



Republic of the Philippines
PROVINCE OF PANGASINAN
MUNICIPALITY OF BAYAMBANG
OFFICE OF THE SANGGUNIANG BAYAN

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MUNICIPAL ORDINANCE NO. 10,
SERIES OF 2023

AN ORDINANCE
ESTABLISHING THE VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (VAWC)
DESK AND PRESCRIBING RESPONSE MECHANISMS AND PROTOCOLS IN
HANDLING GENDER BASED VIOLENCE AND RAPE CASES IN EVERY BARANGAY
OF THE MUNICIPALITY OF BAYAMBANG.

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 their fundamental equality before the law of men and women;

WHEREAS, Republic Act No. 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 12 D, Rule IV of the Rules and Regulations Implementing the Magna Carta for Women provides for the establishment of a VAW 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 R.A. 7160, the provision of services to women, children, youth and other sectors is within the auspices of the municipality, thus, this referral system is based in the municipality;

WHEREAS, pursuant to R.A. 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, R.A. 10175 or the Cybercrime Prevention Act enjoins local government units to support and participate in the creation of cybercrime prevention programs;

WHEREAS, R.A. 9208 or the Anti-Trafficking in Person Act of 2023 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, R.A. 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 provided 24-hours response;

WHEREAS, in compliance with the law, the Department of the Interior and Local Government Department Social Welfare and Development, Department of Education, Department of Health and Philippine Commission on Women issued Join Memorandum Circular No. 2010-2 requiring all government units to establish a violence against women desk in every barangay;



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WHEREAS, Section 3 of R.A. 8505 or the Rape Victim Assistance and Protection Act commands the establishment in every province and city a Rape Crisis Center located in a government hospital Health clinic or in any other suitable places that will provide psychological counselling medical and health services with medico-legal examination, fee legal assistance, privacy and safety for victims;

WHEREAS, R.A. 7877 or the Anti Sexual Harassment Act of 1995 declares sexual harassment in the employment, education or training environment unlawful, and defines the conditions under 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 adopt modalities of interventions for GBV and VAWC as women and girls experience a distinct challenge in view of the fact that disaster exacerbate existing situation within the household;

WHEREAS, the establishment of a response referral system provides for an intervention that will case 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, on motion of **SB Member Amory M. Junio**, duly seconded;

BE IT ENACTED, by the Sangguniang Bayan of Bayambang in session assembled that:

SECTION 1. Title – This Ordinance shall be known and cited as “**AN ORDINANCE ESTABLISHING THE VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (VAWC) DESK AND PRESCRIBING RESPONSE MECHANISMS AND PROTOCOLS IN HANDLING GENDER BASED VIOLENCE AND RAPE CASES IN EVERY BARANGAY OF THE MUNICIPALITY OF BAYAMBANG**”.

SECTION 2. Definition of Terms – For the purpose of this of this Ordinance, the following term and phrases shall apply:

- A. **Gender-Based Violence (GBV)** - refers to violence targeted towards a particular person because of sex, sexual orientation, gender identify and expression that causes or is likely to cause another’s mental, emotional or psychological distress and fear of personal safety, and sexual harassment acts including unwanted sexual remarks and comments.



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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/or public, or online. It shall be understood to encompass, but not limited to, the following:

- i. 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; and,
- ii. 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,
- iii. 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 R.A. 9208 and R.A. 9262. Under the Magna Carta of Women, this term is used interchangeably with gender-based violence.

C. **VAWC Desk** – a service-provision counter that would address VAW and Rape 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 VAW Desk shall be established within the premises where the Punong Barangay holds Office.

D. **Rape** – as defined by R.A. No. 8353 in connection with Article 266-A of the Revised Penal Code of the Philippines.

E. **VAWC Hotline** - a designated number institutionalized as the Municipal-Wide Emergency Hotline Number to respond to cases of Gender-Based Violence and Violence Against Women and their Children and Rape Cases.

