

City Ordinance No. 5004 and Executive Order No. 24

The Women Development Code of Davao City and its Implementing Rules and Regulations

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CITY ORDINANCE NO. 5004

**AN ORDINANCE PROVIDING FOR A
WOMEN'S DEVELOPMENT CODE OF DAVAO CITY,
AND FOR OTHER PURPOSES**

Be it ordained by the Sangguniang Panlungsod, City of Davao that:

BOOK I – GENERAL PROVISIONS

CHAPTER I – BASIC PRINCIPLES

ARTICLE I

Title and General Policy

SECTION 1. **Title.** This Ordinance shall be known as the “Women Development Code of Davao City”.

SECTION 2. **Declaration of Policy and Principles of the Local Government of Davao City.** It shall be the policy of the Local Government of Davao City to uphold the rights of women and the belief in their worth and dignity as human beings. Women shall be recognized as full and equal partners of men in development and nation building and men shall share equal with all forms of productive and reproductive activities.

The Local Government of Davao City shall actively contribute to the establishment of a national and international economic order based on sustained,

equitable growth and balanced ecology. And that any development efforts it undertakes should enhance women's full potential, uplift their status and lead to the improvement of their quality of lives, their families and that of their communities.

Towards this end, the Local Government of Davao City shall pursue and implement vigorously gender responsive development policies, design an integrated gender and development support systems, taking into consideration women's immediate economic survival with support for their efforts of empowerment and self-determination, and to adopt and implement measures to protect and promote their rights.

TO ATTAIN THE FORGOING POLICY:

1. Thirty percent of the Official Development Assistance funds received from foreign governments and multilateral agencies and organizations shall be set aside and utilized in accordance with the provision of RA 7192 otherwise known as Women in Development and Nation Building Act, by the Local Government departments and agencies of Davao City concerned to support programs and activities for women.
2. All Local Government department and agencies of Davao City shall ensure that women benefit equally and participate directly in the development programs and projects of said departments and agencies, specifically those funded under official foreign development assistance, to ensure the full participation and involvement of women in the development process, pursuant to RA 7192.
3. All government project proposals shall ascertain the inclusion of gender responsive indicators and guidelines while not be remiss in locating the root of women's oppression, pursuant to the United Nations Declarations of which the Philippine Government is a signatory.
4. All Local Government departments and agencies of Davao City upon effectivity of this Code shall review and revise all their regulations, circulars, issuances and procedures to remove gender bias therein, and shall complete the same within two years.
5. The Council of Women of Davao City, as provided for under Section 30 Article II, Chapter II, book I of this Code shall be actively consulted in matters dealing with official development assistance or foreign aid so as to determine gender biases and implications on women.

ARTICLE I

Related Principles

SECTION 3. **Rights of Women Defined.** Women Rights are the rights of women that are defined and declared by the United Nations under Convention on

the Elimination of Discrimination Against Women (CEDAW) which we hereby adopt as follows:

- a. Women have the right to the prevention of, and protection from all forms of violence and coercion against their person, their freedom, their sexuality, and their individuality.
- b. Women have the right to freely and fully participate individually or collectively in the political processes of their communities and nations.
- c. Women have the right to the means for assuring their economic welfare and security.
- d. Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice in accordance to the Constitution and their beliefs and preferences.
- e. Women have the right to choose a spouse in accordance with their values and preferences, maintain equality in marriage or its dissolution, and obtain adequate support for rearing and caring of their children.
- f. Women have the right to an adequate, relevant and gender-fair education throughout their lives, from childhood to adulthood.
- g. Women have the right to adequate nutrition and proper health care.
- h. Women have the right to humane living conditions.
- i. Women have the right to nurture their personhood, collectively and individually, to secure an image of themselves as whole and valuable human beings, to build relationships based on respect, trust and mutuality.
- j. Women have the right to equality before the law in principle as well as in practice.

SECTION 4. Gender, Development, Discrimination, Commodification Explained:

Gender – is a socially constructed difference between men and women. Differences are created artificially, partly through socialization and partly through positive and negative discrimination in the various institutions and structures of society.

Development – is the improvement of the quality of life of all regardless of age, sex, gender, tribe, race, creed and religion. It is characterized by an enrichment of Filipino indigenous resources, sustainable utilization of the natural resources of the country and freedom from dependency. It is therefore, sustained, equitable growth and balanced ecology.

Discrimination Against Women – any distinction, exclusion or restriction made on the basis of sex which has purpose or effect of impairing or nullifying the recognition, enjoyment or exercise by women of their rights irrespective of their marital status.

Commodification of Women – is a practice which puts women in subordinate situations which results in the treatment of women as both consumer goods and objects. As consumers, women are allured to buy beauty products to enhance their physical attractiveness. As objects of consumption, women are reduced to a sexual commodity for manipulation and utilization for one's sexual desire or interest usually in exchange of money or goods so as that women have no control or power to reject such utilization or manipulation.

CHAPTER II – DEVELOPMENT CONCERNS

ARTICLE I

Violence Against Women

SECTION 1. **Violence Against Women Defined** – any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such act, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

SECTION 2. **Violence against women shall include include but is not limited to:**

- a. Physical, Sexual and psychological violence occurring in the family and other close relationships, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
- b. Physical, sexual and psychological violence occurring within the general community, including rape, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution.
- c. Physical, sexual and psychological violence perpetrated against women and condoned by the State, wherever it occurs.
- d. Violation of human rights of women in situations of armed-conflict, in particular murder, physical and psychological torture, systematic rape, sexual slavery and forced pregnancy.
- e. Forced sterilization and forced abortion, coercive/forced use of contraceptives, prenatal sex selection and female infanticide.
- f. To buy or sell a woman or any of her body parts for profit
- g. Feminization of poverty which is regarded as a condition when gap between the rich and the poor widens and grassroots women bear the brunt as in economic instability and unequal distribution of wealth. Such gap reinforces non-response to both practical and strategic interests of women.

SECTION 3. **Sexual Abuse Defined.** Sexual abuse shall include but is not limited to the following:

1. When a man inserts or attempts to insert his penis into the mouth or anus of a woman under any of the following situations.
 - a) Through force, threat or intimidation; b) by means of abuse of authority or relationship; c) when the offended party is deprived of reason or is otherwise unconscious; d) when the offended party is below twelve years old, even though none of the above circumstances is present.
2. When a person who inserts part of his or her body other than the sexual organ, or who introduces any object or instrument into the genital or anus of a woman under any of the situations stated in paragraph 1.
3. When a person subjects another to have sexual intercourse with an animal under any of the circumstances stated in the paragraph 1 or through any abnormal, unusual or ignominious sexual act.
4. Any intentional contact however slight of one's penis to the genital, mouth, breast or anus of a woman or intentional contact thereof, however slight, to any part of her body other than her sexual organ; or the use of any instrument or object which intentionally touches the genital, breast or anus of a woman.
5. Sexual abuse in intimate marital relations. Forced sexual act committed under intimate or marital relations shall form part of sexual abuse such as those between man woman, woman and woman, man and man relations, married or unmarried, legally separated or separated in fact.

SECTION 4. **Battering Defined** – a series of physical, emotional and psychological abuse, It is a repeated and habitual cyclic pattern s means of intimidations and imposition of the batterer's will and control over the survivor's life. Battering constitutes the following kinds of behavior but is not limited to:

- a. **Sexual battering** – this includes physical attacks on the women's breast/genitals or forced sexual activity, accompanied by either physical violence or the threat of physical violence.
- b. **Psychological battering** – this includes threats of suicide, violence against the woman or her family, punching, breaking or defacing or otherwise destroying the house or any part thereof; or of the personal belongings of a woman, threatening to take the children

away, threatening deportation of wives with foreign citizenship, threatening to kidnap children or take them to a foreign country and forcing the victim to do degrading things; controlling the victim's lawful or usual activities, the use of foul and insulting words or statements and threats of abandonment and expulsion such as forcing the wives to leave the conjugal dwelling. This provision shall likewise apply to common-law relations but does not include adulterous ones as contemplated in the Revised Penal Code.

- c. **Economic battering** – this includes deprivation of women of economic resources, their generation and mobilization so as to create dependency and submissiveness to men and to any established structures of domination.

SECTION 5. **Trafficking in Women Defined** – is a covert recruitment of women into the sex trade industry. It includes new forms of sexual exploitation such as sex tourism, the recruitment of domestic labor to work in developed countries, and organized marriages between women from third world countries, and foreign nationals, promotion or initiating a system in which women become movable properties and objects of exchange.

Trafficking in Women shall include the following but is not limited to:

- a) for any person association, cult, religion or organization or similar entities to commit the following acts:
- establish or carry on a business for the purpose of matching women for marriage to for foreigner either on mail order basis or through personal introduction or cyberspace;
 - advertise, publish, print or distribute, or cause the advertisement, publication, printing or distribution of any brochure, flyer or propaganda material calculated to promote the above-mentioned prohibited acts for profit or advantage;
 - solicit, enlist, or attract/include any woman to join any club, association or organization whose objective is to match women for marriage to foreigners
 - either on mail-order basis or through personal introduction or cyberspace or any other forms which facilitate the act of solicitation;
 - use the postal service, cyberspace or satellite TV to promote the above-mentioned prohibited acts.

- b) to buy or sell a woman, or any of her body parts for profit; or to use her body by any pretext; to be used as experiments, research or the like without her consent.
- c) to act as a procurer of sex worker,
- d) to threaten or use violence and force a woman to become a mail-order bride.

SECTION 6. **Mail Order Bride Defined.** It is a practice where woman establish personal relations with male-foreign national via mail or similar means upon recruitment by an individual or agency for the purpose of exploiting women in guise of marriage.

SECTION 7. **Sexual Harassment Defined.** It is a form of misconduct involving an act or a series of unwelcome sexual advances, request for sexual favors, or other verbal or physical behavior of a sexual nature, made directly, indirectly or impliedly.

Sexual harassment shall be unlawful in the employment, education or training environment as prescribed in RA 7877.

SECTION 8. **Other Forms of Sexual Harassment.** Other than the definition provided by RA 7877 the following constitute sexual harassment some of which are covered by the Revised Penal Code under Acts of Lasciviousness:

1. persistent telling of offensive joke such as green jokes or other analogous statements to someone who finds them offensiveness or humiliating;
2. taunting a person with constant talk about sex and sexual innuendoes;
3. displaying offensive or lewd pictures and publications in the workplace;
4. interrogating someone about sexual activities or private life; during interviews for employment, scholarship grant or any lawful activity applied for;
5. making offensive hand and body gestures at someone;
6. repeated asking for dates despite verbal rejection;
7. staring or leering maliciously;

8. touching, pinching or brushing up someone's body unnecessarily or deliberately;
9. kissing or embracing someone against her will;
10. requesting sexual favors in exchange for good grade, obtaining a good job or promotion, etc.;
11. cursing, whistling or calling a woman in public with words having dirty connotations or implications which tend to ridicule, humiliate or embarrass the woman such as "puta", "boring", "peste", etc...
12. any other unnecessary acts during physical examinations.
13. requiring women to wear suggestive or provocative attire during interviews such as job hiring, promotion, admission.

SECTION 9. **Pedophilia Defined.** Pedophilia which is a form of perversion where children are the preferred victims is defined under the following circumstances;

- a) when the offender shall have sexual intercourse with a girl;
- b) when the offender shall have anal intercourse with a boy or girl.

SECTION 10. **Prohibition of Printing, Publishing, Display and Distribution of Pornographic Scenes on Movie/TV Trailers/show, Posters, Billboard and other Materials and Similar Literature.** It shall be unlawful for any person to print, publish, display or distribute pornographic scenes on movie/TV trailer/show, Posters, Billboard, literature and other visual material which treat women as sex objects and commodities.

SECTION 11. **Pornographic and Indecent shows.** Indecent shows as used in this Code include nude or other provocative gestures which further project and exhibit women as sex objects.

Any person or agency who engages in shows depicting women as sex objects in private or in public place or under scandalous circumstances shall violate women's rights.

SECTION 12. **Comprehensive Support to Women-Survivors of Violence.** The Local Government of Davao City shall provide a comprehensive support to women-survivors of violence which consist of but not limited to the following:

- a) immediately conduct an investigation within 24 hours;
- b) provide for counseling and medical services for the offended party;

- c) gather evidence for the arrest and prosecution of the offenders;
- d) make a report of his/her investigation and, on the basis of the offended party's testimony and additional evidence, if any, endorse the same to the proper prosecution office within 36 hours from time of filing, regardless of his/her evaluation of the cases;
- e) the investigation officer or the examining physician, if possible of the same sex as the offended party, ensures that only persons expressly authorized by the latter allowed inside the room where the investigation or medical or physical examination is being conducted,
- f) women victims-survivors of all forms of violence shall be registered in a community-based psychological program that shall assist the women in holistically rebuilding and empowering themselves;
- g) all investigations/hearing involving rape cases and other forms of violence against women conducted in the police stations, prosecutor's office and the trial courts shall recognize the survivor's social support group as expressly allowed or requested by the offended party;
- h) a temporary shelter with appropriate support service for the women in crisis shall be appropriately constructed under the management and supervision of the City Social Services and Development Office.

SECTION 14. **Psychological Program**- It is an intervention using a system approach to conditions of women as it views women's differentiated needs in a social context.

SECTION 15. **Survivor's Support Group Defined.** – It is an organized group of women to whom a woman-survivor of violence voluntarily agrees to establish a professional helping process.

SECTION 16. **Support Services for Women in the Entertainment Industry. Entertainment Industry Defined.** – includes establishments identified as places of amusement as defined in the Local Tax Code of Davao City, Ordinance No. 230. Series of 1991.

Other Places of Amusement – include all other places of amusement not specifically enumerated or otherwise provided for in this Ordinance, including but not limited to night clubs or day clubs, cocktail lounges, super or family clubs, disco houses, minus-one or sing along houses, bar or beer houses/gardens, fast food centers showing video cassette films/movies, beach resorts, and other places of amusement where one seeks admission to entertain himself whether by seeing or viewing or by direct participation.

The Local Government of Davao City shall provide socio-economic support services for the entertainment industry in its desire to desire to concretely respond to their practical needs.

SECTION 17. **Free Medical Routine Check-up.** Women in the entertainment industry shall be afforded with free medical routine check-up and medicines in needed.

SECTION 18. **Prostitution as a Violence of Women's Rights.** Prostitution shall be recognized as a violation of human rights and exploitation of women who have no real choices for survival.

SECTION 19. **Local Monitoring Board for Violence in Media.** A local Monitoring Board for movie, print, broadcast, and multi-media, shall be set up to classify, censure, prohibit or regulate the exhibition of materials degrading women. The Board's function shall also extend to video shops, electronic communication, cable television, books and other forms of audiovisual channels or instruments.

