



Republic of the Philippines
PROVINCE OF ZAMBOANGA SIBUGAY
Municipality of Ipil

OFFICE OF THE SANGGUNIANG BAYAN

Presiding Officer / Overall Chairman

- HON. RAMSES TROY D. OLEGARIO**

Municipal Vice Mayor

Contact No. 0917-586-9242

Chairman: Steering Committee

SANGGUNIANG BAYAN MEMBERS:

- HON. WENIFREDO M. CHIONG**

Contact No. 0917-710-7249

Chairman: Committee on Public Safety, Security

Order / LDRRM

Committee on Infrastructure, Public Works / Projects

Monitoring & Evaluation

- HON. VALENTINO C. INOFERIO, SR.**

Contact No. 0956-752-1983

Chairman: Committee on Ways & Means

Committee on Rules & Ordinances

Committee on Senior Citizen & Person w/ Disability

- HON. FARIDA A. DANGPALAN**

Contact No. 0917-136-2551

Chairman: Committee on Health and Sanitation

Committee on Women, Children & Family

Committee on Human Resource & Capability Building

- HON. DARA MAY L. CATALUÑA-BALISI**

Contact No. 0917-541-2821

Chairman: Committee on Good Govt., Public Ethics & Accountability

Committee on Tourism & Public Information

Committee on Housing & Land Utilization

- HON. MANUELITO P. LARGO**

Contact No. 0955-602-1156

Chairman: Committee on Trade & Industry

Committee on Public Utilities, Transportation

- HON. JUAN PABLO A. NUEGA**

Contact No. 0906-925-9540

Chairman: Committee on Science, Information

Communication & Technology

- HON. SERAFIN L. RAMOS**

Contact No. 0977-801-3875

Chairman: Committee on Cooperative & Livelihood

Committee on Agriculture, Agrarian Reform

- HON. GLENN C. SABIJON**

Contact No. 0939-924-5532

Chairman: Committee on Education & Culture

Committee on Environment and Natural Resources

Committee on Human Rights, Labor & Justice

- HON. IDA MELELEGARIO CAPERIG, CPA, CSP**

Contact No. 0905-345-1887

Chairman: Committee on Appropriation & Finance

Comm. on Market, Slaughterhouse & Eco. Enterprise

- HON. SUSIE JANE C. GARCIA**

Contact No. 0917-134-0450

Chairman: Committee on Youth, Sports & Development

- HON. RASHID MOHAMMAD BUAL**

Contact No. 0935-253-5109

Chairman: Comm. on Culture, Trade & Muslim Affairs

Legend: PRESENT ON LEAVE
 ON OB ABSENT

ORDINANCE NO. 01-570-2021

COMPREHENSIVE ANTI-DISCRIMINATION
ORDINANCE IN THE MUNICIPALITY OF IPIL.

Sponsored by:

HON. FARIDA A. DANGPALAN

Co Sponsors:

HON. DARA MAY L. CATALUÑA

HON. IDA MEL O. CAPERIG

HON. GLENN C. SABIJON

HON. VALENTINO C. INOFERIO, SR.

HON. RASHID M. BUAL

HON. JUAN PABLO A. NUEGA

HON. MANUELITO P. LARGO

HON. SERAFIN L. RAMOS

HON. WENIFREDO M. CHIONG

HON. SUSIE JANE C. GARCIA

EXPLANATORY NOTE:

WHEREAS, Article II, Section II of the 1987 Philippine Constitution enunciates that the State values the dignity of every human person and guarantees full respect that "no person shall be deprived of life, liberty, or property without due of process of law, nor shall any person be denied the equal protection of the law";

WHEREAS, Article XIII, Section 1 of the 1987 Philippine Constitution enunciates the enactment of measures that protect and enhance the right of the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequalities which shall be given the highest priority. Further, Section 2 thereof pronounces the promotion of social justice;

WHEREAS, the Philippines is a party to several international covenants such as the Universal Declaration of Human Rights (UDHR), International Covenant on Economic, Social, and Cultural Rights (ICESR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Convention Against Torture (CAT), the Convention on the Rights of the Children (CRoC), and the Convention on the Rights of Persons with Disabilities

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(CRPD) that seek to eliminate all forms of discrimination and abuse, among others;

