

# **Overview of LGU Mandates on GAD**

**(context of the JMC)**



# Magna Carta of Women

## RA 9710



Office of the President  
Philippine Commission on Women

# What is the Magna Carta of Women?

- ⇒ comprehensive women's human rights law; integrates Constitutional provision on equality, RA 7192 and other laws, CEDAW, etc.
- ⇒ seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting their rights
- ⇒ Signed into law on **August 14, 2009**; took effect on **September 15, 2009**; IRR adopted on **March 30, 2010**
- ⇒ Covers all NGAs, GOCCs, public & private schools, LGUs, other government instrumentalities, private entities



# TARGETED RESULTS OF IMPLEMENTING THE MCW

## ULTIMATE

**Women's empowerment and gender equality**

- ◆ *Women's social development and access to justice*
- ◆ *Women's economic empowerment*
- ◆ *Gender responsive governance and women's participation in decision making*

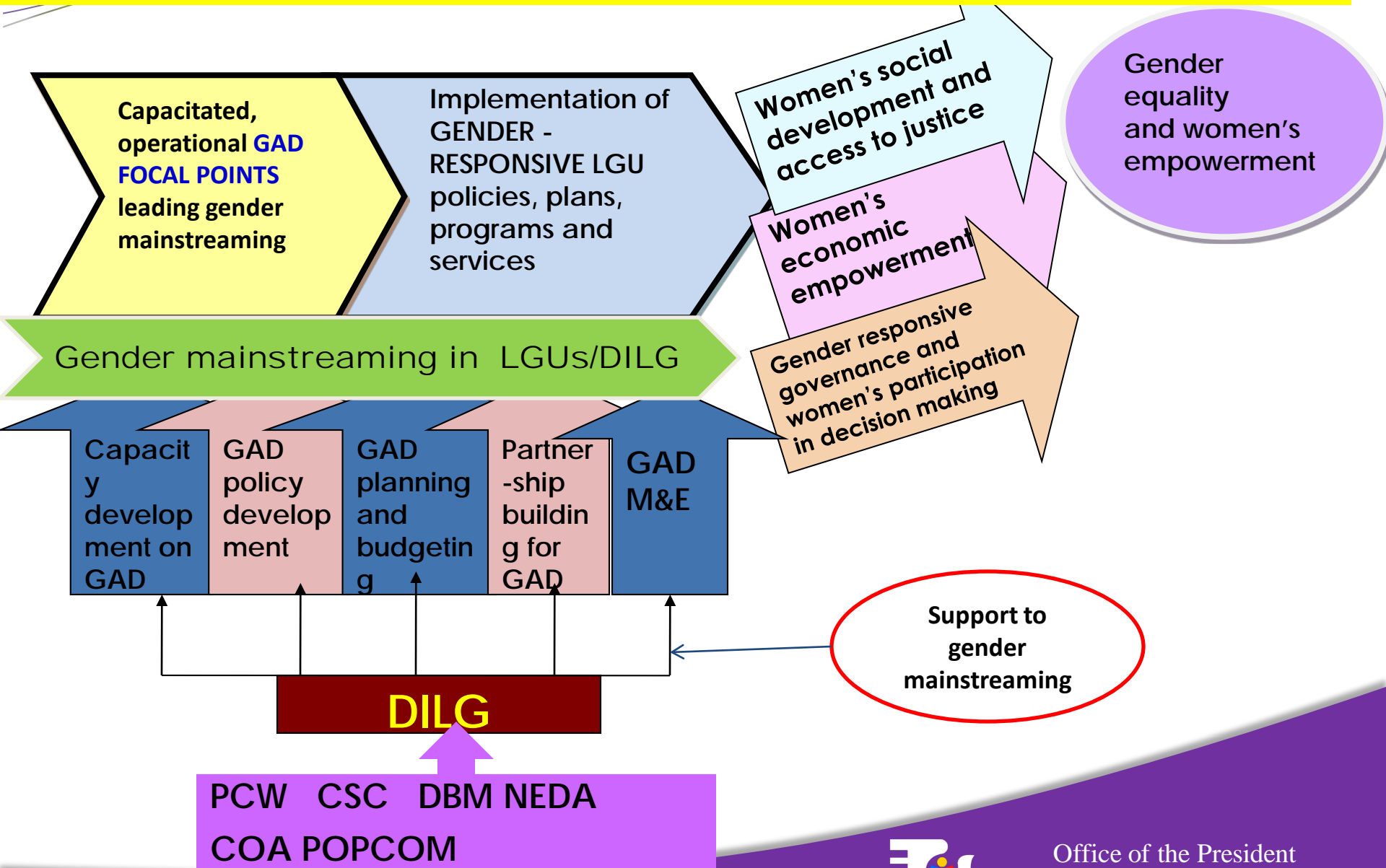
## INTER-MEDIATE

- ◆ **Women benefit from gender responsive PPAs**
- ◆ **NGAs and LGUs formulate, plan, implement, monitor and evaluate gender responsive policies, plans and programs on a **sustained** basis**

## IMMEDIATE

- ◆ **Enabling mechanisms for GAD are created and functional at the national and local level (GAD FP, GAD planning and budgeting, GAD data base and M&E system, GAD Code, etc)**
- ◆ **NGA and LGU people are capacitated on GAD**
- ◆ **Women are consulted and they participate in decision making**
- ◆ **Gender responsive policies, plans and programs are in place**

# MECHANISMS AND PROCESSES TO ACHIEVE DESIRED RESULTS



# Gender mainstreaming provisions for LGU Implementation

1. Conduct **capacity development** on GAD for its employees and where possible and necessary, for women constituents
2. Establish, strengthen and sustain its **GAD focal point** as the driver of GAD efforts in the LGU
3. Prepare its **GAD Plan and Budget** and submit its **GAD Accomplishment Report** to DILG
4. Ensure the gender responsiveness of its **AIP, CDP, ELA and CLUP** as well as in its policies and programs
