Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS
First Regular Session

HB NO. 386

Introduced by **Rep. Roseller L. Barinaga**

EXPLANATORY NOTE

This bill seeks to mandate that basic self-defense techniques be taught to enable females to protect themselves in the event of imminent danger. This is based on the principle that self-defense is an instinct that needs to be developed.

Equipping our female populace with self-defense mechanisms hits two birds with one stone, as it will also address another sensitive issue: heinous crimes.

The alarming upsurge of such (heinous) crimes has resulted not only in the loss of human lives and wanton destruction of property, but has also affected the nation's efforts towards sustainable economic development and prosperity. At the same time, it has undermined the people's faith in the Government and the latter's ability to maintain peace and order in the country.

Rape is a heinous crime; an act of violence. A frightening and traumatic experience. Rape exempts no female – girls, wives, mothers, grandmothers, the rich and poor. The recent rape incidents are repugnant and outrageous to the common standards and norms of decency and morality in a just, civilized, and ordered society.

Violence against women creates a devastating effect not only on their physical, emotional well-being. It affects not only the victim herself, but the people around her, as well as future generations. To address this concern, the State needs a program to implement and enhance the protection of females. Toward this end, the State shall provide a more responsive scheme of prevention. Thus, there is an urgent need to impose that self-defense be taught to every female.

Urgent passage of the bill is earnestly sought.

ROSELLER L. BARINAGA
Representative
2nd District, Zamboanga del Norte

Congress of the Philippines)
Thirteenth Congress)
First Regular Session)

HOUSE OF REPRESENTATIVES

HB NO. 386

Introduced by **Rep. Roseller L. Barinaga**

AN ACT
ESTABLISHING THE MOVEMENT TO HELP ERADICATE RAPE AND OTHER FEMALE ABUSES "(MOTHER)", MANDATING THE COMPULSORY TEACHING OF SELF-DEFNSE TO ALL FEMALE CONSTITUENTS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SEC. 1. *Title.* This act shall be known as the "Movement To Help Eradicate Rape & Other Female Abuses (MOTHER) Act."

SEC. 2. *Declaration of Policy.* It is hereby declared to be the policy of the State to recognizes the role of women in nation-building and shall ensure the fundamental equality before the law of women and men.

This Act therefore seeks to prevent sexual harassment, assaults and other forms of abuses by enabling females to have a defense mechanism, based on the principle that self-defense is an instinct which needs to be developed. With proper technique, knowledge of self-defense results in self-confidence, good disposition and quick reflexes in the face of imminent danger. It is high time that the State addresses from this perspective the issues of violence and other crimes perpetuated against our females.

A suitable basic and non-complicated program of self-defense accessible to all females will be incorporated in a training course under the respective public and private entities:

a) as part of the Physical Education program of the Department of Education (Dep. Ed.) for female students in the primary, secondary and tertiary schools;

b) as part of the technical and vocational education for female students of technical and vocational schools and training centers under the supervision of the Technical Education and Skills Development Authority (TESDA);

c) as part of the day-to-day routine of female employees, as well as the out-of-school female constituents in each barangay, municipality, and provincial governments of the Department of Interior and Local Governments (DILG);

d) all female employees of the private government and semi-government offices, under the supervision of the Department of Labor and Employment (DOLE);

e) all female employees of the government offices under the supervision of the Civil Service Commission (CSC);

f) the overseas Filipino workers (OFWs) under the jurisdiction of the Philippine Overseas Employment Administration (POEA);

g) all females traveling abroad as migrants, whether on short or long term journeys, supervised by the Department of Foreign Affairs (DFA); and

h) all females associated in any group, organization, NGOs under their respective umbrella organizations.