SECTION 3. SCOPE AND COVERAGE – This ordinance enforced within the territorial jurisdiction of the Municipality of Bayambang.

SECTION 4. ESTABLISHMENT OF GBV/VAWC/RAPE DESK IN EVERY BARANGAY.

- (a) **Setting-up the GBV/VAWC/Rape Desk** – The Punong Barangay shall designate an area within the Barangay Hall for the VAW desk. He/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 shall ensure the confidentiality of the case, and the privacy and safety of the victim-survivor.



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- (b) Designation of GBV/VAWC/RAPE Desk Person- The Punong Barangay shall designate a VAW Desk 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 anti-VAWC laws. The incumbent VAW Desk Person shall continue to perform her function even with the changing of leadership; not unless proven guilty of wrongdoings which shall merit her termination, to protect the investment of the government on her trainings.

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

- 1) Respond to gender-based violence and anti-violence against women and their children and rape cases brought to the barangay;
- 2) Respond to gender-based violence and anti-violence against women and children and rape cases referred by the Hotline;
- 3) Record the number of gender-based violence and anti-violence against women and their children and rape incidents as received by the desk, as well as the hotline, and submit a quarterly report on all cases of GBV, VAWC and Rape cases to the Provincial DILG Field Office and the Municipal Social Welfare and Development Office;
- 4) Keep GBV, VAWC, and Rape cases records confidential and secured, and ensure that only authorized personnel can access it;
- 5) Assist victim-survivors of GBV, VAWC and Rape in securing the Barangay Protection Order and in access necessary services as requested or needed;
- 6) Join in the development of the gender-responsive plan for the barangay level in addressing the GBV-VAWC, and Rape, including referral and support services, capacity building, and reporting and response system;
- 7) Coordinate with and refer to government agencies, civil society organizations (CSOs) including nongovernment agencies (NGOs), institutions and other service providers as necessary;
- 8) Provide expertise and information in the creation of municipal led advocacies on the elimination of GBV, VAWC and Rape in the community.

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

A. For GBV-VAWC victim-survivors who approaches the VAW Desk or the victim-survivor herself goes to the barangay:

- 1) Make the victim-survivor feel comfortable in a safe and private room by giving her privacy and other immediate needs as may be necessary;
- 2) Get initial information to determine the risks at hand and if immediate medical attention is needed, facilitate the referral to the nearest medical facility;
- 3) As soon as the victim-survivors have stabilized, conduct a gender-responsive, non-judgmental, and respectful investigation in a language and manner understood by victim-survivor;
- 4) Inform the victim survivors of their rights and remedies available as well as the processes involved particularly in relation with the Barangay Protection Order (BPO);



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- 5) Assist the victim-survivor in filing the application if they decide to acquire a BPO;
- 6) Record the incidents using the VAWC documentation system barangay form;
- 7) If victim-survivor desires to be in a safe protection center, seek the assistance of other barangay officials, barangay tanods, or the police in getting their belongings, and refer to a protection shelter or women's center or the Municipal Social Welfare Department;
- 8) For VAWC cases, assist in the filing for a Temporary Protection Order (TPO) or Permanent Protection Order (PPO) with the nearest Family Court within 24 hours after the issuance of the BPO, if the victim-survivor so desires, they may directly apply for the TPO/PPO instead of a BPO.
- 9) 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 VAWC is reported by another community member other than the VAWC victim-survivor;

- 1) Verify the information and if needed, seek assistance from the PNP;
- 2) 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;
- 3) Inform the victim-survivor of their rights and remedies available to them;
- 4) Assist them in the filing and application for a BPO, if they desire;
- 5) Refer victim-survivor for medical care and temporary protection center and other needs when needed based on the assessment done.
- 6) Record the incident using the national VAWC documentation system barangay form;
- 7) If not done earlier, report the incident within six (6) hours to the PNP and the Municipal Social Welfare and Development Office.