5. Create a **GAD data base** and conduct **M&E** on the implementation of the MCW



# Main Parts of the MCW (IRR)



**Rule 1.** General Provisions (title, purpose, construction, coverage, declaration of policy, principles of human rights of women)

**Rule 2.** Definition of terms

**Rule 3.** Duties related to the HR of women

**Rule 4.** Rights and empowerment



# Rule 4. Rights and empowerment

- >HR of women*
- >protection from violence*
- >women in disasters, calamities and other crisis situations*
- >participation and representation*
- >equal treatment before the law*
- >education and training*
- >sports*
- >military, police and similar services*
- >media and film*
- >health rights*
- >special leave benefits*
- >marriage and family*





# Main Parts of the MCW (IRR)

## Rule 5. Rights and empowerment of the marginalized sectors

- a. food security and productive resources
- b. housing
- c. decent work
- d. livelihood, capital, credit and technology
- e. education and training
- f. representation and participation
- g. information
- h. social protection
- i. cultural identity and integrity
- j. peace and development
- k. WEDC
- l. girl children
- m. senior citizens



# Marginalized

*Refers to the basic, disadvantaged, or vulnerable persons or groups who are mostly living in poverty and have little or no access to land and other resources, basic social and economic services such as health care, education, water and sanitation, employment and livelihood opportunities, housing, social security, physical infrastructure, and the justice system*

**(children, fisherfolk, IPs, migrant workers, Moros, PWDs, senior citizens, small farmers and rural workers, solo parents, urban poor, workers in formal and informal economy, youth)**



# Main Parts of the MCW (IRR)



## Rule 6. Institutional mechanisms

- a. *GM as strategy*
- b. *GAD focal points*
- c. *GAD planning and budgeting*
- d. *GFPs in embassies*
- e. *PCW as oversight for monitoring implementation*
- f. *CHR as gender Ombud*
- g. *Monitoring progress and impact*
- h. *Penalties*
- i. *Incentives and awards)*