WHEREAS, pursuant to the democratic PRECEPT which places high premium on the importance of fundamental human rights and entitlements, every person must be given equal access to opportunities in all fields of human endeavors and to equitable sharing of social and economic benefits for them to freely exercise the rights of which they are rightfully entitled, free from any prejudice and discrimination;

WHEREAS, promoting and upholding their rights will not only enhance their freedom, welfare, and human dignity, but will also promote social justice as a whole and will contribute in the enhancement of a human rights culture in the country;

WHEREAS, stigma and discrimination still prevail especially against persons with disability, the senior citizens and elderly, children and youth, people living with Human Immunodeficiency Virus (HIV), COVID-19 POSITIVE, women, lesbians, gays, bisexuals, transgenders (LGBT), and the indigenous people, among others;

WHEREAS, numerous cases of discrimination based on a person's sexual orientation, gender identity and expression (SOGIE) have occurred in the Municipality, and that these cases remain to be underreported due to fear and lack of protection from the authorities; and

WHEREAS, in view of the foregoing, there is an urgent need to curtail discrimination in all facets of life, particularly discrimination based on different sexual orientation, gender identity and expression (SOGIE) and the Indigenous people in the municipality of Ipil;

NOW, THEREFORE, the Sangguniang Bayan of the Municipality of Ipil, in regular session assembled, hereby ordains that:

SECTION 1. TITLE. This Ordinance shall be known as the "Comprehensive Anti-Discrimination Ordinance of the Municipality of Ipil".

SECTION 2. DECLARATION OF POLICY. The Municipality recognizes the fundamental right of human being regardless of race, color, civil and social status, sex, sexual orientation, gender identity, gender expressions, language, religion, national or social origin, culture and ethnicity, property, birth or age, disability and health status, and physical appearance to be free from any form of discrimination. It is, therefore, imperative to address and end all forms of discrimination.

In so doing, the Municipality hereby adheres to the basic principles of human rights, equality, equity, and equal access to resources and to development as so declared under the 1987 Philippine Constitution, various national laws and several international laws, conventions and agreements.

SECTION 3. COVERAGE. This comprehensive ordinance shall cover all forms of discrimination against and/or on the basis of sexual orientation; gender identity and expression; regardless of race; color; civil and social status; language; national or social origin, including culture and ethnicity; property, birth or age; disability and health status; religion, creed and ideological belief and physical appearance.

SECTION 4. DEFINITION OF TERMS. For purposes of this Ordinance, the following terms shall be defined as follows:

- a) **Age** - refers to the person's time of existence or duration of life.
- b) **Child** - refers to a person below (18) eighteen years of age, or those over but is unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.
- c) **Civil Status** - refers to the distinct options that describes a person's relationship with a significant other. Civil Status may refer to being single, or a person who has been declared single by

annulment, married, divorced, as provided under the personal laws of the parties concerned, widowed, in a civil union, a single-parent or any form of family ties of affinity.

- d) **Color** - refers to the pigmentation of the skin, especially as an indication of someone's race.
- e) **Disability** - shall mean any act or action committed to manifest prejudice, bigotry, unequal treatment, restriction, preference, humiliation and vilification towards an individual or group by reason of their race; color; civil and social status; sex, gender identity, and expressions; language; national or social origin, including culture and ethnicity; property, birth or age; disability and health status; and physical appearance.
- f) **Ethnicity** - refers to the characteristic of a person or group of persons sharing a common and distinctive racial, national, linguistic, cultural, and indigenous heritage.
- g) **Gender Expression** - refers to the way a person communicates gender identity to others through behavior, clothing, hairstyles, communication or speech pattern, or body characteristics.
- h) **Gender Identity** - refers to the personal sense of identity as characterized, among others, by manner of clothing, inclinations and behavior in relation to masculine or feminine conventions. A person may have a male or female identity with physiological characteristics of the opposite sex, in which case this person is considered transgender.
- i) **Health Status** - refers to physical, mental and psychological health of an individual, group or population as provided by the individual or as diagnosed by competent medical health officer. In particular, HIV-AIDS status of a person and other health conditions such as but not limited to leprosy, hepatitis, tuberculosis, COVID-19, psychiatric patients, among others, that SUBJECT them to social stigma.
- j) **Indigenous People** - shall refer to a group of people or homogenous societies identified by self-ascrption and ascription by others, who have continuously lived as an organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed, and utilized such territories, sharing common bonds of language, customs, traditions, and other distinctive cultural traits, or who have through resistance to political, social, and cultural inroads of colonization, non-indigenous religion and cultures became historically differentiated from the majority of Filipinos. Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment or present state boundaries, who retain some or all of their own social, economic, cultural, and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains.
- k) **Language** - refers to the method of communication either spoken or written, consisting of the use of words in structural or conventional way.
- l) **LGBT Community** - refers to the collective of persons who are male and female homosexuals (gays and lesbians, respectively, bi-sexual and transgender).
- m) **Physical Appearance** - refers to the defining traits or features about your body. These are aspects that are visually apparent.
- n) **Property** - refers to the right of possession, use or disposal of a thing.
- o) **Public Ridicule** - refers to the act of making fun, or contemptuous imitation, or making mockery of person in front of two or more persons or before the public whether in words or in writing. It shall also include utterance of slanderous or abusive statements in a manner that is embarrassing and humiliating to a person or group of persons;

