



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 16
Series of 2024

AN ORDINANCE LOCALIZING THE SAFE SPACES ACT WITHIN THE CITY OF PASIG AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

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WHEREAS, under the Safe Cities and Safe Public Spaces Initiative by United Nations (UN) Women, harassment in public spaces reduces women's and girls' freedom of movement, limits their ability to participate in school, work, and public life, limits access to essential services, and negatively impacts their health, well-being, and their enjoyment of cultural and recreational opportunities;

WHEREAS, Section 11, Article II of the 1987 Philippine Constitution declares that it is the policy of the State to value the dignity of every human person and guarantee full respect for human rights;

WHEREAS, Section 14, Article II of the 1987 Constitution further declares that the State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men;

WHEREAS, Republic Act No. 9710, otherwise known as The Magna Carta for Women, mandates the protection of women, especially those in the marginalized sector, against all forms of discrimination, and promotes the equality of men and women;

WHEREAS, Republic Act No. 11313, otherwise known as the Safe Spaces Act of 2019, seeks to secure all persons, regardless of sex, sexual orientation, and gender identity and expression, from all kinds of gender-based violence and discrimination such as sexual harassment done in public spaces, educational or training institutions, workplace, and online space;

WHEREAS, Section 8 of the Safe Spaces Act and Section 9 of its Implementing Rules and Regulations (IRR) mandate that Local Government Units (LGUs) be primarily responsible for enforcing its provisions and to provide measures to prevent and respond to gender-based sexual harassment;

Handwritten signature: M. De Leon

Handwritten signature: Syvel Asilo-Gupilan

Handwritten signature: Roderick Mario U. Gonzales

Handwritten signature: Keil P. Custillas

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WHEREAS, Section 5.1.2 of Joint Memorandum Circular No. 2020-001 issued by the Department of Interior and Local Government (DILG) directs city governments to pass an ordinance, in line with the provisions stated in the Safe Spaces Act, to prevent the occurrence of and efficiently and effectively respond to gender-based sexual harassment in streets and public spaces, and designate public spaces, regardless of ownership and nature, as safe spaces against gender-based sexual harassment;

WHEREAS, despite development in terms of policies and programs on gender equality and the extent of its effect on the victim-survivor, street harassment continues to affect an overwhelming majority of Filipinas and LGBTQ persons daily, and, yet it remains a neglected issue in our society;

WHEREAS, the City Government of Pasig aims to fulfill its responsibility of empowering women through the pursuit of equal opportunities for both sexes in terms of equitable distribution of resources and opportunities. Accordingly, the City's Gender and Development Office seeks, among others, to eliminate systems that promote and perpetuate inequality and discrimination;

NOW, THEREFORE, BE IT ORDAINED AS IT IS ORDAINED BY THE SANGGUNIANG PANLUNGSOD, IN SESSION DULY ASSEMBLED, THAT:

SECTION 1. SHORT TITLE. – This Ordinance shall be known as the "Safe Spaces Ordinance of Pasig City."

SECTION 2. DECLARATION OF POLICY. - The City recognizes and guarantees the human rights of all individuals, including recognizing the role of women in nation-building and guaranteeing fundamental equality before the law for women and men, as well as the right to choose and make decisions in accordance with one's religious convictions, ethics, and cultural beliefs.

According to the Constitution of the Philippines under Article III - Bill of Rights, Section 5, no law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights.

SECTION 3. DEFINITION OF TERMS. – As used in this Ordinance, the following terms shall mean:

- a. **Anti-Sexual Harassment (ASH) Desk** – a physical facility, managed by an ASH Desk officer, where victim-survivors of sexual harassment can immediately go to seek assistance.



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- b. **ASH Hotline** – a communication link in which calls or reports of gender-based sexual harassment (GBSH) in streets and public spaces are directed to the service providers.
- c. **ASH Referral Network** – An ASH Referral Network is a mechanism in the city and barangay to strengthen the coordination among public and private service providers in addressing the needs of victim-survivors of gender-based sexual harassment.
- d. **Catcalling** – refers to unwanted remarks directed towards a person, commonly done in the form of wolf-whistling and misogynistic, transphobic, homophobic, and sexist slurs.
- e. **Common Carriers** – refer to persons, corporations, firms or associations engaged in the business of carrying or transporting passengers or goods or both, by land, water, or air, for compensation, offering their services to the public.
- f. **Cyberstalking** – is a form of stalking that is committed through an electronic medium in which online communication takes place.
- g. **Employee** – refers to a person, who in exchange for remuneration, agrees to perform specified services for another person, whether natural or juridical, and whether natural or juridical, and whether private or public, who exercises fundamental control over the work regardless of the term or duration of agreement. Employees in the informal economy are included herein. Provided that for the purposes of this Ordinance, a person who is detailed to an entity under a subcontracting or secondment agreement shall be considered an employee. In the public sector, the term employee refers to any person who is in the service of the government or any of its agencies, divisions, subdivisions, or instrumentalities including government-owned and controlled corporations with or without an original charter, or state universities or colleges with a regional charter.
- h. **Employer** – refers to a person who exercises control over an employee. Provided, that for the purpose of this Ordinance, that status or conditions of the latter's employment or engagement shall be disregarded. In the public sector, the term employer refers to the head of government agencies, divisions, subdivisions or instrumentalities including government-owned and controlled corporations with or without an original charter, or state universities or colleges with a regional charter which exercises control over an employee.



