPPINES, RESPONDENT.**

- (1) Petitioner Esteban Donato Reyes is found **GUILTY** beyond reasonable doubt of Violation of Section 5(i) of Republic Act No. 9262 and is sentenced to suffer the indeterminate penalty of four (4) years and two (2) months of *prision correccional*, as minimum, to eight (8) years and one (1) day of *prision mayor*, as maximum.
- (2) Petitioner is **ORDERED** to PAY a fine equivalent to Two Hundred Thousand Pesos (P200,000.00); and
- (3) Further, petitioner is **DIRECTED** to **UNDERGO** a mandatory psychological counselling or psychiatric treatment, and to report his compliance therewith to the court of origin within fifteen (15) days after the completion of such counselling or treatment.

**G.R. No. 199522**

**June 22, 2015**

**RICKY DINAMLING, Petitioner vs. PEOPLE OF THE PHILIPPINES**

- 1) in **Criminal Case No. 1701**, petitioner Ricky Dinamling is ORDERED to serve an indeterminate sentence of imprisonment of two (2) years,
  - 2) four (4) months and one (1) day of prision correccional as minimum to eleven (11) years of prision mayor as maximum. He is, likewise, ORDERED to PAY
  - 3) a fine of one hundred thousand pesos (₱100,000.00) and to undergo psychological counseling;
  - 2) in **Criminal Case No. 1702**, petitioner Ricky Dinamling is hereby ORDERED to serve an indeterminate sentence of imprisonment of six (6) years of prision correccional as minimum to twelve (12) years of prision mayor as maximum. He is also ORDERED to PAY a fine of one hundred thousand pesos (₱100,000.00) and to undergo psychological counseling.
- SO ORDERED.**

## SECTION 3. ESTABLISHMENT OF VAWC DESK IN EVERY BARANGAY -

### ➤ SECTION 3. ESTABLISHMENT OF VAWC DESK IN EVERY BARANGAY -

➤ "3.1. Setting up the VAW/VAWC/GBV Desk. – The Punong Barangay or a duly designated person for the purpose shall designate an area within the barangay hall for the VAW/VAWC/GBV Desk. He or she 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 or the duly designated person shall ensure the confidentiality of the case and privacy and safety of the victim-survivor.



## Designation of VAWC Desk person

- '3.2. Designation of VAW/VAWC/GBV Desk Person. – The Punong Barangay shall designate a VAW/VAWC/GBV Desk Person who is trained in handling gender-sensitive cases preferably a woman Barangay Kagawad or woman Barangay Tanod. The Punong Barangay shall ensure that the VAW/VAWC/GBV Desk Person or person assigned shall undergo basic gender sensitivity training and orientation on anti-VAWC laws.









## Designation of VAWC Desk person

- The necessary trainings for the officials for the operation of VAW/VAWC/GBV Desk for all barangay officials in the City of Baguio shall be conducted by the City Social Welfare and Development Office (CSWDO) and the City Budget Office (CBO). Fifteen (15) days from the conduct of the training, a written report shall be submitted by the CSWDO to the City Mayor.



### 3.3. Functions of the Barangay VAWC Desk – The VAWC Desk shall perform the following tasks:

1. Respond to gender-based violence cases brought to the barangay;
2. Record the number of gender-based violence handled by the barangay and submit a quarterly report on all cases of VAWC to the Department of the Interior and Local Government-Baguio City Field Office and to the City Social Welfare and Development Office;
3. Keep VAWC case records confidential and secured, and ensure that only authorized personnel can access it;
4. Assist victims of VAWC in securing Barangay Protection Order (BPO) and access necessary services;



