



Baseline report on VAW/eVAW and its reporting system in Philippines

Foundation for Media Alternatives



*Association for Progressive Communications (APC)
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Outline of the research paper:

- I. Research design
 - a. Purpose and significance of the data collection
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- II. Research questions

The baseline data gathering will address the following questions:

- 1. What is the comparison of VAW statistics starting 1998 until today?
- 2. What is the process of VAW reporting today? Has it changed in the last 10 years? How are the VAW data/statistics collected?
- 3. What is the role of technology in the current state of VAW?
- 4. What are the possible processes, possible steps to take, on how to incorporate technology-related VAW in the tech-VAW data gathering of government agencies?

- III. Research methods

- 1. Key Informant Interviews (KII) with government agencies and CSOs
- 2. Desk research on statistics and figures
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I. Research Design

A. Purpose and Significance of Data Collection

In the advancement of technology in recent years, gates opened to greater possibilities from data access, promotion of new ideas to connecting people across the globe. At the same time, technology has also affected people in both positive and negative ways.

When it comes to gender issues, technology presents opportunities and likewise challenges. Opportunities to promote gender equality and equity to end discrimination are endless and borderless. However, challenges such as reinforcing deeply-rooted, socially-structured discrimination against women and the LGBTQI community. With the introduction of social networking sites, instead of promoting values of equality, these have become platforms for spreading hate and judgments. Taking advantage of technology (specifically the internet) as a public and unregulated tool, which makes it all powerful, perpetrators have used it to humiliate and abuse the marginalized especially women for their own economic interests. Technology has become an unwilling accomplice that inflicts gender-based violence.

Statistical data on violence against women and other gender-related crimes are regularly gathered to know if efforts of government have been effective in gradually reducing the number of these crimes and brought more victim-survivors to justice. Many have been said about how poor, dismal and incomprehensible these data are for the general cases of VAW. However, the main purpose of this study is to know the state of reporting and documenting of technology-related cases of violence against women so that it can help in the drafting of the guidelines and protocols for eVAW. Are there reports available on technology-related VAW? If yes, how are they documented? What is the reporting mechanism used?

Preliminary talks with government agencies tasked to collect data on VAW like the PNP, NBI, and PCW pointed out the lack of guidelines and indicators on how to document technology-related cases of violence against women. The data and information that will be collected for this study will also update about the current state and trends in VAW cases.

B. Scope of the Data Gathering

The data to be gathered are the current statistics of VAW cases, forms of violations and the reporting methods used by government agencies (PNP-WCPC, PNP-CIDG, DOJ and DSWD) and civil society organizations that do monitoring and direct services to victims as well (GABRIELA, Women's Crisis Center).

C. Research Objectives

The objective/s of gathering the baseline data is:

- Determine the state of VAW by getting the current statistics.
- Identify the forms of violence against women and including technology-related ones (if there were any reported).
- Study the reporting methods of VAW cases of government agencies and CSOs with direct services.
- With the data collected, craft a draft guidelines and protocols for the inclusion of technology-related VAW in the report, documentation and statistics.

II. Research Questions

The baseline data gathering will address the following questions:

1. What is the comparison of VAW statistics starting 1998 until today?
2. What is the process of VAW reporting today? Has it changed in the last 10 years?
How are the VAW data/statistics collected?
3. What is the role of technology in the current state of VAW?
4. What are the possible processes, possible steps to take, on how to incorporate technology-related VAW in the tech-VAW data gathering of government agencies?

III. Research methods

1. **Desk research on statistics and figures.** The researcher gathered secondhand data from the website portals of government agencies and CSOs providing direct services to victim-survivors of gender-based violence. Most of these agencies were sent request letters so they can provide the researcher access to VAW data and information from key informants. However, only a few responded to the request – PNP-WCPC, DOJ-Planning & Management Services. The DSWD Policy and Research Division sent a research requirement form for the researcher to fill-out to be submitted to the Secretary for approval. As of this writing, the researcher still awaits for DSWD's word of approval to get access to data and set the KII to the authorized personnel.
2. **Key Informant Interviews (KII) with government agencies and CSOs.** The researcher was able to interview the Planning and Management Services Director of DOJ and the Social Worker assigned to the PNP Women and Children Protection Center (WCPC). The researcher waits for DSWD, GABRIELA and WCC for the interview schedules.
3. **Focus Group Discussions (FGDs).** Meetings re eVAW efforts with CSOs (Oct 30) and government agencies (Nov 9) took place. These two were sources of data and recommendations for this study. A multi-stakeholder forum will be held soon to present this preliminary baseline report, however, the forum will also be a source of analysis and interpretation.

