



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 31ST REGULAR SESSION OF THE 7th SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON May 27, 2014.

OFFICERS/MEMBERS	POSITION	PRESENT	ABSENT	OB	OL
Hon. Michael F. Morpos	Mun. Vice Mayor		/		
Hon. Francisco D. Gumban	SB Member	/			
Hon. Agustin M. Adapon ,Sr.	SB Member		/		
Hon. Reynante G. Borling	SB Member	/			
Hon. Roger M. Pacalioga	SB Member		/		
Hon. Corazon J. Mandao	SB Member	/			
Hon. Lars Christian C. Tangalin	SB Member	/			
Hon. Bernalo P. Degenion	SB Member	/			
Hon. Nilo B. Ledesma	SB Member	/			
Hon. Jerson L. Cabahug	Ex- Officio Member	/			

Municipal Ordinance No. 5, s. 2014

AN ORDINANCE COMPELLING EVERY BARANGAY OF THE MUNICIPALITY OF DUMINGAG TO ESTABLISH VIOLENCE AGAINST WOMEN AND CHILDREN (VAWC) DESK AND LAUNCH PROTOCOL IN HANDLING VAWC CASES AT BARANGAY LEVEL.

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;

WHEREAS, pursuant to Republic Act (RA) 9710, otherwise known as the Magna Carta of Women is comprehensive women human rights law that seeks to eliminate discrimination against women. Section 12 D. Rule IV of the Rules and Regulations Implementing the Magna Carta of Women provides for the establishment of a VAWC desk in every barangay to ensure that violence against women;

WHEREAS, comprehensive women’s rights law seeks to eliminate discrimination against women by recognizing protecting fulfilling and promoting the rights of Filipino women;

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 violence against women desk in every barangay;

WHEREAS, the establishment of Violence Against Women Desk in every barangay provides for an intervention that wilt raise 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, the Sangguniang Bayan of Dumingag hereby ordains and decrees:

SECTION 1. TITLE. This Ordinance shall be known and cited as “An Ordinance Compelling Every Barangay to Establish Violence Against Women and Children (VAWC) Desk and Launch Protocol in Handling VAWC Cases at Barangay Level”.

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

2.1. Violence Against Women and 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 children including threats of such acts, coercion, or arbitrary deprivation or liberty, whether occurring in public or in private life. 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 female 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 in women and children, and prostitution; 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 No. 9208 and 9262. Under the Magna Carta of Women. This term is used interchangeable with gender-based violence.

2.2. VAWC Desk - a facility that would address VAWC cases in a gender-responsive manner, managed by a person designed by the Punong Barangay. It is situated within the premises of the barangay hall. In the absence of a barangay hall. The VAWC Desk shall be established within the premises where the punong barangay holds office.

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.

SECTION 3. SCOPE AND COVERAGE. This ordinance shall be enforced within all Barangay of the Municipality of Dumingag, Zamboanga del Sur.

SECTION 4. ESTABLISHMENT OF VAWC DESK IN EVERY BARANGAY.

4.1. Setting up the VAWC Desk - the punong barangay shall designate an area within the barangay hall for the VAWC desk. S/he shall provide for the necessary furniture and fixture 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 VAWC Desk person - the punong barangay shall designate a 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, ensure that the person assigned shall undergo basic gender sensitivity training and orientation on anti-VAWC laws.

SECTION 5. FUNCTIONS OF THE BARANGAY VAW DESK.

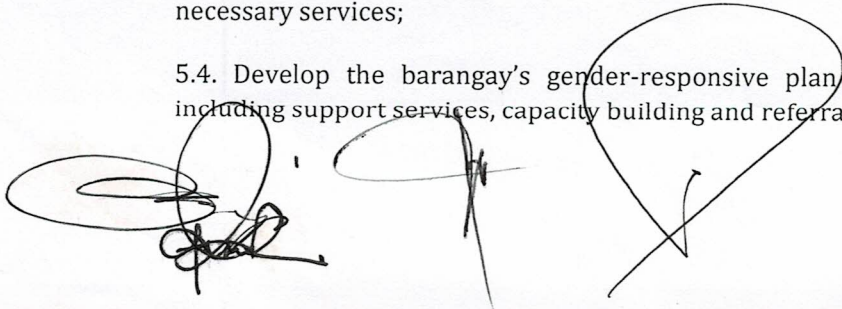
The VAWC Desk shall perform the following tasks:

5.1. Respond to gender-based violence cases brought to the barangay;

5.2. Keep VAWC case records confidential and secured, and ensure that only authorized personnel can access it;

5.3. Assist victims of VAWC in securing Barangay Protection Order (BPO) and access necessary services;

5.4. Develop the barangay's gender-responsive plan in addressing gender-based violence, including support services, capacity building and referral system;