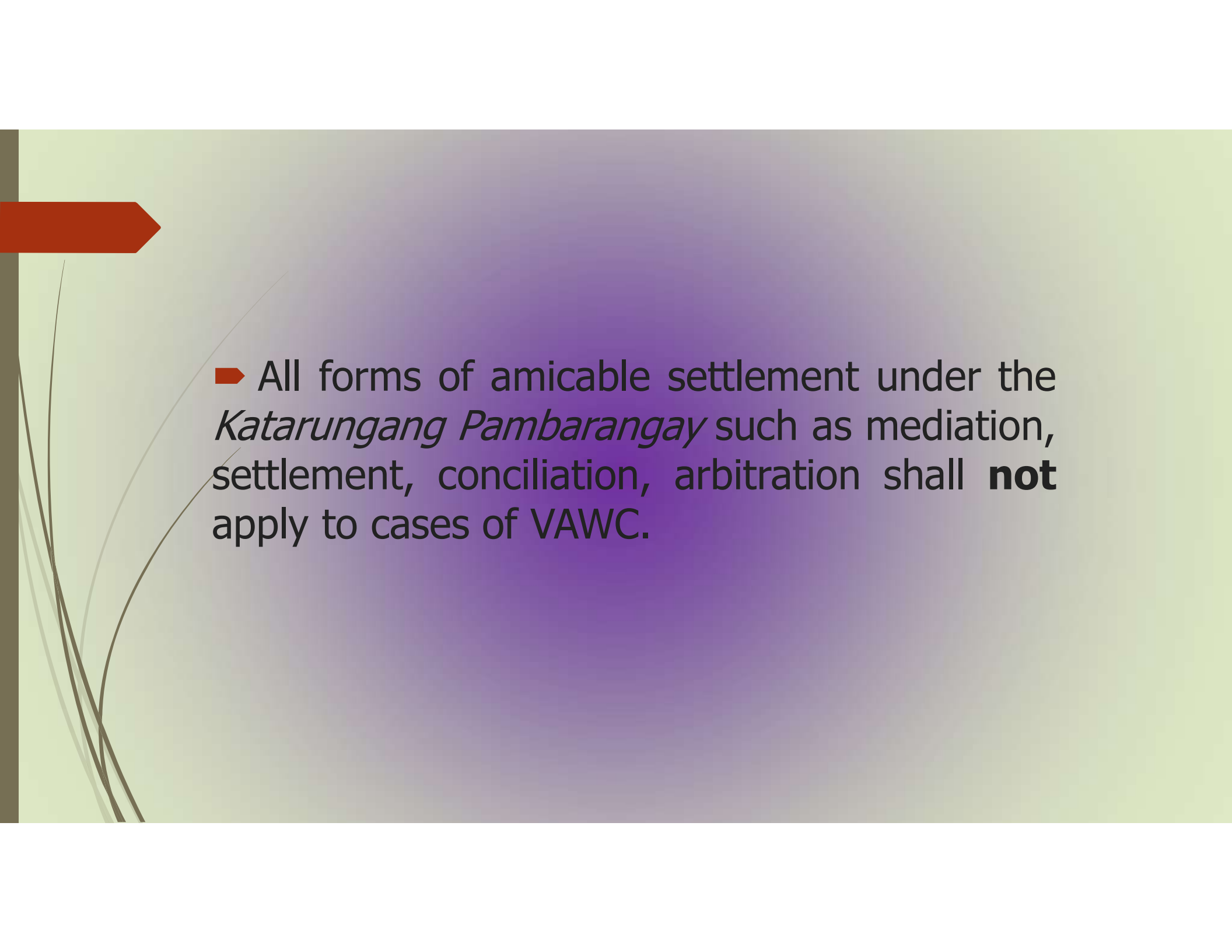
### 3.3. Functions of the Barangay VAWC Desk – The VAWC Desk shall perform the following tasks:

1. Develop the Barangay's gender-responsive plan in addressing gender-based violence, including support services, capacity building and referral system;
2. Coordinate with and refer cases to government agencies concerned, nongovernment organizations (NGOs), institutions, and other service providers as necessary;
3. Address other forms of abuse committed against women, especially senior citizens, women with disabilities, and other marginalized groups;
4. Lead advocacies on the elimination of VAWC in the community; and
5. Perform other related functions as may be assigned.

## PROTOCOL IN HANDLING VAWC CASES

**SECTION 4. PROTOCOL IN HANDLING VAWC CASES AT THE BARANGAY LEVEL** – The Anti-Violence Against **Women** and Their Children (VAWC) Act of 2004 (RA 9262) mandates the *Punong Barangay* or in his/her absence the *Barangay Kagawad* concerned or on duty to take immediate action upon being informed of a violent incident and is mandated to issue a Barangay Protection Order (BPO) on the date of filing after *ex parte* determination of the basis of application.



- 
- All forms of amicable settlement under the *Katarungang Pambarangay* such as mediation, settlement, conciliation, arbitration shall **not** apply to cases of VAWC.