1. Highlights of the current state of violence against Filipino women (1998-2011)

The sources of statistical data on the violence against women (VAW) were from the portal of the Philippine Commission on Women (PCW), which were gathered primarily from the Philippine National Police (PNP) and the Department of Social Welfare and Development (DSWD).

However, new data from the Women and Children Protection Center (WCPC) of the PNP also came in after the researcher's interview with the social worker of the division. The data of the PNP came from reported cases gathered in regional police stations.

Another data used were from the Department of Justice (DoJ) though it only covers 2009-2011. DoJ only started collecting data in 2009 from regional prosecutors' offices. Their data were the ones elevated to the prosecutorial level. This means that they became officially recorded cases filed in court with an amount/level of resolution.

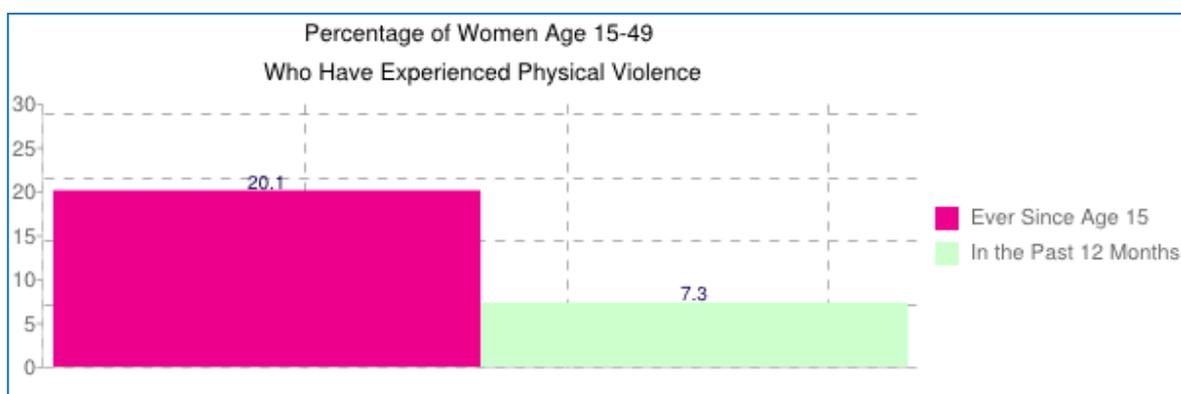
The Department of Social Welfare and Development (DSWD) was also contacted for interview and data collection. Partner civil society organizations (CSO) such as the Women's Crisis Center (WCC) and GABRIELA were also requested for interviews; however, no schedules were set yet. For this, desk research was made and data from the CSOs websites were collected to be a part of this baseline research.

The data gathered was in the span of 10 years or more, from 1998 to 2011/2012 and the reports are categorized according to the specific law that was violated.

- The **The 2008 National Demographic and Health Survey (NDHS)** conducted by the National Statistics Office (NSO) introduced the "Women Safety Module" which aims to capture the extent and types of VAW experienced by women (15-49 years old). Information was collected on spousal violence - covering all forms of VAW: 1) physical violence; 2) sexual violence; 3) emotional violence; and 4) economic violence (the 3rd and 4th forms of VAW were grouped together in the survey as "other forms of violence"). The module also included questions on marital control, which may fall either under emotional/psychological violence or economic violence.

Physical Violence

- The NDHS revealed that one in five women aged 15-49 has experienced physical violence since age 15; 14.4 percent of married women have experienced physical abuse from their husbands; and more than one-third (37%) of separated or widowed women have experienced physical violence, implying that domestic violence could be the reason for separation or annulment

