

VIOLENCE AGAINST WOMEN

IMPACT OF VIOLENCE AGAINST WOMEN

- VAW strikes at the personhood of women. It does not only affect women's physical and reproductive health, but especially their mental and emotional state. It has caused women to feel ashamed and lose their self-esteem. It threatens women's personal security.
- VAW limits human development, as it jeopardizes women's health and curbs their capacity to participate in social development. Working women's productivity decreases due to frequent absences resulting from VAW. VAW is responsible for one out of the every five healthy ways of life lost to women of reproductive age.
- VAW further drains the country's financial resources. The Philippines spent an estimated P6 billion pesos in 2002 to treat VAW survivors. This amount covered the medical treatment of VAW injuries, psychological therapies and programs for survivors, maintenance of shelters, cost of legal and court proceedings to prosecute perpetrators, training cost for service providers, and other indirect social costs to family members of VAW survivors and perpetrators.
- VAW is an issue of good governance. A state promotes good governance when it makes available effective remedies to eliminate VAW in the homes, communities and the state.

PHILIPPINE LAWS RELATED TO VIOLENCE AGAINST WOMEN

REPUBLIC ACT 7877: ANTI-SEXUAL HARRASSMENT ACT OF 1995

Work, education or training-related sexual harassment is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainor or another person who, having authority influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said Act.

Sexual harassment is about abusing power relations-using one's power to extract sexual favors. Contrary to the view that acts or remarks made by men on women's sexuality are mere expressions of appreciation or admiration, the law says that gives women discomfort is harassment. This shows that the women's point of view is given due consideration.

REPUBLIC ACT 8353: ANTI RAPE LAW OF 1997

The 1997 Anti-Rape Law reclassifies rape as a crime against persons, defining it as a public rather than a private crime. Rape is said to be committed by a man who has carnal knowledge of a woman under any of the following circumstances: (a) through force, threat or intimidation, (b) when the offended party is deprived of reason or otherwise unconscious, (c) by means of fraudulent machination or grace abuse of authority and (d) when the offended party is under twelve years of age or is demented, even though none of the circumstances mentioned above be present.

RA 8353 recognizes marital rape and questions the notion of sexual obligation in marriage. The law further notes that rape happens even without penile penetration and therefore considers forcible anal penetration and the use of objects as constituting sexual assault, which is also considered a form of rape. However, the latter offense is given a lesser penalty.

REPUBLIC ACT 8505: RAPE VICTIM ASSISTANCE AND PROTECTION ACT OF 1998

RA 8505 provides assistance and protection for rape victims, establishing for the purpose of rape crisis center in every province and city, authorizing the appropriation of funds for the establishment and operation of the rape crisis center.

National agencies like the DSWD, DOH, DILG and DOJ and a leading NGO shall establish in every province and city a rape crisis center located in a government hospital or health clinic or in any other suitable place for the purpose of a) providing rape victims with psychological counseling, medical and health services, including their medico-legal examination; b) securing free legal assistance or service when necessary for rape victims; c) assisting rape victims in the investigation to hasten the arrest of offenders and the filing of cases in court; d) ensuring the privacy and safety of rape victims; e) providing psychological counseling and medical services when necessary for the family of rape victims; f) developing and undertaking a training program for law enforcement officers, public prosecutors, lawyers, medico-legal officers, social workers and barangay officials on human rights and their responsibilities; gender sensitivity and legal management of rape cases; and g) adopting and implementing programs for the recovery of rape victims.

NCRFW recommends that LGUs use their GAD budgets to establish and operate their Rape Crisis Centers and expand their services to other VAW victims and survivors.

REPUBLIC ACT 9208: THE ANTI-TRAFFICKING IN PERSONS ACT OF 2003

RA 9208 defines trafficking in persons as the recruitment, transportation, transfer or harboring or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person **for the purpose of exploitation** which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs. The law also penalizes the person who buys or engages the services of trafficked persons for prostitution.