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- i. **Gender** – refers to a set of socially ascribed characteristics, norms, roles, attitudes, and values, and expectations identifying the social behavior of men, women, LGBTQs and the relations between and among them.
- j. **Gender-based sexual harassment** – refers to acts of verbal, nonverbal, or physical aggression, intimidation or hostility based on sex or sex-stereotyping, sexual orientation or gender identity and that reinforce heteronormative gender roles. Gender-based harassment is not generally motivated by sexual interest or intent. It is more often based on hostility and is often an attempt to make the target feel unwelcome in their environment.
- k. **Gender-based online sexual harassment** – refers to an online conduct targeted at a particular person that causes or likely to cause another mental, emotional or psychological distress, and fear of a personal safety, sexual harassment acts including unwanted sexual remarks and comments, threats, uploading or sharing of one's photos without consent, video and audio recordings, cyberstalking and online identity theft.
- l. **Gender identity and/or expression** – refers to the personal sense of identity as characterized, among others, by manner of clothing, inclinations, and behavior in relation to masculine or feminine conventions. A person may have male or female identity with physiological characteristics of the opposite sex or may have been assigned a particular sex at birth but who identifies with the opposite sex or may have an identity that does not correspond to one's sex assigned at birth or to one's primary or secondary sex characteristics, in which case this person is considered transgender.
- m. **Gender-based streets and public spaces sexual harassment** – is an act committed in streets and public spaces through any unwanted and uninvited sexual actions or remarks against any person regardless of the motive for committing such action or remarks.
- n. **Homophobic remarks or slurs** – are any statements in whatever form or however delivered, which are indicative of fear, hatred or aversion towards persons who are perceived to be or identify as lesbian, gay, bisexual, queer, pansexual and such other persons of diverse sexual orientation, gender identity or expression, or towards any person perceived to or have experienced same-sex attraction.



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- o. **Information and Communications system** – refers to a system for generating, sending, receiving, storing, or otherwise processing electronic data messages or electronic documents and includes the computer system or other similar devices by or in which data are recorded or stored and any procedure related to the recording or storage of electronic data messages or electronic documents.
- p. **Information and Communications technology or ICT** – shall mean the totality of electronic means to access, create, collect, store, process, receive, transmit, present, and disseminate information.
- q. **Misogynistic remarks or slurs** – are any statements in whatever form or however delivered, that are indicative of the feeling of hating women and LGBTQs or the belief that men are inherently better than women or LGBTQs.
- r. **Public Spaces** – refer to the streets and alleys, roads, sidewalks, public parks, buildings, schools, churches, public washrooms, malls, internet shops, restaurants and café, transportation terminals, public markets, spaces used as evacuation centers, government offices, common carriers, public utility vehicles (PUVs) as well as private vehicles covered by app-based transport network services, other recreational spaces such as, but not limited to, cinema halls, theaters and spas, bars and clubs, resorts and water parks, hotels and casinos, and all other areas, regardless of ownership, openly accessible or offered to be accessed by the public.
- s. **Safe Space** – is a formal or informal place where a person feels comfortable, physically and emotionally safe, and enjoys the freedom of self-expression without the fear of judgment or harm.
- t. **Sexist remarks or slurs** – are statements in whatever form or however delivered, that are indicative of prejudice, stereotyping, or discrimination based on sex, typically against women.
- u. **Transphobic remarks or slurs** – are statements in whatever form or however delivered, that are indicative of fear, hatred or aversion towards persons whose gender identity and/or expression do not conform with their sex assigned at birth.
- v. **Stalking** – refers to conduct directed at a person involving the repeated visual or physical proximity, non-consensual communication, or a combination thereof that causes or will likely cause a person to fear for one’s own safety or the safety of others, or to suffer emotional distress.