## Rule 7. Final provisions

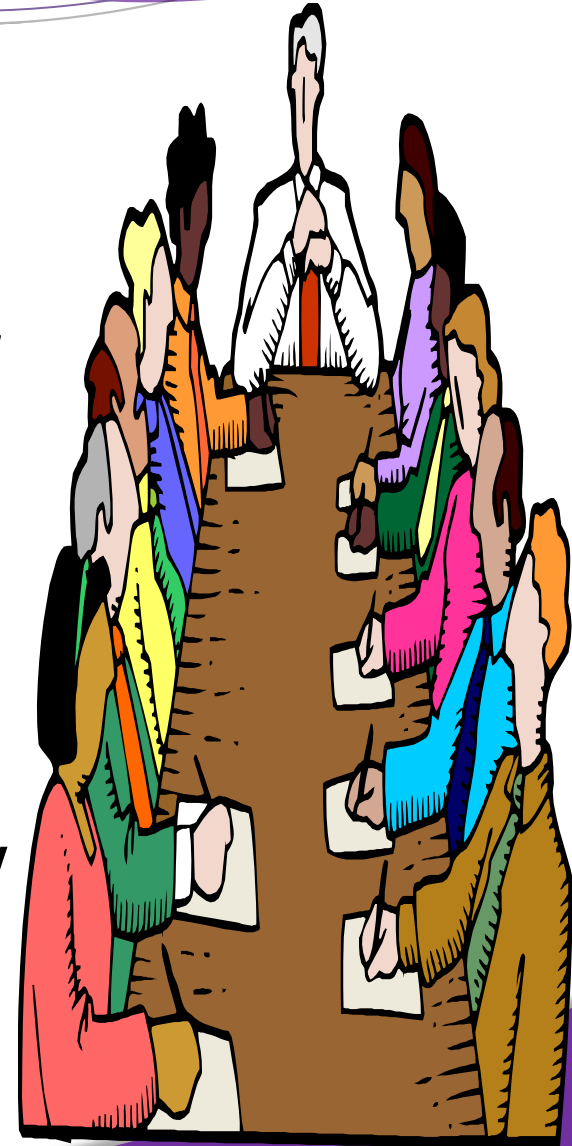


***SELECTED MCW  
SUBTANTIVE  
PROVISIONS VIZ  
LOCAL GOV'T CODE  
FOR  
LGU IMPLEMENTATION***



# Equal Treatment Before the Law (Sec. 15, MCW)

- The State shall take steps to review and, when necessary, **amend and/or repeal existing laws** that are discriminatory to women within three (3) years from the effectivity of the Act.
- Local government units with the participation of women's groups shall review existing ordinances and policies and repeal or amend them accordingly [Section 15 C]



# LOCAL GOVERNMENT CODE

*SEC. 16. General Welfare.* - Every local government unit shall exercise the powers expressly granted, ...implied ...necessary, appropriate, or incidental for its efficient and effective governance and ...for the promotion of the general welfare.

...shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, 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.

*Sec.17. Basic services and facilities.*



# Agriculture: LGC (Sec. 17)

Agriculture and fishery extension and on-site research through:

- Dispersal of livestock and poultry, fingerlings and other seeding materials for agriculture;
- Establishment and maintenance of seed farms for palay, corn and vegetables; medicinal plant gardens; seedling nurseries for fruit trees, coconuts and other trees or crops; and demonstration farms;
- Maintenance and operation of inter barangay irrigation system
- Enforcement of fishery laws in municipal waters including conservation of mangroves



## Agriculture: MCW (IRR Sec. 23)

- Undertake programs and projects on food security that are gender-responsive;
- Recognize women as farmers and fisher folk and give them equal opportunities to participate in programs and projects;
- Ensure the active and direct participation of rural women's groups, in policy and program formulation, planning and designing, implementation, monitoring and evaluation of DA programs at the local levels, etc; and
- Formulate and implement a community-based food security plan.