The trafficked persons are considered a victim and is thus accorded protection by the State. The law identifies the mandatory services to trafficked persons such as the following:

- a. Emergency shelter or appropriate housing;
- b. Counseling;
- c. Free legal services which shall include information about the victims' rights and the procedure for filing complaints, claiming compensation and such other legal remedies available to them, in a language understood by the trafficked person;
- d. Medical or psychological services;
- e. Livelihood and skills training; and
- f. Educational assistance to a trafficked child

REPUBLIC ACT 9262: THE ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN ACT OF 2004

RA 9262 penalizes the commission of violence against women and their children (VAWC). It defines VAWC as any act or a series of acts committed by any person against a woman who is his wife, former wife, or with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which results in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty.

The Law also provides for the security of the complainant and her family through the availment of barangay, temporary or permanent protection orders. The Law also clearly identifies the duties of barangay officials, law

enforcers, prosecutors, court personnel, healthcare providers and other government agencies and LGUs to provide the necessary protection and support services to VAWC victims. Furthermore, the Law recognizes “Battered Women Syndrome” which refers to a scientifically defined pattern of psychological or behavioral symptoms found in women living in battering relationships as a result of cumulative abuse, as an acceptable defense for actions committed by the victim as a result of battering.

REPUBLIC ACT 9815: THE REVISED PENAL CODE (ARTICLES RELATED TO VAW)

Abuses Against Chastity is committed by any public officer who shall solicit or make immoral advances to a woman interested in matters pending before such office for decision, or with respect to or consult with a superior officer; or by any warden or other public officer directly charged with the care and custody of prisoners or persons under arrest who shall solicit or make immoral or indecent advances to a woman under his custody. A penalty of prison correctional in its medium and maximum periods and temporary social disqualification shall be imposed on the offender. (Article 245)

Adultery is committed by any married woman who shall have sexual intercourse with a man not her husband and by the man who has carnal knowledge of her knowing her to be married, even if the marriage be subsequently declared void. Adultery is punishable by prison correctional in its medium and maximum periods. (Article 333).

Concubinage is committed by any husband who shall keep a mistress in the conjugal dwelling, or shall have sexual intercourse, under scandalous circumstances, with a woman who is not his wife, or shall cohabit with her in any other place, shall be punished by prison correctional in its minimum and medium periods. The concubine shall suffer the penalty of destierro. (Article 334)

Acts of lasciviousness is committed by any person upon other persons of other sex, under any of the circumstances mentioned in article 335 of the Revised Penal Code, shall be punished by prison correctional. (Article 336)

Acts of lasciviousness with the consent of the offended party The penalty of arresto mayor shall be imposed to punish any other acts of lasciviousness committed by the same persons and the same circumstances as those provided in qualified and simple seduction. (Article 339)

SITUATIONER ON VAW

GLOBAL SITUATION

Violence Against Women (VAW) is a worldwide phenomenon. The World Health Organization (WHO) reports that half of the women who died from homicide were killed by their current or former husbands and partners. They succumbed to gunshot wounds, burns, hemorrhages, and other physical injuries resulting from various forms of abuse.

In the United States, the National Center for Victims of Crime, a leading resource and advocacy organization for crime victims, reports that ten percent of violent crimes in 2003 were committed by the victim’s intimate partner. Women (19 percent) were victimized by intimate partners at a greater rate than men (3 percent). Nine percent of murder victims in 2003 were killed by their spouse or intimate partner.

The Inter-American Development Bank (IDB) indicates that the costs of domestic violence reach 14.2 percent of GDP for the Latin America Region, including lost of productivity, medical and legal costs, and the associated stress on families. In the USA, the costs of intimate partner violence are estimated at US \$5.8 billion per year.

LOCAL SITUATION

During the first semester of 2006, a total of 2921 VAW cases were reported. The police shows that physical injury is the most common type of reported VAW cases which accounted for 57.01% and rape ranks second which accounted for 14.09%. Sex trafficking has the lowest record which accounted for only 0.28%. The cases under RA 9262 recorded the highest increase or reported cases from the first quarter of this year to second quarter, from 177 cases to 351 cases or an increase by 49.57%

During the same period, NCR posted the highest number of reported VAW cases, with a total of 843 cases or 28.86%. Among these cases, 344 cases (40.81%) are cases of physical injuries, while 178 are cases under RA 9262, and 116 are rape cases including incestuous rape and attempted rape. Region 2 posted the lowest number of VAW cases with a total of 28 cases, of these cases 11 or 39.29% were under RA 9262.