SECTION 20. **Creation of Women Complaints Relation Section (WCRS) and Appointment of WCRS Officer.** The Local Government of Davao City shall create the WCRS and appoint WCRS Officer in all police stations in Davao City to specifically handle concerns of women.

SECTION 21. **Role of Female Police Officer.** Complaints filed by women on battering and other forms of abuse against them shall be handled by female officers in the local police force who shall undergo special course on handling cases affecting abused women.

SECTION 22. **Creation of Family Arbitration Committee within the Lupong Tagapamayapa.** There shall be created a Family Arbitration Committee within the Lupong Tagapampalaya of each barangay to resolve cases on family violence.

SECTION 23. **Creation of Medico-Legal Desk for Women at the City Social Services and Development Office.** There shall be a Medico-Legal Desk for Women at the City Social Services and Development Office to cater to specific women problems and concerns.

SECTION 24. **Creation of Multi-Disciplinary and Multi-Sectoral Coordinating Council on Family Violence.** A Multi-Disiplinary and Multi-Sectoral Coordinating Council Against Trafficking which shall be created by the Local Government of Davao City through the Integrated Gender and Development Office in coordination with existing women NGO's engaged in program against family violence to design protocol ad mechanism for identification, assessment and interventions on family violence.

SECTION 25. **Inter-Agency Council Against Trafficking.** An Inter-Agency Council Against Trafficking which shall be established in Davao City with the following powers and functions.

- a) formulate a comprehensive program to suppress the trafficking of women and children;
- b) conduct a massive information campaigns;
- c) undertake guidance and counseling to women abroad as fiancées of foreign nationals;
- d) make representations to schools and universities for the inclusion of migration and its implications for women in all levels of curricula;
- e) refer traffic victims to appropriate agencies;
- f) formulate a program for returning victims in cooperation with local officers of DOLE, TESDA and other government agencies involved in training and livelihood development;
- g) secure assistance from any of the local government units, departments or bureaus of the national government;
- h) exercise all powers and functions necessary to attain its purposes and objectives.

ARTICLE II

Political and Public Sphere of Women

SECTION 26. **Declaration of March 8 as International Women's Day.** March 8 shall be declared as a special public holiday through an Executive Order. There shall be a barangay-level set of activities on women and the law, current issues affecting and influencing women, and assessment of women's status in the City of Davao and other forms of critical consciousness-raising activities.

SECTION 27. **International Day of Action for Women's Health.** The Local Government of Davao city shall cause the celebration of the International Day of Action for Women's Health on May 28 where issues and concerns relative to the protection and promotion of women's health shall be examined, deliberated, projected and government action sought.

SECTION 29. **Barangay Level Self-Organization of Women.** Self-Organization of women shall be recognized at the barangay level to include young women.

SECTION 30. **Creation of Council for Women.** A Council for Women shall be organized at a district level from among the Implementing Rules and Regulations of this Code.

Women organizations with mass membership at the community level shall likewise be represented at the Council for Women. Women groups in schools, offices whether GO or NGO shall be represented in the Council as a cluster. Details of the Council's operation shall be stipulated in the Implementing Rules and Regulations of this Code.

SECTION 31. **Election of Women Sectoral Representative to the Sangguniang Panlungsod.** Women sectoral representative to the Sangguning Panlungsod shall be elected by members of the accredited women organizations in Davao City as a concrete manifestation of women's places in the local governance and in accordance with RA 7160.

SECTION 32. **Representation of Women in Barangay Development Council(BDC) Structure.** The Local Government of Davao City shall ensure that at least one third(1/3) of the members of the BDC are women to strengthen government's recognition of women's potentials in each barangay.

SECTION 33. **Women Representatives to the City Development Council (CDC).** The Local Government of Davao City shall ensure that at least one third (1/3) of the members of the CDC are women.

SECTION 34. **Peace Based on Justice.** The network of women GOs and NGOs shall be formally consulted on peace and development issues on the basis of social equity and justice.

SECTION 35. **Women in Law Enforcement Positions.** All qualified women shall be given an opportunity to assume key law enforcement positions.

ARTICLE III Cultural Identity of Women

SECTION 36. **Indigenous and Moro Women of Davao City.** The preservation of the cultural identity of the indigenous and Moro women shall be actively incorporated in all programs and projects of the Local Government of Davao City.

SECTION 37. **Culturally-Appropriate Schools.** There shall be accessible and culturally appropriate schools for indigenous and Moro peoples in Davao City.

SECTION 38. **Declaration of Indigenous and Moro Peoples Areas.** A survey of indigenous and Moro peoples' areas in Davao City shall be undertaken within two years upon effectivity of this Code which shall become a basis for the indigenous and Moro peoples' areas.

SECTION 39. **Integrated Development Program for Indigenous and Moro Women.** The local government of Davao City shall develop a program that shall facilitate empowerment of the indigenous and Moro women. Active support for the preservation of the indigenous women's knowledge of the environment shall be incorporated in the program.

ARTICLE IV.

Labor and Employment

SECTION 40. **Orientation on Sexual Harassment.** All local offices, agencies, and establishments or companies, government and private in Davao City shall conduct orientation on sexual harassment. Certificate of compliance shall be submitted to the Integrated Gender and Development Office.

SECTION 41. **Setting-up of Grievance Machinery.** A grievance committee shall be set up in local offices, agencies, establishments or companies to act on complaints related to sexual harassment.

SECTION 42. **Gender-Sensitive Physical Plant.** A physical plant appropriate for a gender-sensitive environment shall be adopted by all offices, agencies and establishments or companies which shall help prevent sexual abuse and other forms of maltreatment in the workplace.

SECTION 43. **Tax Incentives for Business Entities.** The Local Government of Davao City shall provide tax incentives to business entities:

- a) any amount used for the establishment, maintenance and operation of the child day care support system shall be tax-deductible;
- b) annual tax credit per child regularly served for at least one year in the Center; and
- c) annual tax credited per woman extended with maternity leave benefits for breast feeding.

SECTION 44. **Monitoring System for labor Standards.** A mechanism shall be installed in the Integrated Gender and Development Office to monitor all offices, agencies and establishments or companies violating Labor Code Provision and the provisions of this Ordinance.

ARTICLE V Health Right

SECTION 45. **Budget for Women's Health.** A substantial portion of the health budget of the City Government shall be allocated for women's health and services.

SECTION 46. **Upgrading of Health Care Delivery System.** Quality health care and services that are not discriminatory on account of their gender, age, sex, creed, religion and ethnicity shall be implemented in Davao City.

SECTION 47. **Reproductive Health Care Delivery, Reproductive Health Defined.** As defined in the International Conference on Population and

Development and World Health Organization and affirmed in Beijing Conference, reproductive health is a state of complete physical, mental and social well-being and not merely the absence of disease and infirmity in all matters relating to the reproductive system and to its functions and process, i.e. people are able to have a satisfying and safe sex life and have the capability to reproduce and the freedom to decide it, when and how to do so.

Davao City shall adopt the reproductive health care approach at all levels of health care delivery. Such approach integrates many issues not previously considered central to population: sexuality, reproductive tract infection, gender power relations and domestic violence and shall not be limited to family planning and child bearing.

SECTION 48. **Women's Control Over their Bodies.** Women's decisions to prevent and control pregnancy shall be given appropriate support and guidance by all health professionals, private and public, at very minimal cost.

SECTION 49. **Gender-Sensitive Crisis Intervention Unit.** The Local Government of Davao City shall cause the establishment of a Gender-Sensitive Crisis Intervention Unit at all levels of the health care, primary, secondary and tertiary and shall provide service training to all health and other allied personnel who shall be assigned in this unit.

SECTION 50. **Gender-Fair Approach to Pre-marital Counseling Program.** Without prejudice to Sec. 27, Art. III of the Davao City Children's Welfare code, a review and redesign of the Pre-marital Counseling Program of the Local Government of Davao City shall be jointly undertaken by the Integrated Gender and Development Office, City Health Office and the Davao City Special Office on Children's Concerns and other concerned agencies. Agencies involved shall adhere to the principle of gender-fair pre-marital counseling service.

SECTION 51. **Strengthen Primary Health Care Delivery.** In consonance with the Department of Health's thrust and Sec. 19.C, Art. III of the Davao City Children's Welfare Code. The Local Government of Davao City shall strengthen the Primary Health Care Delivery in the context of reproductive health.

ARTICLE VI

Education Right

SECTION 52. **Sunday Classes for Women.** Sunday classes for women shall be held in all barangay high schools in Davao City to facilitate workingwomen's access to education.

SECTION 53. **Promotion Gender-Sensitive Curricula.** The schools in Davao City shall actively promote gender-sensitive professional school counseling and career education programs to encourage females to pursue academic and technical courses in order to widen their future career opportunities.

SECTION 54. **Adult Education.** All women desiring to engage themselves in functional and practical education shall be enlisted in adult education program, which shall be set up in all barangays in Davao City.

SECTION 55. **Monitoring and Reporting of Stereotyped Portrayal of Roles of Women and Men in Educational Materials.** The Integrated Gender and Development Office shall coordinate closely with the City Division of schools, Davao Association of Colleges and Schools and other network of schools in monitoring and reporting of stereotyped portrayal of roles of women and men as projected in education materials.

ARTICLE VII Socio-Economic Benefits for Women

SECTION 56. **Increase Capital Assistance for Women.** All Local Government departments and agencies engaged in socio-economic programs shall increase their capital assistance and/or subsidy to women especially on land-based using community bank approach.

SECTION 57. **Access to Safe Water.** All barangays in Davao City shall provide easy access to safe water supply. Appropriate system shall be installed to ease women's workload.

ARTICLE VIII Rural Women's Rights

SECTION 58. **Land for Women-Headed Households and Landless Families.** Idle lands shall be distributed to qualified women-headed households and landless families interested and committed to till the land upon issuance of a memorandum of agreement between the parties concerned. Ownership of such land shall be granted to women-headed households and landless families after ten years of continuous tillage. Support services shall be delivered by the Local Government of Davao City as part of the Memorandum of Agreement.

SECTION 59. **Promotion of Land-Based Projects. Land-Based Projects Defined** –are activities designed systematically in order to provide women the

opportunity to have full access and control over the maximum utilization of land and other indigenous resources.

The Local Government of Davao City shall promote and support land-based projects ensuring food security for rural women utilizing science, women friendly and appropriate technology instilling collectivism.

SECTION 60. **Access to Science and Women-Friendly Alternative Technology Education.** The City Agriculturist Office of the Local Government of Davao City in conjunction with the Department of Science and Technology and other related line agencies should establish a science and women-friendly alternative technology center for rural women in each barangay.

ARTICLE IX

Special Sectoral Concerns

SECTION 61. **Special education for Differently-abled Women. Differently-abled Women Defined.** Are women survivors of physical impairments and have differential needs and potentials.

There shall be a special education school for differently-abled women in Davao City which shall offer appropriate technology curricula.

SECTION 62. **Advocacy on Differently-abled Women's Rights.** Active advocacy on the rights of differently-abled women shall be conducted by the Integrated Gender and Development Office.

SECTION 63. **Creative Employment Opportunities for Differently-abled Women.** The Local Government of Davao City shall develop creative employment opportunities for differently-abled women recognizing their differentiated conditions and full potentials as human persons.

SECTION 64. **Reporting of Cases of Harassment Committed Integrated Against Differently-Abled Women.** The Local Government of Davao City through its Integrated Gender and Development Offices shall require all barangays to monitor and report cases of harassment committed against differently-abled women.

SECTION 65. **Organization of Differently-Abled Women.** Each barangay shall create a committee of differently-abled women within the Barangay Development Council in order to advance the interests of this special group of women.

SECTION 66. **Organization of the Elderly Women.** Each barangay shall create a committee of differently-abled women within the Barangay Development council in order to advance the interest of this special group of women.

SECTION 67. **Support Funds for the Elderly Women.** Funds shall be allocated to the psychological help for the elderly women to include emergency assistance, routine physical check-up, social group work program and appropriate socio-economic activities.

SECTION 68. **Support to Women in Detention.** Right of all women detainees shall be protected. a) Speedy trial of their cases shall be ensured by all concerned; b) An appropriate program shall be designed to respond to their specific needs and problems as detainees; and c) Separate structure and space for detention and rehabilitation shall be provided.

SECTION 69. **Respect for Women's Sexual Preference.** Women's right to sexual preference shall be respected and protected.

ARTICLE X

Women and Children Support System

SECTION 70. **Daycare Centers.** The Local Government of Davao City shall ensure that Day Care Centers are set up in every barangay to free women from other activities such as taking a job or going back to school without prejudice to the Davao City Children's Welfare Code.

SECTION 71. **Parental Authority.** The father and mother shall jointly exercise parental authority over the persons of their common children. In case of disagreement, the couple shall consult their family counsel or shall bring the matter before the Lupong Tagapampayapa for conciliation.

ARTICLE XI

Gender and Development

SECTION 72. **Gender and Development Defined.** Conscious effort at improving the quality of lives of women and men based on sustained, equitable growth, and balanced ecology. It sees society as a gender system in all its aspects – economic, political and social. It views women's oppression in both the private and public spheres. It sees women as agents of change, instead of mere recipients of development assistance. It calls for structural changes as well as reorientation of the patriarchal culture.

All schools, Offices, Establishments or Companies, Departments and Agencies of the Local Government of Davao City shall be Provided with gender

sensitivity orientation and training which shall equip them with theoretical and practical knowledge on gender issues and concerns. Likewise all establishments, schools, colleges and universities shall develop assessment tools for gender biases.

SECTION 73. **Active Support to Gender Studies.** A sufficient amount shall be allotted to gender-related documentation and researches which shall form part of Davao City's data-based program development.

SECTION 75. **Popularization of Gender-Fair Materials.** There shall be an active promotion and publication of gender-fair material in popular forms in Davao City.

SECTION 76. **Gender and Development Officer.** A Gender and Development Officer shall be appointed to initiate gender and development program in the offices, establishments, companies, departments or agencies of the Local Government of Davao City in close coordination with the Offices of Integrated Gender and Development and Human Resource Development.

SECTION 77. **Integrated Gender-Sensitive and Environment-Friendly Zonification Plan of Davao City.** An Integrated gender-sensitive and environment-friendly zonification plan of Davao City shall constitute the following but not limited to:

- a) relocation of communities shall constitute the following but not limited to;
- b) relocation sites shall not contribute to an increase in women's burden in economic, home, and social production.
- c) Housing and industrial project sites shall be those unproductive lands unsuitable for economic purposes.
- d) Industrial center for light industry shall be placed in key districts of Davao City while heavy industry shall be centralized in one district.

SECTION 78. **Community-Based Environmental Plans and Programs.** Both men and women shall participate in pollution control, zero-waste technology development and management, preservation of the forest, marine and aquatic resources and indigenous reforestation with due respect for the indigenous and Moro peoples culture and rights to self determination.