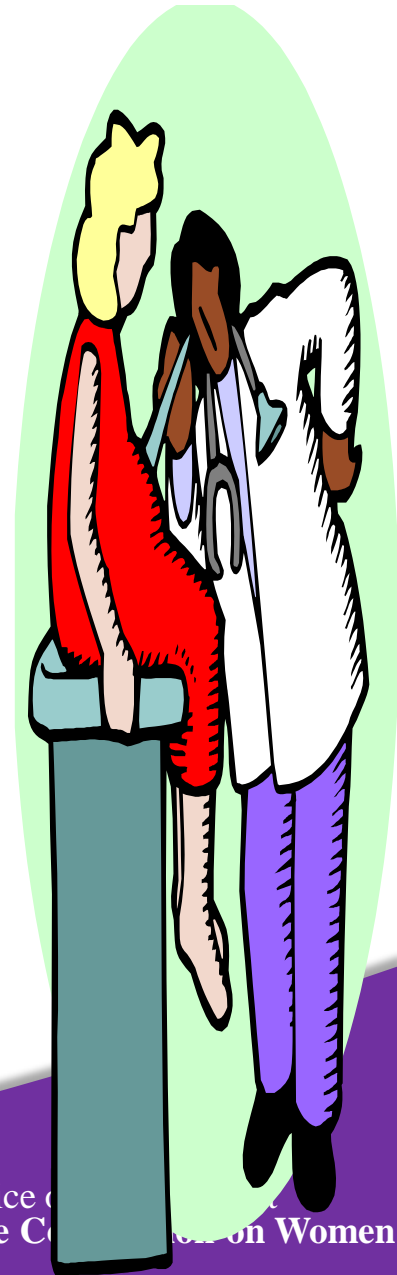




## Health: LGC (Sec. 17)

Subject to the provisions of Rule XXIII on local health boards and per the standards and criteria of the Department of Health (DOH), provision of health services through:

- Implementation of programs and projects on primary health care, maternal and childcare, and communicable and non-communicable disease control services
- Access to secondary and tertiary health services
- Purchase of medicines, medical supplies and equipment needed to carry out the devolved health services
- Nutrition services
- Family planning services
- Clinics, health centers and other health facilities needed to carry out health services



# Health: MCW IRR Sec. 20 (B6)

The LGUs shall:

- Gender-responsive, rights-based and culture sensitive local ordinances and policies that promote the comprehensive health of girls, adolescents, women and elderly women, such as a GAD Code and/or Reproductive Health Code;
- Health programs that: (i) encourage access to and demand for services by women and girls; (ii) involve women and girls in planning and decision making; (iii) allocate resources for the programs for women and girls; (iv) monitor progress; and (v) enhance parent effectiveness services and programs to include continuing education on gender-based violence such as domestic violence, rape, incest, prostitution, trafficking and other forms of violence against women and girls in every barangay;



# Social Welfare: LGC (Sec. 17)

- Programs and projects for the welfare of the youth and children, family and community, women, the elderly and the disabled;
- Community-based rehabilitation programs for vagrants, beggars, street children, scavengers, juvenile delinquents and victims of drug abuse
- Livelihood and other pro-poor projects;
- Nutrition services
- Family planning services



# Social Welfare: MCW

- **IRR Sec. 12. (B8).** Temporary shelter to displaced women and children in situations of **armed conflict**.
- **IRR Sec. 12. (B6).** Psychosocial interventions to **combatants and non-combatants**, especially children ...from armed conflict.
- **IRR Sec. 12. (C).** Mandatory training on HR and GAD for those involved in the protection and defense of women against **gender-based violence**
- **IRR Sec.12. (D).** Establishment of a **VAW Desk** in every barangay
- **IRR Sec. 22B.** Trainings and seminars on the popularization of rights and obligations of spouses towards each other, management of household and parental authority to impede the stereotyping of roles, multiple burden, marginalization and subordination of women;
- **IRR Sec. 34.** Ensure gender-responsive, rights based and culture-sensitive services and interventions for **WEDC** and their families.



# *Equal Rights in All Matters Relating to Marriage and Family Relations (MCW IRR Sec. 22)*

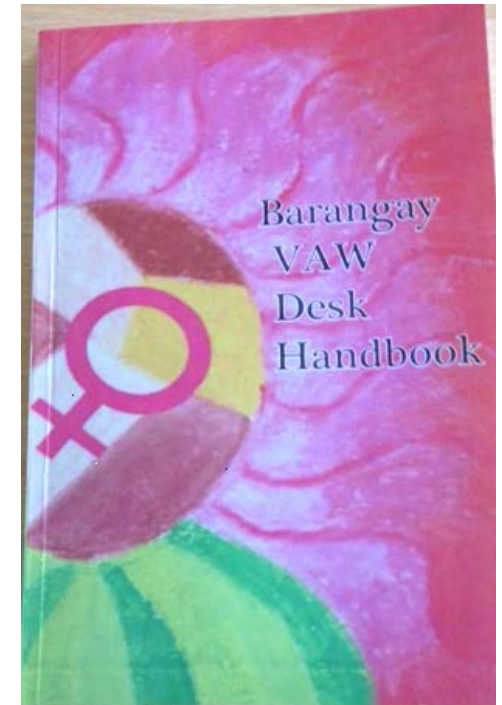
Same rights of women and men...

