

Republic Act 11313: Safe Spaces Act (BAWAL BASTOS LAW)

What does the Safe Spaces Act (SSA) Covers?

The law covers all forms of gender-based sexual harassment (GBSH) committed in public spaces, educational or training institutions, workplaces, as well as online.

Gender-Based Streets and Public Spaces Sexual Harassment

GBSH in streets and public spaces is defined as acts which are committed through any unwanted and uninvited sexual actions or remarks against any person regardless of the motive for committing such action or remarks.

What do public spaces refer under this law?

Public spaces refer to:

- streets and alleys
- restaurant and cafe
- government offices
- transportation terminals
- spaces used as evacuation centers
- public utility vehicles (PUVs)
- private vehicles covered by app-based transport network services
- recreational spaces such as, but not limited to cinema halls, theaters and spas, bar and clubs, resorts and water parks, hotels and casinos, internet shops
- all other areas regardless of ownership, openly accessible or offered to be accessed by the public
- roads and sidewalks
- public parks
- buildings
- school and churches
- malls and public markets
- public washrooms

What are the acts of gender-based sexual harassment (GBSH) in public spaces?

A. **Catcalling** or unwanted remarks directed towards a person, commonly done in the form of wolf-whistling (paninipol), misogynistic, transphobic, homophobic, and sexist slurs as well as unwanted invitations;

Misogynistic remarks or slurs- statements that are indicative of the feeling of hating women or the belief that men are inherently better than women.

Transphobic remarks or slurs- statements that re indicative of fear, hatred or aversion towards persons whose gender identity do not conform with their sex assigned at birth.

Sexist remarks or slurs- statements that are indicative of prejudice, stereotyping, or discrimination on the basis of sex, typically against women.

Homophobic remarks- indicative of fear, hatred or aversion towards person who are perceived to be actually identify as lesbian, gay, bisexual, queer, pansexual, and such other persons of diverse sexual orientation, gender identity or expression, or towards any person perceived to or actually have experienced same-sex attraction.



- B. **Persistent uninvited comments** or gestures on person's appearance;
- C. Relentless requests for personal details;
- D. **Statement of sexual comments and suggestions;**
- E. **Public masturbation or flashing of private parts**, groping, making offensive body gestures at someone, and other similar lewd sexual actions;
- F. **Any advances, whether verbal or physical**, that is unwanted and has threatened one's sense of personal space and physical safety. This may include cursing, leering and intrusive gazing, and taunting.
- G. **Persistent telling of sexual jokes**, use of sexual names; and
- H. Stalking or conduct directed at a person involving the repeated visual or physical proximity, non-consensual communication, or a combination thereof that cause or will likely cause a person to fear for one's safety of the others, or to suffer emotional distress.

Gender-Based Sexual Harassment in Educational and Training Institutions

What are the duties of heads of educational and training institutions under the Safe Spaces Act?

The same requirements and corresponding penalties imposable upon employers are also applicable to heads of educational and training institutions. So these heads are also required to disseminate the law, develop their own Code of Conduct and establish and/or update the composition for their employees and for their students.



REPUBLIC ACT 11313

Safe Spaces Act (Bawal Bastos Law)

SEXY!!!

Uy pre, may chix!!!

Yummy!!



In addition to such duties, the law also requires them to:

1. designate an office-in-charge to receive complaints regarding violations of the law and forward them to the CODI;
2. impose administrative disciplinary measures for students who commit acts of GBSH and against their fellow students or teacher;
3. if a school knows or reasonably should know about acts of gender-based sexual harassment or sexual violence being committed that creates a hostile environment, the school must take immediate action to eliminate the same acts, prevent their recurrence, and address their effects;
4. educate from the elementary to tertiary level about the provisions of the law and how they can report cases of gender-based streets, public spaces, and online sexual harassment committed against them.

School heads or heads of training institutions covered by Commission on Higher Education, Department of Education, and Technical Education and Skills Development Authority shall comply with the standards set by the said agencies.



What are the penalties for GBSH in educational and training institutions under the SSA?

School/ institution heads who did not implement their duties under the law	fine ranging from PHP 5,000 to PHP 10,000
--	---

School/ institution heads who did not act on reported GBSH in their institution	fine ranging from PHP 10,000 to PHP 15,000
---	--

Note:

Minor student who are found to commit GBSH shall be held liable for administrative sanctions by the school, as provided in their student handbook.

