



Republic of the Philippines
 Province of Davao Oriental
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
 SP Complex, Government Center, Dahican
 CITY OF MATI



EXCERPTS FROM THE MINUTES OF THE 135TH REGULAR SESSION OF THE 17TH SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL HELD ON THURSDAY, JANUARY 30, 2025, AT THE CITY OF MATI, THIS PROVINCE.

PRESENT:

Hon. Nelson R. Dayanghirang, Jr. Vice Governor – Presiding Officer

Regular Members:

District I

Hon. Anna Cheryl N. Castro
 Hon. Marietta D. Palmera
 Hon. Michelle M. Centeno

District II

Hon. Shella Marie S. Go
 Hon. Harold A. Montes
 Hon. Rotchie M. Ravelo
 Hon. Daud V. Linsag
 Hon. Stephen Paul L. Uy

Ex-Officio Members:

Hon. Joselito B. Villademosa	President, Philippine Councilors League (PCL) - Davao Oriental Chapter
Hon. Jossone Michael G. Dayanghirang	President, Liga Ng Mga Barangay (LNB) Davao Oriental Chapter
Hon. Eleuterio C. Manaytay	Indigenous Peoples Mandatory Representative (IPMR)
Hon. Shanine C. Lintogonan	Sangguniang Kabataan Provincial Federation President (SKPFP)

ABSENT:

Hon. Art Benjie C. Bulaong	SP Member, District I
Hon. Andy A. Monday	SP Member, District I

PROVINCIAL ORDINANCE NO. 17-47-01-2025

Author : Hon. Anna Cheryl N. Castro
 Sponsor : Hon. Anna Cheryl N. Castro

AN ORDINANCE UPDATING THE GENDER AND DEVELOPMENT (GAD) CODE OF THE PROVINCE OF DAVAO ORIENTAL AS OF THE CALENDAR YEAR 2024.

After a careful deliberation, on motion of SP Member Anna Cheryl N. Castro, duly and jointly seconded by SP Members Stephen Paul L. Uy, Harold A. Montes, Shella Marie S. Go, Daud V. Linsag, Jossone Michael G. Dayanghirang, Michelle M. Centeno, Marietta D. Palmera, and Rotchie M. Ravelo, it was

Be it ordained by the 17TH Sangguniang Panlalawigan of the Province of Davao Oriental in session duly assembled, that:

**CHAPTER I – GENERAL PROVISIONS
 ARTICLE I**

TITLE, POLICY, PRINCIPLES AND DEFINITION OF TERMS

Section 1. Title – This Ordinance shall be known as the 2024 Updated Gender and Development (GAD) Code of the Province of Davao Oriental.

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Section 2. *Statement of Policy.* It shall be the policy of the Provincial Government of Davao Oriental to uphold the universal basic rights of all individuals both men and women and to promote equal opportunities and equal access and control of resources.

This Code adheres on the legal mandate pursuant to the system of decentralization based on RA 7160 or the Local Government Code of 1991, that LGU shall ensure and support among other things, to preserve and enrich culture, promote health and safety, enhance the rights of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capability, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order and preserve the comfort and convenience of their inhabitants.

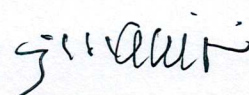
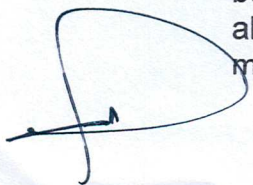
Towards this end, the Provincial Government of Davao Oriental shall exert necessary interventions to address violence committed against women and children in keeping with the fundamental freedoms guaranteed under the Constitution and the provisions of the Universal Declaration of Human Rights, Convention of the Rights of Children, Convention of the Elimination of all Forms of Discrimination Against Women and other international and national human rights of the Philippines.

Section 3. *General Principles.* This Code is not solely dependent on the legal mandates, however, it is anchored by culture, morals, values, and guiding principles, to wit:


- a) Human rights are universal and inalienable that all human beings are free and equal in dignity and rights.
- b) Every person has the inherent worth and dignity that no one, therefore, should suffer discrimination on the basis of ethnicity, gender, age, language, sexual orientation, race, color, religion, political, or other affiliation, national, social or geographical origin, disability, property, birth, or other status, established by human right standards.
- c) The government and the people have a joint responsibility to promote social justice and ensure the economic and social well-being of all people.

Section 4. *Definition of Terms.* For purpose of this Code, the following terms shall mean:

1. **Child Abuse** – refers to the maltreatment, whether habitual or not, of the child which includes any of the following:
 - a) Psychological and physical abuse, neglect, cruelty, sexual and emotional maltreatment;
 - b) Any act by deeds or words which debases, degrades, or demeans the intrinsic worth and dignity of a child as a human being;
 - c) Unreasonable deprivation of his/her basic needs for survival such as food and shelter; or
 - d) Failure to immediately give medical treatment to an injured child resulting in serious impairment of his growth and development or in his permanent incapacity leading to death.
2. **Children** – refer to persons below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical, mental disabilities or condition.



3. **Children in Conflict with the Law (CICL)** – Persons under 18 years old alleged as, accused of, or adjudged as having committed an offense under the Philippine laws.
4. **Differently Abled Persons or Persons with Disabilities** – refer to those who are suffering from restriction or different abilities, as a result of a mental, physical, or sensory impairment to perform an activity in the manner or within the range considered normal for a human being.
5. **Discrimination Against Women** – refers to any gender-based distinction, exclusion, or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.
6. **Economic Abuse** – refers to an act that makes or attempts to make a woman financially dependent. It includes withdrawal of financial support or preventing the victim from engaging in a legitimate profession or business, deprivation or threat of deprivation of financial resources and the right to the use and enjoyment of the conjugal, community or commonly-owned property; and controlling the victim's own money or properties or solely controlling the conjugal money or properties.
7. **Family Court** – a special court involving petitions for guardianship of children, adoption, annulment of marriage, declaration of nullity of marriage, support and/or acknowledgement, dissolution of conjugal partnership, declaration of children as abandoned, cases of domestic violence, and child abuse.
8. **Gender** – is a socially and culturally constructed differentiation of men and women, their roles, attitudes and values which defines the behaviors of women and men and the relationship between them which are created and maintained by social institutions such as families, government, communities, schools, churches and media.
9. **Gender and Development (GAD)** – refers to the development perspective and process that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and actualization of human potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society's social, economic, and political structures and questions the validity of the gender roles they ascribed to women and men; contends that women are active agents of development and not just, passive recipients of development assistance; and stresses the need for women to organize themselves and participate in political processes to strengthen their legal rights.
10. **Gender and Development (GAD) Budget** – It is an allocated portion of the Local Government Unit's (LGU) annual appropriation which is not an additional amount over and above its regular budget that address women's issues and for the implementation of programs, projects and activities. It is the policy of the Philippine General Appropriation Act to direct all agencies of government or the Local Government Units (LGUs) to allocate a minimum of

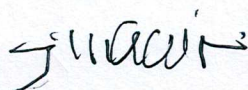


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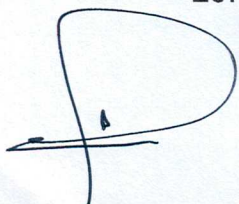
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five percent (5%) of their annual budget for gender programs, projects and activities.

11. **Gender and Development (GAD) Focal Point System** – is an interacting and interdependent group of people in all government instrumentalities tasked to catalyze and accelerate gender mainstreaming. It is a mechanism established to ensure, advocate, guide, coordinate and monitor the development, implementation, review and updating of their GAD Plans and GAD related programs, projects and activities.
12. **Gender Analysis** – it is a tool to identify the status, roles and responsibilities of women and men in society, as well as their access to and control of resources, benefits and opportunities.
 - It also refers to a framework that compares the relative advantages and disadvantages faced by men and women in various spheres of life, including the family, workplace, school, community and political system.
 - It is a set of standards to judge the potential impacts of gender on policies, programs and projects.
 - It is a systematic way of looking at the gender division of labor, and access and control of women and men over inputs or resources required for their labor, and their benefits or outputs from it.
13. **Gender and Development (GAD) Plan** – is a systematically designed set of programs, activities and projects with clear objectives for addressing gender issues and appropriate strategies and activities with monitoring and evaluation indicators.
14. **Gender-based online sexual harassment** – refers to an online activities on the conduct targeted at a particular person that causes or likely to cause another mental, emotional or psychological distress, and fear of 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.
15. **Gender Equality** – refers to the principle asserting the equality of men and women and their right to enjoy equal conditions realizing their full human potentials to contribute to and benefit from the results of development, and with the State recognizing that all human beings are free and equal in dignity and rights.
16. **Gender Mainstreaming** – refers to the strategy of making women as well as men's concerns and experiences as integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all political, economic, and societal spheres so that women and men benefit equally and wherein inequality is not perpetuated. It is the process of assessing the implications of women and men of any planned action, including legislation, policies, or programs in all areas and at all levels.
17. **Gender Planning** – refers to the practical application of skills acquired from gender studies and trainings in designing government plans, programs and projects. It recognizes that men and women have different equal roles in society and often have different needs as well.



