



Republic of the Philippines  
 PROVINCE OF CAGAYAN  
 City of Tuguegarao  
**EIGHTH CITY COUNCIL**



EXCERPTS FROM THE MINUTES OF THE 51<sup>st</sup> REGULAR SESSION  
 OF THE EIGHTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN  
 HELD ON JULY 28, 2020, TUESDAY, 9:00 A.M.,  
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

**PRESENT:**

- |                                   |  |
|-----------------------------------|--|
| Hon. Bienvenido C. De Guzman II   | City Vice Mayor/Presiding Officer                  |
| Hon. Maila Rosario T. Que         | Sangguniang Panlungsod Member                      |
| Hon. Gilbert S. Labang            | -do-   |
| Hon. Danilo L. Baccay             | -do-   |
| Hon. Ronald S. Ortiz              | -do-   |
| Hon. Arnel T. Arugay              | -do-   |
| Hon. Mary Marjorie P. Martin-Chan | -do- (via Teleconferencing)                        |
| Hon. Grace B. Arago               | Sangguniang Panlungsod Member                      |
| Hon. Raymund P. Guzman            | -do-   |
| Hon. Winnoco R. Abraham           | -do-   |
| Hon. Karina S. Gauani             | -do-   |
| Hon. Victor Herbert N. Perez      | -do-   |
| Hon. Gil G. Pagulayan             | Ex Officio Member (Liga ng mga Barangay President) |
| Hon. Karen L. Taguinod            | Ex Officio Member (SK Federation President)        |

**ABSENT:**

- |                                 |  |
|---------------------------------|--|
| Hon. Imogen Claire M. Callangan | Sangguniang Panlungsod Member (on Leave) |
|---------------------------------|--|

**CITY ORDINANCE NO. 49-08-2020**

**AN ORDINANCE ESTABLISHING THE CITY OF TUGUEGARAO'S RESPONSE MECHANISM AND PROTOCOL IN HANDLING GENDER BASED VIOLENCE (GBV) AND VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (VAWC) CASES**

- |                  |  |
|------------------|--|
| <b>Sponsors:</b> | <b>Hon. Mary Marjorie P. Martin-Chan</b> |
|                  | <b>Hon. Bienvenido C. De Guzman II</b>   |
|                  | <b>Hon. Maila Rosario T. Que</b>         |
|                  | <b>Hon. Gilbert S. Labang</b>            |
|                  | <b>Hon. Danilo L. Baccay</b>             |
|                  | <b>Hon. Ronaldo S. Ortiz</b>             |
|                  | <b>Hon. Arnel T. Arugay</b>              |
|                  | <b>Hon. Winnoco R. Abraham</b>           |
|                  | <b>Hon. Grace B. Arago</b>               |
|                  | <b>Hon. Raymund P. Guzman</b>            |
|                  | <b>Hon. Karina S. Gauani</b>             |
|                  | <b>Hon. Victor Herbert N. Perez</b>      |
|                  | <b>Hon. Gil G. Pagulayan</b>             |
|                  | <b>Hon. Karen L. Taguinod</b>            |

**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**, Republic Act (R.A.) 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.



**WHEREAS**, Section 12 D, Rule IV of the Rules and Regulations Implementing the Magna Carta of 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 city, thus, this referral system is based in the city;

**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 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**, 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 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 Joint Memorandum Circular No. 2010-2 requiring all government units to establish a violence against women desk in every barangay;

**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, free 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 disasters exacerbate existing situations as confinement increases risks of violence as well as worsens the socioeconomic situation within the household;

**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;

**WHEREAS**, considering the foregoing, the enactment of this ordinance is imperative.

**NOW, THEREFORE**, be it **ORDAINED** by the Eighth City Council in session assembled, to enact:

**Section 1. Title.** This Ordinance shall be known and cited as “*An Ordinance Establishing the City of Tuguegarao’s Response Mechanism and Protocol in Handling Gender-Based Violence (GBV) and Violence Against Women and their Children (VAWC) Cases.*”



**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 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, and 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/or public, 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 R.A. 9208 and R.A. 9262. Under the Magna Carta of Women, this term is used interchangeably with gender-based violence.
- C. **GBV-VAWC Desk** – refers to 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.