The Department of Social Welfare and Development (DSWD) has served a total of 5,559 cases of women in especially difficult circumstances (WEDC) in 2004. Of these cases, 1557 (28.01%) were cases of sexual abuse. There was a decline of WEDC cases by 23.9% from 5,559 cases in 2004 to 4,232 cases in 2005. Of these cases, involuntary prostitution was the only case which increased from 85 to 108 cases.

During the first quarter of 2006, DSWD has served a total of 1,501 cases of WEDC. Of these, 760 cases (50.63%) were uncategorized, while 464 (30.91%) were cases of physical abuse/maltreatment/battering and 173 (11.53%) were cases of sexual abuse. Region IX, which posted the highest number of cases accounted for 242 cases (16.12%) while CARAGA posted the lowest number: 3 cases.

The Philippine Government spends an estimated P6 billion for the medical and psychological interventions for VAW survivors.

An average of P6,083.80 per month was spent by the Women's Crisis Center for every VAW survivor per month in 1998. This includes food and transportation subsidy, medical assistance, therapies, utilities and other personal needs like toiletries, towels and slippers among others. This did not include expenses for legal consultation.

A survey conducted by the Social Weather Station, which was commissioned by the KALAKASAN Foundation, and Women's Media Circle in November 8-24, 2002 stated that 2.16 million women (9% of women age 18 above) have experienced physical harm, with a big majority committed by their respective partners – this husbands, boyfriends and live-in partners. Correspondingly, 2.8 million admit having physically harmed someone. And again the majority of these battering are done to their wives, girlfriends and live-in partners.

GOVERNMENT VAW HOTLINES

Counseling and Referral Services

DSWD-NCR Ugnayan Pag-asa
Crisis Intervention Center
Legarda, Manila
Tel. #: (02) 734-8617; 734-8641
Rehabilitation Unit: 734-8635

DSWD Social Protection Unit
Quezon City
Tel. #: (02) 931-9133/ 932-2573

Medical and Health Services: Hospital-based Women's Desk Program

Amang Rodriguez Memorial Medical Center
Marikina City
Tel. #: 998-2485

East Avenue Medical Center

Quezon City

Tel. #: 434-2511; 929-4080; 928-0611 local 237

Jose Fabella Memorial Hospital

Manila

Tel. #: 712-2451

Jose Reyes Memorial Medical Center

Sta. Cruz

Tel. #: 711-9508/ 732-1077/ 711-9491

Las Piñas District Hospital

Las Piñas, Metro Manila

Tel. #: 828-4157/ 806-6873

National Center for Mental Health

Mandaluyong City

Tel. #: 531-8578/531-8682

National Children's Hospital

Quezon Avenue, Quezon City

Tel. #: 725-4533/ 724-0656

Philippine General Hospital

Taft Avenue, Manila

Tel. #: 521-8450 local 3816

Philippine Orthopedic Center

Banawe, Quezon City

Tel. #: 712-4767/ 712-4569

Quirino Memorial Medical Center

Quezon City

Tel. #: 721-3089/ 723-7724

Rizal Medical Center

Pasig City

Tel. #: 671-4216

Tondo Medical Center

Tondo, Manila

Tel. #: 252-8661/ 252-6101

UP-CM PGH Child Protection Unit

Department of Pediatrics

Philippine General Hospital

Taft Avenue, Ermita Manila

Tel. #: 526-8418/521-8450 local 2214

Fax #: 524-0712

Email: cpu@advisory.ngo.ph

NBI Crisis Center for Women and Children

Taft Avenue, Manila

Tel. #: 524-0237/ 523-8231 local 545

Legal Assistance

Public Attorney's Office (PAO)

Department of Justice
DOJ Agencies Bldg. NIA Road cor. East Ave. Diliman, Quezon City
Tel. #: 929-9010 / 929-9436 to 37

Law Enforcement

Philippine National Police

Camp Crame, Quezon City
Crime Laboratory Service, Medico-Legal Division
Trunk line: (02) 722-3480/ 723-0401 local 3480
PATROL 117

National Bureau of Investigation (NBI)

Taft Avenue, Manila
NBI Anti-Child Abuse, Discrimination and Exploitation Division (ACADED) Manila
Tel. #: 523-8231 local 3403; 525-6028