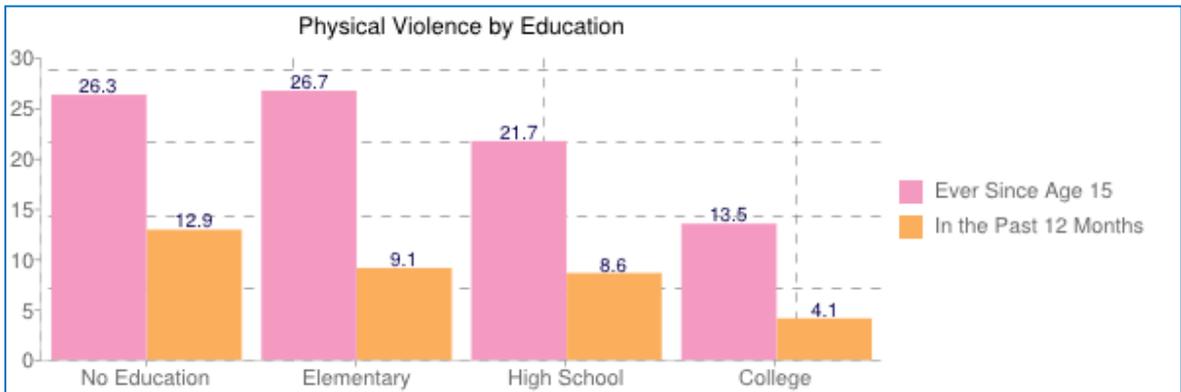
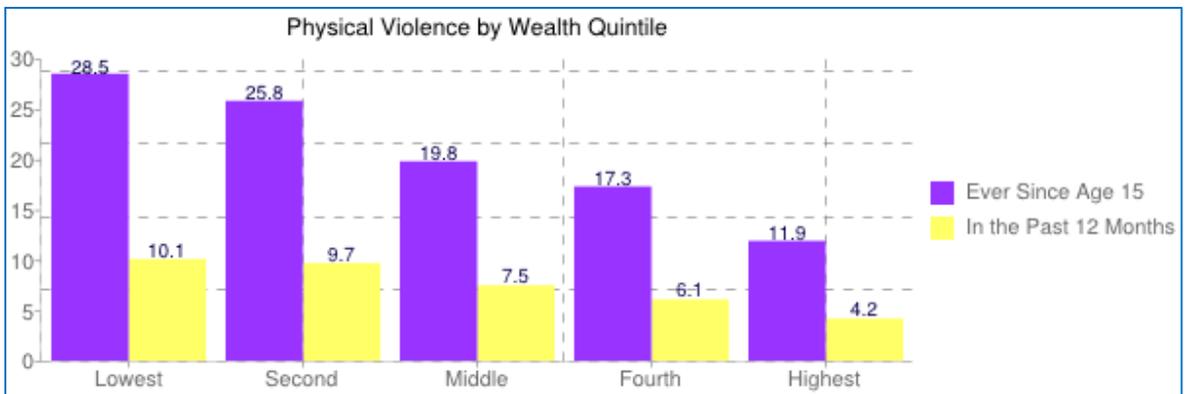
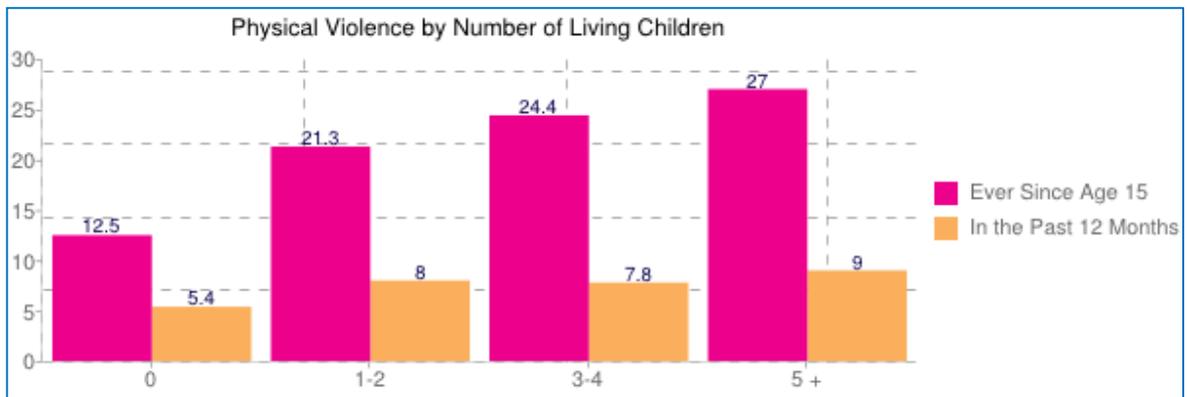


Sexual violence

- One in twenty five women age 15-49 who have ever had sex ever experienced forced first sexual intercourse
- One in ten women age 15-49 ever experienced sexual violence