SEC. 3. *Definition of Terms.* For purposes of this Act:

a) "Basic Self-Defense Training" means the ability of an individual female to discern "at-risk" situations and the instinctive reaction using reflexes and judgment for protection against an impending danger.

b) "Females" are girls of and beyond school age, young and old, regardless of socio-economic and marital status, calling, sect and location of residence;

c) "MOTHER" is the self-defense discipline designed taking into consideration the characteristics of a Filipina;

d) "Government Agencies" include the following branches of government, which are the implementing arms of the bill: Dep. Ed., DOLE, DILG, DFA, all private government, semi-government sectors that have an authority power to mandate this Act to females under their respective jurisdictions;

e) "Female Groups" are the NGOs, school, workplace, congregations and associations, safe houses, halfway houses, orphanages, where females abound, not included in the above classifications;

f) "Public and Private Schools" mean the elementary, primary, secondary, and tertiary learning institutions operating outside the jurisdiction of the Department of Education; and

g) "Advance Self-Defense Training" means the rigid training for females to enable those deployed in high-risk areas, overseas employment to defend themselves.

SEC. 4. *Establishment of the Movement to Help Eradicate Rape and Other Female Abuses (MOTHER).* To achieve the above objective, the Movement to Help Eradicate Rape (MOTHER), having the rank of a Committee, is hereby established (hereinafter referred to as the "Committee").

The Committee shall be an independent entity, separate from the Dep. Ed., DFA, DILG, and DOLE, and attached to the Office of the President for administrative purposes only. Its coverage shall be both public and private institutions as stipulated in this Act.

SEC. 5. *Components.* The Components of the MOTHER program are:

a) Prevention through Basic Self-Defense and Practical Rape Prevention Techniques.

As an introductory program, comprising of theories discussed in a seminar with hand-outs and film showings as well as the mass media. To provide the techniques lectures to create Awareness, Education, Mental Preparedness, Do's and Don'ts; Developing Self-Confidence and removing Fear, Knowing the vital weak points; Developing one's strengths; Enhancing of weaknesses; Creating opportunities for escaping threatening situations.

b) Advance Training-comprised of hands-on and actual drills, practicum and continuous training;

c) Continuing Education, Refresher Courses, Crisis Intervention; and

d) Certification – to indicate proof of training, participants of the Self-Defense basic and advance training course will be certified after completion of the corresponding requirements.

SEC. 6. *Composition of the Committee.* The Committee shall be composed of five (5) full time members. During the transition period, which begins upon approval of this Act, the President may appoint the Interim Chairman for a maximum period of one (1) year. Thereafter, the President shall appoint a Chairman of the Committee and four (4) Commissioners who shall be holders of earned doctorate(s) who have been actively engaged in self-defense training or equivalent qualifications. They shall be educators known for their high degree of professionalism and integrity who have distinguished themselves as authorities in the self-defense field. In no case shall any of the Commissioners appoint representatives to act on their behalf.

SEC. 7. *Term of Office.* The President shall appoint the full-time chairman and the commissioners for a term of four (4) years, without prejudice to their reappointment. The term of the initial appointees shall be on a staggered basis: the full-time chairman shall hold office for a term of four (4) years, the next two (2) commissioners for three (3) years, and the last two (2) commissioners for two years.

SEC. 8. *Board of Advisers.* There shall be constituted a Board of Advisers, which shall meet with the Committee at least once a year to assist it in aligning its policies and plans with the cultural, political and socio-economic development needs of the nation and with the demands of the project. The Board of Advisers shall be composed of the Secretaries of DECS, DFA, DILG, DOLE, the Chief of the Philippine National Police (PNP) and the Administrator of the POEA.

SEC. 9. *Powers and Functions of the Committee.* The commission shall have the following powers and functions:

a) Through the assistance of the PNP, formulation, recommendation, and enforcement of a suitable self-defense module for females which will be called "MOTHER";

b) Ensure that the program is introduced and implemented on a gradual, staggered basis to all females in the various government agencies, monitor and evaluate the performance of the program;

c) Formulate rules and regulations and exercise other powers and functions as may be necessary to carry out effectivity the purpose and objectives of this Act; and

d) Perform other functions as may necessary for its effective operations and for the continued enhancement, improvement or development of the program.

SEC. 10. *Basic or Central Provisions.* The preventive measures provided under this Act encompass the State's response to increasing incidents of sexual harassment and abuse committed on women in today's society.

SEC. 11. *Rape Awareness and Prevention Week.* The second Sunday of May every year shall usher the "Rape Awareness and Prevention Week", coinciding with the celebration of Mother's day.