18. **Gender Roles** – refers to the culturally defined attitudes, behaviors, and social positions that are based on sex.
19. **Gender Sensitivity** – it is the ability to recognize gender issues and to recognize women's different perceptions and interests arising from their different social positions and gender roles.
20. **Indigenous People** – refers to a group of people or homogeneous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on a communally bounded and defined territory and who have, under claims of ownership since time immemorial, occupied, possessed customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads and colonization, non-indigenous religions and culture, became historically differentiated from the majority of Filipinos.
21. **LGBTQIA+** - is an umbrella term that refers to a range of sexual orientations and gender identities, including lesbian, gay, bisexual, transgender, queer, questioning, intersex, and asexual. The "+" in the acronym stands for other identities that are not included in the acronym's letters.
22. **Marginalization** – refers to a condition where a whole category of people is excluded from useful and meaningful participation in political, economic, social and cultural life.
23. **Moro** – refers to native people who have historically inhabited Mindanao, Palawan and Sulu, and who are largely of the Islamic faith.
24. **Night worker** – means any employed person whose work requires performance of a substantial number of hours of night work which exceeds a specified limit. This limit shall be fixed by the Secretary of Labor after consulting the workers' representatives/labor organizations and employers.
25. **Physical Violence** – refers to acts that include bodily or physical harm.
26. **Pornography** – refers to any representation, through publication, exhibition, cinematography, indecent shows, information technology, or by a person engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a person primarily for sexual purposes.
27. **Prostitution** – refers to any act, transaction, scheme or design involving the use or exploitation of person, whether through the performance of such act or mere demonstration thereof, whether to women, men or child for the sexual gratification or pleasure of another in exchange for cash, checks, profit or other consideration, or any act that promotes or facilitates the accomplishment of the said act, scheme or design.
28. **Protection Order** – It is an order under RA 9262 for the purpose of preventing further acts of violence (as specified in the law) against a woman or her child.
29. **Psychological Abuse** – refers to an act or omission causing or likely to cause mental or emotional suffering of the victim such as intimidation, harassment, stalking, damage to property, public ridicule or humiliation,

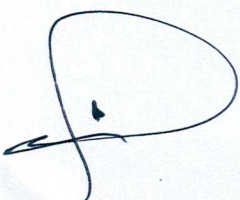


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repeated verbal abuse and marital infidelity. It includes causing or allowing the victim to witness the physical, sexual or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and/ or visitation of common children.

30. **Public spaces** – refer to streets and alleys, public parks, schools, buildings, malls, bars, restaurants, transportation terminals, public markets, spaces used as evacuation centers, government offices, public utility vehicles as well as private vehicles covered by app-based transport network services and other recreational spaces such as, but not limited to, cinema halls, theaters and spas.
31. **Rape Crisis Center** – is a haven or refuge for rape victims established for the purpose of providing them and their family with psychological counseling, medical and health services, including their medico-legal examination, securing free legal assistance or service; assisting them in the investigation to hasten the arrest of offenders and the filing of cases in court; ensuring their privacy and safety; and for the adoption and implementation of programs for the recovery of rape victims.
32. **Reproductive Health** – it 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 reproductive system and to its functions and processes. It contains ten (10) elements namely:
- Maternal and Child Health and Nutrition
 - Family Planning
 - Preservation and Treatment of Reproductive Tract Infections (RTIs) including Sexually Transmitted Diseases (STDs), HIV and AIDS
 - Prevention and Management of Abortion Complications
 - Education and Counseling on Sexuality and Sexual Health
 - Breasts and Reproductive Tract Cancers and other Gynecological Conditions
 - Prevention and Treatment of Infertility and Sexual Disorders
 - Men's Reproductive Health
 - Adolescent Reproductive Health
 - Violence Against Women (VAW)
33. **Senior Citizen** – refers to a person aging sixty (60) years old and above and a citizen of the Philippines.
34. **Sexual Harassment** – is a form of abuse involving an act or series of unwelcome sexual advances, requests for sexual favors, or other verbal or physical behavior or sexual in nature and directly or indirectly or implied.
35. **Sex** – it is a natural distinguishing variable based on biological characteristics of being male or female.
36. **Sexual Violence** – refers to an act which is sexual in nature committed against a woman or her child. It includes, but not limited to:
- Rape, sexual harassment, acts of lasciviousness, treating a woman or her child as sex object, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim's body, forcing her/him to watch obscene publications and indecent shows or



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forcing the woman or her child to do indecent acts and/ or make films thereof, forcing the wife and mistress/lover to live in the conjugal home or sleep together in the same room with the abuser;

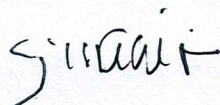
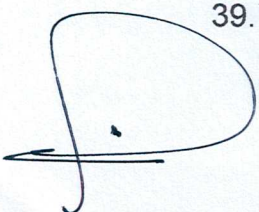
- Acts causing or attempting to cause the victim to engage in any sexual activity by force, threat of force, physical or other harm or threat of physical or other harm or coercion;
- Prostituting the woman or her child.

37. Solo Parent – any individual who falls under any of the following as stipulated in RA 8972, otherwise known as the “*Solo Parents Welfare Act of 2000*”:

- A woman who gives birth as a result of rape and other crimes against chastity even without final conviction of the offender: Provided, that the mother keeps and raises the child;
- Parent left solo or alone with the responsibility of parenthood due to death of spouse;
- Parent left solo or alone with the responsibility of parenthood while the spouse is detained or is serving sentence for a criminal conviction for at least one (1) year;
- Parent left solo or alone with the responsibility of parenthood due to physical and/ or mental incapacity of spouse as certified by public medical practitioner;
- Parent left solo or alone with the responsibility of parenthood due to legal separation or de facto separation from spouse for at least one (1) year, as long as he/she is entrusted with the custody of the children;
- Parent left solo or alone with the responsibility of parenthood due to declaration of nullity or annulment of marriage as decided by a court or by a church as long as he/she is entrusted with the custody of the children;
- Parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least one (1) year;
- Unmarried father/ mother who has preferred to keep and rear her/his children instead of having others care for them or give them up to a welfare institution;
- Any other person who solely provides parental care and support to a child or children;
- Any family member who assumes the responsibility of head of family as a result of death, abandonment, disappearance, or prolonged absence of the parents or solo parent.

38. Trafficking in Persons – refers to the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim’s consent or knowledge, within or across national borders by means of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

39. Violence Against Women – refers to any 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 acts, coercion, or arbitrary deprivation of



liberty, whether occurring in public or in private life. It shall be understood to encompass, but not limited to the following:

- a) Physical, sexual, psychological, and economic violence occurring in the family, including battering, sexual abuse of female children in the household, dowry related violence, marital rape, and other traditional practices harmful to women, non-spousal violence, and violence related to exploitation;
- b) Physical, sexual, and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in educational institutions and elsewhere, trafficking of women, and prostitution;
- c) Physical, sexual and psychological violence perpetrated or condoned by the State, whatever it occurs;
- d) It also includes acts of violence against women as defined in Republic Acts No. 9208 and 9262.

40. Women Empowerment – is the process and condition by which women mobilize to understand, identify and overcome gender discrimination so as to achieve equality in welfare and equal access to resources.

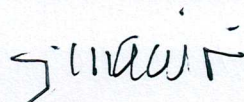
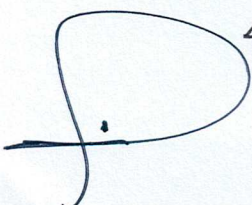
41. Women in Especially Difficult Circumstances – refer to women who are victims and survivors of sexual and physical abuse, illegal recruitment, prostitution, trafficking, armed conflict, detention, victims and survivors of rape and incest, and such other related circumstances which have incapacitated them functionally.

ARTICLE II **GENDER AND DEVELOPMENT PROGRAMS AND INTERVENTIONS**

Section 5. SUPPORT TO WOMEN ECONOMIC DEVELOPMENT AND OTHER

RELATED ENTERPRENEURIAL ACTIVITIES – The Provincial Government of Davao Oriental ensures that women are provided equal rights and access to economic resources to uplift the quality of life of family, thus, the following shall be enforced and implemented:

1. **Capacity Building for Rural Entrepreneurs for Progress.** The Provincial Government of Davao Oriental shall established a mechanism that institutionalizes capacity building for women and men in the rural areas that anchors gender sensitivity training, livelihood skills development, value formation and other entrepreneurship undertakings for economic development.
2. **Establishment of Women Cooperatives and other Financial Institutions.** The Provincial Government of Davao Oriental shall enhance the access of disadvantaged women, including women entrepreneurs in rural, remote and urban areas to financial services through strengthening links between the formal banks and intermediary lending organizations, including legislative support training for women and institutional strengthening for intermediary institutions with a view of mobilizing capital of those institutions and increasing the availability of credit both in local and international organizations.
3. **Expanding Market Accessibility.** The Provincial Government shall assist women entrepreneurs in production development, promotion and marketing, in cooperation with local and international partnership.
4. **Assessment for Loans and Financial Assistance.** It shall be the primary concern of the Provincial Government of Davao Oriental to assist




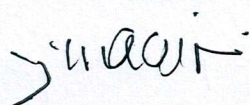
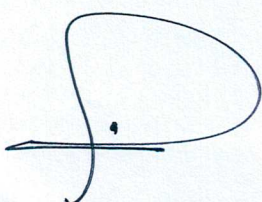
women entrepreneurs' access loans from any accredited and registered Government Financing Institutions, private institutions and donor agencies with low interest rate and no collateral needed.