## **PROTOCOL IN HANDLING VAWC CASES**

1. A VAWC (RA 9262) victim-survivor is accompanied by someone to the barangay or the victim herself goes to the barangay. Make the woman (and children, if applicable) comfortable in a safe and private room giving her water and other immediate needs, if any;
2. Assess the situation and get initial information to determine the risks on hand and if immediate medical attention is needed. If so, facilitate referral to the nearest medical facility;



## PROTOCOL IN HANDLING VAWC CASES

After the victim-survivor has stabilized, assist the *Punong Barangay* or *Barangay Kagawad* in the conduct of an investigation in a gender-sensitive and non-judgmental manner in a language understood by her;

Inform her of her rights and the remedies available and the processes involved particularly in relation to the BPO. Assist her to file application, if she decides to have a BPO;

Record the incident using the National VAWC Documentation System barangay form;





## PROTOCOL IN HANDLING VAWC CASES

If victim-survivor desires to be in a safe shelter, seek the assistance of the other Barangay Officials, *Barangay Tanod* or the police in getting her belongings and refer to a shelter, **women's** center or to the City Social Welfare and Development Office (CSWDO);

Assist the victim-survivor to file 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 or she applies directly for a TPO/PPO instead of a BPO;





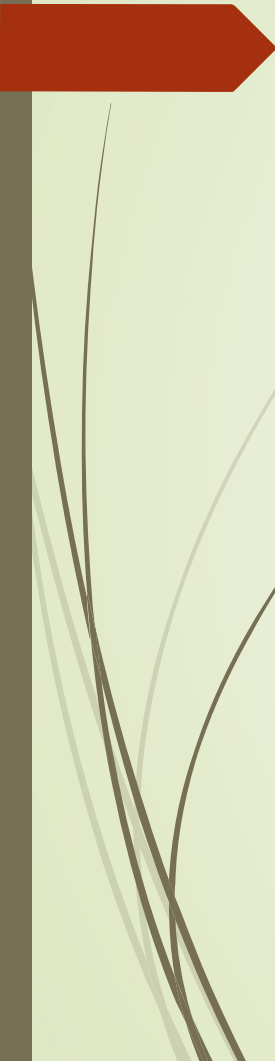
Inform the victim-survivor about her rights and remedies available particularly the BPO and its processes. Assist her to apply for a BPO, if she so desires;

Refer victim-survivor for medical care and temporary shelter and other needs when needed based on the assessment done;

Record the incident using the National VAWC Documentation System barangay form;

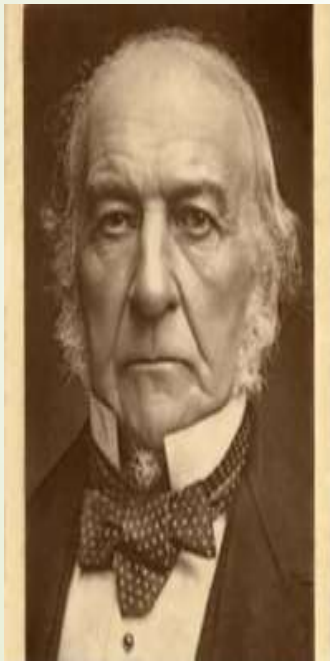
If not done earlier, report the incident within four hours to the PNP and the CSWDO; and

For rape, trafficking in persons and other cases which do not fall under the jurisdiction of the barangay, assist the victim-survivor to file a complaint with the PNP Women and Children Protection Center or the National Bureau of Investigation (NBI).

- 
- **SECTION 5. MONITORING AND REPORTING** - Within six months from the issuance of this Ordinance, all Barangay Officials shall submit a report on the establishment of Barangay VAWC Desk to the City Social Welfare and Development Officer who shall collate the data and the same be submitted to the City Mayor and copy furnished the *Sangguniang Panlungsod* (City Council).

“SECTION 7. INSTITUTIONALIZING THE USE OF  
OFFICIAL HOTLINE NUMBERS EXCLUSIVE FOR VAW,  
VAWC AND GBV CASES. – The following police station  
hotline numbers are hereby institutionalized for easy  
coordination and reporting of VAW/VAWC/GBV cases:

<b>Police Station 1:</b>	<b>09985987741</b>
<b>Police Station 2:</b>	<b>09985987742</b>
<b>Police Station 3</b>	<b>09985987745</b>
<b>Police Station 4</b>	<b>09124058258</b>
<b>Police Station 5</b>	<b>09996745555/09985987750</b>
<b>Police Station 6</b>	<b>09985987752</b>
<b>Police Station 7</b>	<b>09165357619</b>
<b>Police Station 8</b>	<b>09985987758</b>
<b>Police Station 9</b>	<b>09295373343</b>
<b>Police Station 10</b>	<b>09985987762</b>