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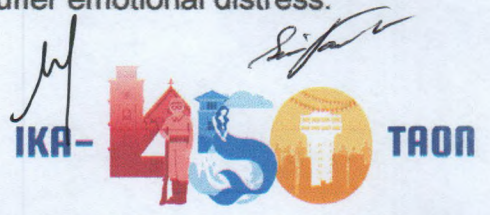
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SECTION 4. PROHIBITIVE ACTS: GENDER-BASED SEXUAL HARASSMENT (GBSH), ABUSE, VIOLENCE, DISCRIMINATION, AND OTHER HARMFUL OR CRIMINAL ACTS AND THEIR CORRESPONDING PENALTIES BASED ON REPUBLIC ACT NO. 11313. – The following acts are unlawful and shall be penalized based on their corresponding penalties based on Republic Act No. 11313:

- a. Cursing, wolf-whistling, catcalling, letting and intrusive gazing, taunting, cursing, unwanted invitations, misogynistic, transphobic, homophobic, and sexist slurs, persistent unwanted comments on one's appearance, relentless requests for one's personal details such as name, contact, and social media details or destination, the use of words, gestures or actions that ridicule on the basis of sex, gender or sexual orientation, identify and/or expression including sexist, homophobic, and transphobic statements and slurs, the persistent telling of sexual jokes, use of sexual names, comments and demands, and any statement that has made an invasion on a person's personal space or threatens the person's sense of personal safety.
- b. Offensive body gestures at someone, exposing private parts for sexual gratification of the perpetrator with the effect of demeaning, harassing, threatening or intimidating the offended party including flashing of private parts, public masturbation, groping, and similar lewd sexual actions.
- c. Stalking, and any of the acts in Sections 4(a) and 4(b) when accompanied by touching, pinching, brushing against the body of the offended persons; or any touching, pinching, or brushing against the genitalia, face, arms, anus, groin, breasts, inner thighs, face, buttocks, or any part of the victim's body even when not accompanied by the acts mentioned in Sections 4(a) and 4(b).

SECTION 5. GENDER-BASED ONLINE SEXUAL HARASSMENT. – The following acts of gender-based online sexual harassment are unlawful and shall be penalized as follows:

- a. **Gender-Based Online Sexual Harassment** – Gender-based online sexual harassment includes acts that use information and communications technology in terrorizing and intimidating victims through physical, psychological, and emotional threats, unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages, invasion of victim's privacy through Cyberstalking and



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incessant messaging, uploading and sharing without the consent of the victim, any form of media that contains photos, voice or video with sexual content, any unauthorized recording and sharing of any of the victim's photos, videos, or any information online, impersonating identities of victims online or posting lies about victims to harm their reputation, of filing abuse reports to online platforms to silence victims.

b. Implementing Bodies for Gender-Based Online Sexual Harassment

– For gender-based online sexual harassment, the PNP Anti-Cybercrime Group (PNPAGG) as the National Operational Support Unit of the PNP is primarily responsible for the implementation of pertinent Philippine laws on cybercrime, shall receive complaints of gender-based online sexual harassment and develop an online mechanism for reporting real-time gender-based online sexual harassment acts and apprehend perpetrators. The Cybercrime Investigation and Coordinating Center (CICC) of the DICT shall also coordinate with the PNPAGG to prepare appropriate and effective measures to monitor and penalize gender-based online sexual harassment.

c. Penalties for Gender-Based Online Sexual Harassment shall be in accordance with Republic Act. No. 11313.

If the perpetrator is a juridical person, its license or franchise shall be automatically deemed revoked, and the persons liable shall be the officers thereof, including the editor or reporter in the case of print media, and the station manager, editor and broadcaster in the case of broadcast media. An alien who commits gender-based online sexual harassment shall be subject to deportation proceedings after serving sentence and payment of times.

Exemption to acts constitutive and penalized as gender-based online sexual harassment are authorized written orders of the court for any peace officer to use online records or any copy thereof as evidence in any civil, criminal investigation or trial of the crime: provided, that such written order shall only be issued or granted upon written application and the examination under oath of affirmation of the applicant and the witnesses may produce, and upon showing that there are reasonable grounds to believe that gender-based online sexual harassment has been committed or is about to be committed, and that the evidence to be obtained is essential to the conviction of any person for, or to the solution or prevention of such crime.

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Any record, photo or video, or copy thereof of any person that is in violation of the preceding sections shall not be admissible in evidence in any judicial, quasi-judicial, legislative or administrative hearing to investigation.