SECTION 79. **Gender-Sensitive Natural Resources-based Management Programs.** The Local Government of Davao City shall engage itself in the development of gender sensitive natural resources-based management programs.

SECTION 80. **Role of Women in Environmental Impact Assessment of Projects.** The Local Government of Davao City shall promote the active role of

women in environmental impact assessment shall consciously determine sex disaggregated data.

SECTION 81. **Promotion of Appropriate Technology.** The Local Government of Davao City shall actively promote an alternative technology that is appropriate and safe for women.

SECTION 82. **Creation of Resource Management Council.** Each Barangay shall create resources management council which shall ensure promotion and protection of ecological balance and full participation of women.

SECTION 83. **Sufficient Budget for basic Social Services.** A sufficient amount for the basic social services for women and children in extremely difficult circumstances shall be allocated from all source of funds.

SECTION 84. **Investment and Loans.** The Local Government of Davao City shall hold consultative assemblies with women Gos and NGOs in establishing contracts for loans and investments to clarify implications on women's welfare and development at the Barangay.

SECTION 85. **Overseas Contract Worker's (OCW) Wives and Children Support.** The Local Government of Davao City shall conduct at the Barangay level a survey of overseas contract workers, result of which shall serve as basis for special support to women and children.

SECTION 86. **Special Course on OCW.** A special course on overseas contract work primarily to orient women on the issues and concerns relative to migration shall be systematically introduced to all women especially at the Barangay level.

SECTION 87. **Education on National Policies.** Women and Men shall undertake education on national policies and their implications on women.

SECTION 88. **Special Training for Lupong Tagamayapa.** A special para-legal training of Lupong Tagamayapa shall be conducted along gender question and related matters.

SECTION 89. **Gender Sensitization as a Pre-requisite to Employment and Promotion.** There shall be a gender-sensitive assessment to be conducted by the Gender and Development Office to all concerned as a pre-requisite to hiring and promotion of personnel.

SECTION 90. **Gender and Population.** The City Health Office shall review and redesign the population program that it becomes not contraceptive-based but reproduction health conscious.

SECTION 91. **Training on Non-Traditional Occupation.** Women shall be given opportunity to acquire training on non-traditional occupation such as those related to science and technologies.

BOOK II – FINAL PROVISIONS CHAPTER I – PENAL PROVISIONS

ARTICLE I Violence Against Women and Children

SECTION 1. **Soliciting Women’s Services.** It is unlawful for a person to solicit a women’s service for sexual purposes as gift, representation, public relations, or as an act of goodwill regardless of whether the solicitor profits or nit from such act without prejudice to the provisions of the Revised Penal Code.

Any witness may file compliant together with the affected women to the proper court Penalty for such is fine of P5,000 or an imprisonment of one year.

SECTION 2. **Other Forms of Trafficking in Women.** Any person or Agency who with the use of force or deceit, lures a women to work abroad or in other provinces or cities in the Philippines for a particular job on a promise of high fees, but instead landed on prostitution, domestic help or other odd jobs. Violators of this provision shall be penalized by an imprisonment of one year or a fine of P5,000.00 or both, at the discretion of the court.

SECTION 3. **Sex Trade.** Any agency or person who shall engage in keeping women for sex for a fee shall suffer the penalty in accordance with the Revised Penal Code.

SECTION 4. **Sex Tours.** No Hotels, beach resorts, sauna baths, and related establishments shall be allowed to operate as conduit for sex tours. Cancellation of business permit, a fine of P5,000.00 and as imprisonment of one year shall constitute the penalty for violation.

SECTION 5. **“Beauty” Contest.** Beauty Contest which tend to commodify, abuse humiliate and treat women as sex objects shall be strictly prohibited in schools, communities, barangays, and by the City Government in its special celebrations, but in their stead the projection of women’s strengths and potentials, especially with regard to indigenous and culturally-relevant forms shall be encouraged.

Those who initiated the conceptualization and implementation of the beauty contest shall be subjected to a penalty consisting of the following:

For business organizations; a) Cancellation of business permit b) Fine of P5,000 c) Others, as prescribed in the implementing rules and regulations of this Code.

For representative of agencies, departments or units of The Local Government of Davao City: a) Suspension for one month without pay b) Fine of P5, 000.00 c) Others, as prescribed in the implementing rules and regulations of this Code.

For educational institutions, charity or welfare organizations: a) Cancellation of licenses to operate b) Fine of P5, 000.00 c) Others, as prescribed in the implementing rules and regulations of this code.

SECTION 6. **Fund Raising Initiative Defined.** It refers to any activity, whether in whole or in part, integrated in any raffle, draw, benefit or disco dance, premier showing or movies, or any similar fund-raising undertakings where women are used as donor prize, substitute for prizes won, a companion package for an award, prize or recognition, or any manner, activity, come-on display, or exhibition which depicts a woman as central, partial, or special focus in order to raise funds.

All funds raising initiatives as defined in this be strictly prohibited in Davao. Violators of this provision shall pay a fine of P5, 000 or imprisonment of six months, or both at the discretion of the court.

SECTION 7. **Benefit Dance/Disco Defined.** It refers to a dance in the locality where women are in the process being commodified for fund raising purposes.

SECTION 8. **Women in Armed Conflict Situation.** a) No women shall be deprived of basic social services in armed conflicts areas. B) No women or girl children shall be kept by any PNP/military personnel in police/military detachment/checkpoint or any analogous quarter for purposes of comfort. Violation shall be penalized through summary dismissal proceeding of the local AFP/PNP and/or at the discretion of the Court.

SECTION 10. **Conscious Surveillance of Entertainment Establishments.** A regular task Force shall be created to conduct conscious surveillance of entertainment establishment exploiting women. Failure of the Task Force to Submit weekly report shall be subjected to an administrative sanction.

ARTICLE II

Cultural Identity of Women

SECTION 11. **Indigenous and Moro Cultural Practices.** Indigenous and Moro women shall be allowed enrollment in schools and colleges and enjoy employment opportunities without prejudice to their birth and marriage rituals where no birth and marriage certificates are issued as evidence of such life events. Failure to comply with this provisions shall be subjected to a maximum fine of P5, 000

Implementing rules and regulations of this section shall include issuance of certificate by the local offices of the Office of Southern Cultural Communities and Office of Muslim affairs identifying cultural community affiliation.

ARTICLE III

Labor and Employment

SECTION 12. **Equal Access to job Training and Promotion.** No woman shall be deprived of job training and promotion on account of her gender, age, ethnicity, creed, religion and civil status. Violations by private employers shall constitute a fine of P5, 000.00 and a cancellation of business permit or as prescribed by the court. Government unit or agency head of office is liable with the penalty of three months suspension and a fine of P1, 000.00

SECTION 13. **Wage and Benefits for Women.** Every employer shall comply with the minimum wage as stipulated by the Regional Wage Board or Passed by the Congress and shall grant all benefits to all women employees such as maternity leave, sick and vacation leave, retirement, termination and other benefits provided by law. Violation by private employers shall constitute a fine of P5, 000.00 and a cancellation of business permit or as prescribed by the Court. Government unit or agency head of office is liable with the penalty of three months suspension and a fine of P1, 000.00

SECTION 14. **Facilities and Support System for Women.** The Local Government of Davao City shall ensure the safety and health of women employees. In appropriate cases. It shall require employers to:

- a. provide seats proper for women and permit them to use such seats when they are free from work and during working hours. Provided they can perform their duties in this position without detriment to efficiency;
- b. establish separate toilet rooms, lavatories and lounge for men and women and provide at least a dressing room for women;

- c. establish a crèche in a workplace for the benefit of the women employees therein; and
- d. provide breast feeding centers for women in the workplaces.

Violation by private employers shall constitute a fine of P5, 000.00 and cancellation of business permit or as prescribed by the Court. Government unit or agency head of office is liable with the penalty of three-month suspension and a fine of P1, 000.00

SECTION 15. **Reproductive Health Services.** Big companies as well as labor intensive establishments shall provide reproductive health services to working women regardless of civil status as a manifestation of concern for women's role in social production. Cancellation of business permit or license to operate and a fine of P5, 000.00 shall constitute the penalty for violation of this provision.

SECTION 16. **Orientation on Sexual Harassment.** All local offices, agencies and establishments or companies, government and private, in Davao City shall conduct orientation on sexual harassment. Failure to comply with this provision shall pay a fine of not less than P3, 000.00 or at the discretion of the Court. The head of office shall be held liable through an administrative sanction.

SECTION 17. **Gender-Sensitive Physical Plant.** A physical plant appropriate for a gender-sensitive environment shall be adopted by all offices, agencies and establishments or companies, which shall help prevent sexual harassment, sexual abuse and other forms of abuse and other forms of maltreatment in workplaces,

Monitoring team shall be composed of representative of the office of the City Engineer, City Social Services and Development and Integrated Gender and Development to conduct inspection in compliance with the above provision.

Failure to comply this provision shall mean payment of a fine and suspension of business permit or license to operate for three months. For Local Government Department or agency an administrative sanction shall be imposed for which the Head of Office shall be held liable.

SECTION 18. **Increase Maternity Leave Benefits as Incentives for Breast Feeding Mothers in the Public and Private Sector.** Maternity leave benefits of 90 days shall be extended to all women employees (public and private) who have rendered at least one year continuous service, provided that 90 days of the leave period shall be used for breast feeding her new-born baby.

Employer who violates this provision shall pay a fine of P5, 000.00 and a suspension of business permit or license to operate for six months. For local government department or agency, an administrative sanction shall be imposed.

SECTION 19. **Barangay-Based Househelp Support.** All Barangays in Davao City shall conduct compulsory education for both househelp and househelp employers on gender-sensitivity. An administrative sanction shall be imposed.

SECTION 20. **Women in the Entertainment Industry** Women engaged in the entertainment industry shall be recognized as wage earners and they shall receive a minimum wage and benefits afforded to women workers and shall render services as set in the job contract and only in the places of work as specified in the business permit of the establishment concerned. Violation of this provision shall be subjected to a fine of P5, 000.00 or cancellation of business permit, or both, at the discretion of the Court.

SECTION 21. **Raids.** Police shall not be allowed during conduct of raids in entertainment establishment. Violation of this provision shall be subjected to an administrative sanction.

ARTICLE IV Health Right

SECTION 22. **Socialized Reproductive Health Services for all Hospitals.** No hospital in Davao City shall deny a woman living below the poverty line of reproductive health services. Certificate of Indigency shall be issued by the Barangay Captain.

In case of emergency, a social worker or any authorized personnel shall be designated to conduct rapid appraisal of the socio-economic status of the patient for admission purposes. Non-compliance of the Administrator of this provision shall be penalized by a fine of not more than P 3,000.00

ARTICLE V Socio-Economic Benefits for Women

SECTION 23. **Socialized Lending for Women.** a) All banks, financial/lending institutions and cooperatives shall open special windows for lending to women including young women who lacks access to traditional sources of collateral. B) No woman shall be deprived of credit. Money lending institutions shall establish a “socialized lending scheme friendly to women” which shall constitute the following:

1. Bank rate interest

2. No post-dated checks
3. Certificate of Income Generating Activity form Barangay Captain

Non-compliance of this provision shall be subjected to a fine of not less than P3,000.00 and a suspension of business permit or its equivalent.

ARTICLE VI Rural Women's Rights

SECTION 24. **Promotion of Environment-Friendly Technologies.** No local Government agency or its representative shall act as agent of inorganic fertilizers, herbicides, and pesticides. An administrative sanction shall be imposed to head of agencies upon violation of this provision.

ARTICLE VII Special Sectoral Concerns

SECTION 25. **Barangay-Level Sanction on Cases of Harassment Committed Against Differently-abled Women.** All barangay in Davao City shall formulate a barangay-level sanction on cases of harassment committed against differently-abled women. Failure to comply with this provision shall subject the barangay council to an administrative sanction.

ARTICLE VIII Women and Children

SECTION 26. **Support to women and Children.** All agreements or settlements arrived at the barangay-level relative to the support of the children shall be final and executory. Violation of such agreements or settlements shall be subjected to a fine of P1, 000.00 and an imprisonment of one month.

ARTICLE IX Gender and Development

SECTION 27. **Gender Sensitive Orientation and Training.** All schools, offices. Establishments or companies, departments and agencies including barangay officials of the Local Government of Davao City shall initiate gender sensitivity orientation and training which shall equip them with theoretical knowledge on

gender justice. Non-compliance of this provision shall require the concerned party to pay a fine of P5,000.00 and issuance of warning by the Integrated Gender and Development Office.

Likewise all establishments, schools, colleges and universities shall develop assessment tool for gender biases.

CHAPTER II

Provisions for Implementation

SECTION 28. **Creation of the Integrated Gender and Development Office. Integrated Gender and Development Office Defined.** It refers to the office which shall be created by the Local Government of Davao city responsible for the implementation of this Ordinance. It addresses itself to the convergence of the local government efforts towards a district level coordination and cooperation in facilitating gender and development program planning, development, implementation, monitoring and evaluation.

The Integrated Gender and Development Office of Davao City shall be created specifically to realize the provisions of this Ordinance. It shall be the coordinative, regulatory and monitoring body of the Local Government of Davao City of focus on gender-sensitive projects and activities. It shall become the local expression of the National Commission on the Role of Filipino Women (NCRFW).

SECTION 29. **Functions of the Integrated Gender and Development Office.** This distinct Office shall have the following functions to ensure consistency in the implementation of the provisions of this Ordinance:

- a. **Monitoring and Coordinative Functions.** These functions shall see through the realistic, measurable and tangible results of the implementation of the provisions of this Ordinance:

a.1 Gender-Sensitive Watch. A system of services and facilities in order to monitor status of women in the City of Davao wherein all departments and agencies of Davao City shall develop conceptual and practical methodologies for incorporating gender perspectives into all aspects of economy and policy-making. It shall collect gender and age disaggregated data on poverty situation and all aspects of economic activity and develop qualitative and quantitative statistical performance from a gender perspective. It shall also serve as the data bank of Davao City on gender and development.

a.2. Legal Aid Services Check. A coordinated services fro any legal actions needed by the women in protecting their rights shall be installed.

a.3. Advocacy and Campaign Management. A coordinated advocacy and campaign on all forms of discrimination and violence against women shall be programmed.

a.4. Sustainable and Gender – Sensitive Project Development. A system of appraisals of project to determine sustainable impact on women and men, local economy, politics, culture and ecosystem.

a.5. Violence in Media Check. An active dialogue with tri-media representatives shall be undertaken by the Sangguniang Panlungsod Committee on Women's Welfare and Development Gos and NGOs on incidence of all forms of violence in media.

b. **Regulatory Function.** This function shall include establishing protocols and standards relevant to the following concerns:

b.1 Education and Training Benchmark. Gender-sensitivity education and training for all departments and agencies of the Local Government of Davao City and at the barangay level shall be designed. Standards for contents of the course shall be established by the Office.

b.2 Psychosocial Support Program. A holistic and indigenous approach to women with social dysfunctioning which includes attendance to their physical/biological, emotional, psychological and social needs shall be set up. Indicators of program success shall be established by the Office.

b.3. Early Childhood and Care and Development Program and Services. Appropriate support services for women and children shall include crèche and day care services for infants and toddlers as prescribed in RA 6972 and the Davao City Children's Welfare Code. Indicators of quality of services shall be established by the Office.