5. **Recognition and Awards.** The Provincial Government of Davao Oriental encourages women and men in the rural, remote or urban areas to provide recognition, awards or incentives for successful entrepreneurs who have reached the level of self-sufficiency with the expansion of livelihood projects and improve the social, economic, spiritual and political conditions of the family.
6. **Partnership with Gender Research Studies.** The Provincial Government of Davao Oriental shall establish partnership with colleges, universities and other institutions to improve the delivery of services through continuous research and studies. It shall be the duty of the Provincial Government to transfer results of studies to women micro entrepreneurs for proper access to information and technology.
7. **Strengthening the Provincial/Municipal/Barangay Women Associations.** There shall be association of women in every barangay/municipal/provincial levels to recognize their potentials in planning and decision making process.

Section 6. Inclusion of Gender Sensitivity Orientation in any Capability Building Activities. The Provincial Government of Davao Oriental shall ensure that all employees in the province regardless of position, status of appointment, age, sex, religion, ethnicity, political affiliation shall be provided with Gender Sensitivity Orientation and Training and equip themselves with theoretical and practical knowledge on gender issues and concerns. Any training, seminars undertaken by any provincial offices regardless of who are the participants, gender issues shall be part of the topics to be imparted.

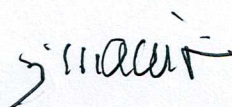
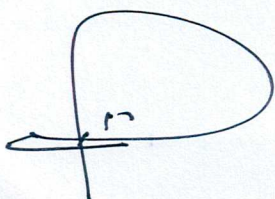
Section 7. Support to Social Services. Pursuant to the thrust of the Provincial Government of Davao Oriental to promote social justice, gender equality and improve the delivery of social programs and services to the marginalized sectors of the province, the following shall be undertaken:

1. **Education.** To achieve the goals of equality, development and peace, education is the primary concern and essential tool of the government to eliminate gender disparity and inequality among males and females in the primary, secondary and tertiary levels, thus, the Provincial Government of Davao Oriental in partnership with DepEd and CHED shall:
 - a) **Include Gender Issues in the Curricula of Education.** Gender awareness among males and females in the school regardless of levels increases better understanding and participation of women in public affairs and business and boost their self-esteem.
 - b) **Alternative Learning System (ALS).** The Provincial Government shall support the education of women and men who are illiterates or failed to complete the primary, secondary and tertiary levels due to poverty in partnership with the Department of Education through Alternative Learning System (ALS).
 - c) **Establishment of Day Care Centers.** Pursuant to RA 6972 or the "Barangay-Level Total Development and Protection of Children Act" – establishing a day care center in every barangay, where the Local Government Unit in the municipal and provincial shall provide logistic support to Day Care Centers and enhance capacity of Day Care



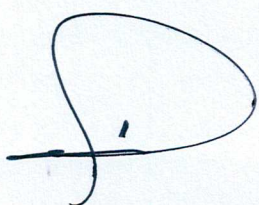
Workers handling pre-schoolers especially Children with Special Needs and provide social protection benefits. The curricula shall be based on the Early Childhood Care and Development (ECCD) with integration of gender perspectives.

- d) **Supervised Neighborhood Play.** The Provincial Government shall support the Local Government Units (LGUs) in handling children by the volunteers outside Day Care Centers in every barangay.
 - e) **Vocational Facilities for Out-of-School Youth.** The Provincial Government shall provide vocational facilities for men and women who have the difficulty to proceed in their education to secondary and tertiary levels. The opportunities to acquire skills and trainings in a non-formal education shall be provided as well.
 - f) **Provision of Scholarship Grants/Educational Assistance Program.**
To ensure equal opportunities for both men and women in public/private schools that will respond to the needs of the most marginalized and vulnerable –including adolescent, individuals living with disabilities, indigenous peoples, head of household and those in extreme poverty, scholarship grants or assistance shall be the program of the Provincial Government for deserving but low family income students.
 - g) **Establishment of Provincial Library.** To access better information and new technology for boys and girls, men and women in the province, the Provincial Government shall establish a Provincial Library or can adopt a local library operated under DepEd that can provide comfortable, convenience and gender friendly environment for the learners and researchers with access to Information and Communication Technology (ICT) equipment.
 - h) **Operational Sustainability of Provincial Museum.** For the promotion of culture, arts and historical artifacts, fossils, replicas, prints, of historical ancestors of men and women, the Provincial Government shall establish concrete sustainability plan for the operation of Provincial Museum to further access gender responsive and gender sensitive research and learning.
2. **Health.** It is the primary concern of the government to provide at all times a comprehensive, culture-sensitive and gender responsive health services and programs covering all stages of a woman's life cycle and which addresses the major causes of women's mortality and morbidity. In partnership and in collaboration with different stakeholders in health program, the Provincial Government shall undertake the following:
- a) **Capacity Building for Health Service Providers.** The Provincial Health Office in coordination with the Provincial Human Resource Management shall include annual trainings, seminars for doctors, nurses, midwives and other health personnel both in Provincial Hospital, District Hospitals and Rural Health Stations, and municipal/ barangay health workers to ensure the effective and efficient delivery of health care services and management.
 - b) **Medical Outreach Program.** The Provincial Government shall ensure and promote the delivery of medical services to the far flung barangays with limited access to medical practitioners to conduct physical



examination and further referrals for surgical treatment or operations especially for women with gynecological disorders.

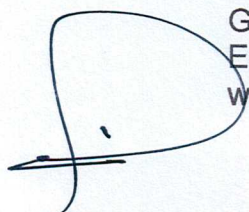
- c) **Annual Medical and Dental Check-up of Provincial Government Employees.** Referring to GAD Organizational Focused program, the men and women of the Provincial Government workforce are entitled to avail annual medical and dental check-up. This will ensure the sound physical and mental capacity of the provincial employees, rendering effectively and efficiently their quality service to public.
- d) **Prevention and Management of Reproductive Tract Infections and Other Gynecological Related Diseases.** The Provincial Health Office shall promote the importance of prevention and management of reproductive tract infections or cancers and other gynecological related diseases for women and providing support for subsidizing pap smear and gram stain laboratories.
- e) **Upgrading Facilities in the Provincial Hospital, District Hospitals and Barangay Health Stations.** The Provincial Government shall allocate and provide support for the improvement of primary health and reproductive facilities and services to ensure better management for normal deliveries.
- f) **Formulation of Comprehensive Health Care Program and Obstetrics Services.** The Provincial Health Office shall formulate a comprehensive health care program where women have access to the following services:
- *Maternal care to include pre and post natal services to address pregnancy and infant health and nutrition;*
 - *Promotion of breastfeeding;*
 - *Responsible, ethical, legal, safe and effective family planning;*
 - *Prevention and management of reproductive tract infections, including sexually transmitted diseases (STDs), HIV-AIDS;*
 - *Prevention and management of reproductive tract cancers like breast and cervical cancers, and other gynecological conditions and disorders;*
 - *Prevention of abortion and management of pregnancy related complications;*
 - *Prevention and management of infertility and sexual dysfunction pursuant to ethical norms and medical standards;*
 - *Care of the elderly women beyond their child bearing years;*
 - *Management of women and girls, treatment, and intervention of mental health problems;*
 - *Healthy Lifestyle Activities*
- g) **Social Advocacy.** The Provincial Government shall support the existing provincial structures such as the Provincial Task Force on Women and Children Concerns (PTFWCC), Provincial Council for the Welfare of Children (PCWC), Inter-Agency Committee on Anti-trafficking, Anti-Child Pornography and Violence Against Women and Children (IACAT-ACP-VAWC) and other related structures to disseminate information, education and communication campaigns on reproductive health issues, HIV/ AIDS and other sexually transmitted diseases, gender perspective and laws governing domestic violence to heighten level of awareness among the constituents in the province.



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- h) **Hazard Benefits.** The Provincial Government shall provide hazard benefits to employees and volunteers performing and administering to patients with contagious diseases either in hospital setting or community based activities during the outbreak of cholera, dengue and other related diseases in a certain area and those employees exposed to danger brought about by the types of cases or clientele they handled such as but not limited to child labor, children in conflict with law, violence against women, drug dependents, rebel returnees and mentally ill cases.
- i) **Annual Budget for Provincial Health Board.** The Provincial Government shall allocate annual budget for the Provincial Health Board for effective implementation of health care programs, projects and activities.
3. **Nutrition.** To eradicate malnutrition among children, pregnant and lactating mothers, the following shall be undertaken:
- a) **Formulation of Provincial Comprehensive Nutrition Plan of Action.** The Provincial Nutrition Office with the participation and coordination of other agencies and stakeholders shall formulate comprehensive plan of action for nutrition that can respond to the prevalence of malnutrition and promote proper food intake of children, pregnant and lactating mothers, wellness program and prohibiting the selling of junk foods or snack food with less nutrients and high in salt particularly in school with support from the Parents-Teachers Community Association (PTCA), Local Government Unit (LGU) and other funding donors.
- b) **Promotion of Breastfeeding Program.** In support to government mandate on breastfeeding program, the Provincial Health Office shall ensure that lactating women shall promote exclusive breastfeeding for six (6) months and continue until two (2) years. All government and private establishments shall be required to provide breastfeeding facilities for workers and clients.
- c) **Supplementary Feeding Program.** The Provincial Health Office through the Provincial Nutrition Program shall provide support to malnourished children through supplementary feeding with the production of indigenous and nutritious food supplements. Resources may be derived from local or international donors.
- d) **Provincial Nutrition Health Care Facility.** The Provincial Government shall ensure that nutrition health care facility shall be established to support indigent families whose children are severely malnourished that need appropriate health care interventions for total rehabilitation.
- e) **Annual Recognition and Awards for Local Government Unit (LGU) on Nutrition Program.** The Provincial Government of Davao Oriental shall recognize LGUs with high reduction of malnutrition and are actively involved in any nutrition activities and projects. There shall be an evaluating team to conduct the monitoring and appropriate rewards shall be awarded to the best LGU performers.
4. **Environment and Community Based Programs.** The Provincial Government of Davao Oriental through the Office of the Provincial Environment and Natural Resources shall ensure the safety and protection of women and children and other adults including Moro and indigenous people



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from identified hazards at home, at work and in other environments, including appropriate application of clean technologies. It has the duty to take measures to integrate gender perspective in the design and implementation of, among other things, environmentally sound and sustainable resource management mechanisms, production techniques and infrastructure development in rural and urban areas based on the Environmental Code of Davao Oriental.

