

# SALIGAN Batas

## Creating a Safer Space for All

by Christine Faith C. Baltazar, RSW<sup>1</sup>

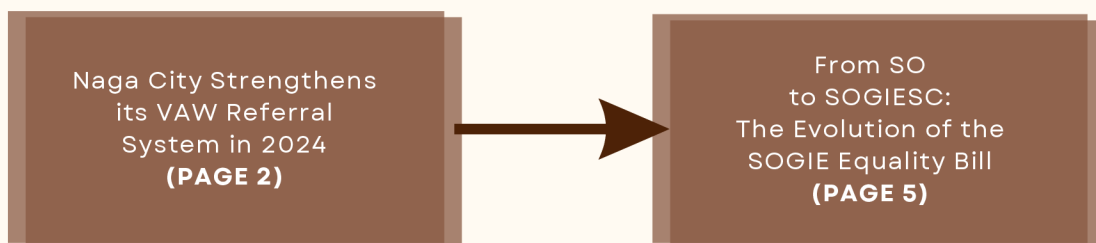
My involvement with the Safe, Fair-Environment, and Responsive Barangays for Women (SAFER Women) Project was a transformative learning experience that meaningfully fostered my personal and professional development. It is both challenging and fulfilling as it entails shaping the future of Zamboanga City as a safer place for all individuals. Training barangay local government units on how to handle violence against women and gender-based violence (VAW and GBV) cases, including human trafficking, is not just about informing them about laws and protocols; it is about contributing to societal change, advocating for justice, as well as establishing a network of informed and concerned persons who can lead in making a difference in the lives of victim-survivors.

Being part of the Project heightened my awareness of the complexities and challenges surrounding VAW and GBV, the societal norms that perpetuate it, and the psychological toll on survivors. I found myself more attuned to the struggles of others especially those trapped in the cycle of abuse, and a high regard for the experiences of the survivors. I also gained a better understanding of the legal and policy frameworks surrounding VAW and GBV. This information is vital for effectively advocating policy changes, especially on countering human trafficking which is the primordial thrust of the Zamboanga City Justice Zone. Engaging with projects like these and working with the Zamboanga City Local Council for the Protection of Children (LCPC) enriched my sense of compassion and empathy for the vulnerable population while expanding my professional network and opening possibilities for new partnerships. Taking on responsibilities during the training enhanced my communication, leadership, and program



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## WHAT'S INSIDE?



management skills.

As a lecturer, while I am grateful to impart knowledge to the participants, it has also been an avenue of learning for me. Engaging with the barangay officials brought to light the diverse outlooks and real-world challenges they faced. It challenged me to think critically about the necessity of empowering them on the proper handling of these cases as well as the significance of promoting public involvement to foster a culture of empathy and support for the victims. Witnessing how the barangay officials

committed to making the city a “SAFER” place inspired me to further improve myself to be more efficient and effective in this advocacy.

Overall, being a part of the SAFER WOMEN Project is a humbling and rewarding experience. It is a journey of insights, advocacy, and empowerment that not only reshaped the participants but also invigorated my commitment to social justice. I am hopeful that this project will have an unflinching and lasting impact on Zamboanga City.

I am grateful to the Zamboanga City Justice

Zone for entrusting me to be a part of the SAFER Women Project. The roll-out of trainings in all of the barangays of Zamboanga City was made possible through the support of the Local Government of Zamboanga City through Mayor John Dalipe, Councilor Al-Jihan R. Edding, the various offices consisting the LCPC and the brilliant team of the Gender and Development Services Office. And of course, I deeply appreciated all the efforts, dedication, and hard work of my co-facilitators. Until the next project.

“soli Deo honor et gloria” #



## Naga City Strengthens its VAW Referral System in 2024

A referral system for victims-survivors of abuse has been effectively running in the City of Naga, Camarines Sur, for decades, but it was only in March 2024 that the city government legislated its establishment as a division under the City Social Welfare and Development Office (CSWDO), through the enactment of a local ordinance.

Bantay Familia, run by community volunteers, began operating in Naga in 1999. The ordinance describes Bantay Familia’s services are described as “a referral system to connect victims of abuse to appropriate agencies” and one that assisted them in “reporting to the police, the filing of cases, providing medical assistance/medicolegal, etc.” The referral mechanism later

gained traction and support when the Naga City Council for Women (NCCW)<sup>1</sup> took it on as its program and kept it running.

