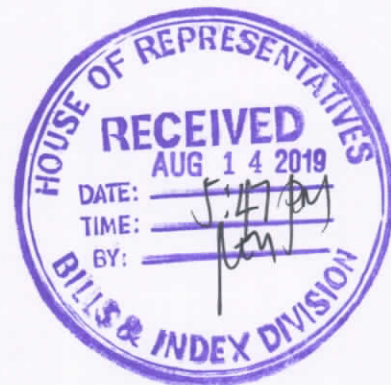


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

EIGHTEENTH CONGRESS
First Regular Session



HOUSE RESOLUTION NO. 232

Introduced by
REP. ARLENE D. BROSAS (Gabriela Women's Party),
REP. GERALDINE B. ROMAN (1st District, Bataan), REP. SARAH JANE I. ELAGO (Kabataan
Partylist), REP. FRANCE L. CASTRO (ACT Teachers Partylist), and REPS. CARLOS ISAGANI T.
ZARATE, FERDINAND R. GAITE, EUFEMIA C. CULLAMAT (Bayan Muna Partylist)

**A RESOLUTION DIRECTING THE HOUSE COMMITTEE ON WOMEN AND GENDER EQUALITY TO
CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DISCRIMINATION AND HARASSMENT
AGAINST TRANSGENDER WOMAN GRETCHEN CUSTODIO DIEZ**

WHEREAS, the Philippine Constitution provides that "The State values the dignity of every person and guarantees full respect for human rights" (Article II, Section 11). It also guarantees every person the right to life, security of person and privacy, right to be free from torture, arbitrary arrest and detention, the right to be free from discrimination and the right to freedom of expression (Article III, Section 1, 2, 4, 8, 12);

WHEREAS, Section 3 of Republic Act 9710 otherwise known as the Magna Carta of Women (MCW) provides that "All individuals are equal as human beings by virtue of the inherent dignity of each human person. No one should therefore suffer discrimination on the basis of ethnicity, gender, age, language, sexual orientation, race, color, religion, political or other opinion, national, social or geographical origin, disability, property, birth, or other status as established by human rights standards;

WHEREAS, Republic Act 11313 or Safe Spaces Law states that gender-based street and public spaces harassment is constitutive of unwanted comments, gestures, and actions forced on a person in a public space without their consent and is directed at them because of their actual or perceived sex, gender, gender expression, or sexual orientation and identity;

WHEREAS, in August 13, 2019, Gretchen Custodio Diez, a transgender woman, was barred from using a women's comfort room at the Farmers Plaza mall;

WHEREAS, Ms. Diez was handcuffed by the mall security officer when she later tried to take a video asking the maintenance staff who barred her from the restroom why she wasn't allowed inside;

WHEREAS, after the confrontation with the mall security, she was brought to Quezon City Police District Station 7 for unjust vexation complaint that the mall management initially planned to file against her;

WHEREAS, according to the Quezon City Police District (QCPD), Gretchen Custodio Diez was arrested for going live on Facebook while inside a female restroom;


WHEREAS, the Quezon City government passed an ordinance in 2014 that penalizes discrimination against LGBTs, which includes heckling, verbal or non-verbal ridicule and vilification as well as refusing services and accommodations based on a person's sexual orientation, gender identity and expression (SOGIE);

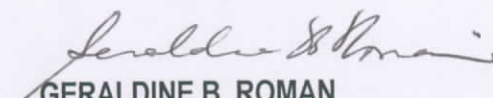
WHEREAS, the harassment and discrimination perpetrated by the mall authorities and the Quezon City police against transgender woman Gretchen Custodio Diez is a clear violation of the Philippine constitution, the Quezon City ordinance, and other existing laws in the country on gender discrimination;

WHEREAS, this incident is a clear manifestation of the current situation of the LGBTQ community in the Philippines. It illustrates the urgency of enforcing policies that would protect LGBTQ rights;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the resolution directing the Committee on Women and Gender Equality to conduct an inquiry, in aid of legislation, on the discrimination and harassment of Farmer's Plaza Mall management and Quezon City Police District against transgender woman Gretchen Custodio Diez.


Adopted,



ARLENE D. BROSAS
Gabriela Women's Party



GERALDINE B. ROMAN
1st District, Bataan


CARLOS ISAGANI T. ZARATE
Bayan Muna Partylist


EUFEMIA C. CULLAMAT
Bayan Muna Partylist


SARAH JANE I. ELAGO
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FERDINAND R. GAITE
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FRANCE L. CASTRO
Act Teachers Partylist