The definitions of terms provided in R.A. 9710, otherwise known as the Magna Carta of Women, as far as applicable, are hereby made part of this Ordinance.

- D. **GBV-VAWC Hotline** – refers to a designated number institutionalized as the City-Wide Emergency Hotline Number to respond to cases of GBV and VAWC.

**Section 3. Scope and Coverage.** This Ordinance shall be enforced within all Barangays in the City of Tuguegarao.

**Section 4. Establishment of GBV-VAWC Desk in Every Barangay.**

- A. **Setting up the GBV-VAWC Desk** – The Punong Barangay shall designate an area within the barangay hall for the GBV-VAWC desk and 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.
- B. **Designation of GBV-VAWC Desk Person** – The Punong Barangay shall designate a GBV-VAWC 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, the Punong barangay shall ensure that the person assigned 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 children cases referred by the Hotline.





- C. Record the number of gender-based violence and anti-violence against women and their children incidents as received by the desk as well as the hotline, and submit a quarterly report on all cases of GBV and VAWC to the City DILG Field Office and the City Social Welfare Office.
- D. Keep GBV-VAWC case records confidential and secured, and ensure that only authorized personnel can access them.
- E. Assist victim-survivors of GBV-VAWC in securing the Barangay Protection Order and in accessing necessary services as requested or needed;
- F. Join in the development of the gender-responsive plan for the barangay level in addressing the GBV-VAWC including referral and support services, capacity building, and reporting and response system.
- G. Coordinate with and refer to government agencies, civil society organizations (CSOs) including non-government agencies (NGOs), institutions and other service providers as necessary.
- H. Provide expertise and information in the creation of city led advocacies on 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 GBV-VAWC victim-survivors who approach the GBV-VAWC Desk or the victim-survivors themselves go to the barangay
  - 1. Make the victim-survivors feel comfortable in a safe and private room by giving them 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 them.
  - 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).
  - 5. Assist the victim-survivors in filing the application IF they decide to acquire a BPO.
  - 6. Record the incidents using the GBV-VAWC documentation system barangay form.
  - 7. If victim-survivors desire 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 them to a protection center or women's center or the City's Social Welfare Department.
  - 8. Assist in the filing for a temporary protection order (PTO) or permanent protection order (PPO) with the nearest Family Court within 24 hours after the issuance of the BPO, if the victim-survivors so desire, 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 City's Social Welfare Department.
- B. If the incident of GBV-VAWC is reported by another community member other than the GBV-VAWC victim-survivors
  - 1. Verify the information and if needed, seek assistance from the PNP.
  - 2. Assess the situation and facilitate the rescue of the victim-survivors when necessary to ensure their safety, and when applicable the safety of their children.
  - 3. Inform the victim-survivors 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-survivors for medical care and temporary protection center and other needs when needed based on the assessment done.
  - 6. Record the incident using the GBV-VAWC documentation system barangay form.
  - 7. If not done earlier, report the incident within six (6) hours to the PNP and the City's Social Welfare Department.
- 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 a City-Wide Emergency Hotline Number to Respond to Gender-Based Violence and Violence Against Women and their Children Incidents.** The number \_\_\_\_\_ is hereby institutionalized as the City-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, CSWDO, City 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 and VAWC as defined under R.A. 11313 or the Safe Spaces Act.

**Section 8. Primary Service Responders of GBV-VAWC 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. City Social Welfare Development Office – as a response agency tasked to facilitate the access of victims to proper psychological counselling, support services and other services. For this purpose, the LGU may refer the survivors to other service providers;
3. City Health Center – 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 and VAWC.

Support service agencies and providers shall also be tapped by the City to provide assistance and support consistent with their respective mandates. Accredited civil society organizations (non-government organizations), hospitals 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.

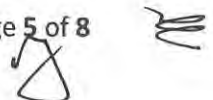
1. To create a safe environment for response, a protocol of confidentiality shall be observed when handling all calls received in the hotline. Information should be treated with utmost confidentiality. All callers should be reminded that all information received shall be handled with confidentiality 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 CSWDO).
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 and rescue of, and response to victims of GBV-VAWC including, but not limited to, movement of persons, risk reduction, safety and security.

