



MISYON NG PILIPINAS SA MGA NAGKAKAISANG  
BANSA AT IBA PANG SAMAHANG PANDAIGDIG

PHILIPPINE MISSION TO THE UNITED NATIONS  
AND OTHER INTERNATIONAL ORGANIZATIONS

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The Permanent Mission of the Philippines to the United Nations and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and has the honor to reply to the letter dated 16 August 2005 of Ms. Yakin Arturk, Special Rapporteur on violence against women, its causes and consequences, requesting for recommendations or comments from the Philippine Government which shall serve as inputs to the report of the Special Rapporteur to the 62<sup>nd</sup> session of the Commission on Human Rights (CHR 62).

The Philippine Government has the honor to submit the attached report regarding national policies, programs and practices which the Philippines is currently undertaking with regard to the prevention of violence against women.

The Permanent Mission of the Philippines avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 12 October 2005



OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
Palais des Nations CH-1211 Geneva 10

**1. RATIONALE**

The Declaration on the Elimination of Violence Against Women (DEVAW) defines violence against women as an “act of gender-based violence that results in, or likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. It encompasses all forms of violation of women’s rights, including threats and reprisals, exploitation, harassment, and other forms of control.”

The Beijing Platform for Action (BPFA) likewise defines VAW as encompassing but not limited to physical, sexual, and psychological or emotional violence occurring in the family (wife battering and incest) or within the community (rape, sexual harassment and trafficking), or condoned or perpetrated by the state (military rape and sexualized torture). Also, the BPFA identified VAW as one of the twelve areas of concerns and recognizes VAW as the “manifestation of the unequal power relations between women and men which have led to the domination and discrimination of women by men and to the prevention of women’s full advancement.”

Given the above-mentioned context, the NCRFW as the government machinery for the advancement of women and the policy advisory body to the Office of the President, adopted VAW as one of its priority concerns.

The succeeding sections will provide the highlights of NCRFW’s initiatives on VAW as well as its accomplishments. Latest data or statistics on VAW are also presented to give a picture of the magnitude of the issue.

**II. STATISTICS**

The Philippine National Police (PNP) and the Department of Social Welfare and Development (DSWD) are the primary sources of the data on VAW.

- VAW cases reported with the PNP rose between 2000 and 2002 before declining to 7,805 in 2003. Physical abuse and wife battering accounted for 58% to 62% of the reports, while rape accounted for 13% on the average.
- The number of VAW cases reported to the PNP increased seven-fold, from 1,100 in 1996 to 7,383 in 2004. The highest recorded number of VAW cases was in 2001 at 10,343.
- The DSWD, on the other hand, saw a general decline in the number of women in especially difficult circumstances (WEDC) cases served since 1999.
- Both the PNP and the DSWD records show that battering and rape were the most common types of cases reported to them accounting for 48.1% and 16.6%, respectively.

The Women’s Crisis Center (WCC) a non-governmental organization that caters to VAW victims and survivors has the following data:

- 7 of 10 rape survivors were raped by men known to them
- 6 of 10 rape survivors were forced into early marriages or live-in arrangements with their assailants

- 6 of 10 incest survivors were abused by their own biological fathers
- 6 of 10 incest survivors reported that their mothers were battered by their fathers
- 1 of 3 incest survivors were abused when they were below eleven years old
- 2 of 10 incest and rape survivors had unwanted pregnancies
- 9 of 10 battered women experienced marital rape
- 6 of 10 battered women had unwanted pregnancies
- 6 of 10 battered women were battered during pregnancy

The Department of Justice (DOJ), the Department of Foreign Affairs (DFA) and the DSWD have the following data on trafficking from June to November 2004.

DOJ	DFA	DSWD
Investigation and Prosecution - received 42 cases of violations of RA 9208 <ul style="list-style-type: none"> <li>• 15 have been filed in court</li> <li>• 23 pending preliminary investigation/ resolution</li> <li>• 4 dismissed</li> </ul>	Received 432 cases of trafficking/illegal recruitment from 11 countries (Malaysia, Nigeria, Bahrain, Brunei, Cyprus, Hong Kong, Italy, Japan, Jordan and Kuwait)	Assisted 156 victims of trafficking from Kota Kinabalu and elsewhere in Malaysia – all female