SECTION 6. QUALIFIED GENDER-BASED STREETS, PUBLIC SPACES AND ONLINE SEXUAL HARASSMENT. – The following cases warrant the application of penalties next higher in degree, in accordance with the national law:

- a. If the act takes place in a common carrier or PUV including, but not limited to, jeepneys, taxis, tricycles, or app-based transport network vehicle services, where the perpetrator is the driver of the vehicle, and the offended party is a passenger.
- b. If the offended party is a minor, a senior citizen, or a person with disability (PWD), or a breastfeeding mother nursing her child.
- c. If the offended party is diagnosed with a mental problem tending to impair consent;
- d. If the perpetrator is a member of the uniformed services, such as the PNP and the Armed Forces of the Philippines (AFP), and the act was perpetrated while the perpetrator was in uniform.
- e. If the act takes place in the premises of a government agency offering frontline services to the public and the perpetrator is a government employee.

SECTION 7. GENDER-BASED SEXUAL HARASSMENT IN THE WORKPLACE. – The crime of gender-based sexual harassment in the workplace includes the following:

- a. An act or series of acts involving any unwelcome sexual advances, requests or demand for sexual favors or any act of sexual nature, whether done verbally, physically or using technology such as text messaging or electronic mail or through any other forms of information and communication systems, that has or could have a detrimental effect on the conditions of an individual's employment or education, job performance or opportunities;
- b. A conduct of sexual nature and other conduct-based on sex affecting the dignity of a person, which is unwelcome; unreasonable, and offensive to the recipient, whether done verbally, physically or using technology such as text messaging or electronic mail or through any other forms of information and communication systems; and



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- c. A conduct that is unwelcome and pervasive and creates as intimidating, hostile or humiliating environment for receipt: Provided, That the crime of gender-based sexual harassment may also be committed between peers and those committed to a superior officer by a subordinate, or to a teacher by a student, or to a trainer by a trainee.

SECTION 8. DUTIES OF EMPLOYERS. – Employees of other persons of authority, influence or moral ascendancy in a workplace shall have the duty to prevent, deter, or punish the performance of acts or gender-based sexual harassment in the workplace. Towards this end, the employer or person of authority, influence or moral ascendancy shall:

- a. Disseminate or post in a conspicuous place a copy of this Ordinance to all persons in the workplace;
- b. Provide measures to prevent gender-based sexual harassment in the workplace, such as the conduct of anti-sexual harassment seminars;
- c. Create as independent internal mechanism or a committee on decorum and investigation to investigate and address complaints of gender-based sexual harassment which shall:
- d. Adequately represent the management the employees from the supervisory rank, the rank-and-file employees, and the union, if any;
- e. Designate a woman as its head and not less than half of its members should be women;
- f. Be composed of members who should be impartial and not connected or related to the alleged perpetrator;
- g. Investigate and decide on the complaints within ten (10) days or less upon receipt thereof;
- h. Observe due process;
- i. Protect the complainant to the greatest extent possible;
- j. Guarantee confidentiality to the greatest extent possible;
- k. Provide and disseminate, in consultation with all persons in the workplace, a code of conduct or workplace policy which shall:
 1. Expressly reiterate the prohibition on gender-based sexual harassment;
 2. Describe the reporting procedures; and
 3. Set administrative penalties.

SECTION 9. DUTIES OF EMPLOYEES AND CO-WORKERS. – Employees and co-workers shall have the duty to:

- a. Refrain from committing acts of gender-based sexual harassment;
- b. Discourage the conduct of gender-based sexual harassment in the workplace;



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- c. Provide emotional or social support to fellow employees, co-workers, colleagues or peers who are victims of gender-based sexual harassment; and
- d. Report acts of gender-based sexual harassment witnessed in the workplace.

SECTION 10. LIABILITY OF EMPLOYERS. – In addition to liabilities for committing acts of gender-based sexual harassment, employers may also be held responsible for the following:

- a. Non-implementation of their duties under Sections 7 and 8 of this Ordinance, as provided in the penal provisions; or
- b. Not taking action on reported acts of gender-based sexual harassment committed in the workplace.
- c. Any person who violates subsection (a) or (b) of this section shall be penalized based on their corresponding penalties based on Republic Act. No. 11313.

SECTION 11. ROUTINE INSPECTION. – The Civil Service Commission (CSC) for the public sector shall conduct yearly spontaneous inspections to ensure compliance of employers and employees with their obligations under this Ordinance.

SECTION 12. INTERVENTION PROGRAMS FOR VICTIMS. – To help the victim cope with the trauma and rehabilitate the offender to give significance to the concepts of human dignity and positive behavior modification, the victim shall be provided with appropriate remedies and those services which includes, but is not limited to, psychosocial and emotional therapies and other relevant intervention programs.

The City Social Welfare and Development Office (CSWDO) shall provide technical support in the design of appropriate remedies and intervention programs and services.