In a recently held discussion with service providers in Naga City, SALIGAN looked into their experiences in their roles and work within the referral system that began as a mechanism that assisted victims-survivors of violence against women (VAW). Among the participants were Bantay Familia volunteers and workers, VAW desk officers, police officers, city social welfare and development officers, and barangay councilors from different barangays in Naga City. These service providers identified pressing issues surrounding the implementation of the said referral system:

- **No written manual of operations and inadequate or unclear protocols and guidance on the referral system.** The absence of a manual of operations or written protocols on the referral system has resulted in inconsistencies and confusion among service providers, conflicts regarding their

roles and responsibilities, and in some cases, violations of their mandates. While some barangays in Naga City have developed localized protocols, others have resorted to using references that are available online. They also reported the absence of a mechanism through which they can report their feedback on the referral system as they are implementing it.

- **The need for continuing and updated training among service providers and barangay authorities.** The service providers reported a lack of or inadequate awareness as to the procedures for the handling of cases, as well as a need to be continually updated about the laws that apply to the cases they encounter in the barangays. These courses would ideally aid in reminding them of their duties and responsibilities and the scope and limitations of their roles. While some mentioned the annual conduct of refresher courses, they also reported that these are

sometimes limited by budget constraints.

- **Insufficient facilities and financial resources.** The service providers reported the inadequacy or inaccessibility of health services in the city and barangays in responding to the needs of victims-survivors of VAW, as well as budget limitations being hindrances to the effective implementation of the referral system. Some report that they are compelled to use their personal resources to cover these budget limitations. Concerns about ensuring the confidentiality of cases were also raised given the inadequate offices or facilities in barangays.
- **Inadequate monitoring and evaluation of the referral system.** Service providers also mentioned that they had no mechanism for providing feedback about the referral system, and many felt that their concerns were not being heard or addressed.

To address these issues, the city government of Naga approved Ordinance No. 2024-023, titled “An Ordinance Establishing

<sup>1</sup> Past and current SALIGAN staff have been members or officers of the NCCW.

the Naga City Bantay Familia as the City's Protection Center for Gender-Based Victims/Survivors of Abuse, Creating a Comprehensive Program and Appropriating Funds Thereof." The ordinance recognizes the difficulty of overcoming gender-based violence (GBV) and thus mandates the implementation of "a multi-sectoral response to GBV working with health, police, judicial and social service providers," emphasizing that a "network of services ensures the continuity of efforts for victims-survivors."



This ordinance establishes the Naga City Bantay Familia as a protection center for victims-survivors of gender-based violence and abuse in Naga City, recognizing that such violence may be committed against not only women and children but also "lesbian, gay, bisexual, transgender, and queer" individuals. The ordinance mandates that the center

should provide "complete intervention and protection services to clients and their families including, medical and police assistance, legal and psychological services," "ensure the safety and security of the clients," "provide referral to private or other government agencies for other services based on assessed needs of the clients," "provide referral for case management and rehabilitation of offenders and perpetrators," and "serve as resource center on information and data pertaining to gender-based violence in the city."

The ordinance provides for the different units that will make up its operations and the qualifications and functions of its personnel and staff. It also mandates the development of a manual of operations that will guide the processes within Naga City Bantay Familia, as well as the creation of an oversight committee, led by the city mayor, that will ensure the efficient delivery of services.

SALIGAN conducted the data-gathering activities with support from the Systemic Advocacy Learning Lab (SALL), run by Global Rights for Women (GRW). The SALL was designed to have participating organizations explore and later employ key concepts and techniques surrounding systemic



advocacy, focused on reforms aimed to improve outcomes for survivors of gender-based violence. GRW is an organization that works with leaders around the world to advance women and girls' human right to live free from violence through legal reform and institutional and social change, and it prioritizes the lived experiences of survivors of gender-based violence to inform law, policy and systems reform. #



## From SO to SOGIESC: The Evolution of the SOGIE Equality Bill

The Philippines is the first country in Asia to ever celebrate a pride march.

In 1992, The Lesbian Collective joined the International Women's Month Celebration and gained the space to discuss the violence experienced by lesbian women at that time.<sup>1</sup>

On June 26, 1994, a small group of queer individuals held a gathering at Quezon Memorial Circle, which they called Stonewall Manila. This event commemorated the 1969 Stonewall Riots in New York City, which had ignited the global LGBTQIA+ rights movement. Organized by PROGAY Philippines and Metropolitan Community Church, Stonewall Manila was a modest affair—more akin to a picnic—but it marked the beginnings of the Filipino LGBTQIA+ movement. Over the years, this annual event grew into what is now known as Metro Manila Pride.<sup>2</sup>

By 1996, the first official Metro Manila Pride Festival was held in Marikina under the banner "Solidarity '96: The Lesbian and Gay Pride March." Approximately 500 individuals attended, donning bold costumes and raising visibility for LGBTQIA+ issues in the country. These events laid the foundation for a broader fight for equality.