It shall be involved in all the processes related to the conceptualization, development, assessment and evaluation of programs and projects of the Local Government of Davao City.

SECTION 30. **Role of the Council for Women of Davao City.** The Davao City Council or Women shall become the consultative-assembly of the Integrated Gender and Development Office for its periodic planning and programming, programs implementation, monitoring, assessment and evaluation.

SECTION 31. **Rules and Regulations.** Through an Executive Order, an Executive Committee composed of the City Prosecutor's Office, City Legal Office, City Social Services Development Office and the Committee on Women's Welfare and Development of the Sangguniang Panlungsod shall promulgate the rules and regulations necessary to carry on the provisions of this Ordinance.

A consultative body shall be convened periodically through-out the formulation of the Implementing Rules and Regulations which shall be composed of official representatives of the various agencies of the Local Government and Women NGOs involved in the process of drafting of this Code.

A Technical Working Group shall be formed for an effective and efficient realization of the Implementing Rules and Regulations.

Such rule sand regulations shall take effect upon their publication in two (2) local newspapers of general circulation.

SECTION 32. **Compliance Report.** Within six (6) months from the effectivity of this Code and every six (6) months thereafter, all Local Government departments, including its agencies and instrumentalities, shall submit a report to the Sangguniang Panlungsod on their compliance with this Code.

SECTION 33. **Appropriations.** For the effective implementation of this Ordinance, the Local Government of Davao City shall implement the amount appropriate from official development assistance as stipulated in RA 7192. It shall also appropriate six (6%) from its Annual Development Fund.

CHAPTER III FINAL PROVISIONS

SECTION 34. **Separability Clause.** If for any reason any section or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 35. **Repealing Clause.** All Ordinances, local issuances or rules inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 36. **Effectivity Clause.** This Ordinance shall take effect upon the approval and after publication in the newspapers of general circulation.

ENACTED: September 17, 1997

A vote of unanimity has been entered into the records.

APPROVED:

(SGD) NILO G. ABELLERA
City Councilor
Acting President Officer

APPROVED: OCT. 14, 1997

ATTESTED:

(SGD) RODRIGO R.

DUTERTE

City Mayor II
City of Davao

(SGD) GUILLERMO G. SALDANA
Secretary
Sangguniang Panlungsod

ATTESTED:

(SGD.) ANTONIO V.A. LLAMAS
City administrator

Republic of the Philippines
City of Davao
Office of the City Mayor

EXECUTIVE ORDER NO. 24

PROVIDING FOR THE RULES AND REGULATIONS IMPLEMENTING ORDINANCE NO. 5004, OTHERWISE KNOWN AS THE WOMEN DEVELOPMENT CODE OF DAVAO CIT AND FOR OTHER PURPOSES

WHEREAS, it is policy of the State to uphold the right and general well-being of every citizen in the country;

WHEREAS, it is the policy of the Local government of Davao City to uphold the rights of women and the belief in their worth and dignity as human beings;

WHEREAS, the Local Government of Davao City is committed to pursue and implement vigorously gender responsive development policies, design an integrated gender and development support systems, taking into consideration women's immediate economic survival with support for their efforts of empowerment and self-determination, and to adopt and implement measures to protect and promote their rights;

WHEREAS, City Ordinance no. 5004, otherwise known as the Women Development code of Davao City, hereinafter referred to as the Code, provides for an integrated gender and development support system in the city;

WHEREAS, Section 31, Chapter II of the said Code stipulates the creation of an Executive Committee to promulgate the rules and regulation that shall serve as guidance and measures to carry out the provisions of the code;

WHEREAS, responsive rules and regulations are needed to effect the required mechanism that will ensure the promotion and protection of women's rights and substantially enhance the participation of women in the development process in ways equal to that of men;

NOW, THEREFORE, I, BENJAMIN C. .DE GUZMAN, Mayor of City of Davao, by virtue powers vested in me by law and the sovereign will of the Filipino people and upon the recommendation of the Joint Executive-Legislative Committee of the Code, do hereby order,

RULE I

POLICY AND APPLICATION

Section 1. **Purpose.** These rules an Regulations provide guidance and measures that will promote and protect women's rights and mobilized and substantially enhance the participation of women in the development process in ways equal to that of men.

Section 2. **Declaration of Policies.** It shall be the policy of the Local Government of Davao City to uphold the rights of women and the belief in their worth and dignity as human beings. Women shall be recognized as full and equal partners of men in development and nation building and men shall share equally with women in all forms of productive and reproductive activities.

The Local Government of Davao City shall actively contribute to the establishment of a national and international economic order based on sustained, equitable growth and balanced ecology. And that any development effort it undertakes should enhance women's full potentials, uplift their status and lead to the improvement of the quality of their lives, their families and that of their communities.

Towards this end, The Local Government of Davao shall pursue and implement vigorously gender-responsive development policies, design an integrated gender and development support systems, taking into consideration women's immediate economic survival with support for their efforts of empowerment and self-determination, and to adopt and implement measures to protect and promote their rights.

To attain the foregoing policy;

1. Thirty percent (3%) of the Official Development Assistance funds received from foreign government and multilateral agencies and organizations shall be set aside and utilized in accordance with the provision of R.A. 7192, otherwise known as Women in Development and Nation Building Act, by the local government departments and agencies of Davao City concerned to support programs and activities for women;
2. All local government departments and agencies of Davao City shall ensure that women benefit equally and participate directly in the development programs and projects of said departments and agencies specifically those funded under official development assistance, to ensure the full participation and involvement of women in the development process pursuant to R.A. 7192.
3. All government proposal shall ascertain the inclusion of gender-responsive indicators and guidance while not be remiss in locating the root of women's oppression pursuant to all United Nation's Declaration of which the Philippine Government is signatory.
4. All local government departments and agencies of Davao City upon effectivity of this Code shall review and revise all their regulations, circulars, issuances and procedures to remove gender bias therein, and shall complete the same within two years.
5. The Council for Women of Davao City, as provided for under Section 30, Article II, Chapter II, Book I of the Code shall be actively consulted in matters dealing with official development assistance or foreign aid so as to determine gender biases and implications on women.

RULE II

IMPLEMENTING MECHANISM

Section 1. **Definition of Terms.** As used in these rules, unless the context otherwise requires –

1. **Women** – refers to those biologically female persons whose ages are above seventeen years with differentiated developmental needs having production and reproduction capacities.
2. **Young Women** – refers to those biologically female persons whose ages are above seventeen years but below thirty with differentiated developmental needs having production and reproduction capacities.
3. **CPDO** – refers to City Planning and Development Office, a staff office which maximizes the planning capability of the city government acting as the secretariat of the City Development Council. Its functions include the functional responsibilities of the City Housing Office and the devolved functions of the Department of Trade and Industry such as information services, which includes investment and marketing information, systems, industrial research and development services, and investment support services.
4. **CSSDO** – refers to City Social Services and Development Office, assumes the devolved functions of the Department of Social Welfare and Development which ensures that maximum attention be given to the social needs and concerns, and development of the public. It carries a line function in order to meet the needs of the public efficiently and effectively.
5. **IGDO** – refers to the Integrated Gender and Development Office, the coordinative regulatory and monitoring body of the city government to focus on gender and development. It is a line office, which will enable the city government to come up with gender-responsive planning and program development, promotion of women empowerment and other related activities pursuant to R.A. 7192 and the code.
6. **CHO** – refers to City Health Office, a line office of the local government, which ensures the direct provisions.
7. **CAO** – refers to City Agriculture Office, a line office which enables the city government to maximize its attention to agricultural programs.
8. **CENRO** – refers to City Environment and Natural Resources Office, originally an ad hoc office, created and constituted through Executive Order No. 6 dated February 12, 1993 whose sum functions are devolved from Department of Environment and Natural Resources and while others realigned functions from the Department of Public Services to assume a line function along environmental protection.
9. **HRMO** – refers to Human Resources Management Office, a line office which enables the city government to take care of its personnel and adopt a more effective personnel management program, towards a more effective professional work force.
10. **CCR** – refers to City Civil Registrar, or commonly called the Local Civil Registrar, is a line office which enables the city government to

effectively and efficiently serve the public relative to civil registration requirements.

11. **Code** – refers to the Ordinance No. 5004 Providing for an Integrated Gender and Development Support System in Davao City, otherwise known as Women Development Code of Davao City and for other purposes.
12. **Office** – refers to the Integrated Gender and Development Office.
13. **Social Worker** – refers to the social welfare and development officer of a local government unit.
14. **WNGO's** – Women Non-Governmental Organizations, refers to the groups, aggrupation or teams of women with tract record in women program planning and development which may have direct or indirect services for women and hold offices in Davao City.
15. **CWWD** – refers to the Committee on Women's Welfare and Development, the committee created by the City Council tasked to design policies for the advancements of women.
16. **Women Work** – refers to functions, tasks and activities of women related to education or organizing or mobilization or program planning and development(for a considerable period of time) whose ultimate objective is to empower women.

17. **Patriarchy** – in social terms, refers to the system of male dominance, that is, that it establishes an unequal power equation between men and women.

Section 2. **IGDO Defined.** IGDO is a line office which shall be created by the City Government in accordance with Sec. 28 Chapter II, Book II of Ordinance No. 5004. It shall enable the City Government to addressed itself to the convergence of efforts towards a district level coordination and cooperation in facilitating gender and development program planning, development, implementation, monitoring and evaluation. IGDO shall assume key responsibility in realizing the provisions of the Code.

Section 2.a. **Organization Objectives.** In order to realize the provisions of the Code, IGDO shall adopt the following objectives:

1. To increase gender responsive policies and programs in both government and private organizations by 40 percent from 1998 to 2015.
2. To initiate long-term mechanisms that effectively address gender concerns in development processes from planning, programming, budgeting to implementation, monitoring and evaluation at the district and barangay levels.
3. To evolve clear concepts and strategies for women empowerment in the context of Philippine social realities in general, and the city, in particular

taking into consideration of the Moro women, indigenous women and women settlers' concrete condition.

Section 2.b Functions. The Office' functions as contained in the Code include but not limited to the Following:

Monitoring and Coordinative Watch

- 1.1 Institute gender responsiveness in local development plans and coordinate the preparation, assessment and updating of the Davao City Development Plan for Women, and ensue its implementation at all levels;
- 1.2 Undertake collection of accurate gender and age disaggregated data on poverty situation and all aspects of economic activity and develop qualitative and quantitative indicators to facilitate the assessment of Davao City's economic performance from a gender perspective;
- 1.3 Gender-sensitive appraisal of all events, establishments/agencies, policy statements and other pronouncements and implementation of corresponding actions against any violations.

2. Legal Aid Services Check

- 2.1 Maintain coordinated services for any legal actions needed in protecting women's rights, which shall primarily include follow through of prosecution of women's complaints.
- 2.2 Initiate continuing advocacy to promote women's economic, social and political empowerment and provide technical assistance in the setting up and strengthening of mechanisms on gender mainstreaming.

3. Violence in Media Check – maintain coordinated services for any sustained actions against violence in media in accordance with existing laws and the provisions of the Code.

B. Regulatory Functions

1. Education and Training Benchmark

- 1.1 Ensure gender-sensitivity education and training for all local government departments and other agencies and barangays units by establishing standards of course contents for the guidance of government and private organizations.

2. Psychosocial Support Program

- 2.1 Institute appropriate intervention models attending to the social context of women's specific problems and needs specifically in situations of violence or

abuse for the guidance of all women-centered programs and services, government or private. Particular consideration is given to a holistic and indigenous approach to women with social dysfunctioning which include special attention to their physical/biological, emotional, psychological and social needs.

3.Early Childhood Care and Development Program Monitor

3.2 Undertake active role in sustaining support system for women and children such as in implementing RA 6972, the Barangay Day Care Law and the Davao City Children's Welfare Code and Code.

4.Indigenous Philippine Culture Enhancement and Promotions

4.1 Ensure, preserve enhance and promote the aspects of the indigenous Philippine culture which affect women positively throughout the development process.

5.Standards Check. Setting standards for all women/gender and development mechanisms instituted by all establishments and local government agencies and instrumentalities.

Section 2.c Programs

2.c.1 Establishment of institutional mechanisms for women/gender-responsive planning and programming

2.c.2 Creation and strengthening of GAD focal points per E.O. 348, Office of the President and Ordinance No. 5004, stipulating appointment of Integrated Gender Development Officer.

2.c.3 Planning for women/gender and development concerns. This is to institutionalize gender-responsive planning and programming in government along:

- planning tools development and packaging
- formulation of an integrated plan for women/gender and development
- influencing mainstream planning and program development

2.c.4 Training in Gender and Development

- Enhancement of local government capability in responding to gender issues in its policies, programs and projects. It involves the conduct of seminars for women/gender

consciousness raising and for technical training on gender responsive development planning and programming. It targets key persons in government and private sectors, namely: policy-makers, planners, trainers and GAD Focal Points.

2.c.5 Policy Research and Strategy Development

- Conduct of policy studies on women's special concerns and practical needs as coordinated with concerned WNGOs.
- Conduct of studies on existing/proposed laws to ensure effective intervention in policy making.

