Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1594

Introduced by Representative Faysah RPM Dumarpa

EXPLANATORY NOTE

In every newspaper that one picks-up every morning, there has been numerous articles on racial and religious profiling, not to mention reports on televisions and radio networks. Alleged suspects of offenses, petty or grave they may be are often identified through their religious affiliation or racial/ethnic origins, posing them as major threats to national tranquility. Minorities are subjected to wrong, unjust and degrading treatment when entering establishments such as restaurants, hotels, shopping malls or when boarding buses, taxis, ships and airplanes because of their peculiar and diverse characteristics. This act is otherwise known as religious or racial profiling.

Religious and racial profiling is a form of apartheid whereby a person is being discriminated according to his color, creed, religion and racial or ethnic background. It is like separating the wheat from the chaff and it comes into play in all walks of life. It happens as when one goes to department stores or shopping malls, unusual treatment or inspection is afforded to an individual who dons "peculiar" clothing such as veils or turbans before he can enter the premises. As such, he is subjected to unnecessary, unjustified, illegal and degrading search, not because he posed any security threat but because of his/her manner of clothing. . Even as he has entered the said place, suspecting eyes follow him wherever he goes. Another is when one applies for a job, the applicant is often scrutinized, not of his educational qualifications and experience, but of his name, religion and ethnic background. In news reportage, reporters often use religious characterization when geographic, political, socio-economic or other distinction might be more accurate. For instance, terrorists are identified through their religious affiliations, with the use of word combinations such as " ***Islamic terrorists***" or " ***Muslim extremists***". The use of these words is misleading because they tend to link the whole religion to criminal activity.

Further, when a suspect is apprehended and he happens to belong to a minority group, he would be singled out due to his religious or ethnic origin. Because of this, he suffers a discriminating treatment when he could have been treated the same way as other suspects.

This humble representation is not spared of said religious or racial profiling. There was an incident when I was not allowed entry inside the food terminal at the Ninoy Aquino International Airport despite my identification that I was a member of the House of Representatives. I wouldn't have reacted if not for a fact that two male assistants of mine were permitted to enter said premises without further interrogations. I realized that I was treated that way because I was wearing my hijab or veil, identifying me as a Muslim woman. If this maltreatment had happened to me, how much more to other Muslim women?

This problem of religious and racial profiling is not localized. It is widespread throughout this nation and the world. In our country, the Filipino minorities are the unfortunate and hapless victims, specifically the Muslim Minorities. Considering the foregoing, the immediate passage of this bill seeking to prohibit religious and racial profiling against minorities is earnestly sought.

FAYSAH RPM DUMARPA

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AN ACT
PROHIBITING RELIGIOUS OR RACIAL PROFILING AGAINST FILIPINO MINORITIES

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

Section 1. ***Title***. – This Act shall be known as the Anti-Religious and Racial Profiling Act of 2004.

Section 2. ***Declaration of Policy***. – It is hereby declared as the policy of the State to value the dignity of every human person and to guarantee full respect for human rights.

Section 3. ***Prohibited Acts.*** The following shall constitute religious and racial profiling and shall be deemed punishable under this Act :

(a) To subject a person to unnecessary, unjustified, illegal and degrading search because of his manner of clothing or by reason of his religion, color, creed, or ethnic identity;
(b) To discriminate a person who is applying for a job just because of his name, religion or ethnic background;
(c) To disallow an individual from entering any establishment such as restaurants, hotels, shopping malls and other places of similar nature or to subject him to discrimination or harassment in relation to other passengers in buses, taxis, ship or airplanes because he happens to don a peculiar attire such as wearing of veil, turban or any traditional costumes or because of his color, creed, belief and ethnicity;
(d) To employ religious characterization such as words of religious import in print and broadcast media when geographic, political, socio-economic or other distinction might be more accurate;

Section 5. ***Penalties***. - The penalty of arresto mayor minimum to prision correctional minimum or a fine of 200 to 6,000 pesos, or both shall be imposed upon any person who shall commit any of the acts which constitute religious and racial profiling.

Section 6. ***Repealing Clause***. - All laws, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Section 7. ***Separability Clause.***- If for any reason any section or provision of this Act, or any portion thereof, or the application of such section, provision or portion thereof to any person, group or circumstance is declared invalid or unconstitutional, the remainder of this Act shall not be affected by such declaration.

Section 8. ***Effectivity.*** This Act shall take effect after fifteen days (15) days following its complete publication in at least two national newspapers of general circulation. The publication shall not be later than seven (7) days after approval hereof.

Approved,