- to enter into and leave marriages;
- freely choose a spouse and to enter into marriage only with their free and full consent;
- decide on the number and spacing of their children
- enjoy personal rights including the choice of profession,
- own, acquire, and administer their property;
- and acquire, change or retain their nationality.



# Violence Against Women (VAW) Desk: MCW

- All barangays shall establish a VAW desk.
- The DILG, C/MSWDO, City/Municipal Health Offices (C/MHO), PNP and representative/s from LGU-accredited women civil society organizations shall monitor the establishment and evaluate the functionality of the VAW desk. [*Section 12, D. 3*]



# Women and armed conflict (MCW)

In situations of emergency, armed conflict and militarization, the following shall be observed:

- *Women shall not be forcibly recruited nor be required to take part in armed hostilities*
- *Full participation of women in planning and management of relief operations*
- *Observance and implementation of the Minimum Initial Service Package (MISP) for Reproductive Health*
- *Consideration for pregnant women, lactating mothers, sick people, senior citizens, persons with disabilities, and children in the provision of relief supplies*  
*[Section 12. B]*
- *LGUs shall provide temporary shelter to displaced women and children in situations of armed conflict* *[Section 12. B. 4, 6, 8]*



# Participation and Representation (Sec. 14, MCW )

- Accelerate the participation and equitable representation of women in all spheres of society particularly in the decision-making and policy-making processes in government and private
- At least forty percent (40%) of membership of all development councils from the regional, provincial, city, municipal and barangay levels shall be composed of women (Section 14. B)





# Role of NGOs: LGC

**SEC. 34. *Role of People's and Nongovernmental Organizations.*** LGUs shall promote the establishment and operation of POs and NGOs to become *active partners in the pursuit of local autonomy.*

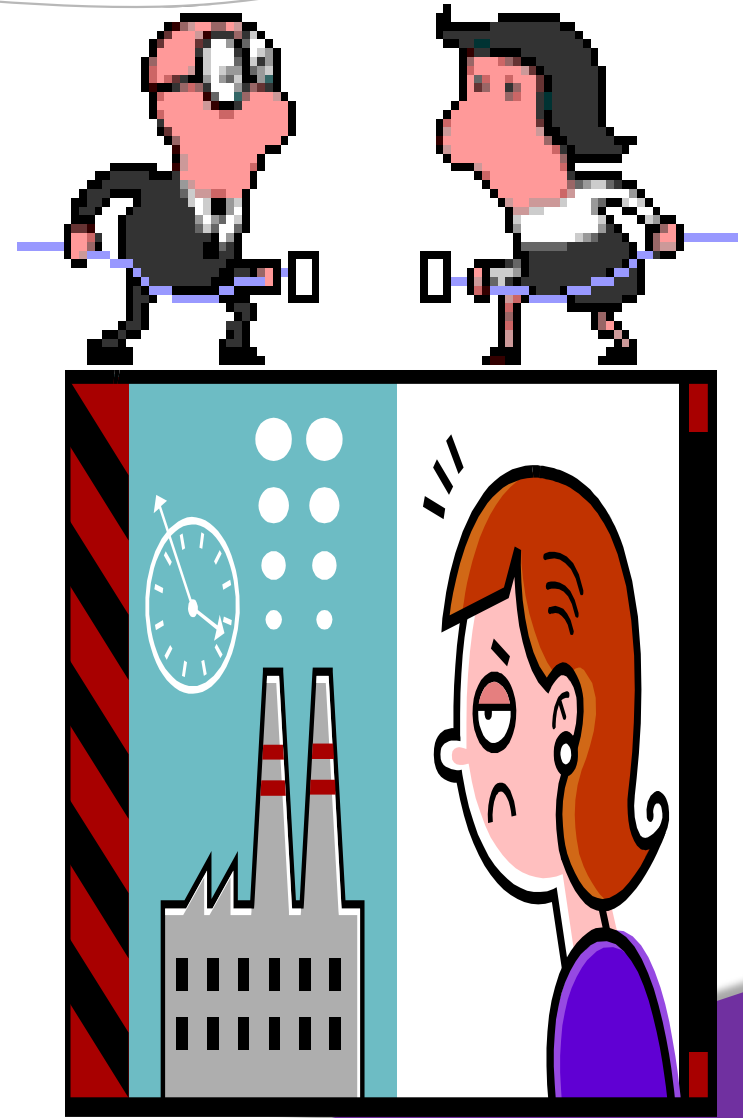
**SEC. 35. *Linkages with People's and Non-Governmental Organizations.*** – LGUs may enter into *joint ventures* and such other cooperative arrangements with POs and NGOs to engage in the delivery of certain basic services, capability-building and livelihood projects, and to develop local enterprises designed to improve productivity and income, diversify agriculture, spur rural industrialization, promote ecological balance, and enhance the economic and social well-being of the people.