5. **Support to Overseas Filipino Workers (OFWs).** The Provincial Government through the Public Employment Service Office (PESO) in cooperation with the Department of Labor and Employment (DOLE), and Overseas Workers Welfare Administration (OWWA) shall take appropriate measures to protect the safety of overseas contract workers especially women from fraud, deceit, illegal recruitment, trafficking and abuses from employers. The following shall be undertaken but not limited to:
- a) Accreditation of all legitimate employment agencies in the province;
 - b) Survey and listing of Overseas Contract Workers in the province;
 - c) Issuance of Municipal/Barangay Clearance as part of the requirements for contract workers abroad;
 - d) Formulate Plan of Action for OFWs who are victims-survivors of abuse;
 - e) Coordinate with the DFA and other government agencies for proper monitoring of OFW cases in other countries.
 - f) Support the involvement/participation of OFW Family Circle Associations; and
 - g) Provision of financial assistance to OFW who are in distress situation.

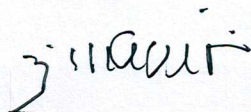
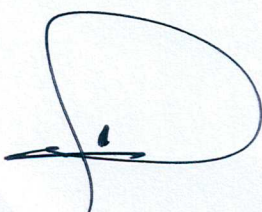
Section 8. ACTS OF GENDER BASED VIOLENCE. In a consistent effort of the Provincial Government of Davao Oriental to eradicate and condemn any form of violence against women and children, the following shall be undertaken:

1. **Strengthen and reinforce the laws mandated for the protection and safety of women and children victims-survivors of violence and imposing penalties thereof:**

A) **RA 9262, The Anti-Violence Against Women and Their Children Act of 2004.** The law provides immediate interventions to stop occurrence of domestic violence through Barangay Protection Order (BPO) at barangay levels, Temporary and Permanent Protection Orders in courts. This Act refers to any act or series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty.

The crime of violence against women and their children is committed through any of the following acts:

- **Physical Violence**
 - Causing physical harm to the woman and her child;
 - Attempting to cause the woman or her child physical harm;

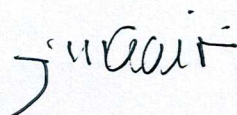


- Placing the woman and her child in fear of imminent physical harm;
- Threatening to cause the woman and her child physical harm;
- Inflicting or threatening to inflict physical harm on oneself for the purpose of controlling her actions or decisions.
- **Sexual Violence**
 - Acts causing or attempting to cause the victim to engage in any sexual activity by force, threat, physical or other harm or threat of physical or other harm or coercion;
 - Prostituting the woman or child;
 - Rape, sexual harassment, acts of lasciviousness, physically attacking the sexual parts of the victims body, treating a woman or her child a sex object, forcing her/him to watch obscene publications and indecent shows or forcing the wife and mistress/lover to live in the conjugal home or sleep together in the same room with the abuser.
- **Psychological Violence**
 - Threatening to deprive or actually depriving a woman or her child of custody to his/her family;
 - Depriving or threatening to deprive a woman or her child of legal right;
 - Stalking or following the woman or her child in public or private places;
 - Peering in the window or lingering outside the residence of the woman or her child;
 - Entering or remaining in the dwelling or on the property of the woman or her child against her/his will.
- **Economic abuse**
 - Preventing the woman in engaging in any legitimate profession, occupation, business or activity or controlling the victims own money or properties, or solely controlling the conjugal or common money or properties.

B) RA 9208, The Anti-Trafficking in Persons Act of 2003. This law institutes government policies to eliminate trafficking in persons especially women and children. It establishes necessary institutional mechanisms to protect and support trafficked persons and provides penalties for violators. It shall be unlawful for any persons, natural or juridical, to commit any of the following acts:

a) To recruit, transport, transfer, harbor, provide or receive a person for the purpose of, or resulting in prostitution, forced labor, slavery and slavery-like practices, sexual exploitation, involuntary servitude, debt bondage or physical and other forms of abuse, under the pretext of domestic or overseas employment;

b) To contract marriage, real or simulated, with persons, especially women and children for the purpose of offering, selling, or trading them to engage in prostitution, or to subject them to forced labor or slavery and slavery-like practices, sexual



exploitation, involuntary servitude, debt bondage, or physical and other forms of abuse;

c) To introduce or match for money, profit, or material, economic or other consideration, any Filipino woman, to a foreign national for marriage under a mail order bride schemes as provided under Republic Act No. 6955, otherwise known as the "Mail Order Bride Law" for the purpose of offering, selling, trading her to engage in prostitution, pornography or to subject her to forced labor, slavery like practices, sexual exploitation, involuntary servitude, debt bondage, or physical and other forms of abuse;

d) To undertake or organize tours and travel plans consisting of tourism package or activities utilizing and offering persons for prostitution, pornography, or sexual exploitation;

e) To maintain or hire a person to engage in prostitution or pornography, under the pretext of tours and travel plans;

f) To adopt or facilitate the adoption of persons, especially women and children, whether through domestic or inter-country adoption, for the purpose of, or resulting in prostitution, pornography, forced labor, slavery and slavery-like practices, sexual exploitation, involuntary servitude, debt bondage, or physical and other forms of abuse;

g) To recruit, hire or adopt a person, whether through domestic or inter-country adoption or through any acts enumerated above, with the end view of removal or sale of organs of said person; and

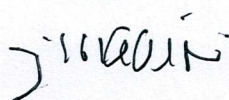
h) To recruit, transport or adopt a child to engage in armed activities in the Philippines or abroad.

C) RA 7877, The Anti-Sexual Harassment Act of 1995. This law specifies a person with authority influence or moral ascendancy over another in a work environment, demands sexual favors as a condition for hiring or for continued employment or for granting favorable compensation, terms of employment, or promotions or privileges, is guilty of sexual harassment.

D) RA 8353, The Anti-Rape Law of 1997. This law broadens the perspective of rape that it is now a crime against person, and no longer could a crime against chastity and it be committed by male and female. It also recognizes the possibility of marital rape and that a husband can be charged and convicted for rape committed on his wife.

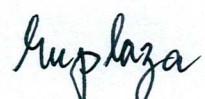
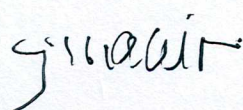
E) RA 10364, The Expanded Anti-Trafficking In Persons Act of 2012. This law expands the coverage of RA 9208 that institutes government policies to eliminate trafficking in persons especially women and children. It establishes the necessary mechanisms to protect and support trafficked persons and provides penalties to violators.

F) RA 8505, The Rape Victim Assistance and Protection Act of 1998. This law provides appropriate interventions for the protection of rape victims-survivors and establishing for the purpose of a rape crisis center in every province and city and authorizing the appropriation of funds thereof and for other purposes.



- G) **RA 7610, The Special Protection of Children Against Abuse, Exploitation and Discrimination Act.** This law provides strong deterrence and special protection against child abuse and immediate care or custody of the child if parents are unable to protect their child from abuse, exploitation and discrimination or when such acts against the child are committed by the said parent, guardian, teacher or person having care and custody of the same.
- H) **RA 9344, The Juvenile Justice and Welfare Act of 2006.** This law provides intervention and diversion plans, restorative approaches to children in conflict with law or youthful offenders below 18 years old at the same time of the commission of the offense.
- I) **RA 9710, The Magna Carta of Women.** This is the declaration of women's rights, protection and empowerment of marginalized sectors to become participative in planning and decision making. Recognizing their potentials in economic, social, political, cultural and other endeavors for nation building with equal opportunities with men in development.