- p) **Race** - refers to a fact or condition of belonging to racial division or group; the qualities or characteristics. A group of people sharing the same culture, history, language, and etc.;
- q) **Sex** - refers to male, female, or intersex. Intersex refers to people born with the sex characteristics (including genitals, gonads, and chromosome patterns) that do not fit typical binary notions of male or female bodies, all of which are natural bodily variations along a spectrum;
- r) **Sexual Orientation** - refers to the direction of emotional, sexual attraction or conduct. This can be towards people of the same sex (homosexual orientation), or towards people of both sexes (bisexual orientation), or towards people of the opposite sex (heterosexual orientation);
- s) **Social Status** - refers to the honor or prestige attached to one's position of society. Ascribed statuses can also be defined as those that are fixed for an individual at birth. Ascribed statuses that exist in all societies including those basis upon sex, age, race, ethnic group, and family background.
- t) **SOGIE** – acronym which stands for Sexual Orientation, Gender Identity and Expression.
- u) **Stigma** - refers to the dynamic evaluation and dehumanization of an individual in the eyes of others which may be based on attributes that are arbitrarily defined by others as discreditable or unworthy, and which result in discrimination when acted upon.
- v) **Religion** – refers to a set of beliefs concerning the cause, nature, and purpose of the universe, especially when considered as the creation of a superhuman agency or agencies, usually involving devotional and ritual observances, and often containing a moral code governing the conduct of human affairs.
- w) **DISCRIMINATION – THE UNJUST OR PREJUDICIAL TREATMENT OF DIFFERENT CATEGORIES OF PEOPLE OR THINGS, ESPECIALLY ON THE GROUNDS OF RACE, AGE OR SEX. SIMILAR : PREJUDICE / BIAS / BIGOTRY**

SECTION 5. PROHIBITED ACTS. – It is hereby prohibited to discriminate any person and/or group of persons on the basis of their SOGIE, race, color, civil and social status; language; national or social origin, including culture and ethnicity; property; birth or age; disability and health status; and physical appearance.

As such, the following acts shall be deemed discriminatory:

- a) Denial of access to national and local public programs and services on the basis or on the account of their SOGIE and abovementioned statuses.
- b) Refusal of admission to or expulsion or dismissal of a person from educational institutions on the basis of their SOGIE and the foregoing statuses without prejudice to the right of educational institutions to determine the academic qualifications of students or student-applicants;
- c) Refusal or revocation of accreditation, formal recognition, and/or registration of any organization, group, institution or establishment, in educational institutions, workplaces, communities, and similar settings, solely on the basis of their SOGIE and/or Statuses.
- d) Denial of a person's access to medical and other health services as well as to the health insurance and other related benefits as provided for under the law on the basis of their SOGIE and/or Statuses.
- e) Denial of a person's access to and/or the use of private and public establishments, facilities, utilities, transportation or services, including housing, that are open to the general public on the basis of their SOGIE and foregoing Statuses. There is denial when, among others:



1. a person is given inferior accommodations or services; and
2. there is rejection of any application, entry and participation solely on the basis of their SOGIE or Statuses.