SECTION 13. GENDER-BASED SEXUAL HARASSMENT IN EDUCATIONAL AND TRAINING INSTITUTIONS. – All schools, whether public or private, shall designate an officer-in-charge to receive complaints regarding violations of this Ordinance, and shall ensure that the victims are provided with a gender-sensitive environment that is both respectful to the victims' needs and conducive to truth-telling.





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Every school must adopt and publish grievance procedures to facilitate the filing of complaints by students and faculty members. Even if an individual does not want to file a complaint or does not request that the school take any action on behalf of a student or faculty member and school authorities have knowledge or reasonably know about a possible or impending act of gender-based sexual harassment or sexual violence, the school should promptly investigate to determine the veracity of such information or knowledge and the circumstances under which the act of gender-based sexual harassment or sexual violence were committed, and take appropriate steps to resolve the situation. If a school knows or reasonably should know about acts of gender-based sexual harassment or sexual violence being committed that creates a hostile environment, the school must take immediate action to eliminate the same acts, prevent their recurrence, and address their effects.

The Committee on Decorum and Investigation (CODI) of all educational institutions shall address gender-based sexual harassment and online sexual harassment in accordance with the rules and procedures contained in their CODI manual. If the school does not have a CODI manual yet, it shall employ existing grievance mechanisms to address cases of gender-based sexual harassment. Once a perpetrator is found guilty, the educational institution may reserve the right to strip the diploma from the perpetrator or issue an expulsion order.

SECTION 14. DUTIES OF SCHOOL HEADS. – School heads shall have the following duties:

- a. Disseminate or post a copy of this Ordinance in a conspicuous place in the educational institution;
- b. Provide measures to prevent gender-based sexual harassment in educational institutions, like information campaigns;
- c. Create an independent internal mechanism or a CODI to investigate and address complaints of gender-based sexual harassment which shall:
 1. Adequately represent the school administration, the trainers, instructors, professors or coaches and students or trainees, students and parents, as the case may be;
 2. Designate a woman as its head and not less than half of its members should be women;
 3. Ensure equal representation of persons of diverse sexual orientation, identity and/or expression, in the CODI as far as practicable;
 4. Be composed of members who should be impartial and not connected or related to the alleged perpetrator;
 5. Investigate and decide on complaints within ten (10) days or less upon receipt, thereof;
 6. Observe due process;

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- 7. Protect the complainant from retaliation; and
 - 8. Guarantee confidentiality to the greatest extent possible.
- d. Provide and disseminate, in consultation with all persons in the educational institution, a code of conduct or school policy which shall:
- 1. Expressly reiterate the prohibition on gender-based sexual harassment;
 - 2. Prescribe the procedures of the internal mechanism created under this Act; and
 - 3. Set administrative penalties.

SECTION 15. LIABILITY OF SCHOOL HEADS. — In addition to liability for committing acts of gender-based sexual harassment, principals, school heads, teachers, instructors, professors, coaches, trainers, or any other person who has authority, influence or moral ascendancy over another in an educational or training institution may also be held responsible for the following:

- a. Non-implementation of their duties under Section 13 of this Ordinance, as provided in the penal provisions; or
- b. Failure to act on reported acts of gender-based sexual harassment committed in the educational institution.
- c. Any person who violates subsection (a) or (b) of this section shall be penalized based on their corresponding penalties based on Republic Act. No. 11313.

SECTION 16. LIABILITY OF STUDENTS. — Minor students who are found to have committed acts of gender-based sexual harassment shall only be held liable for administrative sanctions by the school as stated in their school handbook in coordination with the City Social Welfare Department.

SECTION 17. ROUTINE INSPECTION. — The Department of Education (DepEd), the Commission on Higher Education (CHED), and the Technical Education and Skills Development Authority (TESDA) shall conduct regular spontaneous inspections to ensure compliance of school heads with their obligations under this Ordinance.

SECTION 18. PREVENTION OF GENDER-BASED SEXUAL HARASSMENT, ABUSE, VIOLENCE, DISCRIMINATION, AND OTHER HARMFUL OR CRIMINAL ACTS. - The GAD Focal Point System (GFPS), specifically its focal persons, is hereby tasked to take the lead in formulating and implementing programs, initiatives, interventions, awareness campaigns, and other activities aimed at preventing gender-based sexual harassment, abuse, violence, discrimination, and other harmful or criminal acts stipulated in this Ordinance and the National Safe Spaces Act.



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SECTION 19. DECLARING PASIG CITY HALL AND THE BARANGAY HALLS OF ITS THIRTY (30) BARANGAYS AS SAFE, OPEN, AND INCLUSIVE SPACES FOR ALL. – Consistent with the City Government’s goal of empowering people of every sex and gender by upholding human rights and guaranteeing equal opportunity and equitable distribution of resources, Pasig City Hall (including its annexes) and the respective barangay halls of the city’s thirty barangays shall serve as safe, open, and inclusive spaces for all.