2. ***Involvement and Participation of Men Against Gender Based Violence.*** To promote and eliminate discrimination and other forms of violence against women, there must be mechanisms to organize potential group of men as advocates and support system of the government and be institutionalized in different Local Government Units.
3. ***Creation of Provincial Inter Agency Against Gender Based Violence.*** The Provincial Government through the Provincial Social Welfare and Development Office (PSWDO) shall organize a Provincial Technical Working Group of Provincial Task Force on Women and Children Concerns (PTFWCC) to address the prevailing incidence of violence in the province and provide appropriate programs and services, strengthen collaborative efforts and referral system by the partner agencies in the government, non-government organizations and civil society organizations.
4. ***Establishment of Provincial Facilities and Other Response Mechanisms to Address Victims-Survivors of Abuse.*** This shall include but not limited to the following:
- Operational sustainability of a Provincial Reception Study and Diagnostic Center (RSDC)/Rape Crisis Center/Women Crisis Center or other related shelter facilities – a temporary residential care facility that provides victims-survivors of violence protective custody, basic needs and other psychosocial interventions. This shall be under the responsibility of the Provincial Social Welfare and Development Office (PSWDO).
 - Operational sustainability of Women and Children Protection Unit at the Provincial Hospital and other District Hospitals. This is a facility exclusively for victims-survivors of abuse that need immediate medical treatment, psychological evaluation and issuance of medical certificates for legal purposes either sexual, physical or other forms of abuse for women, children and other adults.

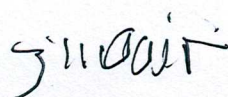
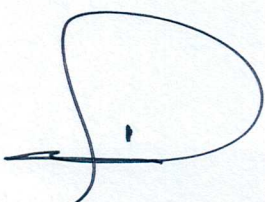


- Ensure that cases of violence against women and children shall be handled and attended by female police officers and female physicians in the provincial and municipal levels.
 - Strengthen coordination with the Provincial Prosecutor's Office as legal counsel of the victim, (if no private lawyer hired), the Regional Trial Courts (RTCs) as the designated Family Courts, for speedy promulgation of legal cases of abused children and women.
 - Conduct information dissemination on laws on Gender Based Violence to the municipal, barangays, schools and other institutions.
5. **Capacity Building** for service providers and other stakeholders in handling cases of violence against women and children, gender sensitivity trainings and seminars.
6. **Support Groups during Court Hearing of Cases.** All cases involving rape cases and other forms of violence against women and children in Regional Trial Courts or Family Courts shall allow survivor's support groups to be present in venue as observers to provide moral support to the victim.
7. **Creation of Women and Children Coordinator in every Barangay.** It shall be established in every barangay that cases on violence against women and children shall be acted upon by the designated Women and Children Coordinator appointed by the Barangay Captain and shall submit for series of trainings and seminars to equip her with knowledge and skills in handling cases.

Section 9. GENDER IN DISASTER REDUCTION MANAGEMENT. Due to the prevailing climate change various disaster risks and hazards affect the lives of people mostly children and women that tend to suffer from the impact of disasters. The following shall be undertaken by the Provincial/Municipal/Barangay Disaster Risk and Management Council (P/M/BDRRMC):

1. Pre Disaster and resilience building:

- Ensure that women participate in the public awareness and education campaigns on disaster risk management and climate change adaptation;
- Ensure that women are involved in the Hazard, Vulnerability and Capacity Assessment (HVCA) mapping and in the formulation of disaster contingency plans;
- Ensure that women are represented in the Municipal/ Barangay Disaster Coordinating Council (M/BDCC) structure and are distributed in the different service committees to ensure their participation in decision making processes;
- Design an emergency response plan for vulnerable groups, including women and children for search and rescue operations, evacuation management and rehabilitation plans;
- Build the capacity of women in managing Community-Based Early Warning System;
- Train women in providing first aid medical response to cases resulting from disasters;
- Maintain data on vulnerable groups (women, children, older persons, differently abled).



2. During Disaster:

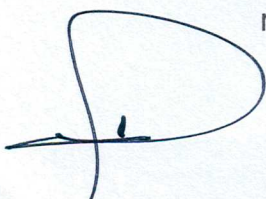
- Prioritize the vulnerable groups in the search and rescue operations;
- Maintain sex disaggregated data on vulnerable groups;
- Provide a separate evacuation center for women and their children;
- Provide the social basic needs during disasters to vulnerable groups such as water, food, shelter, medicines and sanitation.

3. Post Disaster:

- Involve women in the rehabilitation of the agricultural sector by providing trainings and agricultural inputs, including seeds and implements.
- Ensure that psychosocial and stress debriefing interventions for women and children disaster victims are carried out by women providers;
- Ensure that women and children have access to and control over water, sanitation, nutrition, food, shelter and health care to ensure their full recovery.
- Ensure the protection of vulnerable women and children under the evacuation center custody;
- The evacuation center must meet gender responsive parameters in providing proper facilities such as comfort rooms and quarters especially designed to women's welfare.

Section 10. GENDER IN PEACE DEVELOPMENT. It is an important advancement of women and men to have an environment that maintains peace, free from insurgencies and armed conflicts, promotes and protects human rights for development. The Provincial Government aims for the preservation and resolution of conflicts and shall enforce the following but not limited to:

- a) Provide protection and assistance to displaced families during armed conflicts especially women and children and when appropriate, facilitate their return or resettlement.
- b) Design a comprehensive local integration plan for women and men who decide to return to the folds of the law through provision of local intervention services at the Provincial Half-way House Processing Center for former rebels – the Happy Home.
- c) Improvement of peaceful and friendly provincial facility for former rebels for their safety and protection and develop their potentials, skills and knowledge for them to become economically independent and improve their quality of life.
- d) Families of former rebels, for security sake, shall be entitled for safekeeping services whose hot-pursuit operation of their (former rebels) former organization can affect their security. For inclusivity of the services availed by the former rebels, as needs arises, their families can avail provision of integration services such as educational assistance, livelihood trainings and other related services offered thereto.
- e) Involve women in all forums and peace activities at all levels, particularly on decision-making in the local, national and international institutions for policy formulation with regard to matters related to peace-keeping, preventive diplomacy and related activities and in all stages of peace mediation and negotiations.



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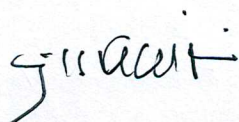
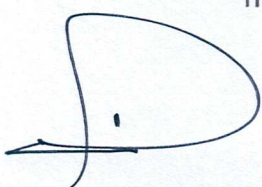
- f) Uphold and reinforce standards set out in international humanitarian law and international human rights instruments to prevent all acts of violence against women in situations of armed and other conflicts.
- g) Undertake a full investigation of all acts of violence against women committed during war, including rape, in particular systematic rape, forced prostitution and other forms of indecent assault and sexual slavery, prosecute all criminals on the process of justice system, who are responsible for war crimes against women and children and provide full redress to victims.
- h) Involvement of women to peace and development by ensuring them the protection of women's human rights and prevention of violation of these rights in armed conflict and post-conflict situations.

Section 11. GENDER IN THE ENVIRONMENT AND NATURAL RESOURCES MANAGEMENT. Pursuant to United Nations Conference on Environment and Development and the International Conference on Population and Development, it recognizes that women have an essential role to play in the development of sustainable and ecologically sound consumption and production patterns and through approaches to natural resource management, thus, the Provincial Government thru the efforts of the Environment and Natural Resources Office shall undergo the following strategies, but not limited to:

- a) Integrate women, including indigenous Moro women, their perspective and knowledge, on an equal basis of men, in decision making regarding sustainable development, including in particular those designated to address and prevent environment degradation of the land;
- b) Develop programs to involve female professionals as well as technical, administrative and clerical workers, in environment management;
- c) Integrate rural women's traditional knowledge and practices of sustainable resource use and management in the development of environmental management and extension programs;
- d) Support housing infrastructure, safe water, and sustainable and affordable energy technologies, such as wind, solar, biomass and other renewable sources through participatory needs assessment, energy planning and policy formulation at the local and national levels;
- e) Ensure that clean water is available and accessible to all by the year 2017 and beyond and that environmental protection and conservation plans are designed and implemented to restore polluted water systems and rebuild damaged watersheds.

Section 12. HARMONIZING GENDER RESPONSIVE GOVERNANCE. The Provincial Government of Davao Oriental seeks to promote gender equality and women empowerment through gender mainstreaming in planning, budgeting, development of programs, services, projects, activities, and strategies, including but not limited to:

- a) **Enhancement of Sustainable Access of Women to Capital, Market, Information, Technology, and Technical Assistance.** Capacity Enhancement of women on investment, marketing and technology prior to availment of capital assistance for income generating projects in ten (10) municipalities and (1) city.



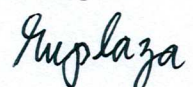
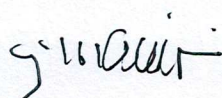
- b) **Organization of Provincial/City/Municipal/Barangay Council of Women.** Every Local Government Unit (LGU) is mandated to organize a council of women in 183 barangays and 10 municipalities and 1 city to have representation in different sectors and special bodies.
- c) **Establishment of Child Care Facilities.** The Local Government Unit (LGU) in the province down to municipalities and city shall ensure that efficiency and effective performance of employees shall be considered through the establishment of a child-minding center in the workplace to provide access to mother-employees for their breastfeeding sessions and trained caregivers to handle infants, toddlers, and preschoolers aging 0-3 years old whose parents have the difficulties of hiring nannies for their children. Socialization through games and other learning activities, inculcation of values shall be implemented based on the Early Child Care and Development Modules. The strategies shall be established by the Provincial/Municipal/City Social Welfare Offices.
- d) **Establishment of Women Crisis Center.** The province/city/municipal LGUs shall establish a facility to respond to the immediate protection and safety of women especially as victims-survivors of abuse.
- e) **Safe water for everyone.** The province/city/municipal LGUs shall ensure safe water and accessible in all areas.
- f) **Provision of Street Lighting in far-flung areas.** Installation of street lights in far-flung areas shall be required in the province/city/municipal LGUs to ensure women's welfare during night time.
- g) **Annual GAD Plan and Budget.** For the implementation of GAD plan, programs and projects, annual GAD Plan and Budget shall be prepared by the Provincial/City/Municipal Local Government Unit and submitted to the Planning and Development Office for C/MLGU; and DILG Regional Office for PLGU, for approval and acquisition of Certificate of Review.
- h) **Annual GAD Accomplishment Report.** It is mandatory for every Local Government Unit (LGU) to submit an Annual GAD Accomplishment Report to evaluate implementation of gender responsive programs, projects and activities and conduct gender analysis for wider scope of improvements.
- i) **Creation of GAD Focal Point System.** A mechanism to support the GAD mainstreaming in the policies, programs, projects and activities, budget system and the procedures of the agencies for effective and efficient implementation of GAD activities with judicious utilization of GAD funds.