However, achieving formal legislative recognition for LGBTQIA+ rights has been a challenging journey. The introduction of the SOGIE Equality Bill in 2000 marked the first formal attempt to enshrine protections for LGBTQIA+ individuals in national law. Initially focusing solely on prohibiting discrimination based on sexual orientation,

the bill has since evolved to encompass gender identity, expression, and sex characteristics, reflecting a deeper understanding of LGBTQIA+ issues in the Philippines.

This evolution—from sexual orientation to the comprehensive SOGIESC framework—underscores the legislative journey and the growing awareness of LGBTQIA+ rights in the country. The SOGIE Equality Bill, however, is more than a piece of legislation; it symbolizes the nation's (one that is predominantly catholic and politically conservative) recognition of the diverse realities within the LGBTQIA+ community and the urgent need for a unified national law to protect these rights.

### 24-year Legislative Journey

The SOGIE Equality Bill is often described as the longest-running bill in Philippine legislative history. Its journey began in the 11th Congress in 2000 when then-Akbayan Representative Loretta "Etta" Rosales filed



<sup>1</sup> Chi, C. (2023, February 21). *30 years later: Filipinas who marched in first lesbian pride recall historic milestone*. Philstar.com.

<https://www.philstar.com/headlines/2023/02/21/2246598/30-years-later-filipinas-who-marched-first-lesbian-pride-recall-historic-milestone>

<sup>2</sup> Abad, M. (2019, August 28). *TIMELINE: SOGIE equality in the Philippines*. RAPPLER. <https://www.rappler.com/newsbreak/iq/238593-timeline-sogie-equality-philippines/>

House Bill No. 9095, titled An Act Prohibiting Discrimination on the Basis of Sexual Orientation and Providing Penalties Therefor. The bill emphasized the need to define and penalize acts of discrimination against lesbians and gays.

In 2004, Senator Miriam Defensor Santiago filed the bill's senate counterpart during the 13th Congress. Notably, this version defined sexual orientation as: "the choice of or the focus given by a person to another as the object of affection and/or sexual energies, such other person not necessarily belonging to the opposite sex, as in the case of homosexuals."<sup>3</sup>

In the 12th Congress (2003), Rep. Etta Rosales' House Bill No. 6416 marked a pivotal moment by including *gender identity* for the first time. Senator Bong Revilla Jr. introduced the Senate's version of the bill in the 14th Congress in 2007. This version highlighted the global context, referencing countries like South Africa, Fiji, and Ecuador that had already adopted national anti-discrimination laws. The

bill's explanatory note emphasized the educational value of such legislation and its role in ensuring job security, equal opportunities, and access to education and public services.<sup>4</sup>

This version also expanded the definition of *sexual orientation* to include bisexual individuals: "Sexual Orientation refers to the direction of emotional and/or sexual attraction or conduct. This can be towards people of the same sex (homosexual orientation), towards people of both sexes (bisexual orientation), or towards people of the opposite sex (heterosexual orientation)."<sup>5</sup>

It also introduced a definition for *gender identity*: "Gender Identity refers to the personal sense of identity as characterized, among others, by manners of clothing, inclinations, and behavior in relation to masculine or feminine conventions. A person may have a male or female identity with the physiological characteristics of the opposite sex."<sup>6</sup>

In 2006, the adoption of the Yogyakarta Principles provided an international

framework for applying human rights standards to issues of sexual orientation and gender identity. These principles were launched in 2007, just before the filing of the Bong Revilla version of the SOGIE Equality Bill.

During the 15th and 16th Congresses, the bill was refiled multiple times in both the House and the Senate. Some versions expanded beyond SOGIE to include comprehensive anti-discrimination protections for race, ethnicity, and religion.

The 17th Congress saw unprecedented momentum. House Bill No. 4982, which included gender expression in its scope, was approved in the House by a vote of 197-0. It defined gender expression as: "The way a person communicates gender identity to others through behavior, clothing, hairstyles, communication or speech pattern, or body characteristics."<sup>7</sup>

The bill was transmitted to the Senate as Senate Bill No. 1271, sponsored by Senators Risa Hontiveros, Leila de Lima, and Loren Legarda. It defined *gender identity* as

<sup>3</sup> *An Act Prohibiting Discrimination on the Basis of Sexual Orientation and Providing Penalties Therefore*, Senate Bill No. 164 (2004). <https://web.senate.gov.ph/lisdata/28262300!.pdf>