Philippine National Police (PNP)

Directorate for Investigation & Detective Management (DIDM)
NHQ-PNP 1st Floor Annex & 2nd Floor Gen. Delos Reyes St. Camp Crame, Quezon City
Tel. #: 724-8773/ 724-8767/ 726-7891/ 724-8790

Women's Desk Headquarters

Camp Karingal, Quezon City
Tel. #: 921-5229

PNP National Headquarters

Camp Crame, Quezon City
Trunk line: 723-0401 to 20

Camp Bagong Diwa, Taguig
Tel. #: 837-2471 local 860/ 839-0468

Action Phone SOCO
Camp Castañeda, Silang Cavite
Tel. #: 721-1245 local 4474; 723-6865; (049) 545-5940

Fort Bonifacio, Makati
Tel. #: 881-2719; 816-3222

Central Office District
Camp B/Gen. Karingal Sikatuna Village, Quezon City
Tel. #: 921-7474/ 924-3111

Eastern Police District
Pasig City
Tel. #: 641-0436

Southern Police District
Makati City
Tel. #: 899-9016

Western Police District, Manila

Tel. #: 524-6506/ 524-6526

Northern Police District
Tanigue St. Kaunlaran Village, Dagat-dagatan, Caloocan City
Tel. #: 287-3441/ 287-3816

POLICE REGIONAL OFFICES

REGION I – ILOCOS REGION

Camp BGen. Oscar Florendo Parian, San Fernando City, La Union
(072) 700-5731

REGION II- CAGAYAN VALLEY

Camp Adduru Alimanao, Tuguegarao City, Cagayan
(078) 844-6644

REGION III – CENTRAL LUZON

Camp Olivas City of San Fernando, Pampanga
(045) 961-2617

REGION IV-A CALABARZON

Camp Vicente Lim, Calamba City, Laguna
(049) 531-4470/ (049) 834-1600

REGION IV-B MIMAROPA

Camp Vicente Lim, Calamba City, Laguna
(049) 834-1601/ (049) 531-0111

REGION V – BICOL REGION

Camp Gen. Simeon A. Ola, Legaspi City
(052) 481-1811/ (052) 820-4602

REGION VI – WESTERN VISAYAS

Camp Martin Delgado, Iloilo City
(033) 337-5511 / (033) 335-0970

REGION VII – CENTRAL VISAYAS

Camp Sergio Osmeña Sr. Osmeña Blvd., Cebu City
(032) 253-2171/ (032) 415-5894

REGION VIII – EASTERN VISAYAS

Camp Sec. Roberto K. Kangleon, Brgy. Campetic, Palo, Leyte
(053) 323-3-24/ (053) 323-3800

REGION IX – ZAMBOANGA PENINSULA

Camp Colonel Romeo Abendan, Brgy. Mercedes, Zamboanga City
(062) 991-3000 / (062) 991-3011

REGION X – NORTHERN MINDANAO

Camp Alagar, Brgy. Lapasan Cagayan de Oro City
(088) 726-670/ (088) 711-136 / (088) 856-3183

REGION XI – DAVAO REGION

Camp Catitipan, Davao City
(082) 235-2570 / (082) 234-2514

REGION XII – SOCCKSARGEN

Brgy. Tambler, Gen. Santos City
(083) 302-5096 / (083) 555-1654

ARMM

Camp BG Salipada K. Pendatun, Parang Maguindanao
(064) 425-0077 / (064) 425-0078

CARAGA

Camp Rafael Rodriguez, Libertad, Butuan City
(085) 342-8549 / (085) 342-1367

Cordillera Autonomous Region (CAR)

Camp Bado Dangwa, La Trinidad Benguet
(074) 422-3207 / (074) 422-1977

DSWD Centers for Women and Girls Victims/ Survivors of Rape and other Forms of Abuse and Exploitation**NCR**

Crisis Intervention Unit
389 San Rafael cor. Legarda Sts. Manila
(02) 734-8617 to 18 / (02) 734-8637