**Section 11. Information Drive and Promotion of GBV-VAWC Hotline.** The CSWDO 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 City Government offices to post the VAW hotline number in conspicuous areas;





2. In coordination with the Engineer's Office, put up billboards in conspicuous places within the City to promote the GBV-VAWC hotline number;
3. In coordination with the Business Permits and Licenses Office (BPLO), provide promotional materials and require all existing establishments open to the public to post the GBV-VAWC hotline number in conspicuous areas. Likewise, it shall, in coordination with the BPLO, provide promotional materials and require all public conveyance vehicles such as tricycles, public utility jeepneys, vans and buses to post the GBV-VAWC hotline number, and to make this a requirement in applying for a license to operate;
4. In coordination with the Public Information Office, undertake an information campaign to maximize recall of the GBV-VAWC hotline number among the public;
5. In coordination with DepEd and CHED, conduct campaigns in schools to educate students on GBV-VAWC and highlight the City/City 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 City 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 GBV-VAWC 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 a female personnel.

**Section 14. Establishment of a City Protection Center for GBV-VAWC Victim-Survivors.** The Center shall be created under CSWDO which shall also act as the lead agency in its operations. The Center shall ensure that the needs of GBV victim-survivors are fully addressed in a gender-responsive and non-judgmental manner.

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

1. 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.
2. Ensure the safety and security of the victim-survivors.
3. Provide referrals to longer-term protection centers for victim-survivors.
4. Provide referral for offenders and case management for rehabilitation of perpetrators of violence, abuse and exploitation; and,
5. Serve as a resource center on information about GBV-VAWC in the City.

II. The Center shall have the following facilities:

1. Reception area
2. Counselling/Psychotherapy room
3. Medical/Examination room
4. Records/database room
5. Rest and recreation area

**Section 15. Role of the City Mayor.** The City Mayor shall ensure the establishment of a City GBV-VAWC Hotline, a City Prosecution Center and GBV-VAWC Desk in every Barangay within his/her 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 and VAWC, 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 city's campaign against GBV and VAWC. 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 Desk Persons in Charge within one month after the passage of the ordinance shall submit a report on the establishment of Barangay GBV-VAWC Desk in their respective Barangays to the Eighth City Council under the Committee on Family and Women and the City Social Welfare and Development Office.

Further, all designated GBV-VAWC Desk personnel in charge shall record and file all GBV-VAWC cases in their respective Barangays and a Quarterly Report be likewise submitted to the abovementioned office including the Action Taken and Status for each case. GBV-VAWC case records should be treated with utmost confidentiality and security, and only authorized personnel can have access to them.

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 response mechanism and protocol using recorded case data, performance standards and assessment tools, and client feedback.

**Section 18. Appropriations.** The funds for the efficient implementation of this ordinance shall be appropriated in the annual budget or any supplemental budgets of Tuguegarao City.

The city government shall ensure the sustainability of the operation of the hotline and shall appropriate necessary funds for the operations of the GBV-VAWC 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.

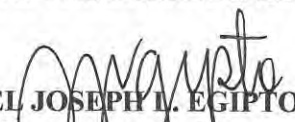
**Section 19. Repealing Clause.** All provisions of local ordinances, orders and resolutions inconsistent herewith are hereby repealed and/or modified accordingly.

**Section 20. Separability Clause.** If for any reason that 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 approval of the City Mayor and publication in a newspaper of general circulation in the City of Tuguegarao.

X-X-X

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

  
**JOEL JOSEPH I. EGIPTO, Ph.D.**  
Secretary to the Sanggunian *Am*



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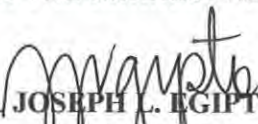
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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

  
**JOEL JOSEPH L. EGIPTO, Ph.D.**  
Secretary to the Sanggunian



ATTESTED:

  
**HON. BIENVENIDO C. DE GUZMAN II**  
City Vice Mayor/Presiding Officer  
Date: 07/29/20

APPROVED:

  
**HON. ATTY. JEFFERSON P. SORIANO**  
City Mayor  
Date: 08-03-20

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