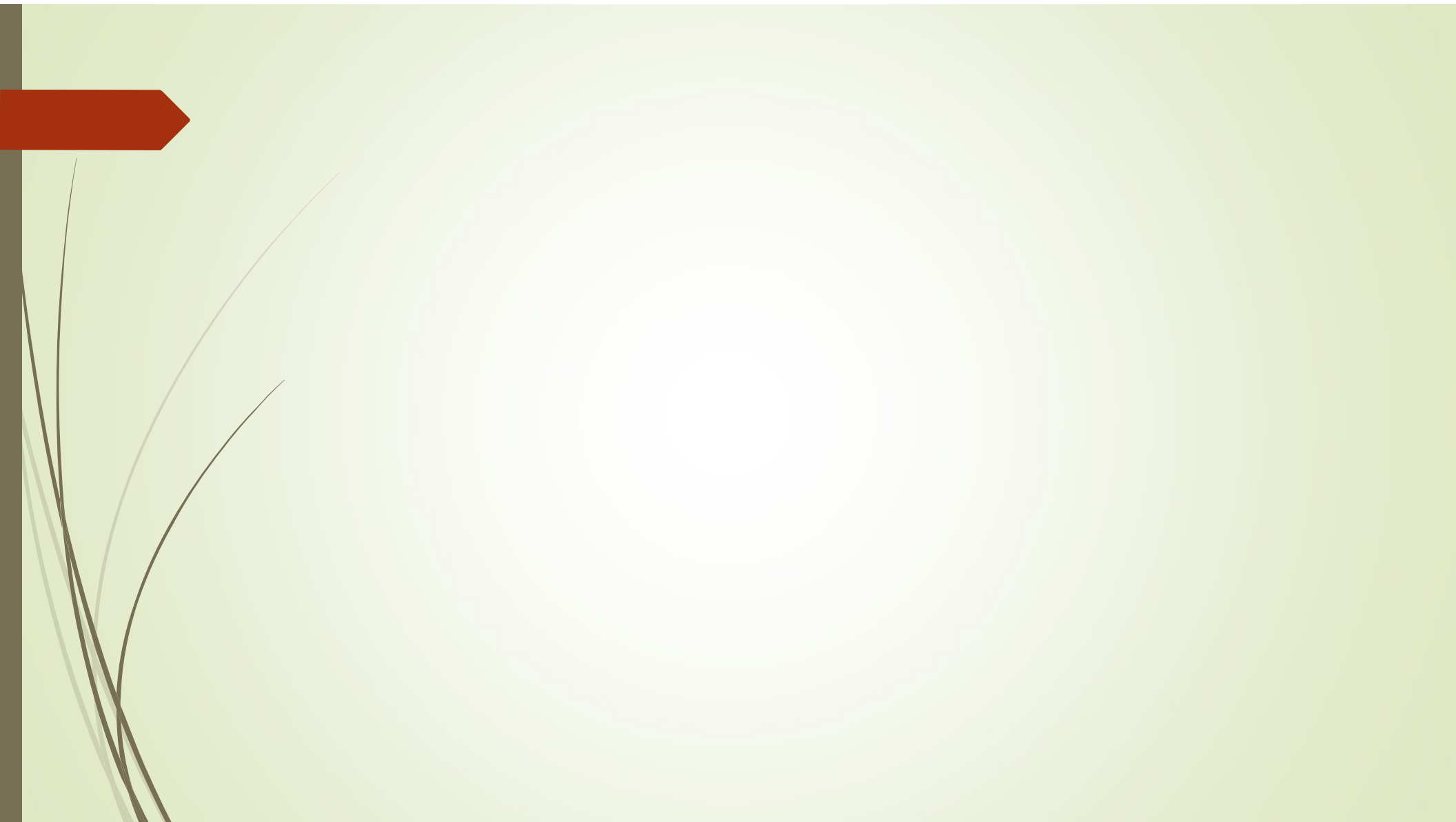
➡ "Good laws make it easier to do right and harder to do wrong."

– William Ewart Gladstone



Thank you!