HAVEN, Zapote Road, Alabang, Muntinlupa City
(02) 807-1590 / (02) 807-1568

Marilac Hills
Zapote Road, Alabang, Muntinlupa City
(02) 807-1585 / 1587 / 1589

REGION I

Crisis Intervention Unit, San Fernando, La Union
(072) 888-2505

Substitute Home for Women/Girls
San Nicolas, West Agoo, La Union
(072) 710-0425
HAVEN, Bonoan, Binloc, Dagupan City
(072) 523-3284

REGION II

Crisis Intervention Unit
Carig, Tuguegarao Cagayan
(078) 846-7043

HAVEN, Linga, Solana, Cagayan
(078) 824-8181

REGION III

Crisis Intervention Unit

Teopaco St. San Fernando, Pampanga
(045) 861-2413

Home for Girls, Capitol Compound, Malolos Bulacan
(044) 791-1478

Home for Girls, San Vicente, Tarlac City
(045) 982-3192

Home for Girls, Gordon Ave., Olongapo City
(047) 222-2240

Home for Girls, Singgalat, Palayan City
(0919) 469-1506

HAVEN, San Vicente, Magalang, Pampanga
(0918) 3312516

REGION IV

Crisis Intervention Unit
Alabang Zapote Road, Muntinlupa City
(02) 735-5412 to 5413

Home for Girls-Bahay Tuluyan
Dasmariñas Bago-Bantay, DBB Area B, Dasmariñas Cavite City
(046) 416-0579

HAVEN
Rosario, Batangas
(043) 321- 2276

REGION V

Crisis Intervention Unit
Buragwis, Legaspi City
(052) 821-7920

Home for Girls
Ladies Village, Pampang, Sorsogon
(056) 211-2093

HAVEN
Nasis, Ligao, Albay
(052) 837-0172

REGION VI

Crisis Intervention Unit
Molo St., Iloilo City
(033) 336-5429

Home for Girls
Brgy. Pungtod, Cabatuan Iloilo
(033) 522-8941

HAVEN

Brgy. Wari-Wari New Lucena, Iloilo City
(0919) 6597445

REGION VII

Crisis Intervention Unit
Cuenco St.cor. Maxilom Ave., Cebu City
(032) 416-7646

Home for Girls
Cuenco St.cor. Maxilom Ave., Cebu City
(032) 416-7646 / (032) 416-7516

HAVEN
A Lopez St. Labangon, Cebu City
(032) 261-8106

REGION VIII

DSWD Crisis Intervention Unit
Magsaysay Ave., Tacloban City
(053) 325-2906

Home for Girls
Pawing, Palo, Leyte
(053) 323-3145

HAVEN
Pawing, Palo, Leyte
(053) 323-2872

REGION IX

DSWD Crisis Intervention Unit
Gen. Alvarez St. Zamboanga City
(062) 991-4113

Home for Girls
Upper Turno, Dipolog City
(065) 212-6265

REGION X

DSWD Crisis Intervention Unit
Km. 4 Upper Canitoan, Cagayan de Oro City
(088) 723-3297 / (088) 858-2404

Home for Girls
Km. 4 Upper Canitoan, Cagayan de Oro City
(088) 858-2439

HAVEN
Km. 4 Upper Canitoan, Cagayan de Oro City
(088) 272-7344

REGION IX

DSWD Crisis Intervention Unit
Magsaysay Ave., Davao City
(082) 227-1964 local 220

Home for Girls
Maa, Riverside Davao City
(082) 244-0576

Substitute Home for Women
Maa, Riverside Davao City
(082) 244-0662

REGION XII

DSWD Crisis Intervention Unit
South Cotabato Gymnasium and Cultural Center
Alunan Ave., Koronadal City
(083) 228-9895

CAR

DSWD Crisis Intervention Unit
#40 North Drive, Baguio City
(074) 444-3209

HAVEN
Leonard Wood Road, Baguio City
(074) 444-5344

CARAGA

DSWD Crisis Intervention Unit
Alviola Village, Baan, Butuan City
(085) 342-5619 / (085) 341-3565

Home for Girls
Brgy. Bonbon, Butuan City
(085) 226-5127

For more information, please call the **NATIONAL COMMISSION ON THE ROLE OF FILIPINO WOMEN**
1145 J.P. Laurel St., San Miguel, Manila
Tel Nos. 735-4955; 735-8509
Website: <http://www.ncrfw.gov.ph>