Accordingly, the City Gender and Development (GAD) Office, in its efforts to eliminate systems that promote and perpetuate inequality and discrimination, shall be responsible for monitoring whether the offices and agencies of the City Government are implementing the provisions of this Ordinance and incorporating gender-sensitive and responsive practices in their operation and organization. The GAD Office shall submit an annual report to the City Mayor on the City Government’s progress in making Pasig City Hall a safe, open, and inclusive space for all. On the other hand, the respective GAD Offices or Committees of the thirty barangays shall submit periodic reports regarding the implementation of this ordinance to the City GAD Office (concurrent with their existing reportorial responsibilities). The City GAD Office shall issue guidelines for the submission of such periodic reports.

SECTION 20. ANTI-SEXUAL HARASSMENT DESK AND HOTLINE. – The City and every barangay within the City of Pasig shall establish their respective Anti-Sexual Harassment (ASH) Desks and Hotlines.

- a. The ASH Desk, which will concurrently function as the Violence Against Women and Children (VAWC) desk, shall be formed for the purpose of expediting the receipt and processing of complainants and reports of GBSH in streets and public spaces within its jurisdiction. It shall have the necessary furniture and fixtures, such as, but not limited to, table, chairs, and separate filing cabinet where the logbook and tools/equipment for documentation are stored.
- b. The daily operations of the ASH desk shall be managed by the ASH Desk Officer, who is preferably a woman, as designated by their respective local chief executive. The VAWC Desk Officer may concurrently perform the functions of the ASH Desk Officer, provided that they receive the proper training and orientation.
- c. The ASH/VAWC desk shall also have a dedicated hotline number which shall receive and record reports and/or complaints and act as referral mechanism for complaints on GBSH.

SECTION 21. RESPONSIBILITIES OF THE ANTI-SEXUAL HARASSMENT OFFICER. – The designated ASH officer in the city hall and every barangay within the City of Pasig shall be responsible for the following:

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- a. Receive, document, and respond to complaints and reports of GBSH in streets and public spaces;
- b. Facilitate the referral of cases and persons to the appropriate public and private service providers for further assistance such as legal, medical, psychosocial, safety, security, and other services;
- c. Record the number of cases of GBSH in streets and public spaces received and referred to other agencies, and submit a quarterly report to the DILG City Office and to the City Social Welfare and Development Office;
- d. Keep case records, including closed-circuit television (CCTV) footage, confidential and secure, and ensure that only authorized personnel have access to these records;
- e. Develop a protocol that will speedily and effectively address reports or complaints of gender-based sexual harassment committed in their establishment in accordance with the City's referral and support mechanisms;
- f. Assist in the formulation and updating of policies, development of plans, programs, projects and activities, and educational and awareness campaigns to address GBSH in streets and public spaces;
- g. Ensure that the designated area for the ASH desk remain a gender-sensitive environment to encourage victims to report gender-based sexual harassment as soon as it happens;
- h. Coordinate with other national government agencies in monitoring the status of GBSH-related complaints and reports; and
- i. Perform other related functions as may be assigned.

SECTION 22. QUALIFICATIONS OF THE ANTI-SEXUAL HARASSMENT DESK OFFICER. – A person must possess the following qualifications before one can be appointed as an ASH Desk Officer:

- a. An attitude that shows empathy and understanding of the victim-survivor;
- b. Familiarity with appropriate ways to handle cases of gender-based violence and sensitive to the needs of victim-survivors and complainants in each possible scenario;
- c. A basic knowledge on gender-based violence and the different forms of sexual harassment and on diverse sexual orientations and gender identities and expressions;
- d. Commitment to keeping the confidentiality of the reported cases and/or complaints; and
- e. Absence of derogatory records related to violation of laws protecting women and children and commission of acts constituting gender-based violence.

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SECTION 23. TRAININGS AND ORIENTATION. – To ensure that the designated ASH desk officer remain effective in the performance of his or her duties as provided in Section 20 of this Ordinance, he or she shall receive the appropriate trainings or orientation under the following topics:

- a. Gender Sensitivity Training;
- b. Salient provisions of the Safe Spaces Act;
- c. Salient provisions of other laws protecting women, men, children and LGBTQs:
 1. Anti-Sexual Harassment Act (Republic Act No. 7877);
 2. Anti-Violence Against Women and their Children Act (Republic Act No. 9262);
 3. Anti-Photo and Video Voyeurism Act (Republic Act No. 9995);
 4. Anti-Child Pornography Act (Republic Act No. 7610);
 5. Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (Republic Act No. 7610);
 6. Anti-Trafficking in Persons Act (Republic Act Nos. 9208, 10364, and 11862);
 7. Provisions of the Revised Penal Code which are related to gender-based violence;
 8. Relevant provisions of the Family Code of the Philippines;
- d. Existing services of the city government and those provided under the ASH Referral Network;
- e. Protocols in handling gender-based sexual harassment; and
- f. Such other relevant laws, rules and regulations, and issuances of the appropriate national government agencies.