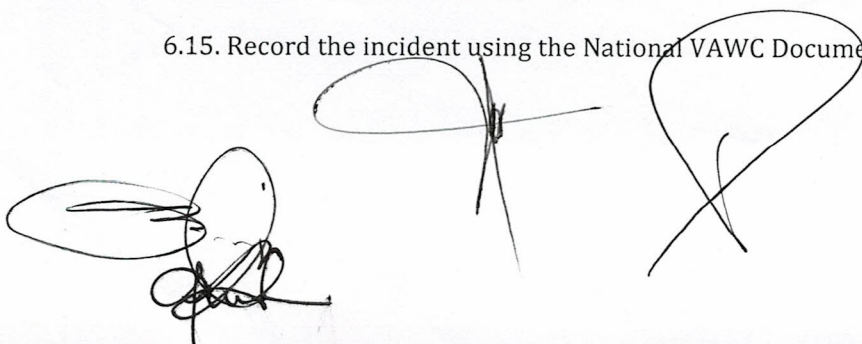
The bottom of the page features several handwritten signatures and initials in black ink. On the left, there is a large, stylized signature. In the center, there are some initials. On the right, there is a large, circular mark that looks like a signature or a stamp. The handwriting is somewhat messy and informal.

- 5.5. Coordinate with and refer cases to government agencies, non-government organizations (NGOs), institutions, and other service providers as necessary;
- 5.6. Address other forms of abuse committed against women, especially senior citizens, women with disabilities, and other marginalized groups;
- 5.7. Address abuses committed against children;
- 5.8. Lead advocacies on the elimination of VAWC in the community;
- 5.9. Perform other related functions as may be assigned;

SECTION 6. PROTOCOL IN HANDLING VAWC CASES AT BARANGAY LEVEL.

The following protocols shall be observed by the Barangay VAWC Desk person when responding to VAW situations:

- 6.1. A VAWC victim-survivor is accompanied by someone to the barangay or the victim herself goes to the barangay;
- 6.2. Make the woman or child comfortable in a safe and private room giving her water and other immediate needs, if any;
- 6.3. 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;
- 6.4. After the victim-survivor has stabilized, assist the punong barangay/kagawad in the conduct of an investigation in a gender sensitive and non-judgmental manner in a language understood by her;
- 6.5. Inform her of her rights and the remedies available and the process involved particularly in relation to the BPO. Assist her to file application, if she decides to have a BPO;
- 6.6. Record the incident using the National VAWC Documentation System barangay form;
- 6.7. 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 MSWDO;
- 6.8. 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;
- 6.9. Report the incident within the six (6) hours to the PNP and MSWDO;
- 6.10. A victim-survivor of VAWC is reported by a community member;
- 6.11. Verify the information and if needed, seek assistance from the PNP;
- 6.12. Assess the situation and facilitate the rescue of the victim-survivor when necessary to ensure her safety, and when applicable the safety of her children;
- 6.13. 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;
- 6.14. Refer victim-survivor for medical care and temporary shelter and other needs when needed based on the assessment done;
- 6.15. Record the incident using the National VAWC Documentation System barangay form;



6.17. 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 at the PNP Women and Children Protection Center or the National Bureau of Investigation (NBI);

SECTION 7. ROLE OF MUNICIPAL MAYOR. The Municipal Mayor shall ensure the establishment of a 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 8. MONITORING AND REPORTING. All Barangay Captains or VAWC Desk Person in Charge within one month after the passage of the ordinance shall submit a report on the establishment of Barangay VAWC Desk in their respective Barangay to the Office of the Sangguniang Bayan under the Committee on Family and Women and Municipal Welfare and Development Office.

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

SECTION 9. REPEALING CLAUSE. All provisions of local ordinances, orders, resolutions inconsistent herewith are hereby repealed and/or modified accordingly.

SECTION 10. 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.

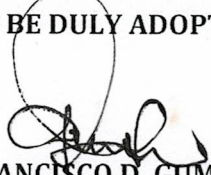
SECTION 11. EFFECTIVITY CLAUSE. This ordinance shall take effect upon review of the Sangguniang Panlalawigan and publication in a newspaper of general circulation in the Municipality of Dumingag, Province of Zamboanga del Sur.

Enacted: May 27, 2014

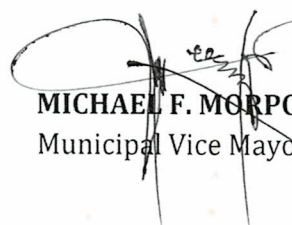

VEBERLIE B. QUIAPO

Local Legislative Staff - II/Acting Recorder

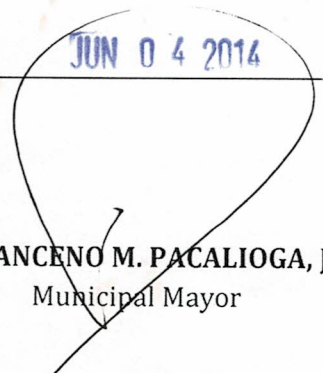
**ATTESTED AND CERTIFIED
TO BE DULY ADOPTED :**


FRANCISCO D. GUMBAN
SB Member/Presiding Officer

NOTED:


MICHAEL F. MORPOS
Municipal Vice Mayor



APPROVED:  JUN 04 2014 2014

NACIANCELO M. PACALIOGA, JR.
Municipal Mayor