C. For rape, trafficking in persons, online sexual exploitation and other cases which do not fall under the jurisdiction of the barangay, assist the victim-survivor to file a complaint at the PNP Women and Children Protection Center, the PNP Anti-Cyber Crime Group or the National Bureau of Investigation (NBI), as provided for by relevant laws.

SECTION 7. Institutionalizing the Use of 0998-598-5113 as a Municipal-Wide Emergency Hotline Number to Respond to Gender-Based Violence and Violence Against Women and their Children Incidents. The number 0998-598-5113 is hereby institutionalized as the Municipality-wide emergency hotline number for gender-based violence incidents, which shall be available and responsive 24 hours a day.

This hotline shall serve as the mechanism, in coordination with the PNP, MPS, MSWDO, Municipal Health Office and other relevant agencies, with which survivors of gender-based violence and violence against women and their children and other concerned citizens may report complaints and incidents of GBV as defined under R.A. 11313 or the Safe Spaces Act.

SECTION 8. PRIMARY SERVICE RESPONDERS OF GBV-VAWC, RAPE HOTLINE. The primary service responders of the hotline shall be:

- 1) **Philippine National Police** - as the lead agency in providing police assistance in relation to public safety and crime prevention;
- 2) **Municipal Social Welfare and Development Office** - as a response agency tasked to facilitate the access of victims to proper psychological counselling, support services



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and other services. For this purpose, the LGU may refer the survivors to other service providers;

- 3) **Municipal Health Office** - as a response agency tasked to attend to survivors and cases of GBV and VAWC; and,
- 4) **Prosecutor's Office and Public Attorney's Office** - as response agencies helping victim-survivors seek justice through filing of complaints and conducting investigations.

These primary service responders will form the Inter-Agency Task Force for Addressing GBV, VAWC and Rape cases. Support service agencies and providers shall also be tapped by the Municipality to provide assistance and support consistent with their respective mandates. Accredited civil society organizations/non-government organizations (CSOs/NGOs), hospital and medical institutions and facilities, public safety volunteers, and such other institutions and facilities may also be utilized in reference to their respective mandates.

SECTION 9. PROTOCOLS FOR HOTLINE RESPONSE. The following shall be the standard protocols to be maintained for the hotline response.

- 1) To create a safe environment for response, a protocol of confidentiality shall be observed when handling all calls received in the hotline. Information should be treated with utmost confidentiality. All callers should be reminded that all information received shall be handled with confidentiality as applicable in relation with the Data Privacy Act of 2012.
- 2) All calls received by the hotline must be documented using the National VAWC Documentation System Barangay Form. Barring information already present, additional information to be collected should include the required response per each caller, and information on the action taken (which includes, but is not limited to, referral to the PNP, referral to a hospital, referral to the MSWDO).
- 3) All calls received by the hotline must be received in a gender-sensitive manner which does not create a sense of danger or fear for the caller.

SECTION 10. DISASTER RISK MECHANISMS. Appropriate agencies must develop appropriate risk transfer mechanisms that shall guarantee continued response and increased resiliency in face of a disaster. A local early emergency alert system must be established to address reduced mobility due to a disaster. The disaster must be able to address reduced access to social services.

As appropriate, agencies must be able to formulate comprehensive recommendations involving the transport, rescue and response to victims of GBV, VAWC, and Rape including, but not limited to movement of persons, risk reduction, safety and security.