2.c.6 Development of Davao database on women

- Establishment of data resource materials
- Establishment of electronic data bank network

2.c.7 Media Relations

- Information-education-communication network building
- Resource mobilization through media

2.c.8 Affiliation/Accreditation

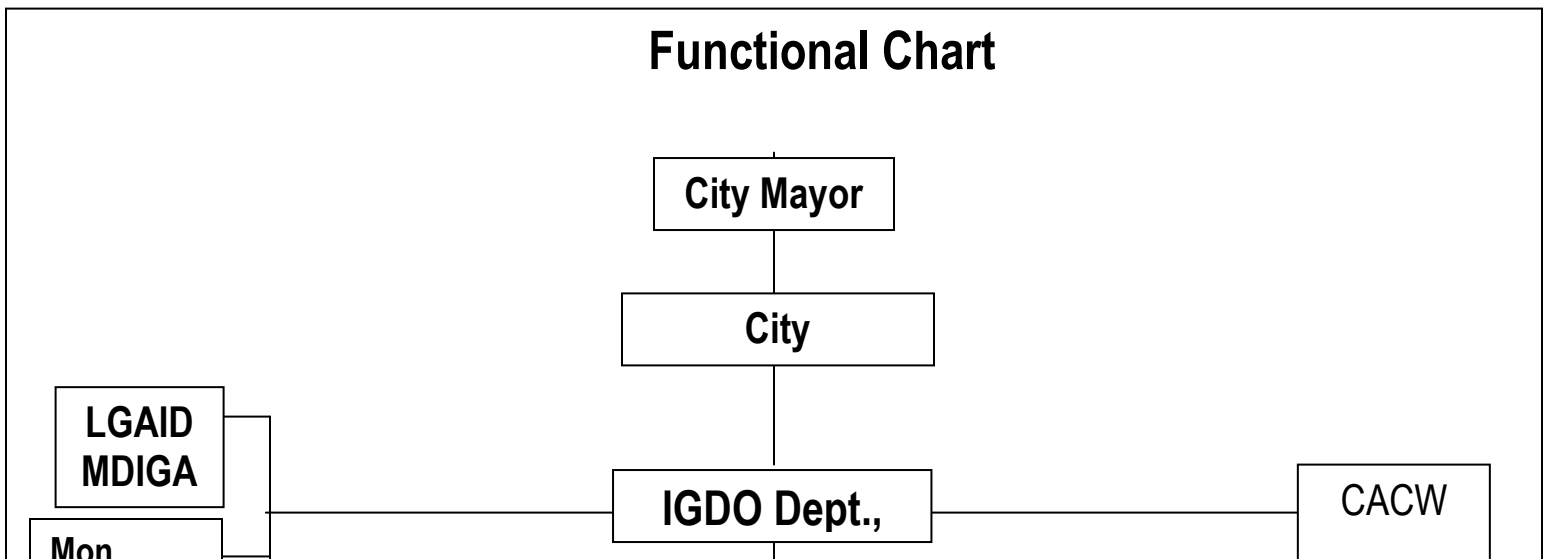
- Recognition of gender-sensitive office
- Recognition of women organizations and gender-fair people's organizations

2.c.9 Networking

- Identification and mobilization of resources
- Referral build-up
- Personnel exchange

Section 2-d Structure

IGDO ORGANIZATIONAL STRUCTURE



Advocacy Sec. Head

Legal Aid Sec. Head

GSP DM Sec. Head

Amendment Sec. Head

PSP DM Sec. Head

Media Check Head

Center Watch Sec. Head

ECC DPS Sec. Head

Admin/Fin Div. Head

IGDO in accordance with existing Civil Service rules and regulations and without prejudice to the organizational design of the implementation of the Code will be responsible for the following:

12 IGDO District Offices

Districts

following:

Number	Position
1	Gov't Department Head II
1	Gov't Asst. Department Head II
1	Administrative Officer IV (Division Head)
3	Gender & Dev't Officer IV (Division Head)
3	Gender & Dev't Officer III
16	Gender & Dev't Officer II
32	Gender & Dev't Officer I
14	Gender & Dev't Officer Asst.
1	Legal Officer III
1	Stenographic Reporter III
4	Legal Aide
1	Dev't Management Officer II
2	Dev't Management Officer I
1	Dev' Management Officer Asst.
1	Information Officer I
2	Photo Journalist II
1	Statistician II
2	Researcher
1	Asst. Statistician
1	Computer Programmer III
1	Records Officer II
2	Computer Operator III
1	Secretary II
2	Clerk II
2	Driver II
1	Utility Worker II
----- 99	TOTAL

Section 2. f Limitation of Appointments. No person shall be appointed in the career service of the IGDO if she/he has no track record in women education or women program

Development, or women organizing or mobilization or gender and development, especially in key positions of the office such as Head of Office, Assistant Head and those with direct line functions.

The staff for the Government Department Head II, Government Assistant Department Head II, Gender and Development Officers IV and Administrative Officer IV of the Office shall be selected among those involve in the formulation process of the Women Development Code and shall serve at least for the first five years of the Office to ensure consistency, reliability and continuity. Rank and file appointment, however, may be pursued even without track record in women work as long as the applicant process the gender check recruitment process to be conducted by the Interim Committee of the IGDO.

Section 2.g Public Notice of Vacancy and Selection. Public declaration of career vacant positions and selection shall be done in accordance with the provisions of RA 7160.

a) Department Head

a.1 Core Function: Tasked to formulate measures relevant to the gender and development concerns of the City and provide technical assistance in carrying out measures to ensure the implementation of gender and development policy of the Local Government of Davao City and to plan, implement and operate the IGDO according to the provisions of the Code and this IRR.

a.2 Authority: To sign for, speak for, and represent the Office in relevant documents and activities; and to hire and fire personnel in accordance with the Civil Service Law and Labor Laws.

a.3 Accountability: Reports directly to the City mayor through the City Administrator.

a.4 Details of Function

1. Review the city development plans and policies for its gender-responsiveness and make necessary recommendations for consideration of the City Development Council;
2. Conduct continuing studies, researches and training programs necessary to evolve plans and programs for implementation;
3. Integrate and coordinate all gender-responsive plans and studies undertaken by the different functional groups and agencies;
4. Monitor and evaluate the implementation of the different gender and development programs, projects and activities in the local government in accordance with the approved development plan;
5. Prepare gender and development planning documents for consideration of the local development council;
6. Analyze the income and expenditure patterns and formulate and recommend fiscal plans and policies for consideration of the local finance committee of the city government;

7. Promote people's participation with active women involvement in development planning within the local government;
8. Exercise supervision and control over the secretariats of various councils created through the code; and,
9. Exercise such other powers and perform such other functions and duties as may be prescribe by Ordinance or any issuance by the local government of Davao City.

b) Assistant Department Head

b.1 Core Function: Task to assist the Department Head in formulating measure relevant to gender and development concerns of the city and to assist in providing technical assistance and support in carrying out measures to ensure implementation of the gender and development policy of the local government of Davao City and further assist in planning, implementing and operating the IGDO according to the provisions of the code and this IRR.

b.2 Responsibility: Directly supervises all office personnel and all office assets.

b.3 Accountability: Reports directly to the Department Head.

b.4 Details of functions:

1. Exercise supervision and control over the district office of IGDO;
2. Provide technical assistance to the special projects to be undertaken by the office;
3. Exercise powers and perform such others functions as may be delegated by the Department Head;
4. Exercise such other powers and perform such other functions and duties as may be prescribed by an Ordinance or issuance by the Local Government of Davao City;

Section 3 Budget and Finance

Section 3.a **Declaration of Intent.** In the implementation of the provision on appropriation of the Women Development Code, the following considerations shall be strictly observed:

a.1 The concept of mainstreaming gender concerns in the development process shall be strongly pursued at all times. This standpoint is essential in ensuring the expedient participation in development and nation building of women as a distinct human resource of society.

a.2 In support of the full benefits of gender responsive planning, external and local resource shall be increasingly mobilized for utilization by the local government unit and its agencies to support programs and projects for women.

a.3 IGDO shall endeavor to sustain if not increase the budgetary allocation to enable itself and the concerned department/agencies to promptly and adequately meet the needs of the women sector.

Section 3.b Source of Finance. The activities embodied in the Implementing Rules and Regulations shall be Implemented using but not limited to the following sources:

b.1 In the implementation of development programs, projects and activities, the IGDO and local government departments/agencies shall utilize six percent (6%) of the 20% development fund, subject to the DILG Memorandum circular entitled "Policies and Guidelines on the utilization of the twenty percent development fund and related matters" and from the Gender Responsive Projects Funds included in the yearly General Appropriation Act.

b.2 Appropriation for Personal Services, Maintenance and Other Operating Expenditures and Capital Outlay shall be sourced from the regular budget of the IGDO and government departments/agencies.

b.3 In the implementation of the amount appropriated from official Development Assistance, IGDO and CPDO shall continually coordinate with NEDA on further translating into more operational terms the provision on resource mobilization under the rule II of the Implementing Rules and Regulations of RA 7192, otherwise known as "Women in Development and Nation Building Act.

b.4 In case where some critical activities cannot be funded by the regular budgets and the six per cent of the 20% Development Fund, IGDO and the concerned government departments/**agencies** shall source these from supplemental budgetary request and/or from foreign governments and multi-lateral agencies/organizations.

Section 3.c Expenditures. All expenses shall be in accordance with standard government accounting rules and procedures and other regulations and guidelines set forth by the Commission on Audit and the Department of Budget and Management.

RULE III

EXTERNAL RELATIONS

Section 1. **Davao City Council for Women (DCCW) Defined.** The Davao City Council for women refers to the assembly of women organizations in the city from barangay to district level.

Section 1.1 **Role and Functions.** The Davao City Council for Women shall become consultative-assembly of IGDO for its periodic planning and programming, program, implementation, monitoring, assessment and evaluation. It shall be actively consulted in matters dealing with official development assistance or foreign aid to determine gender biases and implications on women. It shall have defined organizational relations with the existing women organizations and other women groups.

Section 1.2 **Composition.** The Following shall compose the Council for Women:

- barangay women organizations
- Existing women organizations with mass membership at the community level
- Women groups in schools, government and private offices at the cluster for representation in the council

Section 1.3 **Election of Officers and Creation of Committees.** Position, committees and election procedures shall be identified in a constitution and by-laws to be drafted by IGDO in consultation with WNGOs.

Section 1.4 **Term of Office.** The officers and committees shall serve for one term equivalent to three years.

Section 1.5 **Compensation.** The officers and members of the committees of the Davao City Council for Women shall serve without any compensation.

Section 1.6 **Secretariat Support.** Temporarily, the staff of IGDO shall render secretariat services to the Davao City Council for Women until such time that I can sustain its operations and perform autonomous functions in consultative status with IGDO.

Section 2. IGDO, Other Bodies' Relations

Section 2.1 Roles and Responsibilities of Local Government Agencies and Departments in Relation to Gender and Development.

Section 2.1.1 Planning and Program development

All local government agencies, departments and committee formations shall:

- a) In consultation with IGDO, come up with relevant planning and program development frameworks that will appropriately ensure the integration of gender concerns in development plans and direct service programs and development planning:
- b) Ensure the continuing participation of non-governmental organizations and people's organizations, including women's groups-which are able to articulate gender concerns in relevant units and working groups for policy formulation and development planning:
- c) Devise appropriate measures to build and strengthen linkages and referrals that will ensure complementation in direct service program development and enrichment; and ensure complementation in policy directions and recommendations in appropriate executive and legislative agenda.

In addition, all local government agencies and departments involved in direct service provision shall, in consultation with IGDO, come up with relevant social work intervention framework that will appropriately ensure the integration of gender concerns in direct service program development and enrichment in the city, districts and barangay levels.

Section 2.1.2 Programming

All government agencies, departments and committee formations, particularly the City Development Council and CPDO, shall:

- a) Review existing project proposal forms and guidelines, revise them accordingly and ensure that sex-disaggregated data are adequately reflected in the program/project's situationers and made as basis for the identification of strategies and activities which remove gender bias, enhance productive roles of women and support women's reproductive functions.
- b) In cooperation with IGDO, develop a set of viable criteria for guidance of project evaluators in assessing the extent of gender responsiveness in relevant aspects of project proposals and direct service intervention program plans;
- c) Evaluate programs and projects from a gender perspective and recommend viable measures on further integrating gender concerns in those that are found to be technically sound and feasible;

- d) Prioritize well package, technically sound and feasible programs and projects that are found to increase the access of women to social and health services, income and employment opportunities, including those that would equip women with decision-making and appropriate skills:
- e) Actively advocate the donor's community to sustain their priorities towards assisting and funding innovative gender-responsive programs and projects. As a more crucial activity, they shall increasingly mobilize implementing agencies, specially their department heads/management officials to give high priority to efforts that will strengthen existing mechanisms and structures towards the integration of gender concerns in their planning, programming, monitoring and evaluating functions;
- f) In partnership with IGDO, mobilize agencies through periodic consultations and memorandum circulars to review their pipeline programs and projects and accordingly integrate gender concerns.

Section 2.1.3 **Monitoring Evaluation**

All government agencies, departments and committee formations shall:

- a) In coordination with IGDO, provide guidelines for the regular monitoring and evaluation of programs and projects-during periodic impact assessments, studies and post-implementation evaluations to determine the extent to which gender concerns have been addressed and accordingly mainstreamed.
- b) Identify, generate and make available crucial gender-disaggregated data to be used as tools in monitoring and evaluation;
- c) Initiate pro-active measures towards ensuring the timely and adequate collection of gender-disaggregated data for planning and programming purposes;
- d) Set-up and reactivate their gender focal points and periodically assess their performance and progress vis-à-vis their functions and the implementation of the provision of the Code.

Section 2.2 **Specific Roles and Responsibilities**

In addition to the above-mentioned roles and responsibilities, the following local government department and units are identified to provide service and engage in specific activities, as provided by the Code.