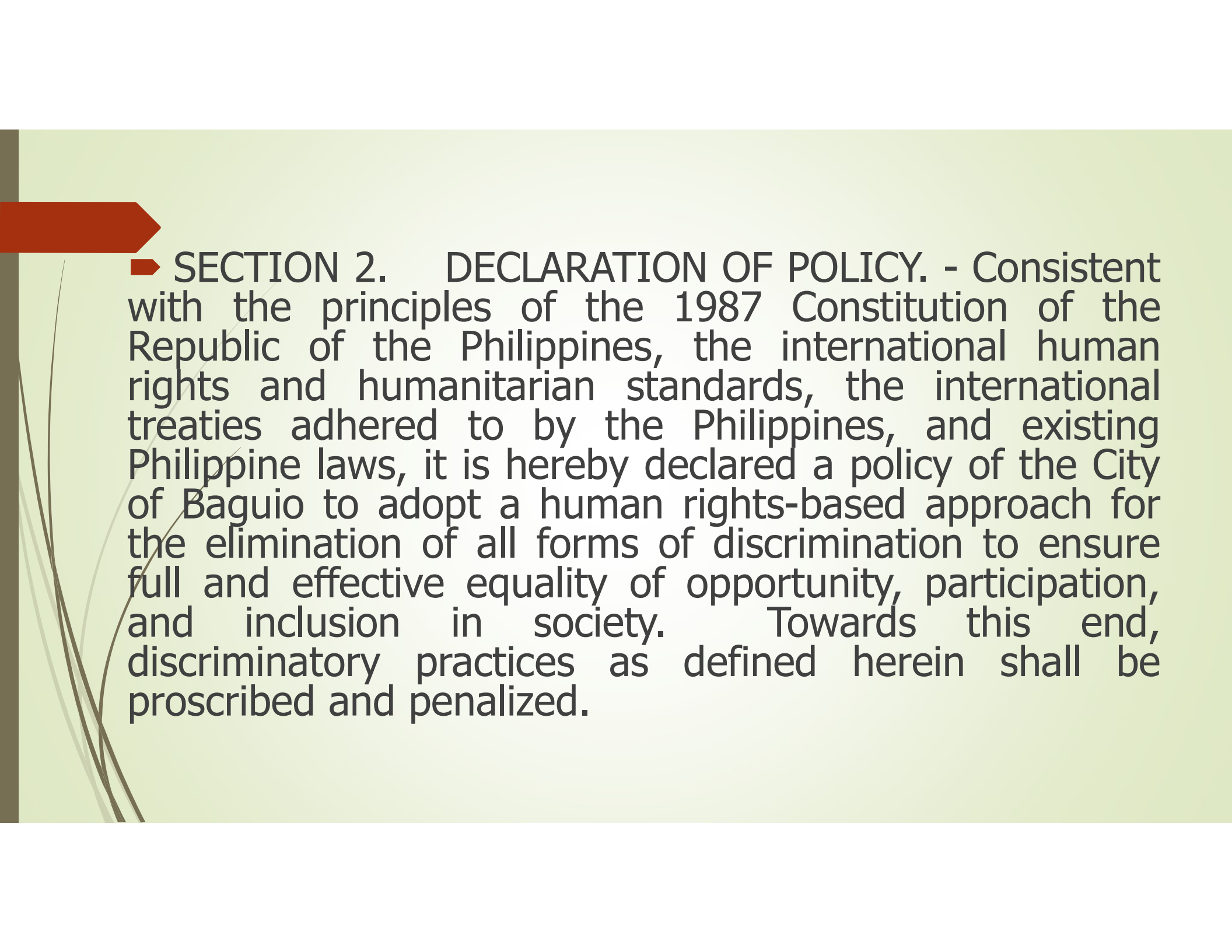


## **ORDINANCE Numbered 13-2017**

- PROHIBITING DISCRIMINATION AND ENFORCING EQUALITY BEFORE THE LAW AND EQUAL PROTECTION OF THE LAW WITHOUT ANY DISCRIMINATION IN THE CITY OF BAGUIO ON THE BASIS OF RELIGION, ETHNICITY, SEXUAL ORIENTATION AND GENDER IDENTITY, HEALTH STATUS, DISABILITY, AND AGE, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

**AIHR** | ACADEMY TO INNOVATE HR






➤ SECTION 2. DECLARATION OF POLICY. - Consistent with the principles of the 1987 Constitution of the Republic of the Philippines, the international human rights and humanitarian standards, the international treaties adhered to by the Philippines, and existing Philippine laws, it is hereby declared a policy of the City of Baguio to adopt a human rights-based approach for the elimination of all forms of discrimination to ensure full and effective equality of opportunity, participation, and inclusion in society. Towards this end, discriminatory practices as defined herein shall be proscribed and penalized.





## Discrimination

- shall refer to a distinction, exclusion, restriction or preference made on the basis of disability, age, health status, sexual orientation, gender identity, ethnicity, and religion which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal footing of the human rights and fundamental freedoms in the civil, political, economic, social, cultural, or any other field of public life of a person.