SECTION 24. RESPONSIBILITIES OF BARANGAYS. – Every barangay within the City of Pasig shall perform the following duties and responsibilities to ensure the effective implementation of this Ordinance:

- a. Pass an ordinance, in line with provisions stated in the Safe Spaces Act, to prevent the occurrence of and efficiently and effectively respond to GBSH in streets and public spaces; and designate public spaces regardless of ownership and nature of safe spaces against GBSH;
- b. The ordinance shall include guidelines governing the conduct of events. However, such guidelines shall explicitly state prohibited acts to prevent the subversion of the principle of freedom of expression;
- c. Designate barangay tanods, community brigades, and community service units to be Anti-Sexual Harassment Enforcers (ASHEs);
- d. Establish an ASH desk;

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- e. Ensure the participation of their designated ASHEs and members of the Katarungang Pambarangay in gender-sensitivity training, orientation on the Safe Spaces Act, and protocols in responding to GBSH in streets and public spaces;
- f. Create a mechanism for handling and documentation of complaints including those cases covered by the Katarungang Pambarangay system;
- g. Establish an ASH Referral Network to strengthen the coordination among public and private service providers in addressing the needs of victim-survivors of GBSH in streets and public spaces; and
- h. Ensure the setting-up and maintenance of functional CCTV cameras in major roads, alleys and sidewalks in their respective areas to aid in the filing of cases and gathering of evidence as well as in the prevention of GBSH in streets and public spaces.

SECTION 25. ANTI-SEXUAL HARASSMENT REFERRAL NETWORK. –

An ASH Referral Network is a mechanism in the city and barangay to strengthen the coordination among public and private service providers in addressing the needs of victim-survivors of gender-based sexual harassment. It shall provide legal, medical, psychosocial, safety, security, and other relevant services. The members of the ASH Referral Network shall receive and efficiently act on referrals from the ASH Desk and ASH Hotline for the provision of services needed by victim-survivors and witnesses of gender-based sexual harassment.

- a. The City Mayor shall create and convene the ASH Sub-Committee of the Pasig City Gender and Development Focal Point System within thirty (30) days upon its establishment to take lead in the creation of an ASH Referral Network.
- b. Thereafter, the ASH Sub-committee, through its Chairperson, shall undertake the following steps in the establishment of an ASH Referral Network for the City of Pasig:
 - 1. Convene an initial stakeholders' meeting;
 - 2. Conduct a participatory mapping exercise to identify community resources, services available, requirements for referrals, possible barriers in accessing the support services and other existing mechanism/structure addressing GBSH cases;
 - 3. Establish a referral network and create a Directory of Resources, which shall be regularly updated. The members of the referral network shall define their working arrangement and clarify their specific roles and responsibilities. A focal person for each office, agency, institution and organization shall be identified. The protocols and procedures to be observed, forms to be used such as the referral and feedback forms, shall be in writing and each member provided a copy for reference.



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4. Put a system in place to develop and support the referral network.
- c. The ASH Referral Network may be composed of the following service providers:
 1. VAW/ASH Desk of every barangay;
 2. City Health Office;
 3. City Social Welfare and Development Office;
 4. Philippine National Police (PNP)-Women and Children Protection Desk and the National Bureau of Investigation-Women and Children Unit;
 5. Office of the Prosecutor;
 6. Public Attorney's Office; and
 7. Non-Government Organizations, Civil Society Organizations, Faith-based Organizations involved in gender equality and human rights and those providing medical, psycho-social, economic, legal and social services.

SECTION 26. ANTI-SEXUAL HARASSMENT ENFORCERS. – All barangay tanods are hereby designated as Anti-Sexual Harassment Enforcers responsible for the following:

- a. Receiving complaints on GBSH in streets and public spaces;
- b. Immediately apprehend the perpetrator if caught in the act of committing the crime;
- c. Immediately bring the perpetrator to the nearest police station for appropriate action; and
- d. In coordination with the Women's and Children's Desks of the PNP stations, keep a ledger of perpetrators for the purpose of determining if the perpetrator has committed a GBSH offense for the first, second, third time.