- f) Subject or force any person to any medical or psychological examination without the expressed approval of the person involved in the basis of perceived SOGIE, Health Status, Ethnicity and Religion. Provided, that such person is not psychologically incapacitated as determined by competent authority;
- g) Act as principal or agent by inciting others to commit discrimination or any action that is unlawful by means of any of the provisions of this Ordinance, or by assisting or promoting, whether through financial assistance or otherwise, the doing of such act;
- h) Publicly ridiculing a person or group of persons on the basis of their STATUSES.
- i) Deliver speeches or making utterances, doing acts of hatred or violence against another person, or mocking or ridiculing another person on the basis of the foregoing STATUSES.
- j) Failure on the part of concerned government officials, officers of private establishments, educational institutions, non-government organizations, and any other private or government institutions to act, and peace officers within a reasonable time, on complaints against such discrimination;
- k) By doing any other analogous act which demeans the dignity and self-respect of a person or reduces, impairs or nullifies his or her enjoyment or exercise of human rights and fundamental freedoms on the basis of their race; color; civil and social status; language; national or social origin, including culture and ethnicity; property, birth or age; disability and health status, creed and ideological beliefs; and physical appearance.

SECTION 6. PERSONS LIABLE. – Any person, natural or JURIDICAL, who commits any of the acts prohibited under this ordinance shall be held liable; *Provided*, that, in the case of a juridical person such as, but not limited to, corporations, associations, partnerships, educational, vocational institutions, whether public or private, the president, manager, head of office, and other concerned officers or officials thereof shall held liable.

SECTION 7. The Creation of an ANTI-DISCRIMINATION Desk in the Municipality – The Municipality shall be mandated to establish an ANTI-DISCRIMINATION desk which shall handle all complaints or grievances against discrimination in the workplace, public and private institutions, schools, establishments and other public and private areas. In addition, they shall ensure that discrimination in the workplace is prevented or addressed by providing plans, activities and programs geared towards eliminating the same.

The ANTI-DISCRIMINATION desk shall have a discrimination databank, develop mechanisms that may provide access to legal representation of victims, provide mechanisms related to the psycho-counseling of victims, and review existing office policies to stop discrimination in the workplace.

SECTION 8. INFORMATION CAMPAIGN AND ANTI-DISCRIMINATION PROGRAMS. – Within sixty (60) days from the approval of this Ordinance, the Municipal Social Welfare Development Office shall conduct an information campaign to apprise the public of the provisions of this Ordinance.

SECTION 9. PENALTY. – Any person found liable under this Ordinance shall be punished by a fine of TWO THOUSAND AND FIVE HUNDRED PESOS (Php 2,500.00), or an imprisonment of not more than 6 MONTHS, or BOTH, at the discretion of the court. In addition, the offender shall be required to undergo a mandatory anti-discrimination seminar.

SECTION 10. APPROPRIATION CLAUSE. – An amount of ONE HUNDRED THOUSAND PESOS (Php 100,000.00) shall be allocated for the production of the campaign materials for both print and media.

SECTION 11. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Ordinance is declared void or unconstitutional, by any Court of competent jurisdiction, the remaining portions thereof shall not be affected, thereby shall remain in full force and effect.

SECTION 12. REPEALING CLAUSE. – All ordinances, rules, and regulations, or part thereof, in conflict with or inconsistent with any provisions of this Ordinance, are hereby repealed, amended, or modified accordingly.

SECTION 13. EFFECTIVITY CLAUSE. – This Ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991, as amended.


That this Ordinance was moved by Hon. Farida A. Dangpalan and duly seconded by Hon. Dara May L. Cataluña.

CERTIFIED CORRECT:

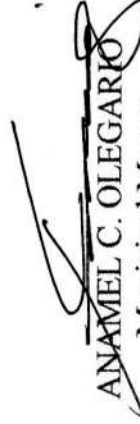

ESTELITA S. EGUA, BSC, LLB
Sanggunian Secretary

ATTESTATION/CERTIFICATION

I HEREBY ATTEST and CERTIFY that I presided over the 74th Regular Session of the 11th Sangguniang Bayan of the Municipality of Ipil, Zamboanga Sibugay and that the foregoing legislative measure has been approved and adopted during the aforesaid session.


RAMSES TRØY D. OLEGARIO
Municipal Vice Mayor/Presiding Officer

APPROVED by Her Honor, the Municipal Mayor, on 02-05-2021 in the Municipality of Ipil, Zamboanga Sibugay, Philippines.


ANAMELA C. OLEGARIO
Municipal Mayor