

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

House Bill No. **1480**

Introduced by Gabriela Women's Party
Representatives LUZVIMINDA C. ILAGAN and EMERENCIANA A. DE JESUS

EXPLANATORY NOTE

One of the most pervasive problems of women worldwide is gender violence. Everywhere and at all ages, women are victims of violence. To address this problem, the United Nations has generated various international instruments and urged governments to pursue policies and programs that will empower women to advance their rights and welfare and prevent gender violence.

Specifically, the United Nations Decade for Women (1976-1985) rallied governments and women's organizations and other non-governmental organizations to focus on violence against women as this hinders women's participation in development and the promotion of their human rights. Thus in 1979, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was held to mobilize State Parties to take appropriate actions on violence against women. This paved the way for the passage by the UN General Assembly of the Declaration on the Elimination of Violence Against Women in December 1979.

The Beijing Platform for Action, a blueprint for the women's advancement in countries around the world adopted by governments in 1995 during the Fourth World Conference on Women also listed 12 critical areas of concerns, which include ending violence against women and promoting women's human rights. At the national level, in recognition of the importance of the role of women in nation building, the Philippine government ratified RA. No. 7192, or Women in Development and Nation Building Act (1991) which guarantees equal participation of women in nation building. Specific measures were also enacted to address specific forms of violence against women. These are: RA 7877 or Anti-Sexual Harassment Act of 1995, RA 8353 or Anti Rape Law, classifying rape as a crime against persons, RA 8505 or Rape Victims Assistance and Protection Act of 1998, creating a women's crisis center in every province and RA 9208 or Anti Trafficking in Persons Act of 2003.

While these efforts have contributed to bringing into the fore the violence committed against women, the fact remains that physical, sexual, psychological and state violence continue to be perpetrated against women. In the Philippines, 1 in 5 aged 15 to 49 has experienced physical violence since age 5 (NSO). From 2002 to November 2008, 51,104 VAWC cases were recorded by the PNP-WPCC, with 9,485 cases in 2009. Sexual harassment cases increased from 907 in 2008 to 960 in 2009. Eight out of ten cases of violence against women were perpetrated by men.

This situation is only reflective of the pervasive thinking that women are mere objects that can be abused for men's and society's convenience. On a deeper analysis, this situation reflects an existing unequal power relation between men and women and the inequities in the prevailing socio-economic structures in many countries such as the Philippines.

Despite economic modernization and political advancement, the traditional values, that treat women as secondary citizens, have remained generally intact as these have been passed on from generation to generation. It is time that we discard the values that treat women as secondary citizens.

The pervasive patriarchal culture that views and treats women as objects and properties of men must be transformed into one that looks and treats women as equal partners in development and nation building. Towards this, a massive education and reorientation on gender roles in society and the important contributions specifically of women in society must be incessantly and systematically carried out. Legislative measure is one of the instruments that can promote positive values towards women, uphold the dignity and human rights of every person in society, and appreciate the vital contributions of women and men in national development.

At the international level, the United Nations General Assembly on its 83rd plenary meeting of the 54th session on December 17, 1999 adopted Resolution 54/134 on the International Day for the Elimination of Violence Against Women. The UN General Assembly in this resolution, decided to designate November 25 as International Day for the Elimination of Violence Against Women.

In the said resolution, the UN General Assembly invites, as appropriate, Governments, the relevant agencies, bodies, funds and programmes of the United Nations system, and other international organizations and nongovernmental organizations to organize on that day activities designed to raise public awareness of the problem of violence against women.

Also in the same resolution, the UN General Assembly expresses concern that some groups of women, such as women belonging to minority groups, indigenous women, refugee women, migrant women, women living in rural or remote communities, destitute women, women in institutions or in detention, the girl child, women with disabilities, elderly women and women in situations of armed conflict, are especially vulnerable to violence. It also exhibits alarm that women do not fully enjoy their human rights and fundamental freedoms, and concern about the long-standing failure to protect and promote those rights and freedoms in relation to violence against women.

In the resolution, member states also recognize that violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men, and the prevention of their full advancement. They also affirmed that violence against women is one of the crucial social mechanisms by which women are forced into subordinate positions, compared with men.

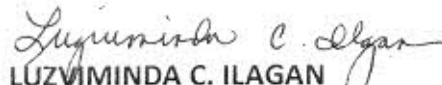
November 25 is significant to many women's organizations and movements worldwide. This was the day when three sisters (Patria, Maria Teresa and Minerva Mirabal) from the Dominican Republic, who were involved in activities against the Trujillo dictatorship, were persecuted and later on assassinated in an accident on November 25, 1960. The sisters referred to as the "Inolvidables Mariposas", the "Unforgettable Butterflies," have become a symbol of the victimization of women. They have become symbols against prejudice and stereotypes.