ARTICLE III
OTHER GAD RELATED CONCERNS AND INTERVENTIONS

Special Sectoral Groups

Section 13. Support to Senior Citizens or Older Persons.

- 1. ***Creation of Senior Citizen's Associations.*** Every barangay shall have a Barangay Chapter for Senior Citizens and federated in the municipal and provincial levels.
- 2. ***Establishment of Office of the Senior Citizen (OSCA).*** Every LGU shall create an OSCA and the Local Chief Executive shall designate a Chairperson from the three (3) nominees during the assembly meeting of senior citizens. The OSCA Chairperson shall have a complete listing of

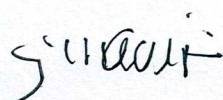
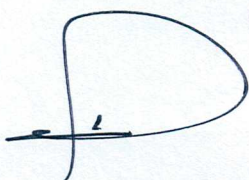


older persons in their respective city/municipality and shall formulate plans, programs, and activities for the senior citizens utilizing the funds from the annual appropriation budget of the LGU. He/She will be under the Office of the Local Chief Executive and properly coordinate with the City/Municipal Social Welfare and Development Office.

3. **Establishment of Day Center for Older Persons.** The Local Government shall establish a Day Center for Senior Citizens for their meetings, conferences, socialization and physical activities. It shall be provided with personnel, amenities for their comfort and convenience. The Day Center shall be accredited by the Department of Social Welfare and Development (DSWD)-Bureau Standards to validate its standard operating procedures.
4. **Implementation of Senior Citizens Benefits and Privileges.** Pursuant to RA 9994, "AN ACT GRANTING ADDITIONAL BENEFITS TO SENIOR CITIZENS, FURTHER AMENDING REPUBLIC ACT NO. 7432 AS AMENDED, OTHERWISE KNOWN AS "AN ACT TO MAXIMIZE THE CONTRIBUTION OF SENIOR CITIZENS TO NATION BUILDING, GRANT BENEFITS AND SPECIAL PRIVILEGES AND FOR OTHER PURPOSES" as follows:
 - Twenty percent (20%) discount and exemption from Value Added Tax (VAT) on purchase of medicines, on the professional fees of attending physicians, medical and dental services, diagnostic and laboratory fees;
 - Twenty percent (20%) discount on actual fare for land, air and sea transportation;
 - Twenty percent (20%) discount on hotels and similar lodging establishments, restaurants and recreation centers;
 - Exemption from the payment of individual income taxes of senior citizens;
 - Five percent (5%) discount relative to the monthly utilization of water for as long as the consumption does not exceed thirty (30) cubic meters and electricity does not exceed to one hundred kilowatt hours (100kWh) provided, that individual meters are registered in the name of the senior citizen;
 - Exemption from training fees for socio economic programs;
 - Free vaccination against influenza virus and pneumococcal diseases;
 - Educational assistance to senior citizens;
 - Provision of express lanes for senior citizens in all commercial and government establishment.
5. **Foster Homes for Poor Older Persons.** The Provincial Government shall establish a facility that serves older persons who are abandoned, neglected, abused and unattached or homeless such as foster homes or any similar residential care facilities.

Section 14. Support to Persons With Disabilities (PWDs).

- 1) **Database of Persons with Disabilities.** The Local Government Unit through the Municipal Health Office shall identify cases of differently abled persons in the barangays and submit the same profile to the Municipal



Social Welfare and Development Office for appropriate designing of programs, projects and activities.

- 2) **Creation of City/Municipal Federation of Persons with Disability.** The Local Government Unit shall create a City/Municipal Federation of Persons with Disabilities representing the different barangays to be recognized and represented in other special bodies.
- 3) **Establishment of Persons with Disability Affairs Office (PDAO).** The Local Chief Executive shall designate a Chairperson for PDAO from the three (3) nominees submitted from the general assembly of differently abled persons. The PDAO Chairperson shall have the complete listing of persons with disabilities in the city/municipality and shall design programs, projects and activities utilizing part of 1% allocation fund of senior citizens. He/She shall coordinate with the Provincial/City/Municipal Social Welfare Office.
- 4) **Implementation of the Magna Carta of Persons with Disabilities.** Pursuant to Republic Act No. 9442. "An Act Amending RA No. 7277, otherwise known as the Magna Carta for Disabled Persons and For Other Purposes", the Provincial/City/Municipal Local Government shall ensure that the following benefits and privileges of persons with disabilities shall be enforced:
 - Twenty percent (20%) discount from all establishments relative to the utilization of services in hotels and similar lodging establishments, restaurants and recreation centers;
 - Twenty percent (20%) discount on admission fees in theaters, cinema houses, concert halls, circuses, and other similar places of culture, leisure and amusement;
 - Twenty percent (20%) discount for the purchase of medicines in all drugstore; medical and dental services and laboratory fees; professional fees of attending physicians in all private and medical facilities;
 - Twenty percent (20%) discount on fare for domestic air and sea travel, public railways, skyways and bus fares;
 - Educational Assistance to pursue primary, secondary, tertiary, post tertiary as well as vocational or technical education both in private and public schools;
 - Provision of express lanes in all commercial and government establishments;
 - Special discounts in special programs on purchase of basic commodities.

Section 15. Solo Parents.

- a) **Organization of Solo Parents.** All component LGUs through the Local Social Welfare and Development Office shall provide appropriate social interventions and design programs, projects to Solo parents but not limited to the following:
 - Identification of Solo Parents in every barangay with assessment process;
 - Issuance of Identification Card to eligible Solo Parent;
 - Creation of Municipal Association of Solo Parents; and
 - Appropriate funds for financial support to Solo Parent



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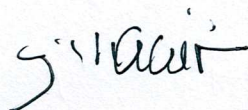
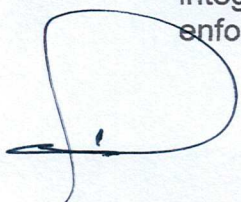
- b) **Privileges and Benefits of Solo Parents.** Pursuant to RA 8972, "An Act Providing for Benefits and Privileges to Solo Parents and their Children, Appropriating Funds Therefore and for Other Purposes", the Provincial/Municipal shall enforced the following:
- Livelihood Development Services
 - Counseling Services
 - Parent Effectiveness Services
 - Critical Stress Debriefing
 - Flexible Work Schedule
 - Parental Leave
 - Educational Benefits
 - Housing Benefits
 - Medical Assistance
 - Essential Health Packages
- c) **Appropriation of Funds for Solo Parents.** To address the needs of solo parents, all component LGUs shall appropriate annual budget for programs, projects and activities that would promote the interests of solo parents.

Section 16. Support to Indigenous People. It shall be the policy of the Provincial/City/Municipal Local Government to uphold and support the group of indigenous people to gain access to opportunities and avail of social, economic, cultural and political services and respect their customs and traditions.

Section 17. Support to Children Welfare. Pursuant to RA 9344, otherwise known as "The Juvenile Justice and Welfare Act of 2006", the City/Municipal Local Government through the City/Municipal Social Welfare and Development Office and other stakeholders shall provide social interventions and plans, programs and strategies to prevent the increase of youthful offenders committing criminal acts and enforce the following but not limited to:

- a) **Establishment of Youth Detention Homes.** A temporary shelter for apprehended Children in Conflict with the Law (CICL) that shall provide basic social needs, counseling and other restorative services.
- b) **Multi-Sectoral Participation.** Encourage the participation of all sectors concerned, particularly the child-focused institutions, NGOs, POs, educational institutions and government agencies involved in delinquency prevention to participate in the planning process and implementation of juvenile intervention programs.
- c) **Trainings on Treatment and Rehabilitation.** Provide child sensitive approach/gender sensitivity training or other appropriate trainings relative to the treatment and rehabilitation of CICL, to personnel at the local government level handling these children.
- d) **Appropriation of Budget.** Set aside the amount necessary to implement the local intervention program of children in conflict with the law in the annual budget.

Section 18. Support to Former Rebels. In pursuit to peace and development, the Provincial/City/Municipal Government shall provide comprehensive local integration programs to former rebels who return to the folds of the law and shall enforce the following but not limited to:



- a) **Establishment of Half-Way House and Processing Center to Former Rebels.** The Provincial Government shall establish and maintain a temporary shelter care facility for immediate protection and safety of former rebels especially women and their children, trainings for livelihood projects, counseling and other psychosocial interventions.
- b) **Appropriation of Budget.** The Provincial Government shall allocate annual budget for the operation of the Half Way House and other support programs and services for the total healing and recovery process of the former rebels.