**SEC. 36. *Assistance to People's and Nongovernmental Organizations.*** – An LGU may provide assistance, financial or otherwise, to POs and NGOs for economic, socially-oriented, environmental, or cultural projects to be implemented within its territorial jurisdiction.



## *Non-discriminatory and Non-derogatory Portrayal of Women in Media and Film (MCW Sec.19)*

- raise the consciousness of the general public in recognizing the dignity of women and the role and contribution of women in the family, community, and society through the strategic use of mass media.
- Creation of the Local Media Board (LMB) in all LGUs to monitor the implementation of these Rules and Regulations shall also be encouraged



## **Marginalized sectors:**

### **Food Security and Productive Resources (Sec. 23 MCW)**

- **LGUs shall formulate and implement a community-based food security plan that shall respect religious and cultural practices. The plan shall be integrated into the development plans of the LGUs to ensure funding and implementation.**
- **Women's groups shall actively participate in planning, design, implementation and monitoring and evaluation of the plan.**
- **Equal status shall be given to women and men in the issuance of stewardship or lease agreements and other fishery rights that may be granted for the use and management of coastal and aquatic resources.**

**Women's organizations shall be given equal treatment as with other marginalized fishers organizations in the issuance of stewardship or lease agreements or other fishery rights for the use and management of such coastal and aquatic resources which may include providing support to women-engaged coastal resources.**



## *Marginalized sectors: Right to Housing (MCW Sec. 24)*

- The State, through the HUDCC and its attached key shelter agencies and the LGUs shall develop housing programs for women that are localized, simple, accessible, with potable water and electricity, secure, with viable employment opportunities, and affordable amortization. The State shall consult women and involve them in community planning and development, esp. in matters pertaining to land use, zoning and relocation.
- Ensure that female-headed households are not discriminated in the provision of relocation or resettlement sites and that access to basic services, facilities, employment, and livelihood opportunities are responsive to the needs of women
- LGC:** Planning and implementation of the programs and projects for low-cost housing and other mass dwellings except those funded by SSS, GSIS and HDMF



## *Marginalized sectors:*

### *Section 25. Right to Decent Work*

- The State shall progressively realize and ensure decent work standards for women that involve the creation of jobs and acceptable quality in conditions of freedom, equity, security and human dignity.
- DTI, DOLE, other concerned government agencies, and the LGUs shall initiate investment friendly policies, systems, programs and procedures as well as provide technical assistance and support financial arrangements to returning women migrant workers to help them establish local business. [Section 25. C]



## ***Marginalized sectors:***

### ***Section 26. Right to Livelihood, Credit, Capital and Technology***

- **All possible assistance shall be provided to women including returning women migrants in their pursuit of owning, operating and managing business enterprises towards the promotion of their economic rights and independence. Assistance shall focus on the availability of the following: credit, training and technology, information, packaging and marketing and social protection.**



## ***Marginalized sectors:***

### ***Section 35 B2 . Protection of Girl-Children***

- **DILG shall institute measures for LGUs to comply with organization and functionality of the Local Council for the Protection of Children (LCPC) at all levels, and shall monitor compliance thereof.**
- **Girl-children shall be protected from all forms of abuse and exploitation.**



# Local Government Code

**SEC. 97. *Annual Report.*** - On or before March 31 of each year, every local chief executive shall submit an annual report to the sanggunian concerned on the socioeconomic, political and peace and order conditions, and other matters concerning the local government unit, which shall cover the immediately preceding calendar year. A copy of the report shall be forwarded to the Department of Interior and Local Government. Component cities and municipalities shall likewise provide the sangguniang panlalawigan copies of their respective annual reports.





**THANK YOU!**



Office of the President  
Philippine Commission on Women