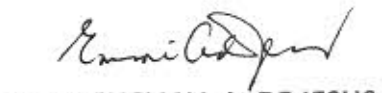
The death of the three sisters caused public uproar not only in the Dominican Republic but in the whole Latin American region. The protests also spread in other countries so that a 16-Day of Activism Campaign Against Gender Violence which starts on November 25 and ends on December 10 every year was launched by 23 women organizations from 20 countries led by the Center for Women's Global Leadership in 1991.

In the Philippines, as early as 1999, women organizations have been commemorating November 25 as the International Day Against Violence Against Women. Consciousness-raising activities, protest actions, seminars and theater presentations have been mounted during this day to highlight the issue of violence against women. However, these efforts are very limited and center mainly in the key cities of the country.

To have an enabling mechanism for this UN General Assembly resolution at the national level, this bill proposes that November 25 of every year be observed in the Philippines as a National Consciousness Day For the Elimination of Violence Against Women and that appropriate mechanisms be made available to realize this effort.

Toward this end, the support of this bill is earnestly sought.


LUZVIMINDA C. ILAGAN
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AN ACT
DECLARING NOVEMBER TWENTY-FIVE OF EVERY YEAR
AS "NATIONAL CONSCIOUSNESS DAY FOR THE ELIMINATION OF
VIOLENCE AGAINST WOMEN"

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

SECTION 1. In recognition of the need to establish a comprehensive and structured campaign for national consciousness on anti-violence against women, November 25 of every year is hereby declared as a "National Consciousness Day for the Elimination of Violence Against Women".

SECTION 2. The following activities shall be undertaken in observance of this occasion:

- (a) Heads of government agencies and instrumentalities, government-owned-and -controlled corporations, local government units, and employers in the private sector shall together with their employees, organize, engage or participate in activities designed to raise public awareness on the problem of violence against women and the elimination of all forms of violence against women.
- (b) The Philippine Information Agency shall be mandated to allocate a minimum of one hour airtime for programs exclusively raising public awareness on the problem of violence against women and the elimination of all forms of violence against women. Relative thereto, all Kapisanan ng mga Broadkaster ng Pilipinas-affiliated television and radio networks nationwide are encouraged to allocate airtime for said programs.
- (c) Publishers of local newspapers and magazines are encouraged to highlight the problem of violence against women and the elimination of all forms of violence against women.
- (d) The Department of Education and Commission on Higher Education and the Technical Education and Skills Development Authority, in coordination with the Philippine Commission on Women (PCW), women non-governmental organizations (NGOs) and other nongovernmental organizations advocating for women's human rights, shall lead public and private school communities at all levels in organizing consciousness raising activities on the problem of violence against women and the elimination of all forms of violence against women.

SECTION 3. The National Statistics Office, Philippine National Police, the Department of Social Welfare and Development, the Department of Labor and Employment, the Department of Foreign Affairs and all Philippine embassies and consulates shall, in coordination with the PCW, undertake data gathering and systematization database on all forms of violence against women, including Filipino women working and/or residing abroad. These agencies shall consolidate their findings and make a report to the public every November 25 of each year, on the statistics and status of violence against women.

SECTION 4. A compliance and monitoring team headed by a duly designated representative of the PCW shall be created to coordinate and monitor the implementation of this Act. Said team shall be composed of one representative from each of the following agencies:

- (a) The Philippine Commission on Women;
- (b) The Department of Social Welfare and Development;
- (c) The Department of Education;
- (d) The Commission on Higher Education;
- (e) The Department of Interior and Local Government;
- (f) The Department of Foreign Affairs;
- (g) The Department of Justice;
- (h) The overseas Workers Welfare Administration;
- (i) The Philippine Overseas Employment Agency;
- (j) The Movie and Television Review and Classification Board; and
- (k) Three NGO representatives coming from the sectors of women, children, and overseas Filipino workers.

The team shall be headed by the duly designated representative of the Philippine Commission on Women. Members of the team shall receive emoluments as may be determined by the team in accordance with existing budget and accounting rules and regulations.

SECTION 5. Funds for the implementation of the aforestated activities, programs and projects shall be taken out of the 5% Gender and Development budget allotted to all government agencies and local government units.

SECTION 6. If, for any reason, any section or provision of this Act is held to be unconstitutional or invalid, the validity of other sections herein shall not be affected thereby.

SECTION 7. This Act shall take effect fifteen (15) days following its publication in two national newspapers of general circulation.

Approved,