### III MAJOR INTERVENTIONS AND ACCOMPLISHMENTS

#### INSTITUTIONAL MECHANISMS

A) **THE VAWCC:** In response to the National Socio-Economic Pact of 2001 agreed upon by the executive and legislative branches of government **“to strengthen the NCRFW’s oversight function to implement measures to curb violence against women and direct government agencies to follow it”** the NCRFW convened the Violence Against Women Coordinating Committee (VAWCC) composed of 15 government agencies with VAW mandates, namely, the Civil Service Commission (CSC), Commission on Human Rights (CHR), Department of Education (DepEd); Department of Health (DOH), Department of Interior and Local Government (DILG), Department of National Defense-Armed Forces of the Philippines (DND-AFP), Department of Social Welfare and Development (DSWD), Bureau of Jail Management and Penology (BJMP), National Bureau of Investigation (NBI), National Police Commission (NAPOLCOM), National Statistical Coordination Board NSCB, Philippine Information Agency (PIA) and Philippine National Police (PNP). The VAWCC is to serve as an oversight committee to eliminate VAW through an integrated and holistic approach focusing on four areas of concerns, namely: a) response to the needs of VAW victims and survivors; b) response to offenders; c) nature and causes of VAW; and d) changing societal values.

Among others, the VAWCC was able to develop the following: a) National Action Plan to Eliminate VAW; b) VAW performance indicators; c) VAW core messages; and d) Plan for standardizing documentation format, namely the VAW was instrumental in the passage of two landmark legislations on **VAW, Republic Act (RA) 9208 or the Anti-trafficking in Persons Act of 2003 and RA 9262 or the Anti-Violence Against Women and Their Children Act of 2004**. The anti-VAWC law addresses abuse in the family and intimate relationships. The different VAWCC agencies actively participated in the advocacy

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activities for the passage of these laws through the commemoration of the 16-day campaign to eliminate VAW in 2002 and 2003. The VAWCC was also into continuing capacity building and conceptual clarification on issues and concerns related to VAW.

**B) THE INTER-AGENCY COUNCILS ON VAWC and TRAFFICKING.** The passage of RAs 9262 and 9208 paved the way for the creation of inter-agency councils that are to specifically look into the issues and concerns related to the implementation of these laws. The *Inter-Agency Council on Violence Against Women and Their Children (IAVAWC)* which is being chaired by the DSWD and co-chaired by the Department of Interior and Local Government (DILG) with the NCRFW as the council secretariat adopted the Implementing Rules and Regulations of RA 9262. At the moment, the IAC-VAWC is in the process of setting in place the mechanisms to effectively implement the provisions of the law. The *Inter-Agency Council on Anti-Trafficking (IACAT)* which is headed by the DOJ has the following major accomplishments: a ) National Strategic Plan of Action Against Trafficking in Persons; b) Standard Orientation Module on RA 9208 and its IRR; c) Guidelines for the establishment of inter-agency task force against trafficking. The IACAT is also in the provision of needed services to trafficking victims and survivors. The NCRFW is a member of IACAT.

#### **POLICY ADVOCACY, NETWORKING, LINKAGING AND PARTNERSHIP BUILDING**

The NCRFW, in partnership with other relevant government agencies and non-government organizations, was instrumental in the passage of the RAs 9262 and 9208. RA 9262 or the Anti-Violence Against Women and Their Children Act of 2004 punishes the acts of violence within the family and intimate relationships. RA 9208 on the other hand penalizes all forms of trafficking in persons, particularly women and children.

Massive public information and dissemination campaign and lobbying on issues and concerns related to VAW in the family and intimate relationships and trafficking were undertaken to facilitate the passage of these laws. The passage of these laws were highlights of the commemoration of the 16-day campaign on the elimination of gender-based violence in 2002 and 2003.

At the moment the NCRFW is very active in its advocacy for the passage of the "Anti-Prostitution Act" which penalizes the users and pimps and decriminalizes the prostituted persons. A Technical Working (TWG) was organized to refine the provisions of this bill.

As part of our advocacy to mainstream gender and development (GAD) and violence against women (VAW) in education curriculum, the NCRFW initiated a project in partnership with the Department of Education (DepED) on the integration of GAD and VAW core messages in basic education curriculum.

Also, to encourage the participation of men in the campaign to stop VAW, the "White Ribbon and Men Speak Out Against Violence Campaign" was launched.

The NCRFW has also been into networking and partnership building between and among the other branches of government such as the legislative and judicial branches and the non-governmental organizations (NGOs).

