

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3455



Introduced by
Representatives NERI J. COLMENARES, CARLOS ISAGANI T. ZARATE,
LUZVIMINDA C. ILAGAN and EMMI A. DE JESUS

AN ACT
MANDATING THE OBSERVANCE OF 29 NOVEMBER OF EVERY YEAR AS
WOMEN HUMAN RIGHTS DEFENDERS DAY

EXPLANATORY NOTE

Human rights violations continue to plague the country despite the government's avowal of respecting and protecting them, these rights being enshrined in our Constitution and several other international covenants that the Philippines signed and ratified. As a result, a number of individuals coming from the different sectors have emerged to defend, protect and advance the cause of human rights in the country. These individuals form the legion of selfless human rights advocates or defenders in the country.

A human rights defender as defined in the United Nations *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms* (commonly known as the *Declaration on Human Rights Defenders*) is anyone working for the promotion and protection of human rights. This broad definition encompasses professional as well as non-professional human rights workers, volunteers, church people, journalists, lawyers, indigenous peoples and anyone else carrying out, even on an occasional basis, a human rights activity.

In the Philippines many Human Rights Defenders (HRD) have been subjected to harassment, vilification, torture, persecution, enforced disappearances and even killings in the course of their work. Under the past administration, human rights groups documented 476 cases of extrajudicial killings and 68 cases of enforced disappearances involving or victimizing HRDs.

Yet, until today, justice for these victims and their families remain elusive, even as human rights abuses even intensified, especially in the rural areas where so-called "developmental projects" are being aggressively pushed.

Indeed, violations of human rights are piling up despite the passage into law other major human rights legislations and the government's creation of an Inter-Agency Committee (IAC) under President Aquino's Administrative order No. 35 to supposedly address these concerns.

In all these, many women have not only been active in the defense and protection of human rights in the country, but they are even in the forefront in this crusade. Their activism is vital not only to empower women but they also effectively advance the right of all peoples by challenging inequality and repression in our society. As women take leading roles in human rights advocacy and promotion, they also challenge traditional gender roles in a society that remains to be male-dominated.

As a result, women human rights defenders are becoming even more vulnerable to hostility and reprisals than their male colleagues. Because of their work on women's rights, many of them become targets by state agents, organized crime rings, extremist religious groups, and paramilitary groups. They suffer from sexual harassment, abuse and even death.

Among these documented cases are those of human rights advocates Angie Ipong, whose arrest in Mindanao on March 8, 2005 and her subsequent detention based on trumped-up charges by state forces made her the country's oldest woman political prisoner, Filipino-American poet-human rights activist Melissa Roxas, *desaparacidos* Sherlyn Cadapan and Karen Empeño and the massacre of indigenous people rights advocate JuvyCapion and her two children in South Cotabato in 2012.

For speaking out against abuses of human rights and women's rights, they often challenge ingrained cultural beliefs and attitudes about the role of women in the society.

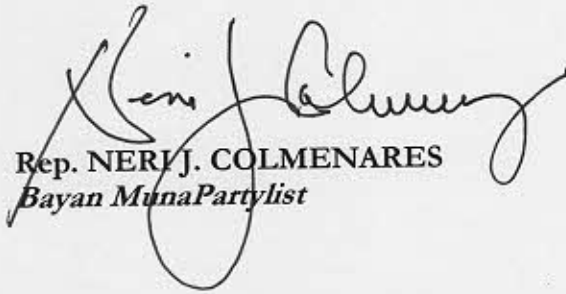
November 29 marks the anniversary of the opening of the First International Consultation on Women Human Rights Defenders (WHRDs), organized in 2005 by several human rights organizations in Colombo, Sri Lanka, where participants also declared it as *the International Day on Women Human Rights Defenders*. The succeeding years saw the commemoration of various international and national organizations of women worldwide led by the International Coalition of Women Human Rights Defenders, with the support of human rights bodies of the United Nations.

In the Philippines, women and human rights organizations commemorate the day by articulating positions on violations on the rights of women human rights defenders for the government to address and resolve.

There is a need to promote the importance of respecting and defending human rights in the country. This could be achieved through educational activities that focus on human rights, gender and development issues and how everyone can become a human rights defender. Declaring a National Consciousness Day on Women Human Rights Defenders every 29th of November will certainly aid and facilitate this endeavor.

Thus, the approval of this bill is earnestly sought.

Adopted,

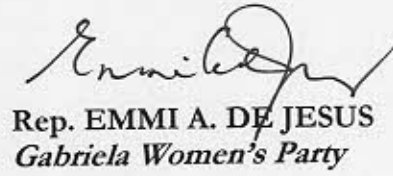


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AN ACT
MANDATING THE OBSERVANCE OF 29 NOVEMBER OF EVERY YEAR AS
WOMEN HUMAN RIGHTS DEFENDERS DAY

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

Section 1. This Act shall be known as the "WOMEN HUMAN RIGHTS DEFENDERS DAY
ACT of 2013".

Section 2. The state shall ensure that the perpetrators of extrajudicial killings, enforced
disappearances, vilifications, harassments, torture and other forms of human rights violations
shall be punished so that justice shall be served to the victims and their families.

The state shall intensify its efforts to respect and protect human rights, especially
Women's rights in the country. The state recognizes the participation of all sectors concerned
and shall ensure the prevention of further human rights violations. Towards this end, the state
shall endeavor to raise awareness of the people regarding this issue.

The state shall respect and protect human rights defenders against any violence,
retaliation and intimidation as a consequence of their human rights work.

Section 3. The 29th of November of every year is hereby declared as *National Consciousness
Day for the Protection of the Rights of Women Human Rights Defenders* in support of
the International campaign to protect human rights defenders especially women's rights
defenders.

Section 4. The implementation of this Act shall be under the Commission of Human Rights
(CHR), in coordination with the Department of Education (DepEd), Commission on Higher
Education (CHED), National Commission on Indigenous Peoples (NCIP) and the Philippine
Commission on Women, which shall create programs directed towards educating the people

about human rights and gender issues and the need to uphold these rights. Civil Society organizations shall also be tapped to assist the CHR in this endeavor.

The CHR shall also publish every month the status of attacks on HRDs for the public to monitor and to be aware of the violations against human rights and HRDs.

Section 5. Separability Clause. - if any provision of this Act is declared unconstitutional or otherwise invalid, the validity of other provisions shall not be affected thereby.

Section 6. Repealing clause. - All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

Section 7. Effectivity. -This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of national circulation.

Approved,