<sup>4</sup> *An Act Prohibiting Discrimination on the Basis of Sexual Orientation and Gender Identity and Providing Penalties Therefor*, Senate Bill No. 11 (2007). <https://web.senate.gov.ph/lisdata/41243451!.pdf>

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *An Act Prohibiting Discrimination on the Basis of Sexual Orientation and Gender Identity and Expression (SOGIE) and Providing Penalties Therefor*, House Bill No. 4982 (2017). <https://web.senate.gov.ph/lisdata/2682323034!.pdf>

“the personal sense of identity as characterized, among others, by manner of clothing, inclinations, and behavior in relation to masculine or feminine conventions. A person may have a male or female identity with the physiological characteristics of the opposite sex” and *gender expression* as “the outward manifestations of the cultural traits that enable a person to identify as male or female according to patterns that, at a particular moment in history, a given society defines as gender appropriate.”<sup>8</sup>

This version underwent extensive interpellations in a span of 3 years but ultimately failed to secure a vote before the session ended.

In the 18th Congress, the bill was refiled but made little progress.

In the current 19th Congress, the bill was reintroduced in 2022 as Senate Bill No. 1600 by Senator Risa Hontiveros, now incorporating *sex characteristics* in its framework. Senator Imee Marcos also filed her own version, Senate Bill No. 2396.

Both bills provided comprehensive definitions of persons with diverse

SOGIESC, although only Hontiveros' version defined sex characteristics.

Senator Imee Marcos' provided a very comprehensive definition of *Persons of Diverse Sexual Orientation, Gender Identity, Expression and Sex Characteristics (SOGIESC)*:

“the collective of persons who are male and female homosexuals or "gays" and "lesbians", respectively; including persons who are attracted to people of more than one (1) gender or "bisexuals"; persons whose gender identity do not align with their sex or gender assigned at birth or "transgender" persons; or persons whose primary and/or secondary sex characteristics, or their combination of chromosomes, external genitalia, gonads, hormones, and/or internal reproductive organs, differ from the two (2) expected patterns of "female" and "male" and cannot be easily categorized as either of them or "intersex" persons; persons whose sexual orientation, gender identity, or gender expression does not conform to cisgender-heterosexual norms or "queer"; persons whose

gender do not fall within the gender binary of female and male or "non-binary"; or persons whose gender expression does not align with their gender identity or "gender non-conforming" persons, among others.”<sup>9</sup>

On the other hand, Senate Bill No. 1600 defined *Persons of Diverse SOGIESC* as “the collective of persons who are man and woman homosexuals (gays and lesbians, respectively), bisexual, transgender, and intersex, among others. While Marcos's version did not define *sex characteristics*, Hontiveros's version defined it as “a person's physical traits that indicate their biological sex, such as chromosomes, external genitalia, gonads, hormones, and internal reproductive organs, traits present at birth are called primary sex characteristics, whereas those that develop during puberty are called secondary sex characteristics.”<sup>10</sup>

In 2024, within the 19th Congress, the bill was refiled in the House of Representatives as a consolidated version introduced by multiple legislators. It is currently under the period of interpellations, reflecting

8 *An Act Prohibiting Discrimination on the Basis of Sexual Orientation and Gender Identity and Expression (SOGIE) and Providing Penalties Therefor*, Senate Bill No. 1271 (2016). <https://web.senate.gov.ph/lisdata/2517921693!.pdf>

9 *An Act Prohibiting Discrimination, Marginalization, and Violence Committed on the Basis of Sexual Orientation or Gender Identity or Expression (SOGIE) and Providing Penalties Therefor*, Senate Bill No. 2396 (2023). <https://web.senate.gov.ph/lisdata/4233638519!.pdf>

10 *An Act Prohibiting Discrimination on the Basis of Sexual Orientation or Gender Identity or Expression (SOGIE) and Providing Penalties Therefor*, Senate Bill No. 1600 (2022). <https://web.senate.gov.ph/lisdata/4011636567!.pdf>

continued deliberation on its provisions.

Senate Bill No. 1600 stands as the most comprehensive iteration of the SOGIE Equality Bill to date, now renamed the SOGIESC Equality Bill, signaling a broader scope beyond merely addressing discrimination. In its explanatory note and declaration of policy, the bill underscores the importance of international instruments on LGBT rights and SOGIESC equality, situating the issue within a global context. It also draws attention to specific instances of discrimination in the Philippines, from the murder of Jennifer Laude to the workplace discrimination faced by Gretchen Diez. Additionally, this version acknowledges the efforts of several Local Government Units that have enacted their own SOGIESC Equality measures through anti-discrimination ordinances.