On the other hand, the following prohibited acts are violations of economic, social, and cultural rights:

- a. Denial of right to work;
- b. Denial of right to education;
- c. Denial of access to goods and services;
- d. Discrimination on accommodation/lodging establishment;
- e. Inflicting stigma;
- f. Inciting others to commit acts of discrimination; and
- g. Inflicting harm on health and well-being.

# PENALTIES

- SECTION 7. PENALTIES. - Any person or entity who violates any provision of this Ordinance shall suffer the following graduated penalties:
  - a) First Offense – the offender violating this Ordinance shall be penalized with a fine of ₱1,000.00 or an imprisonment of one day to 30 days, or both, at the discretion of the Court.
  - b) Second Offense – the offender violating this Ordinance shall be penalized with a fine of ₱3,000.00 or an imprisonment of one day to 30 days, or both, at the discretion of the Court.
  - c) Third Offense or oftener - the offender violating this Ordinance shall be penalized with a fine of ₱5,000.00 or an imprisonment of one day to 30 days, or both, at the discretion of the Court.



Equality = Sameness

GIVING EVERYONE THE SAME THING —————> It only works if everyone starts from the same place



© 2014, Saskatoon Health Region

Equity = Fairness

ACCESS TO THE SAME OPPORTUNITIES —————> We must first ensure equity before we can enjoy equality

Equity image credit: Please note, this image was adapted from an image © 2014, Saskatoon Health Region

# REFERENCES

- [https://www.google.com/search?q=women&sxsrf=ALeKk00349Nv156q1cODwPDIMn7q6BVnUA:1616647915868&source=lnms&tbm=isch&sa=X&ved=2ahUKEwjK1oHm0srvAhVIT30KHU\\_BAc0Q\\_AUoAXoECAEQAw&biw=1457&bih=932#imgsrc=rTZwDt2pK3Aq4M](https://www.google.com/search?q=women&sxsrf=ALeKk00349Nv156q1cODwPDIMn7q6BVnUA:1616647915868&source=lnms&tbm=isch&sa=X&ved=2ahUKEwjK1oHm0srvAhVIT30KHU_BAc0Q_AUoAXoECAEQAw&biw=1457&bih=932#imgsrc=rTZwDt2pK3Aq4M)
- [https://www.google.com/search?q=women+physical+violence+philippines&tbm=isch&ved=2ahUKEwic6erm0srvAhUEsksFHQQLDYcQ2cCegQIABAA&oq=women+physical+violence+philippines&gs\\_lcp=CgNpbWcQAzoHCAAQsQMqQzoECAAQZoCCAA6BAgAEB46BggAEAUQHjoGCAAQCBAeU03vEViSrxjg7bISaABwAHgAgAHCAogBxxaSAQgyNC41LjAuMZgBAKABAaoBC2d3cy13aXotaW1nwAEB&sclient=img&ei=7RZcYNy-l4TkrtoPhJa0uAg&bih=932&biw=1457#imgsrc=KvWcX4wSOYACOM](https://www.google.com/search?q=women+physical+violence+philippines&tbm=isch&ved=2ahUKEwic6erm0srvAhUEsksFHQQLDYcQ2cCegQIABAA&oq=women+physical+violence+philippines&gs_lcp=CgNpbWcQAzoHCAAQsQMqQzoECAAQZoCCAA6BAgAEB46BggAEAUQHjoGCAAQCBAeU03vEViSrxjg7bISaABwAHgAgAHCAogBxxaSAQgyNC41LjAuMZgBAKABAaoBC2d3cy13aXotaW1nwAEB&sclient=img&ei=7RZcYNy-l4TkrtoPhJa0uAg&bih=932&biw=1457#imgsrc=KvWcX4wSOYACOM)
- <https://www.google.com/search?q=women+physical+violence+philippines&tbm=isch&ved=>
- <https://psa.gov.ph/gender-stat>
- Read more: <https://newsinfo.inquirer.net/1288275/over-3600-cases-of-violence-against-women-children-reported-since-lockdown-duterte-report#ixzz6q6PIhefo>  
Follow us: [@inquirerdotnet on Twitter](#) | [inquirerdotnet on Facebook](#)
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- <https://cruzmarcelo.com/supreme-court-affirms-that-marital-infidelity-is-a-form-of-psychological-violence-and-may-be-punishable-under-the-anti-violence-against-women-and-children-act-araza-v-people-g-r-no-247429-08-sep/>
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