The "Gender Justice Awards", the first in the region, recognized judges who rendered gender sensitive decisions on cases of VAW. This was organized in partnership with the

University of the Philippines – Center for Women Studies (UP-CWS), the Commission on Human Rights, Zonta Club of Pasig, NGO lawyers and the private sector. UNIFEM provided initial fund and UNICEF, UNDP and CIDA also pitched in. This was a good practice in multi-sectoral partnership and cooperation.

Likewise the Supreme Court developed the Rule on Violence Against Women which spells out the Court's procedures and guidelines in handling VAWC cases. This Rule was launched last October 2004, together with the Implementing Rules and Regulations (RR) of RA 9262.

Moreover, the Commission has maintained a partnership with NGOs, specifically in the provision of services to VAW victims and survivors such as the Women's Crisis Center (WCC), Kalakasan Foundation, Womenlead, Women's Legal Bureau (WLB), Saligan, etc. as the NCRFW does not provide direct services. Most of them were also part of the Technical Working Group that crafted the IRR of RA 9262.

#### **TOOLS and IEC DEVELOPMENT and RESEARCH and DOCUMENTATION SYSTEMS DEVELOPMENT**

**A) TOOLS AND IEC CAMPAIGN.** The NCRFW is also into the development of tools and information, education campaign development. The Commission was able to develop/package the following: a) VAW Information kit, which contains, among others, VAW data, VAW hotlines and services, etc.; b) RAs 9262, 9208 and their IRRs; and c) VAW posters. Since 2002, the NCRFW, in partnership with the VAWCC commemorates the 16-day campaign to end VAW. This provides venue to heighten the advocacy and public awareness on the issues and concerns on VAW.

**B) RESEARCH AND DOCUMENTATION SYSTEMS DEVELOPMENT.** To provide and facilitate the provision of gender-responsive basic services to VAW victims and survivors, the NCRFW in partnership with the UNFPA 6<sup>th</sup> Country Program, is currently formulating performance standards for the delivery of services in the following areas: a) legal; b) psycho-social; and c) medical. The NCRFW is also developing a standard documentation system to systematize the gathering, reporting and management of database on VAW. This is also in partnership with the following agencies: a) Philippine National Police (PNP); b) Department of Social Welfare and Development (DSWD); c) Department of Justice (DOJ); d) Department of Health (DOH); and e) National Statistics Coordination Board (NSCB).

#### **CAPACITY-BUILDING**

The NCRFW has also conducted capacity-building activities for its partners. Recently with CIDA support, it sponsored trainings for prosecutors, as well as, members of the VAWCC, with special emphasis on the gender sensitive handling of VAW cases.

#### **REMAINING CHALLENGES**

While tremendous gains have already been achieved, there are key challenges that need to be addressed still. Among these are:

- (a) The monitoring, evaluation and implementation of existing laws and policies

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addressing on violence against women need to be regularly done via a standard documentation system and development of evaluation instruments to analyze trends and developments including prevalence and magnitude of VAW;

- (b) Critical legislation on violence against women need to be passed. Among these are Anti-Prostitution and Reproductive Health Care Act;
- (c) A more sustained gender sensitizing and training of police investigators, social workers, police and health officials involved in assisting survivors. In the same manner, a more comprehensive, coordinated and multi-agency approach to VAW needs to be operationalized to ensure timely, responsive environment for women victims; including a women-friendly judicial framework that safeguards the safety and welfare of victims throughout the proceedings and processes of the criminal justice system;
- (d) There is a need for a more comprehensive approach to also address the cyclical nature of violence and to focus on reforming and rehabilitation the perpetrator. Preventive measures should also be part of the solution. This could include a more aggressive education campaign to inform women of their rights, of how and where they can get support including legal recourse. Gender sensitivity training for women victims including perpetrators of VAW crimes need to be included.
- (e) The full implementation of Anti-Trafficking Law of 2003 and the Anti-Violence Against Women and Their Children Act of 2004 need to be ensured. For the anti-Trafficking, it should build on the achievements and mechanism now in place in country and in the countries of destination, involving both government and non-government organizations. Bilateral cooperation should be pursued in countries with highest incidence of violence against women.
- (f) There is a need to continue addressing the root causes of violence against women in all its forms including domestic violence, prostitution and trafficking. These efforts must interrogate concepts of masculinity and sexist attitudes that lead/perpetrate violence against women;