Section 19. Support to Anti-Drug Campaign. The Provincial Government shall establish drug intervention facility.

- **Establishment of Drug Rehabilitation Center.** Under Republic Act No. 9165, "An act instituting the Comprehensive Dangerous Drugs Act of 2002, repealing Republic Act No. 6425, otherwise known as the Dangerous Drugs Act of 1972, as amended, providing funds therefor, and for other purposes", Article VIII - Program for Treatment and Rehabilitation of Drug Dependents, Section 54 - the voluntary submission of a Drug Dependent to confinement, treatment and rehabilitation is thereby stated; hence, the establishment of drug rehabilitation center is necessary.

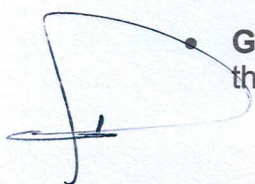
Section 20. Support to LGBTQIA+ community. The Provincial Government acknowledges the importance of gender equality which includes the LGBTQIA+ Community. Any LGBTQIA+ activities shall be supported with equal representation through basic social services such medical, educational services, and among others.

Section 21. Support program pertaining to RA 11313, otherwise known as the "Safe Spaces Act". Related programs may include interventions of the following prohibited acts:

- a) **Gender-Based Streets and Public Spaces Sexual Harassment.** – The crimes of gender-based streets and public spaces sexual harassment are committed through any unwanted and uninvited sexual actions or remarks against any person regardless of the motive for committing such action or remarks.
- b) **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 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, or filing false abuse reports to online platforms to silence victims.

Section 22. Observance of the RA 11210, otherwise known as the "105-Day Expanded Maternity Leave Law".

- **Grant of Maternity Leave.** — All covered female workers in government and the private sector, including those in the informal economy, regardless of civil



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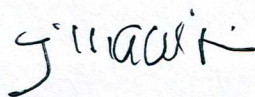
status or the legitimacy of her child, shall be granted one hundred five (105) days maternity leave with full pay and an option to extend for an additional thirty (30) days without pay: Provided, That in case the worker qualifies as a solo parent under Republic Act No. 8972, or the "Solo Parents' Welfare Act", the worker shall be granted an additional fifteen (15) days maternity leave with full pay.

- a) **Maternity Leave for Female Workers in the Public Sector.**— Any pregnant female worker in the government service, regardless of employment status, in National Government Agencies (NGAs), Local Government Units (LGUs), Government-Owned or Controlled Corporations (GOCCs), or State Universities and Colleges (SUCs), shall be granted a maternity leave of one hundred five (105) days with full pay regardless if the delivery was normal or caesarian: Provided, That, in case the employee qualifies as a solo parent under Republic Act No. 8972, or the "Solo Parents' Welfare Act", the employee shall be paid an additional maternity benefit of fifteen (15) days. An additional maternity leave of thirty (30) days, without pay, can be availed of, at the option of the female worker: Provided, further, That, the head of the agency shall be given due notice, in writing, at least forty-five (45) days before the end of her maternity leave: Provided, finally, That no prior notice shall be necessary in the event of a medical emergency but subsequent notice shall be given to the head of the agency.
- b) **Maternity Leave for Female Workers in the Private Sector.**— Any pregnant female worker in the private sector shall be granted a maternity leave of one hundred five (105) days with full pay, regardless of whether she gave birth via caesarian section or natural delivery, while maternity leave of sixty (60) days with full pay shall be granted for miscarriage or emergency termination of pregnancy.

Section 23. Support programs to RA 10028, otherwise known as "Expanded Breastfeeding Promotion Act of 2009". The Provincial Nutrition Council shall formulate and implement programs related to breastfeeding program and includes information dissemination of said Act.

Section 24. On employment and labor welfare, this Code supports the implementation of RA 10151, otherwise known as "Employment of Night Workers". Employment of Night Workers applies to all persons, who shall be employed or permitted or suffered to work at night, except those employed in agriculture, stock raising, fishing, maritime transport and inland navigation, during a period of not less than seven (7) consecutive hours, including the interval from midnight to five o'clock in the morning, to be determined by the Secretary of Labor and Employment, after consulting the workers' representatives/labor organizations and employers.

Section 25. Support programs to RA 10364, otherwise known as "Expanded Anti-Trafficking in Persons Act of 2012". Programs shall be formulated in preventing various acts of trafficking in persons as enumerated in the said law.



ARTICLE IV
SPECIAL EVENTS AND GENDER RELATED ACTIVITIES

Section 26. Observance of March 8 as International Women's Day. As declared by the United Nation, March 8 of every year shall be observed as International Women's Day, however, barangays and municipal are not deprived to celebrate the Women's Day any day during the month of March. It shall initiate programs and activities that would promote women's rights, including trade fairs, symposia, fora, and other related activities for the global welfare.

Section 27. National Children's Month Celebration. Pursuant to RA 10661, "An act declaring the month of November of every year as the National Children's Month". The Local Government Units shall initiate activities that shall promote the rights of children.

Section 28. National Awareness Week for the Prevention of Child Sexual Abuse and Exploitation. The Local Government Units shall observe the second week of February of every year as National Awareness Week for the Prevention of Child Sexual Abuse and initiate and undertake activities in the observance thereof.

Section 29. Elderly Week Celebration. The Local Government shall observe the first week of October of every year as the Elderly Week Celebration and initiate activities in the observance thereof.

Section 30. Persons with Disability Celebration. The Local Government shall observe and initiate activities for the month of July as Persons with Disability Celebration.

Section 31. Nutrition Month Celebration. The Local Government shall observe and undertake activities for the month of July of every year as the Nutrition Month Celebration.

Section 32. National Disaster Consciousness Month. Every LGU shall observe the month of July as the National Disaster Consciousness Month.

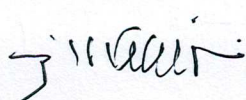
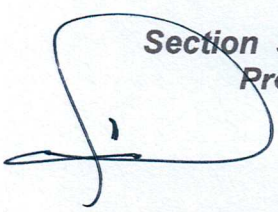
Section 33. Human Rights Day. Every LGU shall observe and undertake appropriate activities every December 10 of every year as the International Human Rights Day.

Section 34. Family Week Celebration. Every LGU shall observe and initiate activities every 2nd week of September of every year as the Family Week Celebration.

Section 35. International Youth Day. Every LGU through the Sangguniang Kabataan shall celebrate every 12th day of August as International Youth Day to spearhead activities promoting youth's welfare such as massive youth information drive and programs enhance youth capacity of modern times.

Section 36. International Human Rights Day. Every LGU shall initiate activities pertaining to celebration of International Human Rights Day every December 10 of the year.

Section 37. National Cooperative Month in the month of October pursuant to Presidential Proclamation No. 493 and Republic Act 11502. The LGUs



through the Provincial Cooperative Office shall spearhead in the observance of the annual celebration of National Cooperative Month which includes in focusing on Women's economic development activities.

Section 38. Philippine Civil Service Month in the month of September of every year pursuant to Presidential Proclamation No. 1050. LGUs in the province of Davao Oriental shall celebrate Civil Service Month in the participation of all government employees to different capability building and socio-civic activities in the aim to achieve a more effective and efficient delivery of services.

CHAPTER II
ARTICLE I
PENAL PROVISIONS

Section 39. The crime of violence against women and their children shall be punished in accordance with RA 9262, otherwise known as the "*Anti-Violence Against Women and Their Children Act of 2004*".

Section 40. Any violation for committing rape shall be punished under RA 8353, otherwise known as the "*Anti-Rape Law of 1997*".

Section 41. Any person found guilty of committing trafficking in persons shall be penalized under RA 9208, otherwise known as the "*Anti-Trafficking in Persons Act of 2003*".

Section 42. Violation of RA 7610, otherwise known as the "*Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act*" shall be punishable by law.

Section 43. Any person found guilty of unlawful acts of sexual harassment in the employment, education or training environment shall be punishable under RA 7877, otherwise known as the "*Anti-Sexual Harassment Act of 1995*".

CHAPTER III
ARTICLE I
IMPLEMENTATION, MONITORING, AND EVALUATION

Section 44. Implementation.

1. **Gender Mainstreaming.** The Provincial Government of Davao Oriental shall assess the programs, projects, and activities of every office as to whether gender perspective is included in the planning, budget, and implementation processes.
2. **Participatory Local Governance.** The Provincial Government through the Sangguniang Panlalawigan shall review and assess the city/municipal annual budget appropriation of every year to ensure that gender issues in perspective Local Government Unit shall be included in the planning and budgeting.
3. **Role of GAD Focal Point System.** There shall be a representation from different offices and departments to compose the Provincial GAD Focal Point System in the review of plan and budget to ensure that there is a sufficient fund allocated for gender and development pursuant to RA 9710 and PCW-DILG-DBM-NEDA Joint Memorandum Circulars No. 2013-01 and 2016-01, respectively.



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Section 45. Monitoring and Evaluation.

