

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5453



Introduced by **BAYAN MUNA** Representative **CARLOS ISAGANI T. ZARATE**

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

EXPLANATORY NOTE

November 29 was declared as *the International Day on Women Human Rights Defenders* during 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.

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.

But human rights violations continue to plaque 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.

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.

According to Tanggol Bayi (Defend Women)¹, an association of women human rights defenders in the Philippines, women human rights defenders, have been targeted by counter-insurgency measures which seek to abolish any form of resistance. Oplan Bayanihan, the counter-insurgency policy of the Aquino administration which remains operative under the Duterte administration until December 2016, has claimed the lives of more than 300 persons, and has been used to justify the illegal arrest and detention of social activists.

As of October 31, 2016, there are 401 political prisoners, 33 of them are women. Detained for trumped-up charges and fabricated evidences, they remain a stark indication that underneath the rhetoric of democracy is the intolerance for dissent and opposition, for comprehensive and genuine social change. These women activists are community organizers, teachers, health workers, disaster relief workers, among others, who have dedicated their lives in the struggle for a world free from imperialist rule and plunder and State oppression.²

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.

Approved,


Rep. CARLOS ISAGANI T. ZARATE
Bayan Muna Party-List

¹ <https://tanggolbayi.wordpress.com/>

² Ibid.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5453

Introduced by **BAYAN MUNA** Representative **CARLOS ISAGANI T. ZARATE**

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 2017*”.

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,