Section 2.2.1 CPDO and IGDO

a. **Development Planning/Advocacy**

a.1 CPDO, in consultation with IGDO, shall come up with relevant planning/ updating framework to the Various Planning units of the Local

Government agencies and the Committees of the City Development Council that will appropriately ensure the integration of gender concerns in the development plans. CPDO and IGDO shall provide technical assistance to the planning units. They shall extend the same to the same to the district/barangay planning bodies.

a.2 IGDO shall provide the implementing agencies and the barangay councils prior to the planning Exercise, relevant guidelines which they can consider in drafting their respective inputs to the formulation of the Local Development Plans, the City Development reports and related reports. These guidelines shall be updated to respond to emerging developments.

a.3 IGDO shall continue to spearhead the formulation and updating of the Davao Perspective Plan for Gender and Development and related documents.

a.4 IGDO and CPDO shall devise appropriate measures to build and strengthen linkages with the concerned Legislative Committees for the purpose of ensuring complementation in policy directions and recommending appropriate legislative agenda.

a.5 CPDO in consultation with IGDO, shall ensure the continuing participation of Non-Government Organization (NGOs)/People's Organizations (Pos) which are able to articulate gender concerns in relevant units and working groups for policy formulation and development planning.

a.6 IGDO shall network and conduct periodic consultations with NGOs/Pos specifically women groups, to generate their involvement in the development process. It shall likewise encourage and create incentives for the private sector including NGOs/POs to invest in support services for women. Concerned CPDO staff shall actively participate in these consultations.

b. Programming

b.1 CPDO shall review projects proposal forms and guidelines, revise them accordingly, and ensure the se-disaggregated data are adequately reflected in the program/project's situationers and made as basis for the identification of strategies and activities. These forms shall be disseminated to the concerned agencies as soon as possible in order that project proposals to be submitted to CPDO for processing for external assistance already reflected the desired reorientation.

b.2 CPDO and IGDO shall jointly develop a set of viable criteria for guidance of project evaluators in assessing the extent of responsiveness of

gender concerns in relevant aspects of the project proposals. The active involvement of the agencies shall be sought in the undertaking. Criteria and guideline to be developed may be considered in the next updating of the CPDO Project Development Manual.

b.3 CPDO shall evaluate programs on further integrating gender concerns in those that are found to be technically sound and feasible.

b.4 CPDO shall prioritize well-package, technically sound and feasible programs/project that are found to increase the access of women to income and employment opportunities in the rural areas, including those that would equip women with decision-making and management skills.

b.5 IGDO shall assist agencies, Local Government Agencies and NGOs/Pos in developing and packaging programs/projects that integrate gender perspective in various sectoral concerns.

b.6 IGDO shall make a regular inventory of the pipeline programs/projects for ODA funding following the above-mentioned classifications.

b.7 CPDO shall provide IGDO a regular update on ODA resources specially those actually committed for gender concerns.

b.8 CPDO and IGDO shall actively advocate the donor's community to sustain their priorities towards assisting/funding innovative gender-responsive programs/projects. As a more crucial activity, they shall increasingly mobilize implementing agencies, specifically their department heads/management officials to give high priority to efforts that will strengthen existing mechanism and structures towards the integration of gender concerns in their planning, programming, monitoring and evaluating functions.

b.9 IGDO and CPDO shall mobilize agencies through periodic consultations and memorandum circulars to review their pipeline programs/projects and accordingly integrate gender concerns.

c. Monitoring and Evaluation

c.1 CPDO shall provide, where appropriate, guidelines for the monitoring and evaluation of projects to determine the extent to which gender concerns have been addressed and to have been mainstreamed

c.2 IGDO shall make available gender-responsive monitoring/evaluation and impact assessment framework which shall readily be adopted by concerned agencies.

c.3 CPDO, in its regular conduct impact studies or post-implementation evaluations, shall include an assessment of the extent to which selected major development programs/projects are able to integrate gender concerns in actual implementation.

c.4 IGDO, on the basis of its review and evaluation tasks in relation to its monitoring, coordinative and regulatory functions, shall undertake selective impact assessments of women's programs/project. Moreover, CPDO and IGDO could jointly conduct impact assessments as may be deemed necessary.

c..5 CPDO and IGDO, implementing Local Government Agencies and the Barangay shall utilize existing coordination and monitoring systems and procedures in evaluating the extent of compliance of the concerned agencies with the IRR.

c.6 CPDO and IGDO shall mobilized specifically the planning units and concerned bureaus of the various agencies such as Bureau of Agricultural Statistics, Bureau Labor and Employment Statistics in identifying and making available crucial sex-disaggregated data requirements vis-à-vis their specific purposes (planning, programming, delivery of services, resource allocation, etc).

c.7 Data that are beyond the agencies' capacity to generate shall be referred to the data-generating agencies such as the National Statistics Office (NSO), among others, for appropriate actions. These specialized data producing agencies shall provide the necessary technical assistance to concerned entities by virtue of their mandates and specifically by R.A. 7192 and these Ordinance 5004 R IRR provisions. As among those government agencies mandated by RA 7192 shall be expected to initiate pro-active measures towards ensuring the timely and adequate collection of sex-disaggregated data for planning and programming purposes.

c.8 IGDO shall ensure that all Local Government Agencies/instrumentalities, particularly of the critical sectors and other units including barangays, have set up and reactivated their respective Focal Points and IGD officers are elected and assessed periodically of their performance/progress vis-à-vis their functions and the implementation of the ordinance 5004 provisions.

c.9 IGDO shall conduct training programs on Gender Sensitivity and Gender responsive Development Planning and related programs in support of the various entities tasked to primarily attend to the implementation of the Ordinance 5004 provisions and ensure the following:

c.9.1 Train key agency personnel who can later become the agency's pool of trainers.

c.9.2 Gender-Sensitivity and Consciousness-raising shall be undertaken for policy makers at various levels inclusive of the Local Government Executives.

c.9.3 Skills' training programs on Gender-Responsive Development Planning shall be provided to the agencies' Focal points and selected key planners, programs implementers and extension/field workers of critical or priority sectors.

c.9.4 In aid of their critical responsibilities under the Code of IRR, key staff of CPDO,IGDO,CSSDO and selected local government technical personnel shall undergo extensive gender-related technical courses and to the next extent possible, hands-on training activities.

c.9.5 IGDO shall explore with the Women's Studies Consortia and professional women's groups the possibility of developing and implementing capability building programs for selected NGOs/Pos to facilitate their participation in the development process, and more specifically in the implementation of the IRR.

c.9.6 The regular holding of the Focal Point Assemblies shall be utilized as venues for the upgrading of their technical competencies by inviting experts to speak on topic related to Gender and Development.

c.9.7 IGDO shall assist concerned agencies identifying experts, resource persons and consultants who shall provide them more focused and sector-specific interventions.

c.9.8 In the line with the integration objectives, agencies shall tap their regular training budget for dissemination of gender and development concepts and skills development, initially to critical sectors within the agencies and across positions and geographical levels. IGDO shall also source of out external resources for the conduct of highly specialized training programs on Gender and Development.

c.9.9 In coordination with the NSCB, NSO, and other data producing agencies, the IGDO shall pursue the development and continuous refinement of a gender-responsive data base and indicator system which shall assist agencies in all phases of the development process from planning to monitoring and evaluation.

Section 2.2.2 CSSDO and IGDO

A. Direct Service Program and Development

a.1 CSSDO, in consultation with IGDO, shall come up with relevant social work intervention framework to the various direct service units of the local government agencies that will appropriately ensure the integration of gender concerns in the direct service program development and enrichment.

a.2 IGDO shall provide the direct service units. They shall extend the same to the concern district and barangay units.

a.3 IGDO shall provide the direct service units and the district/barangay prior to the Program Development and Enrichment Exercise, relevant guidelines which they can consider in drafting their respective inputs to the formulation of the City Social Service and Development Plan, Direct Service Report and related reports. These guidelines shall be updated to response to emerging developments.

a.4 IGDO and CSSDO shall devise appropriate measures to build and strengthen linkage and referrals with the concerned agencies for the purpose of ensuring complementation in direct service program development and enrichment and recommending appropriate legislative and executive agenda.

a.5 CSSDO, in consultation with IGDO shall ensure the continuing participation of Non-Government Organization (NGOs)/People's Organization (POs) which are able to articulate gender concerns in relevant units and working groups for direct service program development and enrichment.

b. Programming

b.1 CSSDO shall review direct service project proposal forms and guidelines, revise them accordingly, and ensure that sex-disaggregated data are adequately reflected in the program/projects situationers and made as basis for the identification of strategies and activities.

b.2 CSSDO and IGDO shall jointly develop set of viable criteria for guidance of social workers in assessing the extent of responsiveness of gender concerns in relevant aspects of the direct service/intervention plans. The active involvement of the agencies shall be sought in the undertaking.

b.3 CSSDO and IGDO shall evaluate direct service programs/projects from a gender perspective and recommend viable measures on further integrating gender concerns in those that are found to be technically sound and feasible.

b.4 CSSDO shall provide direct service to women survivors of all forms of violence.

b.5 CSSDO and IGDO shall upgrade existing responses/interventions to survivors of violence against women while promoting comprehensive community-based women's health care approach.

b.6 CSSDO, in consultation with IGDO shall establish women crisis center for children. While at the women crisis center, the women receive multi-dimensional service to include but not limited the following:

- Individual Counseling
- Emotional Support
- Education
- Legal Assistance
- Advocacy

b.7 CSSDO, in consultation with IGDO shall establish the medico-legal desk for women to concretely cater to the specific development and differentiate needs of women and facilitate access to medico-legal requirements in filing women's complaints relative to violence.

b.8 IGDO, in consultation with CSSDO, shall facilitate accreditation/affiliation of women organizations and issuance of clearances for establishments/agencies as prescribed in these rules.

c. Monitoring and Evaluation

c.1 IGDO shall provide guidelines for the monitoring and evaluation of direct service programs/projects to determine the extent to which gender concerns have been addressed and to have been mainstreamed. CSSDO and IGDO jointly conduct periodic impact assessments.

c.2 CSSDO and IGDO shall mobilize specifically the concerned units of DSWD in identifying and making available specific sex-disaggregated data requirements vis-à-vis their specific purpose (planning, programming, delivery of services, resources allocation, etc.,).

Section 2.2.3 CHO and IGDO

- a. CHO, in consultation CSSDO and IGDO shall upgrade its health service delivery consistent with the provisions of the Code specially in on gender-responsive health care delivery.
- b. CHO shall cause for the transformation of the existing maternal and child care program into a comprehensive women and children's health care

program consistent with life-cycle-based approach. This approach assures services "from womb to womb". Services shall abide by principles of quality information and quality care.

- c. CHO shall be responsible for the implementation of Section 17, Art. 1 Chapter II, Book 1 of the Code upon consultation with WNGOs engage in helping women in the entertainment industry; Sections 46,47,48,49,50, and 51 with terms of reference or memoranda of agreement whatever is applicable, entered into with the concerned agencies.
- d. CHO shall appoint regular member of its staff to sit in the Coordinating Council on Family violence.
- e. CHO in consultation with IGDO, shall ensure a forty per cent (40%) allocation of health budget for women's health and services within first five years of the implementation of the Code, and a fifty per cent (50%) allocation shall be applicable thereafter.

Section 2.2.4 IGDO and OSCC/OMA

- a. CAO, DAR and CENRO/DENR, in consultation with IGDO, shall:

- a.2 Establish a science and women- friendly alternative technology center for rural women in each barangay;

- a.3 Promote land-based projects to ensure food security and create opportunity for women to have full access and control over the maximum utilization of land other indigenous resources through collective efforts.

Section 2.2.6 CCR and IGDO

- a. CCR in consultation with IGDO, shall ensure integration of gender and development orientation in pre-marriage counseling as a pre-requisite to issuance of marriage license without prejudice to the IRR of the Davao City Children's Welfare Code.
- b. CCR shall require applicants for birth certificate clearance from CSSDO in relation to parenting courses to which gender and development orientation is incorporated in accordance with the provision of the Code without prejudice to the IRR of the Davao City Children's Code.

Section 2.2.7 **Local School Board and IGDO**

- a. The Local School Board, in consultation with IGDO, shall appropriate funds for a special school for differently-abled women which shall offer women-friendly technology curricula.

- b. The Local School Board, in consultation with IGDO shall appropriate funds for a special school for indigenous and Moro peoples in recognition of their particular cultural practices.
- c. The Local School Board, in consultation with IGDO, shall appropriate funds for the promotion and publication of gender-fair popular education materials.

Section 2.2.8 CWWD and IGDO

- a. CWWD, in consultation with IGDO and CSSDO shall establish gaps in direct service delivery directly or indirectly affecting/influencing women. Moreover, CWWD shall initiate conduct of investigation on any issue/concern relevant to the direct service delivery being undertaken by the CSSDO in consultation with IGDO consistent with the provisions of the Code and this IRR. Such efforts are premised on CWWD's role in establishing the Davao City Council's gender and culture-sensitive research and development program in aid of legislation.
- b. CWWD shall initiate periodic consultations with IGDO on any proposed resolutions/ordinances introduced by the City Council of Davao City.
- c. CWWD shall establish regular liason with IGDO on matters relevant to policy implementation, monitoring and evaluation.
- d. IGDO, in consultation with CWWD and other WNGOs, shall examine the relevance and consistency of existing/proposed ordinances or resolutions, including those initiated by the Barangay Councils, to the Women Development Code upon which clearance is issued certifying compliance with the provisions of the Code.
- e. IGDO shall beef up its policy research and strategy development program in a joint undertaking with CWWD as the latter strengthens its women and gender research/study program in aid legislation. CWWD shall initiate women and gender researches and studies in consultation with IGDO and WNGOs wherever appropriate in support to nationally coordinated formulation of legislative agenda for women.

Section 2.2.9 Division of City School and IGDO

- a. Division of City Schools of Davao, in consultation with IGDO, shall establish a Curriculum appropriate to women's condition for Sunday classes in all barangay high schools.

- b. Division of City Schools of Davao shall initiate review of schools consistent with the promotion of no-sexist curricula and reading materials as provided for in the Code. A compliance report with recommendations for action by the local and national governments shall be submitted to IGDO.
- b. Division of City Schools of Davao shall create teams for the conduct of gender-sensitization session among public school teachers in consultation with IGDO.

Section 2.2.10 **HRMO and IGDO**

- a. HRMO shall establish training pool for the purpose of promoting the gender-sensitization sessions to all government employees. It shall review its human resource development program in relation to the provisions of the Code and come up with a unified curriculum to be jointly implemented with IGDO.
- b. HRMO shall establish training pool for the purpose of promoting the gender-sensitive training in the various staff development sessions of the city government.

RULE IV DEVELOPMENTAL CONCERNS

Section 1. **Classification of programs and Projects.** Programs and project may take the following forms:

a. "Integrated Programs and Projects"

A framework in support of development programs and projects where women's roles, contributions and benefits are appropriately integrated and taken into account as early as project conceptualization.

The processes involved in the design of such projects are expected to have considered the peculiarities of each gender. On-going projects and completed project proposals may be reviewed accordingly for inclusion of gender-fair project approaches, and minimum but coherent description of the concerns in the over-all project objectives, design and strategies.

b. “Women’s Components”

A framework in support of women’s components within larger general projects focusing on activities designed to harness the potentials of the women sector, without necessarily altering the original character of the project. This can be pushed through for pipeline projects that are in the design stage where a detailed re-planning of components can be undertaken.

c. “For Women Only”

A framework in support of social enterprises entrepreneurship development which utilizes beyond women’s dexterity, docility and domesticity mindful of their roles in production to include reproduction, subsistence reproduction and status production with due consideration of their strategic interest and practical needs as women and as members of particular class or society.

It involves processes by which women gain greater control over material and intellectual resources, and challenge the ideology of patriarchy and the gender-based discrimination against women in all institutions and structures of society.

Moreover, it supports a range of activities from individual self-assertion to collective resistance, protest and mobilization that challenge basic power relations beyond men and women relations.

Section 2. Rights of Women

- a. Women have the right to the prevention of and protection from all forms of violence and coercion against their persons, their freedom, their sexuality, and their individuality.
- b. Women have the right to freely and fully participate individually and collectively in the political processes of their communities and nations.
- c. Women have the right to the means for assuring their economic welfare and security.
- d. Women have the right to the necessary knowledge and means for the full exercise of their productive choice, according to their beliefs and preferences.
- e. Women have the right to choose a spouse in accordance with their values and preferences, maintain equality in marriage or its dissolution, and obtain adequate support for rearing and caring of their children.