1. The GAD Focal Point System shall conduct assessment of all offices and departments implementing gender programs, projects and activities with the judicious utilization of GAD funds every quarter and provide technical supervision to improve the delivery of services.
2. Formulation of GAD Monitoring Tool with gender indicators including sex disaggregated data, projects and activities implemented with its impact and effect and other related gender data.
3. Gender Analysis of all the gender reports submitted using the monitoring tool and identifying the facilitating and hindering factors in GAD implementation using the Harmonized Gender Development Guidelines of the National Economic and Development Authority (NEDA) and develops better strategies for empowerment of the program.
4. The GAD Focal Point System shall prepare and submit the GAD annual accomplishment report viz-a-viz with the GAD Plan and subject for COA monitoring and audit.

ARTICLE II
BUDGET

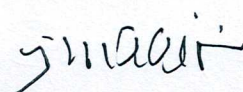
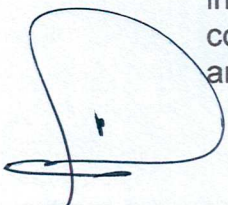
Section 46. Annual Gender and Development Budget

1. The Provincial Government or any Local Government Unit shall allocate at least five percent (5%) of the total budget appropriations authorized under the annual GAA that shall correspond to activities supporting GAD plans and programs. The GAD Budget shall be drawn from the agency's Maintenance and Other Operating Expenses (MOOE), Capital Outlay (CO) and Personal Services (PS). It is understood that the GAD Budget does not constitute an additional budget over an agency's total budget appropriations.
2. Pursuant to Section 37(A)(1)(c) of the Magna Carta of Women (MCW) Implementing Rules and Regulations, the GAD budget may be allocated using any or a combination on the following:
 - As a separate GAD fund to support GAD-focused PAPs;
 - As fund to support the integration of gender perspectives in major programs and projects (gender mainstreaming); and
 - As counterpart fund to support gender-responsive Official Development Assistance (ODA)-funded projects.

CHAPTER IV
PROVISIONS FOR THE IMPLEMENTATION

ARTICLE I – THE PROVINCIAL GAD FOCAL POINT SYSTEM

Section 47. The Philippine Commission on Women issued Memorandum Circular No. 2011-01 for the creation, strengthening, and institutionalization of the Gender and Development (GAD) Focal Point System in all government departments, including their attached agencies, offices, bureaus, state universities and colleges, government-owned and controlled corporations, local government units and all other government instrumentalities.



Section 48. Composition of Provincial GFPS:

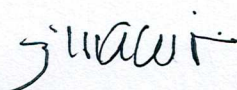
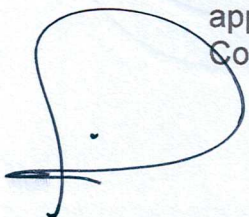
Executive Committee

- Chairperson : Provincial Governor
Alternate Chair : Optional, designated by the LCE
Vice-Chairperson : Optional, designated by the LCE
Members : Heads of LGU Department Offices
Sangguniang Panlalawigan/Panglungsod/Bayan
Chairperson Committee on Finance and
Appropriation
Representative from the following groups:
PNP Women's Desk
Indigenous People (IP)
Person's With Disability (PWD)
Women's Organization or Organized NGO
Private Sector
Academe
President of the Liga ng Barangay
(Province/City/Municipality)
SK Federation President
(Province/City/Municipality)
President of the Mayor's League (for province)
*(These are the minimum requirements. The LGU may
add additional members as necessary.)*

Technical Working Group (GFPS-TWG)

- Chairperson : To be elected by the TWG Members
Members : Key Staff by committees represented by Execom
Members and the relevant LGU departments, but not
limited to the following:
Planning and Development Office
Social Welfare and Development Office
Human Resource and Management Office
Budget Office
Accounting Office
Treasurer's Office
Health Office
Agriculture Office
Office of the LCE
Representative from the following groups:
Private Sector
Academe
Civil Society Org./Peoples Org.
Persons With Disability
*(These are the minimum requirements. The LGU may
add additional members as necessary.)*

Section 49. Membership of GAD Focal Point System. All members of the GFPS shall be appointed by the Local Chief Executive (LCE) or the Chairperson with the issuance of Executive Order, however, any inclusion of additional members and exclusion of members shall be decided by the majority members and an approval of the Chairperson. The GFPS shall have a Chairperson, Executive Committee and Technical Working Group.



Section 50. Roles and Responsibilities of GFPS:

1. The **GFPS Chairperson** shall:
 - Issue policies or other directives that support GAD mainstreaming in the policies, plans, programs, projects and activities, budget, systems and procedures of the agency including the creation, strengthening, modification or reconstitution of the GFPS;
 - Approve the GAD Plan, Programs and Budget of the agency as duly endorsed by the Executive Committee with the assistance of the Technical Working Group and ensure its implementation; and
 - Ensure the implementation of the GPB and approve GAD AR and other GAD-related reports of the LGU as maybe required by the MCW-IRR and this JMC, duly endorsed by the GFPS Executive Committee and with the assistance of the GFPS-TWG.

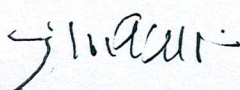
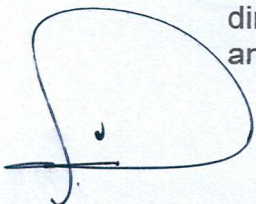
2. The **GFPS Executive Committee** :
 - Provide direction and give policy advice to the agency head to support and strengthen the GFPS and the agency's GAD mainstreaming activities;
 - Direct the identification of GAD strategies, programs, projects and activities based on the results of the gender audit, gender analysis and identified priorities of the agency to respond to the gender issues faced by its clients and employees;
 - Ensure the timely submission of the agency GAD Plan, Program and Budget, Accomplishment Report and other GAD related reports to PCW;
 - Ensure the effective and efficient implementation of agency GAD programs, projects and activities and the judicious utilization of GAD Budget;
 - Build and strengthen the partnership of the agency with PCW, GAD experts, advocates, women's groups, and other stakeholders in pursuit of gender mainstreaming;
 - Recommend approval of agency GAD Plans and budgets; and
 - Recommend awards or recognition to outstanding institutional GAD projects, programs and activities and/or GAD FP members.

3. **GFPS Technical Working Group** shall :
 - Facilitate the implementation of the gender mainstreaming efforts of the agency through the GAD planning and budgeting process;
 - Formulate agency GAD plans, programs and budget in response to the gender gaps or issues faced by their clients and constituencies and women and men employees following the conduct of a gender audit, gender analysis, and/or review of sex disaggregated data.

ARTICLE II
PROVINCIAL GAD OFFICE

Section 51. Provincial GAD Office. There shall be an office for the Provincial GAD Team which will serve as the center GAD actions.

The P/C/MLGU shall allocate funds creating a regular Plantilla position to directly give manpower support in the preparation of different GFPS compliances and documentations.



CHAPTER V
TRANSITORY AND FINAL PROVISIONS

Section 52. Separability Clause. If for any reason, any provision or part of this GAD Code shall be held unconstitutional or invalid, other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 53. Repealing Clause. All laws, presidential decrees, executive orders, memorandum circulars, and other provincial memoranda, or parts thereof, inconsistent with the provisions of this GAD Code are hereby repealed or modified accordingly.

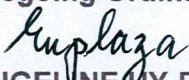
Section 54. Effectivity. This Provincial GAD Code shall take effect fifteen (15) days after the posting requirements and after its complete publication compliance for three (3) consecutive issues in local newspapers of general circulation within the Province of Davao Oriental.

Section 55. That copies of this Provincial Ordinance be furnished: Honorable Provincial Governor, Provincial Treasurer, Provincial Budget Officer, Provincial Accountant, Provincial Auditor, Provincial Planning and Development Coordinator, Provincial Human Resource Management and Development Officer and the Provincial Social Welfare & Development Officer, all of the City of Mati, for their information and guidance.

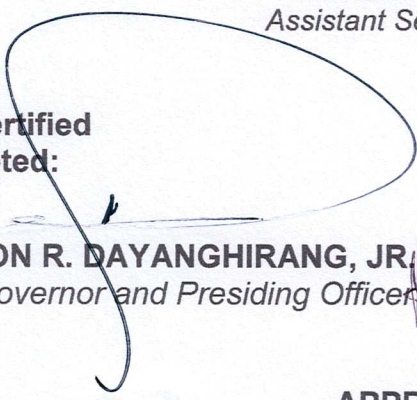
ENACTED: January 30, 2025

CARRIED, by twelve (12) affirmative votes of SP Members Shella Marie S. Go, Anna Cheryl N. Castro, Harold A. Montes, Rotchie M. Ravelo, Daud V. Linsag, Stephen Paul L. Uy, Marietta D. Palmera, Michelle M. Centeno, Joselito B. Villademoso, Jossone Michael G. Dayanghirang, Eleuterio C. Manaytay, and Shanine C. Lintogonan; negative votes – none; and abstention - none.

* * *
I hereby Certify to the Correctness
of the foregoing Ordinance.


EVANGELINE UY-PLAZA
Provincial Government Assistant Department Head
Assistant Secretary to the Sangguniang Panlalawigan
Acting Secretary

Attested and Certified
to be duly Adopted:


NELSON R. DAYANGHIRANG, JR.
Vice Governor and Presiding Officer

APPROVED:


NIÑO SOTERO L. UY, JR.
Governor

Date approved and signed **FEB 13 2025**