### **Local Anti-Discrimination Ordinances: A Patchwork of Protection**

The earliest local legislation addressing anti-discrimination on the basis of SOGIE was Quezon City's Ordinance No. SP-1309, or "An Ordinance Prohibiting All

Acts of Discrimination Directed Against Homosexuals in Any Office in Quezon City, Whether in the Government or the Private Sector and Providing Penalties for Violation Thereof." Enacted in 2003, this ordinance emerged just a few years after the first version of the SOGIE Bill was filed in the House of Representatives.

In 2008, Barangay Pansol in Quezon City passed Barangay Ordinance No. 9, series of 2008, entitled "An Ordinance Prohibiting Discrimination in Brgy. Pansol, Quezon City on the Basis of Sexual Orientation and Gender Identity and Providing Penalties Thereof."

In 2010, Dagupan City enacted its Anti-Discrimination Ordinance, which specifically addressed sexual orientation as the basis for prohibiting acts of discrimination. Although its scope was limited, this ordinance was significant as Dagupan became the first Independent Component City to pass such a policy.

By 2012, highly urbanized cities like Cebu and Davao enacted their own comprehensive anti-discrimination ordinances. However, these measures

addressed not only sexual orientation and gender identity but also included protections based on religion and ethnicity.

On March 27, 2014, a transgender woman working at a BPO office in Quezon City was denied access to the women's bathroom at her workplace. She filed a criminal complaint based on Quezon City's 2003 ordinance. In response, Quezon City amended its ordinance in November 2014, creating the Gender Fair Ordinance of 2014 (Ordinance No. 2357, series of 2014). This landmark legislation explicitly covered sexual orientation, gender identity, and gender expression, making it the first city ordinance in the Philippines to specifically prohibit discriminatory acts based on an individual's SOGIE.<sup>11</sup>



<sup>11</sup> An Ordinance Providing for a Comprehensive Anti-Discrimination Policy on the Basis of Sexual Orientation, Gender Identity, and Expression (SOGIE), (2014). [https://pages.upd.edu.ph/sites/default/files/ejmanalastas/files/sp-2357\\_s-2014-2.pdf](https://pages.upd.edu.ph/sites/default/files/ejmanalastas/files/sp-2357_s-2014-2.pdf)



In the years that followed, numerous local government units (LGUs) enacted their own Anti-Discrimination Ordinances (ADOs). Within the National Capital Region, cities such as Manila, Marikina, Malabon, Mandaluyong, Pasay, Pasig, San Juan, Taguig, and Valenzuela implemented local ADOs. Similarly, cities in other regions, including Zamboanga, Tawi-Tawi, Bacolod, Iloilo, Baguio, Mandaue, General Santos, and Puerto Princesa, also passed their own ordinances. Provinces like Batangas, Ilocos, Cavite, Agusan del Norte, and Dinagat Islands joined this movement. While some ordinances specifically aimed to protect the LGBTQIA+ community, others were more comprehensive, encompassing protections based on race, ethnicity, religion, and other factors.

As of May 2024, a total of 83 LGUs have enacted Anti-Discrimination Ordinances. Of these, 47 specifically address discrimination on the basis of SOGIE.<sup>12</sup>

### **From SO to SOGIESC: Continuing the Fight for Equality**

The earliest local legislation addressing anti-discrimination on the basis of SOGIE was Quezon City's

Ordinance No. SP-1309, or "An Ordinance Prohibiting All The 24-year legislative journey of the SOGIE Equality Bill reflects the larger movement for the LGBTQIA+ community in the Philippines, shaped by the tireless efforts of individuals and groups who have proudly advocated for their rights. From the pioneering Stonewall Manila gathering to the passage of Anti-Discrimination Ordinances across local governments, these milestones reflect a growing recognition of the need for equality and dignity for all Filipinos, regardless of sexual orientation, gender identity, expression, or sex characteristics.

The evolution from SO to SOGIESC highlights not only the progress made, but also the gaps that remain in achieving full protection for the LGBTQIA+ community. While local ordinances have provided protections in some local government units, the absence of a national law still leaves members of the community vulnerable to discrimination.

As the SOGIESC Equality Bill continues its deliberations in Congress, its passage presents both a challenge and an opportunity. It urges the nation to confront deep-seated prejudices and affirms

the Philippines' position as a leader in promoting inclusivity, being the first Asian country to hold a Pride march.

While the fight for equality is ongoing, the progress made thus far offers a foundation for hope—a future where every Filipino, regardless of SOGIESC, can live without fear of discrimination. #



<sup>12</sup> Policies and Legislation. (2023). Policies and Legislation. Balangaw.ph. <https://www.balangaw.ph/resources/policies-and-legislation>



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