



Republic of the Philippines
Province of Isabela
MUNICIPALITY OF PALANAN

SANGGUNIANG PANLALAWIGAN
RECEIVED BY: *sm*
DATE/ TIME: *9-6-17*

OFFICE OF THE SANGGUNIANG BAYAN

Literal copy of Municipal Ordinance No. 2017- 11 approved by the Sangguniang Bayan of Palanan, Isabela in its Regular Session on July 10, 2017 held at the SB Session Hall.

MUNICIPAL ORDINANCE NO. 2017 – 11

WHEREAS, Republic Act 9710, otherwise known as the magna carta of Women is a comprehensive women's human rights Law that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino Women, especially those in the marginalized sectors. Section 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, Joint Memorandum Circular No. 2010 – 2 is jointly issued by the Department of the Interior and Local Government (DILG), the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the Department of Education (DepEd) and the Philippine Commission on Women (PCW), pursuant to section 12 D.2 Rules and Regulations of RA 9710;

WHEREAS, 2014 Seal of Good Local Governance of the Department of the Interior and Local Government (DILG) aims for a condition where the Local Government Units are sensitive to the needs of vulnerable and marginalized sectors of the Society;

WHEREAS, the Seal of Good Governance core indicator # 3 on Social Protection requires access to Justice i.e. the Local Government Unit must have mechanisms in handling cases on violence against Women and Children;

WHEREAS, with these premises, an ordinance establishing Barangay VAW Desks and Recording and Reporting System is hereby proposed;

RESOLVE as it is **HEREBY RESOLVES**, to enact the following Ordinance, to wit:

MUNICIPAL ORDINANCE NO. 2017 – 11

AN ORDINANCE ESTABLISHING BARANGAY VAW DESK AND A RECORDING AND REPORTING SYSTEM IN THE MUNICIPALITY OF PALANAN, ISABELA.

Be it enacted by the Sangguniang Bayan in Session assembled that:

SECTION 1 – OBJECTIVES – this Ordinance seeks for the establishment of Barangay Violence Against Women (VAW) desk and a Recording and Reporting System in the Municipality of Palanan.

SECTION 2 - DEFINITION OF TERMS –

a. Violence Against Women (VAW) – refers to any act of gender-based violence that results in, or is likely to result in physical, sexual, or psychological harm of suffering to women, including threats of such acts, coercion, or arbitrary, 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 Prostitution, and Physical, Sexual, and Psychological Violence perpetrated or condoned by the State, wherever it occurs. It also includes acts of Violence Against Women, this term is used interchangeably with Gender-Based Violence.

b. VAW Desk – refers to a facility that would address VAW 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 the Barangay Hall, the VAW Desk shall be established within the premises where the Punong Barangay holds office;

c. VAW Desk Person/in-Charge – refers to a person trained in Gender-Sensitive Handling of cases, preferably a woman barangay Kagawad or woman barangay tanod;

SECTION 3 – Establishment of VAW Desk in every Barangay – The Punong Barangay shall designate an area within the Barangay Hall for the VAW Desk and shall provide the necessary furniture and fixtures such as, but not limited to table, chairs, separate filing cabinet and log book for record-keeping of cases and shall ensure the confidentiality of the case and privacy and safety of the victim-survivor.

SECTION 4 – Designation of VAW Desk Person/in-Charge – The Punong Barangay shall designate a VAW Desk Person/In-Charge 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- VAW Laws.

SECTION 5 – Functions of the VAW Desk Person/in-Charge – The VAW Desk Person/in-Charge 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 VAW to the Municipal Local Government Operations Officer (MLGOO) and the Municipal Social Welfare and Development Officer- Gender and development (MSWDO-GAD) Focal Person;
3. Keep VAW case records confidential and secured, and ensure that only authorized personnel can access it;
4. Develop the barangay's Gender-Responsive Plan in addressing Gender-based Violence, including Support Services, Capacity Building and Referral System;
5. Coordinate with and refer cases to Government Agencies, Non-Government Organizations (NGOs), Institutions, and other services, and
6. perform other related functions as may be assigned.

SECTION 6 – Protocol in handling VAW cases at the Barangay Level – The following procedures shall be observed by the barangay VAW Desk Person/in-Charge when responding to VAW situations:

1. 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 risk on hand and if immediate medical attention is needed. If So, facilitate referral to the nearest medical facility;

3. After the victim-survivor has stabilized, assist the Punong Barangay/Kagawad in the conduct of investigation in a Gender-Sensitive and non-judgmental manner in a language understood by her;

4. Inform her of her rights and the services available and the processes involved particularly in relation to the Barangay Protection Order (BPO). Assist her to the application, if she decides to have a BPO;

5. Record the incident using the National VAW Documentation System Barangay Form (RA 9262 Annexes);

6. 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;

7. Assist the victim-survivor to file a Temporary Protection Order (TPO) or Permanent Protection Order (PPO) with the nearest Regional Trial Court (RTC) or Family Court within 24 hours after issuance of the BPO, if the victim-survivor so desires or she applies directly for the TPO/PPO instead of BPO;

8. 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;

9. Refer victim-survivor for medical care and temporary shelter and other services needed based on the assessment done;

10. Report the incident within Eight (8) hours to the Women and Children Protection Desk-Philippine National Police (WCPD-PNP) and to the Office Municipal Social Welfare and Development Office (MSWDO);

11. Rape cases, trafficking in persons and other cases which do not fall under the jurisdiction of the Barangay, the VAW Desk Person/in-Charge shall assist the victim-survivor to file a complaint at the Women and Children Protection Desk (WCPD-PNP) or to the nearest National Bureau of Investigation (NBI).

SECTION 7 - Recording and Reporting System – Proper record-keeping and regular reporting by the VAW Desk Person/in-Charge are important to keep track of VAW incidents and to generate data. The relevance of the data will help in determining and developing needed remedies effective advocacy program and better laws and policies addressing VAW. All records pertaining to cases of Violence Against Women and their children shall be held confidential (Confidentiality clause, Section 44, RA 9262). The VAW Desk must use the prescribed VAW Documents Forms (RA 9262 annexes). The Barangay VAW Desk Person/in-Charge shall submit a quarterly report on all cases of VAW to MLGOO and to the MSWDO particularly to the GAD Focal Person.

SECTION 8 – Funding - The cost of the establishment and operations of the Barangay VAW Desk shall be charged under the respective Barangay Gender and Development (GAD) Budget. The capability building of the VAW Desk Person/in-Charge shall be charged to the LGU GAD Budget.


SECTION 9 – Separability Clause – should any provision of this Ordinance be declared unconstitutional or illegal by any Court of Competent Jurisdiction, those parts which are not declared shall remain in effect.

SECTION 10 – repealing Clause – All Ordinances, Orders, Rules and regulations or parts thereof, which are inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.


SECTION 11 – Effectivity Clause – This Ordinance shall take effect immediately upon approval.

Enacted on July 10, 2017.


I hereby attest to the correctness of the foregoing Municipal Ordinance.


ELPIDIO T. GUZMAN, JR.
Secretary to the Sanggunian

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


SATURNINA B. CABALDO
Municipal Vice-Mayor/Presiding Officer

APPROVED:


ELIZABETH B. OCHOA
Municipal Mayor