SECTION 11. INFORMATION DRIVE AND PROMOTION OF VAWC HOTLINE. The MSWDO shall promote the services of the VAW Hotline number. To aid public recall of the number, it shall:

- 1) In coordination with the Office of the Mayor, require all municipal government offices to post the VAW hotline number in conspicuous areas;
- 2) In coordination with the Engineering Office, put up tarpaulin in conspicuous places within the municipality to promote the VAW hotline number,



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- 3) In coordination with the Business Permits and Licenses Office (BPLO), provide promotional material and require all existing establishments open to the public to post the VAW hotline number in conspicuous areas. Likewise, it shall, in coordination with the BPLO, provide promotional material and require all public conveyance vehicles such as tricycles, public utility jeepneys, vans and buses to post the VAW hotline number, and to make this a requirement in applying for a license to operate;
- 4) In coordination with the Public Information Office (PIO), undertake an information campaign to maximize recall of the VAW hotline number among the public;
- 5) In coordination with DepEd and CHED, conduct campaigns in schools to educate students on GBV and VAWC and highlight the municipal mechanisms, including the GBV-VAWC hotline, to address these; and,
- 6) Undertake advocacy activities to raise community awareness on issues affecting gender-based violence and violence against women and their children.

SECTION 12. MECHANISM FOR ENFORCEMENT. Compliance with this ordinance shall be a requirement for the granting of business licenses and permits. For this purpose, the BPLO shall require all existing establishments to include information on the municipal hotline to be displayed in conspicuous areas, making this a requirement for every establishment applying for a new license to operate. The BPLO shall deny any new or renewal applications or business licenses or permits without proof of compliance with this ordinance.

SECTION 13. REINFORCED STAFFING FOR VAW HOTLINE. Trained VAW Desk Personnel shall also be trained to receive complaints made to the hotline where they will be able to respond to calls and requests and link community focal points such as the DSWD, PNP or the nearest public hospitals - whichever the incident may demand. The responder shall be trained to ensure safe disclosure and referral of the survivor, preferably female personnel.

SECTION 14. ESTABLISHMENT OF A MUNICIPAL SHELTERS FOR GBV/RAPE VICTIM-SURVIVORS. The shelter shall be created under MSWDO, which shall also act as the lead agency in its operations. The Shelter shall ensure that the needs of GBV/Rape victim-survivors are fully addressed in a gender-responsive and non-judgmental manner.

I. The Shelter shall provide the following, as may be appropriate.

- a. Complete intervention and protection services for victim-survivors and their families, including medical, police, medico-legal, legal, psychological services, and livelihood development and employment assistance.
- b. Ensure the safety and security of the victim-survivors.
- c. Provide referrals to longer-term protection shelters for victim-survivors.
- d. Provide referral for offenders and case management for rehabilitation of perpetrators of violence, abuse and exploitation; and,
- e. Serve as a resource center on information about GBV-VAWC in the municipality.

II. The Shelter shall have the following facilities:

- a. Reception area
- b. Counselling/Psychotherapy room
- c. Medical/Examination room
- d. Records/database room
- e. Rest and recreation area



SECTION 15. ROLE OF THE MUNICIPAL MAYOR. The Municipal Mayor shall ensure the establishment of a Municipal GBV-VAWC Hotline, a Municipal Protection Center, and GBV-VAWC Desk in every Barangay within their jurisdiction, and provide technical and financial assistance subject to availability of funds based on the GAD appropriation or allocation of 5% of the Annual Barangay Budget for its operations.

SECTION 16. WHOLE OF COMMUNITY PARTICIPATION. In recognition of the community as vital partners in enhancing prevention of GBV/VAWC/Rape, diverse community members, social and community service groups and institutions, faith-based and disability groups, academes, professional associations, and private and non-profit sectors must be included as partners in the municipality's campaign against GBV/VAWC/Rape. Members of these groups and institutions such as, but not limited to, business sectors, civil society organizations, faith-based groups, and the academe may be tapped to provide support such as for prevention, counselling and protection. They should also be invited during public consultations and local advocacy programs for transparency and to ensure that they are empowered to identify the needs of the victim- survivors and to provide the best service and support as needed.

SECTION 17. MONITORING AND REPORTING. All Punong Barangays or GBV-VAWC, Rape Desk Person in Charge within one month after the passage of the ordinance shall submit a report on the establishment of Barangay GBV-VAWC, Rape Desk in their respective Barangay to the Office of the Sangguniang Bayan under the Committee on Women, Children, Family relations, Persons with Disability and Social Services and the Municipal Social Welfare and Development Office.