SEC. 12. *Implementation.* In collaboration with the cooperating government institutions for the proper implementation of this Act, the Committee shall oversee the implementation of this Act by the various government agencies concerned, to wit:

a) The Dep. Ed. shall ensure that all female students have an access to the MOTHER self-defense program, incorporated in their physical education (PE) curriculum in the elementary, secondary and tertiary levels;

b) The DILG shall ensure that all female employees in all the DILG attached agencies, including the out-of-school youth in every barangay have an access to the self-defense training sessions;

c) The DOLE shall mandate that all females employed in the private and government sectors, locally and overseas, are provided the opportunity to undertake the necessary self-defense training modules;

d) The POEA shall mandate that all prospective female OFWs, who are applying for foreign employment, are mandated to undergo training as part of the orientation prior to taking up their assignment.

e) The DFA shall require that every Filipina wishing to go out of the country for any purpose is required to have a basic self-defense knowledge; and

f) All other government agencies, private corporations, and those not covered by the above departments, shall enable their female constituents to acquire the basic self-defense knowledge.

SEC. 13. *Collaboration with NGOs.* There shall be MOTHER Chapters to be formed in collaboration with NGOs, which will support the maximum awareness and implementation of the program.

SEC. 14. *The Secretariat.* The Committee shall be assisted by a secretariat, headed by an executive officer, subject to the national compensation and position classification plan. It shall fix the secretariat's staffing pattern, determine the duties, qualifications, responsibilities and functions, as well as the compensation scheme of the positions to be created upon the recommendation of the executive officer. It shall also prepare and approve its budget.

SEC. 15. *Repealing Clause.* All laws, presidential decrees, or issuance, executive orders, letters of instruction, rules or regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 16. *Appropriations.* A fund hereinafter referred to as "Prevention against rape and other female abuses" fund or "MOTHER Fund" is hereby established exclusively for the implementation of the self-defense training program in the entire country.

a) The Government's contribution to the Fund shall be the following:

1) Appropriation from the National Treasury: For the initial operation of the Committee, such sum as may be necessary as hereby authorized to be appropriated from the National Treasury. Thereafter, the sums necessary for the continuous operation of the program shall be included in the appropriations for the respective government agencies concerned, namely: the Department of Labor and Employment, the Department of Interior and Local Government, the Department of Education, Culture and Sports, and the Department of Foreign Affairs; and

2) An amount equivalent to one percent (1%) of the gross sales of the lotto operation of the Philippine Charity Sweepstakes Office (PCSO) shall be contributed to the Committee for its operational expenses.

b) Starting fiscal year 2001 and every year thereafter, government financing institutions identified and requested by the Committee may contribute to the Fund an amount as deemed necessary for the implementation of the program.

c) The Fund shall have a private component to be raised from donations, gifts, and other conveyances by gratuitous title, including materials, equipment, properties and services.

SEC. 17. *Management and Administration of the MOTHER Fund.* The Fund shall be administered by the Committee. For sound and judicious management of the Fund, Committee shall appoint a reputable government financial institution as a portfolio manager of the Fund, subject to the conditions set by the Committee.

As Administrator of the Fund, the Committee shall prepare the necessary guidelines for its use, subject to the conditions set by the Committee:

a) No part of the seed capital of the Fund, including earnings, thereof, shall be used to underwrite overhead expenses for administration;

b) Unless otherwise stipulated by the private donors, only earnings of private contributions shall be used for administrative expenses;

c) The Commission shall appoint and organize a separate staff, which shall be independent administratively and its budget, from the Committee Secretariat; and

d) The Fund shall be utilized equitable accordingly to regions.

SEC. 18. *Technical Committees*. The Committee shall reconstitute and/or a technical panel whose job description is to formulate, review, evaluate, restructure, and improve the module of self-defense discipline based on the criteria:

a) The model self-defense program shall be called "MOTHER".

b) The Mother Self-Defense discipline shall give due consideration to the cultural heritage and image of the Filipina and her culture.

c) Due consideration shall be given to the strength, weakness and other qualities of the individuals.

d) Discipline will be the primordial aim that will be inculcated in each and every MOTHER-trained participant.

SEC. 19. *Separability Clause*. If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

SEC. 20. *Effectivity*. This Act shall take effect fifteen (15) days from the date of its publication in at least two (2) newspaper of general circulation.

Approved.