SECTION 27. EDUCATION AND AWARENESS CAMPAIGN. – The GAD Focal Point System (GFPS), specifically its focal persons, is hereby tasked to take the lead in the education and awareness campaign:

- a. Develop a training module that will be used in conducting capacity building and training activities for local government personnel tasked to enforce and implement this Ordinance, such as members of the Lupong Tagapamayapa, ASH Desk officers, volunteers, CSOs, and other private individuals or entities.
- b. The module shall be developed and need to undergo consultation with CSOs working for the interest of women, labor organizations, LGBTQ+ organizations, and other stakeholders.



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- c. Create, as one of its technical working groups, a pool of trainers who shall conduct the capacity building or training orientations of the module described in Section 26.

For Information Education and Communication (IEC), the Gender and Development Office, and the Public Information Office shall develop and produce the materials that will raise awareness of gender-based sexual harassment, inform about the prohibited acts and penalties for committing the same, and promote the reporting/referral mechanisms and hotline numbers in coordination with the Barangay and Sangguniang Kabataan Councils. The IEC materials shall be in print, such as leaflets, posters, and stickers. Aside from students and the youth, teachers, school heads, and other adults shall also be targeted by the education and awareness campaign.

SECTION 28. SAFETY AUDIT. – The City GAD Office, specifically its focal persons, shall conduct a safety audit of the city’s thirty (30) barangays to monitor the efficiency and effectiveness of the implementation of the Safe Spaces Act every three (3) years from the effectivity of this Ordinance.

SECTION 29. PENALTY CLAUSE. – Consistent with the penalty provisions in Republic Act No. 11313, otherwise known as the Safe Spaces Act of 2019, any person or institution found to be in violation of this Ordinance shall be penalized at the discretion of the court.

SECTION 30. DUTIES AND LIABILITIES CLAUSE. – Consistent with the provisions of the national Safe Spaces Act, employers, employees and co-workers, school heads, students, and other relevant actors shall have corresponding duties and, if applicable, liabilities in managing or dealing with Gender-Based Sexual Harassment.

SECTION 31. ROUTINE INSPECTION CLAUSE. – Consistent with the provisions of the national Safe Spaces Act, the Department of Labor and Employment (DOLE) for the private sector and Civil Service Commission (CSC) for the public sector shall conduct yearly spontaneous inspections to ensure compliance of employers and employees with their obligations under the national law and this Ordinance. The Department of Education (DepEd), Commission on Higher Education (CHED), and Technical Education and Skills Development Authority (TESDA) shall do the same for school heads.

SECTION 32. APPROPRIATIONS. – The funds for the implementation of this Ordinance shall be taken from the budget of the Gender and Development Office and/or any available funds in the City Treasury subject to existing laws and the rules and regulations of the Commission on Audit.

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SECTION 33. REPEALING CLAUSE. – All ordinances or portions of ordinances in conflict with this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 34. SEPARABILITY CLAUSE. – If for any reason, any section or provision of this Ordinance is held to be unconstitutional or invalid by competent authority, such judgment or action shall not affect or impair the other sections or provisions hereof.

SECTION 35. EFFECTIVITY. – This Ordinance shall take effect within fifteen (15) days upon approval and publication.

APPROVED, this 11th day of **March 2024** at Pasig City.


HON. RAYMUND FRANCIS S. RUSTIA
City Councilor

HON. CORAZON M. RAYMUNDO
City Councilor



HON. SIMON GERARD R. TANTOCO
City Councilor

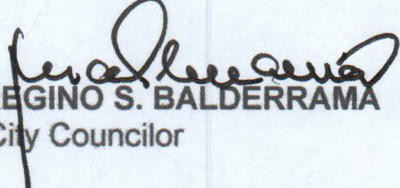

HON. SYVEL ASILO GUPILAN
City Councilor


HON. PAUL ROMAN C. SANTIAGO
City Councilor


HON. NOEL L. AGUSTIN
City Councilor


HON. RODERICK MARIO U. GONZALES
City Councilor


HON. MARION ROSALIO M. MARTIRES
City Councilor


HON. REGINO S. BALDERRAMA
City Councilor



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HON. JERONIMO R. ALBA
Liga President

HON. KEIL P. CUSTILLAS
SK Fed. President

HON. MARIA LUISA "ANGELU" M. DE LEON
City Councilor
Minority Floor Leader

HON. MARK GIL M. DELOS SANTOS
City Councilor
Majority Floor Leader

Attested by:

HON. ROBERT VINCENT J. DE B. JAWORSKI, JR.
City Vice-Mayor
Presiding Officer

APPROVED:

HON. VICTOR MA REGIS N. SOTTO
City Mayor

Attested by:

ATTY. NICOLO JOEL B. GUTIERREZ
Acting City Council Secretary