Furthermore, all designated VAW Desk personnel in charge shall record and file all VAW cases in their respective Barangays and a Quarterly Report be likewise submitted to the above-mentioned office including the Action Taken and Status for each case. VAW case records should be treated with utmost confidentiality and security, and ensure that only authorized personnel can have access to it.

The BPLO is authorized to conduct regular visitation and inspection of business establishments to ensure that the information dissemination component of this ordinance is met.

The Inter-Agency Task Force will lead the review of the effectiveness of the GBV/VAWC/Rape response mechanism and protocol using recorded case data, performance standards and assessment tools, and client feedback.



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SECTION 18. APPROPRIATIONS. The appropriations for the implementation of this Ordinance shall be sourced and appropriated from the institutions respective Gender and Development Budget (GAD Budget) such as for repairs, maintenance and materials acquisition. Respective agencies designated to provide service shall also allocate a corresponding budget sourced from their agency programs.

The municipal government shall ensure the sustainability of the operation of the hotline and shall appropriate the amount of **One Hundred Fifty Thousand Pesos (₱150,000.00)** in the General Fund necessary for the operations of the VAW hotline - which includes but is not limited to the operation of the hotline, salaries and training of personnel. The budget shall be disbursed only according to usual accounting and auditing procedures.

SECTION 19. REPEALING CLAUSE – All provisions of local ordinances, orders, and resolutions inconsistent herewith are hereby repealed and/or modified accordingly.

SECTION 20. SEPARABILITY CLAUSE – If for any reason any part of this ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 21. EFFECTIVITY – This Ordinance shall take effect upon its approval.

Enacted this 14th day of June, 2023.

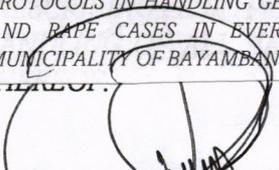


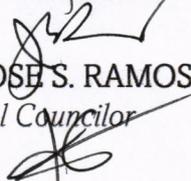
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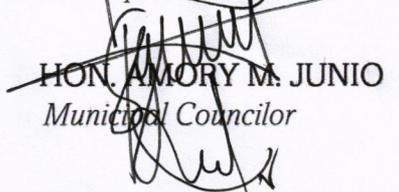

HON. PHILIP R. DUMALANTA
Municipal Councilor


HON. JOSE S. RAMOS
Municipal Councilor


HON. GERARDO DC. FLORES
Municipal Councilor


HON. LEVINSON NESSUS M. UY
Municipal Councilor


HON. BENJAMIN FRANCISCO S. DE VERA
Municipal Councilor

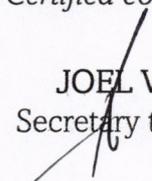

HON. AMORY M. JUNIO
Municipal Councilor


HON. MARTIN E. TERRADO II
Municipal Councilor

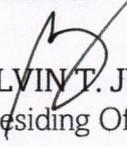

HON. RODELITO F. BAUTISTA
President, Liga ng mga Barangay
Ex-Officio Member


HON. GABRIEL TRISTAN P. FERNANDEZ
President, SK Federation
Ex-Officio Member
(absent-OB)

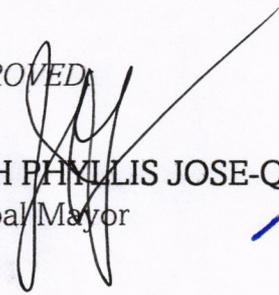
Certified correct:


JOEL V. CAMACHO
Secretary to the Sanggunian

ATTESTED:


HON. MYLVINT T. JUNIO
Acting Presiding Officer

APPROVED:


HON. MARY CLARE JUDITH PIMILIS JOSE-QUIAMBAO
Municipal Mayor