- f. Women have the right to an adequate, relevant and gender-fair education throughout their lives, from childhood to adulthood.
- g. Women have the right to adequate nutrition and proper health care.
- h. Women have the right to nurture their personhood, collectively and individually, to secure an image of themselves as whole and valuable human beings, to build relationships based on respect, trust and mutuality.
- i. Women have the right to equality before the law.

Section 3. **Violence Against Women.** Violence against women shall include but not limited to the following:

- a. Physical, sexual and psychological violence occurring in the family and other close relationships, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
- b. Physical, sexual and psychological violence occurring within the general community including rape, sexual abuse, sexual harassment and intimidation at work, gender discrimination in educational institutions and elsewhere, trafficking in women and forced prostitution.
- c. Physical, sexual and psychological violence perpetrated against women and condoned by the State, wherever it occurs.
- d. Violation of the human rights of women in situations of armed-conflict, in particular, murder, physical and psychological torture, systematic rape, sexual slavery and forced pregnancy.
- e. Forced sterilization and forced abortion, coercive/forced use of contraceptives, prenatal sex selection and female infanticide.
- f. To buy or sell a woman or any of her body parts for profit.
- g. Feminization of poverty, which is regarded as a condition when gap between the rich and poor widens and grassroots women bear the brunt as in economic instability and unequal distribution of wealth. Such gap reinforces non-response to both practical needs and strategic interests of women.

Section 4. **Interventions.** The following shall serve as guide in handling women and men in violent situations.

a. Goals of Interventions

1. The primary goal of therapy with couples when violence is present is to eliminate the violence and retain the qualities of the relationship that brought the couple together. A goal may be to help the couple

recognize the maladaptive reasons that brought them together and help them to separate comfortably.

2. Another goal is to reduce the “flood” of emotion in the relationship. A therapist can reduce the intensity of the emotional interaction and increase the accuracy of the perceptions of the participants.
3. To increase the perception of choices for both clients.
4. To provide corrective emotional experiences. A powerful positive, corrective emotional experience is very different from an emotionally explosive one.
5. For the therapist to ally with the societal expectations and to engage that part of both clients that agrees that physical or verbal emotional abuse is unacceptable.
6. To increase a woman’s feeling of being in control of her life.

b. Assumptions of Helping Women Victim-survivors of Violence

b.1 The inferior status of women is due to their having less political and economic power than men.

b.2 Differences among women can stimulate them to learn from one another. A therapist does not value an upper or middle class client more than working class client.

b.3 The primary source of women’s pathology is social, not personal.

b.4 The focus on environmental stress as major source of pathology is not used as an avenue of escape from individual responsibility.

b.5 Therapy for women is opposed to personal adjustment to social conditions; the goal is social and political change.

b.6 Other women are not enemy.

b.7 Men are not the enemy either.

b.8 Women must be economically and psychologically autonomous.

b.9 Relationships of friendship, love and marriage should be equal in personal power.

b.10 Major differences between “appropriate” sex role behaviors must disappear.

c. Any individual or groups and entities, both government and non-government, involved in providing support services to victims-survivors of violence shall ensure the strict confidentiality of all records pertaining to such cases of violence and their intervention at all times unless otherwise the disclosure of such records is very necessary for any legal or medical purposes.

Section 4.1 Barangay-level Support System. Support system in the barangay for any violence occurring in the family/household shall include the following but not limited to:

- a. Fund allocation. Each barangay may allocate for the reception, hearing of complaints and protection measures involving family/household members who are resident for at least six months in the barangay.

- b. Temporary sanctuary for women in distress. Moving out temporarily from the site of violence is crucial in any helping process in women in violent situations.
- c. Reception and Hearing Complaints. There shall be established Family Arbitration Committee by the Barangay Councils to be initiated through IGDO upon establishment of contract with the office of the DILG.

d. Composition, Functions and Compensation of Family Arbitration Committee

d.1 Composition. The composition of the Family Arbitration Committees shall be as follows:

- Punong Barangay
- Four (4) Representatives of barangay-based women organizations
- Two (2) Regular members of the Lupong Tagapamayapa.

d.2 Without prejudice to the functions of the Lupong Tagapamayapa as provided in sec. 402, Chapter 7, Book III of RA 7160, the functions of the Family Arbitration Committee shall include but not limited to the following;

d.2.1 Conduct legal counseling of family/household members in dispute;

d.2.2 Conduct orientation on women/gender and development in its regular forum to enable its members and the public come up with measures in effecting speedy resolution of disputes and implementation of recommendations made in the course of conciliation;

d.2.3 Exercise protection of aggrieved family/household members to include such forms of relief, restraining order, eviction of the perpetrator from the residence of the abused, no-contact or stay-away measures, child and spousal awards, child custody provisions and provide psychological first aid to the concerned without prejudice to existing rules and procedures as prescribed in RA 7160 or nay special laws relevant thereto: and

d.2.4 Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

d.3 Compensation. The members of the Family Arbitration Committee shall serve without compensation except transportation allowances in accordance with the Local Finance Committee rules and without prejudice to DILG issuance or memoranda.

Section 4.2 Intervention Principles. The following principles can be applied when working with battered women. The concepts are abstracted from the writings of feminist psychology.

- a. Feminists maintain that violence and abuse are never appropriate in an intimate relationship and that a woman should not have to bargain for her safety- it is her right.
- b. Battering is recognized to be a social and political problem. Gender inequality is perceived to be a social reality and battering is an abuse of power within a social context. The battered woman is not perceived to be crazy or “sick”. In order to provide effective treatment, the therapist needs to assume that the battered woman is potentially healthy and able to take care of herself and her children. The battered woman’s life situation may have created a sense of “learned helplessness” that undermines her self-confidence.
- c. Feminist therapist recommends that the therapist knows his or her own limits in regard to the outcome of therapy. Any message sent by a therapist that he or she has invested in the woman’s ending her relationship is likely to contribute to feelings of guilt and unworthiness, and to undermine empowerment of individual choice. Support and information are useful to the battered woman while she makes her own choices.
- d. Abusiveness tends to escalate in severity and frequency if not treated. Clinical evidence suggests that abusive men are not motivated to seek treatment unless there are strong external pressures to do so. The most effective pressure is for the woman to threaten to leave or actually separate from the man. However, when such threats are undertaken, the potential lethality of the interaction increases.

Section 4.3 Steps in Intervening with the Battered Woman. The following are steps in intervening with the battered woman but are not limited to:

- a. **Ensuring the client’s safety.** The first step in treatment is to ensure the safety of the battered woman, either by finding a way to stop the violence or by helping her find a safe haven away from the batterer. A therapist can help the woman find a shelter or safety with a friend or family.
- b. **Listening to and believing the client.** When a battering crisis occurs, the victim may need someone to listen to her and believe her. The reported violence must always be taken seriously. Battered women are more likely to minimize or deny the extent of violence than they are to exaggerate. Denial or minimization are particularly pronounced in longer-term or more violent relationships. The victim needs to tell her story in her own way, without being interrupted or pressured to begin problem solving. The victim often needs to understand herself and her situation through the information collected from her narration of the history of the relationship.
- c. **Identifying the client’s feelings.** Numbness or helplessness may camouflage the anger the battered woman repressed while she lived in

- fear during the tension-building phase of the abuse cycle. It may be helpful for the therapist to label the victim's feelings with words she understands. Victims are likely to need help in distinguishing between for emotional release and taking impulsive action based on feelings alone. The therapist needs to be careful not to condone violent acts, and yet support the victim's right to feel angry.
- d. **Identifying the impact of the violence on the client's behavior.** The victim may need help acknowledging the ways in which she has adapted to the violence in order to protect herself or "present" the violence. She may need help in recognizing that while she may have contributed to her partner's stress, she did not cause or "provoke" his behavior. The victim is likely to benefit from understanding that the abuser is capable of expressing anger in other ways besides violence.
 - e. **Self-empowerment.** The victim is likely to have many skills that she has used to survive in her situation and may need help in identifying them. Self-esteem, self-care, and self-nurturance are identified as necessary for the women to reach an empowered position. This process requires a drastic change in attitude that includes a shift of the victim's focusing on her partner to focusing on her own needs and she may be slow in developing this attitude. A battered woman may believe that relationship with her partner is necessary for her survival, and therefore may give her own needs very low priority. The therapist may point out to the battered woman that the tolerance, patience, loyalty, and commitment she has contributed to maintaining her relationship are the very elements that have allowed the abuse to continue.
 - f. **Problem Solving.** Instruction in problem solving skills often begins after safety is assured. A therapist can help the woman acquire skills and tools to identify and solve problems, especially focusing on how to get help from various social agencies. Developing lists of problems and then establishing small steps to be taken to reinforce success and achievement may be particularly fruitful, especially in identifying outcomes, rewards, or natural consequences of each step's achievement. Victims need to learn to perform these steps for themselves so that they may begin to feel empowered and in control of their own lives.
 - g. **Dealing with Social Agencies.** The battered woman may need someone to be her advocate in systems such as welfare, courts, schools and medical agencies. A therapist can teach her methods for getting help by giving her information about how to find resources. Many victims become isolated from the external world and develop learned helplessness as a survival mechanism; they will require sometime to unlearn old behaviors and to learn new ones. A kind of disorientation may be experienced by the battered woman and such disorientation is occasioned by the need to establish new roots in a new environment.
 - h. **Support Groups.** In the second phase of therapy, getting the battered woman into an ongoing support group is adjunctive to individual therapy. Such group participation has been identified as essential for

understanding and growth for empowerment. The connections from support groups can enable victims the support and freedom to explore their options. The groups can enable the victims to move beyond isolation and guilt about “their” problems. A group can provide victims the support and freedom to explore their options. The group’s support may extend to accompanying the victim to all necessary actions where secondary victimization may occur.

- i. **Ongoing Therapeutic Support.** A battered woman may remain in therapy until she perceives that the violence has stopped and then may return to the relationship. The therapist needs to keep her or his door open to the victim in his transitional time letting the client know the therapist is available if the woman’s situation worsens.

A. Barangay-level Self-organization of Women. There shall be established women organizations in the barangay. Step shall include but not limited to the following:

1.Purok-level Core Group Formation. At least five women advocates shall be identified in the purok who shall commit to the organizing efforts of women in situations where no women organization exists in the purok.

2. Purok Clusters Formation. Purok-based women organizations shall constitute themselves to form the purok cluster. At least five (5) from each purok shall represent the women to the barangay level.

3. Barangay-level Women Organization. Representatives from the purok shall compose the barangay women organization. Officers to be elected from among the purok representatives are as follows:

- Chairperson
- Co-chairperson
- Secretary
- Treasurer
- Auditor

4. Creation of Committees. Facilitate women/gender and development orientation sessions including organization management skills development.

- a. **Education-Training.** Facilitate women/gender and development orientation sessions including organization management skills development.
- b. **Advocacy-Campaign.** Conduct periodic sweeping education and campaigns on all issues and concerns of women and men in the community in particular and in the Philippine society in general.

- c. **Resource Mobilization.** Generate material, human and financial resources necessary to sustain the organization's actions and programs.
- d. **Micro-diet Service.** Provide direct assistance to members who are in emergency or in distress situation.
- e. **Social Action.** Determine areas of concerns requiring mobilization of people for an immediate action by the local authorities.

5. Requisites for Recognition/Affiliation of Women Organization. There shall be requisites for recognition/affiliation of women organization to be submitted to IGDO to include but not limited to the following:

- a. Purok Level records of meetings and relevant activities.
- b. Purok clusters' records of meetings and relevant activities.
- c. Barangay-level organization's constitution and by-laws, program thrusts and/or action plan.
- d. Membership Profile.
- e. Women situationer in the Barangay.
- f. Other records/documents as may be required by IGDO.

B. Special Days of Actions

1. Annual Declaration of March 8, International Women's Day as Public Holiday. There shall be issuance of an Executive Order declaring March 8 as a special public holiday in the city. Barangay level coordinated March 8 celebrations will include, but is not limited to the following:
 - Women and the law
 - Current Issues
 - Assessment of women status in the barangay
2. A Citywide Women's Summit. There shall be a citywide women's summit to be held within first week of March every year to assess extent of implementation of the Code and other relevant policy outcomes.
3. Observance of International Day of Action for Women's Health. There shall be established mechanism to observe the International Day of Action for Women's Health whereby comprehensive

women's health agenda be presented to the Sanggunian for legislative action in coordination with IGDO.

C. Women Sectoral Representative to the Sanggunian. There shall be elected women sectoral representative to the Sanggunian by members of the accredited women organizations in Davao City in accordance with RAA 7160 to be jointly supervised by IGDO and the Council for Women.

Section 6. Attached Units of IGDO. There shall be attached units of IGDO as provided for in the Code. The supervision and guidance of these units shall be extended by the IGDO which shall assign staff to act as secretariat for the units until such time that these are ready to be autonomous and thereby maintaining a bilateral relations with IGDO.

1. The WID/GAD focal points are assembled together with the LGA-based Integrated Gender and Development Officer (IGDOF) in order to collectively address issues and concerns relevant to women organ/gender and development to achieve a level of unity on functions and task.
2. Monitoring Board on Violence in Media. There shall be a monitoring board on violence in media whose function is to classify, censure, prohibit or regulate the exhibition of materials degrading women. Media outlets include the following:
 - Video
 - Cable
 - Television
 - Cyberspace
 - Books
 - Other forms of audio-visual channels or instruments/reading materials
3. Coordinating Council on Family Violence. There shall be established multi-disciplinary and multi-sectoral coordinating council on family violence by the IGDO in coordination with WNGOs to design protocol and mechanism for identification, assessment and interventions on family violence.
 - a) Composition. The following shall compose the coordinating council of family violence with the City Mayor as Chairperson who may be represented through an appointment of an Action Officer and WNGOs representative as co-Chairperson:

One (1) representative each of the WNGO engaged on cases of family violence

One (1) representative of medical association.

One (1) representative of the Integrated Bar of the Philippines.

One (1) representative of the Davao Association of Guidance Counselors.
One (1) representative of Psychological Association of the Philippines.
One (1) representative of Philippine Association of Social Workers, Inc.
One (1) representative of Philippine Psychiatric Association.
One (1) representative of the Philippine Nurses Association.
One (1) representative of the City Social Services and Development Office.
One (1) representative of each City Departments with micro/direct services
One (1) representative of the Davao City Police Office.

b.) Election of Officers and creation of Committees. The Council may elect set of officers and create committees in carrying out its functions.

4. Inter-agency Council Against Trafficking. There shall be established Inter-agency Council against trafficking by IGDO in consultation with WNGOs whose functions are provided for in the Code.

a. Composition. The following shall compose the Inter-agency Council against trafficking with City Mayor as Chairperson who may be represented through an appointed Action Officer and WNGO representative as co-Chairperson.

One (1) representative each of the WNGO engaged on cases of trafficking.
One (1) representative of medical association.
One (1) representative of the Integrated Bar of the Philippines.
One (1) representative of the Davao Association of Guidance Counselors.
One (1) representative of Psychological Association of the Philippines.
One (1) representative of Philippine Association of Social Workers, Inc.
One (1) representative of Philippine Psychiatric Association.
One (1) representative of the Philippine Nurses Association.
One (1) representative of the City Social Services and Development Office.
One (1) representative of each City Departments with micro/direct services
One (1) representative of the Davao City Police Office.

b) Election of Officers and Creation of Committees. The Council may elect set of officers and create committees in carrying out its functions.

Section 7. Cultural Identity of Women. To strengthen the cultural identity of women, IGDO, in connection with OSCC and OMA, shall ensure that preservation of cultural identity of indigenous and Moro women shall be actively incorporated in all programs and projects of the local government. It shall ensure that:

1. There shall be established accessible and culturally-appropriate schools for indigenous and Moro peoples in consultation with the local school board
2. Within two years upon effectivity of the Code, there shall be conducted survey of indigenous and Moro peoples areas to be able to declare indigenous and Moro peoples areas to be able to declare indigenous and Moro peoples' areas.

Section 8. Gender-Sensitive Physical Plant/Set-up. All offices, agencies and establishments or companies shall adopt a physical set-up in their respective work areas that shall ensure the elimination of all opportunities for sexual harassment. For instance, physical barriers should be removed without necessarily disrupting productive privacy. A set of guidelines and standards shall be developed by IGDO upon assuming office.

Section 9. Tax Incentives for Business Entities. There shall be issuance of tax incentives to the gender-responsive acts of the business entities upon discretion if the City Treasurer's Office in accordance with the Local Finance Committee rules, as provided for in the Code.

Section 10. Renewal of Business Permits. IGDO shall issue compliance certificates to establishments and companies upon ensuring that management and employees undergo gender sensitivity training (GSTs). The compliance certificate shall be a requirement before annual renewal of business permit is granted

Section 11. Appointment of Integrated Gender and Development Officer (IGDO). Heads of offices shall be appointed IGDOFs in each local government agency or department, and private establishment to ensure decision-making power in initiating gender and development programs for the office.

Section 12. Active Support to Gender Studies. Funds for gender-related documentation and researches shall be partly are sourced from research funds allocated to policy researches of executive and legislative bodies.

Section 13. Creation of Resource Management Council. There shall be created resource management council in each Barangay to ensure promotion and protection of ecological balance and full participation of women with the following functions.

- a. Establish environmental protection measures for the Barangay.
- b. Assess/investigate environmental condition of the Barangay and recommend appropriate action's for Barangay Council's consideration.

Section 14. Gender-Sensitization as a Pre-requisite to Employment and Promotion. There shall be conducted gender assessment of all local government employees during hiring and promotion to be facilitated by the HRMO. IGDO shall provide the assessment instrument.

Section 15. Gender-Sensitive Crisis Intervention Unit. There shall be created a gender-sensitive crisis intervention unit at all levels of health care, primary, secondary and tertiary upon the operation of IGDO in consultation with the CHO. The latter shall provide the guidance and supervision in its operation.

RULE V

OFFENSES AGAINST WOMEN

Section 1. Offenses Against Women Defined. Offenses against women shall refer to offenses punishable under Revised Penal Code, special laws and ordinances committed against any biologically female person of eighteen years of age or over with differentiated developmental needs and having production and reproduction capacities, including emancipated minors but excluding person covered by RA 7610.

Section 2. Other Offenses and Sanctions.

Section 2.a. Sex Tours. Sex tours shall refer to organized tours involving group of local or foreign tourists whose primary purpose is the provision of entertainment involving services exploitative of women such as prostitution, lewd or pornographic shows. Hotel beach resort, sauna bath, and related establishments which become conduit for sex tours shall be held liable under circumstances but not limited to the following:

- a) Allows any unregistered woman to enter the room of the local or foreign tourists.
- b) Allow (s) presentation of indecent shows in any of its facilities to the tourists.

An officer or employee thereof who is responsible for the violation of this section shall suffer the penalty of payment of a fine of Five Thousand Pesos (P5,000.00), imprisonment of one year and cancellation of employer's business permit.

Section 2.b Commodifying Women in Beauty Contests. It shall be an offense against women to organize, conduct or sponsor beauty contests which commodify, abuse, humiliate and treat women as sex objects. The following are deemed covered under this provision:

- a) Requiring participants to wear transparent or skimpy or scanty or any sexually suggestive attire to appear in the nude;
- b) Requiring participants to perform lewd or other indecent acts.

For the private organizers of the beauty contest who violate this provision shall be subjected to the following penalties:

- 1) Payment of a fine of Five Thousand Pesos (P5, 000.00);
- 2) Cancellation of organizer's business permit.

For the representatives of agencies, departments or units of the local government of Davao City who violate this provision shall be subjected to a payment of a fine of Five Thousand Pesos (P5, 000.00).

Section 2.c. Fund Raising Initiatives. Any person/entity who engages in any activity which integrates, whether in whole or in part, in any raffle draw, benefit or disco dance, premier showing of movies or any similar fund raising activities, the use of woman as door prize, substitute for prizes won, a companion package for an award, prize or recognition shall violate women's right.

Violators of this provision shall pay a fine of Five Thousand Pesos (P5, 000.00) or imprisonment of six months or both at the discretion of the Court.

Section 2.d A person/entity shall not deny without reasonable ground school admission or employment of any indigenous/Moro women for the sole reason of the absence of birth and/or marriage certificates. Violators of this provision shall pay a fine of Five Thousand Pesos (P5, 000.00).

Section 2.e. No employer shall deprive a woman job training and promotion on account of gender, age, ethnicity, creed, religion and civil status. When the violator is a corporation or partnership the officer or employee responsible for the violation shall suffer the penalty of Five Thousand Pesos (5,000.00) and a cancellation of employer's business permit or as prescribed by the court. When the offender is a government unit or agency the head of office shall be held liable and shall suffer the penalty of a fine of One Thousand Pesos (P1, 000.00).

Section 2.f. No employer shall deprive a woman job training and promotion on account of gender, age, ethnicity, creed, religion and civil status. When the violator is a corporation or partnership the officer or employee responsible for the violation shall suffer the penalty of Five Thousand Pesos (P5, 000.00) and a cancellation of employer's business permit or as prescribed by the court. When the offender is a government unit or agency the head of office shall be held liable and shall suffer the penalty of a fine of One Thousand Pesos (P1, 000.00).

Section 2.g Employers with at least twenty women employees or workers shall be required to:

1. Provide seats proper for women and permit them to use seats when they are from work and during working hours, provided they can perform their duties this position without detriment to efficiency;
2. To establish separate toilet rooms, lavatories and lounge for women and men and provide at least a dressing room for women;
3. To establish a crèche in a workplace for the benefit of the women employee therein; and
4. To provide breastfeeding centers for women in the workplaces at least 30 minutes for each three-breastfeeding sessions (morning, noon, afternoon).

When the violator is a corporation or partnership, the officer or employee responsible for the violation shall pay a fine of Five Thousand Pesos (P5, 000.00) and a cancellation of employer's business permit or a prescribed by the Court.

IGDO in accordance with its functions shall issue gender-sensitive clearance upon its regular visit to all offices or establishments that shall become the basis for renewal off business permits.

Section 2.h Companies with at least twenty women employees or workers shall provide reproductive health services to include but not limited to the following:

1. Routine pap smear test
2. Complete blood count
3. Breast and abdominal examination by a competent female physician
4. Pre-natal care
5. Fertility regulation counseling and devises
6. Provision of medicines when necessary

A fine of Five Thousand Pesos (P5, 000.00) shall be imposed for the officer or employee responsible for the violation of this provision and a cancellation of employer's business permit.

Section 2.i. All local offices, agencies and establishments or companies, government and private shall include in their regular personnel orientation an orientation on sexual harassment. IGDO shall provide the guideline for such an orientation.

The officer or employee of the private agency or establishment or company responsible for the violation shall pay a fine of Three Thousand Pesos (P3, 000.00).

Section 2.j A standard for what is appropriate for a gender-sensitive environment shall be formulated by the IGDO taking into consideration the general rules and policies set forth in the Code.

When the violator is a corporation or partnership, the officer or employee responsible for the violation shall pay a fine of Three Thousand Pesos (P3, 000.00) and a suspension of employer's business permit for three months.

Section 2.k Women employees of both public and private shall enjoy maternity leave benefits of one hundred eighty (180) days provided that ninety (90) days of the leave period shall be used for breastfeeding her new-born baby.

Penalties for the violation of this section shall constitute the following:

1. For the officer or employee of the private agency, payment of a fine of Five Thousand Pesos (P5, 000.00) and;
2. A suspension of employer's business permit for six months.

Section 2.1 Women employees or workers in entertainment industry are entitled to receive a minimum wage and benefits afforded to employees or workers under the existing laws particularly the Labor Code. The officer or employee responsible for the violation of this section shall pay a fine of Five thousand Pesos (P5, 000.00) or a cancellation of employer's business permit of both, at the discretion of the Court.

Section 2.m No hospital in Davao City shall refuse a women seeking reproductive health services as a pre-requisite for admission the payment of deposit. The officer or employee responsible for violation of this section shall be held liable with the penalty of a fine of not more than Three Thousand Pesos (P3,000.00)

Section 2.n For the purpose of implementing Section 27, Art. IX of ordinance No. 5004. IGDO shall formulate gender-sensitivity orientation and training curricula for the use of all schools, offices, establishments, or companies, department and agencies including Barangay officials. Failure to comply with the said provisions shall constitute a violation.

The officer or employee responsible for the violation of its section shall be held liable with the penalty of a fine of Five Thousand Pesos (P5, 000.00) and issuance of warning by the IGDO to be posted in strategic point of the premises of the agency or office concerned.

Section 3. **Administrative Offenses and Sanctions**

Section 3.a Commodifying Women in Beauty Contest. For the administrative sanction involving representative and agencies, department or units of the local

government of Davao City who violate section 5. Article I, Chapter I of Book II of the code shall suffer a suspension of one month without pay without prejudice to existing Civil Service rules.

Section 3.b Surveillance of Entertainment Establishments. A local government task force to compose the DCPO, CSSDO, CHO, City Tourism Office, IGDO and three representatives of WNGOs shall be created upon the screening and orientation of IGDO to conduct conscious surveillance of entertainment establishments suspected of exploiting women and submit weekly report to the City Mayor through the IGDO. Violation of this section shall be subjected to existing Civil Service rules.

Section 3.c Equal Access to Job Training and Promotion. Pursuant to Section 2.e of Rule V of these rules every woman shall enjoy equal access to job training and promotion. When the offender is a government unit or agency the head of office shall be held liable and shall suffer the penalty of three-month suspension.

Section 3.d Wage and Benefits for women. Pursuant of Section 2.f of Rule V of these rules every woman shall enjoy minimum wage and benefits provided by law. When the offender is a government unit or agency head of office shall be held and shall suffer the penalty of three-month suspension.

Section 3.e Facilities and Support System for Women. The administrative sanction equivalent to a three-month suspension shall be imposed to the head of office of a local government agency or unit for violation of section 2.g of Rule V of these rules and in accordance with Civil Service rules.

Section 3.f Orientation on Sexual Harassments. The administrative sanction imposed on the head of office or employee of a local government agency or unit for the violation of Section 2.i of Rule V of these rules shall be in accordance with Civil Service rules.

Section 3.g Gender-Sensitive Environment. Pursuant to Sec 2.j. of Rule V of these rules, an administrative sanction shall be imposed to the head of office of a local government agency or unit in accordance with Civil Service rules.

Section 3.h Increase Maternity Leave Benefits as Incentives for Breastfeeding Mothers. Pursuant to Section 2.k of Rule V of these rules, the administrative sanction to be imposed to the head office or employee responsible for the violation shall be in accordance with Civil Service rules.

Section 3.i Barangay-based Househelp Support. It shall be compulsory for all barangays in the City to conduct education for both househelp and househelp employers on gender- sensitive household management. An administrative sanction pursuant to civil services rules shall be imposed to all the members of the Barangay Council.

Section 3.j Barangay Sanction on Harassment Committed against Differently-abled Women. All Barangay council in the City shall formulate a Barangay sanction on cases of harassment committed against differently-abled women in consultation with IGDO. Members of the Barangay council who violate this provision shall be subjected to an administrative sanction pursuant to Civil Services rules.

Section 4. **Reporting, Investigation, Prosecution of Cases**

Section 4. b Investigation. Not later than twenty-four (24) hours from the receipt of the report, the Office or official concerned shall conduct an investigation and gather materials and relevant evidences appertaining to the reported incident.

Section 4.c Who May File Complaint. Except in cases involving private crimes under the Revised Code, as amended, a compliant for an offense against women penalized under the Revised Penal Code, special laws and/ or ordinance, may be filed by the victim herself, or by any person not otherwise disqualified by law.

Section 4.d Investigated Cases. In cases reported to an investigated by IGDO or other government office/officials, the investigation Report together with all the material and relevant evidences shall immediately be forwarded to the City Prosecution Office, for the preparation and filing of the appropriate criminal charge.

RULE VI MISCELLANEOUS AND FINAL PROVISIONS

Section 1. **Appropriation.** Budget for the operations of the IGDO and its programs, projects and activities shall come from the following sources:

- Six percent (6%) of the Annual Development Fund of the Local Government of Davao City as provided for in the Code.
- 30% share of any Official Development Assistance as stipulated in RA 7192; Gender Responsive Projects Fund form General Appropriations Act every year; and,
- Other sources from supplemental budget passed through appropriate ordinances, relevant laws, executive and administrative orders and memoranda, both national and local, allocating funds for gender-related purposes.

Section 2. **Separability Clause.** If, for any reasons, any part or provision of these Implementing Rules and Regulations shall be held unconstitutional or invalid,

other parts or provisions that are not affected thereby shall continue to be in full force effect.

Section 3. **Effectivity.** This Executive Order shall take effect upon its publication thereof in two (2) local newspapers of general circulation.

The foregoing Executive Order consisting of 44 pages including this page is being issued on compliance with Section 31, Chapter II, Book II of Ordinance No. 5004.

Done in the City of Davao, this 27th day of July 1998

(SGD) BENJAMIN C. DE GUZMAN
Mayor, City of Davao

Attested:

(SGD.) NESTOR M. LEDESMA
City Administrator

(SGD.) NENITA R. ORCULLO
City Councilor
Chair, Joint Executive-Legislative Committee

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Hon. Pilar C. Braga, Member
Hon. Marlene A. Librado, Member
Hon. Myrna L. Dalodo-Ortiz, Member
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February 28, 2011

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Pros. Antonio Arellano, Member
Mr. Emmanuel C. Roldan, Member
Mr. Oscar Casaysay, Member
Ms. Marilyn Agonia, Member