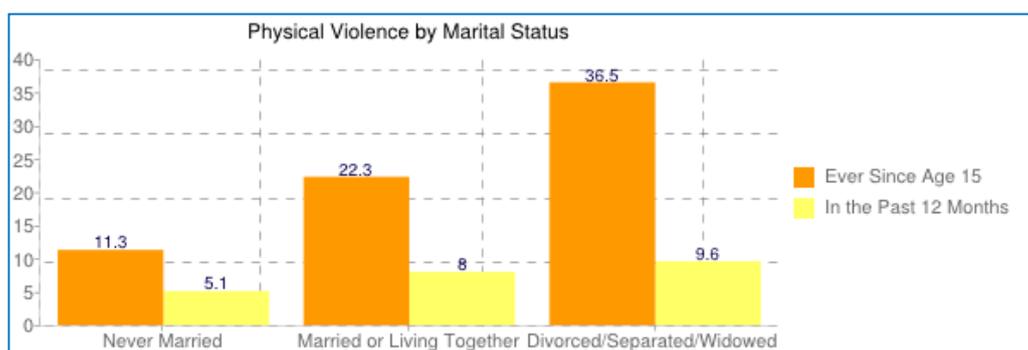
Physical violence during pregnancy

- Overall, 4 percent of women who have ever been pregnant have ever experienced physical violence during pregnancy. The incident increases slightly with number of living children; decreases slightly with age; decreases with education level; and declines steadily with wealth quintile.



Spousal violence

- Emotional and other forms of non-personal violence are the most common types of spousal violence (23% of ever-married women). One in seven ever-married women experienced physical violence by their husbands while 8 percent experienced sexual violence by their husbands.
- Patterns in prevalence of spousal violence are similar to those of violence experienced by woman 15-49. Most likely higher among separated, widowed and divorced; currently married women who have married more than once; and in CARAGA region, Central Visayas and SOCCSKSARGEN.

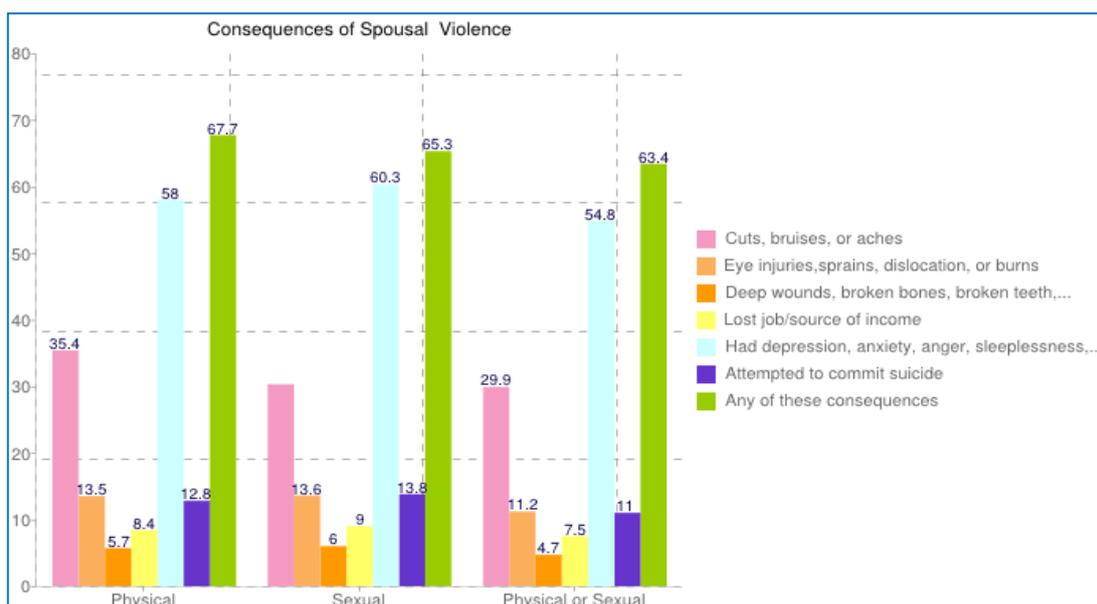


Spousal violence by husband's characteristics

- Spousal Violence tends to decline as husband's age increases, education increases, and wealth quintile increases.

Consequences of spousal violence

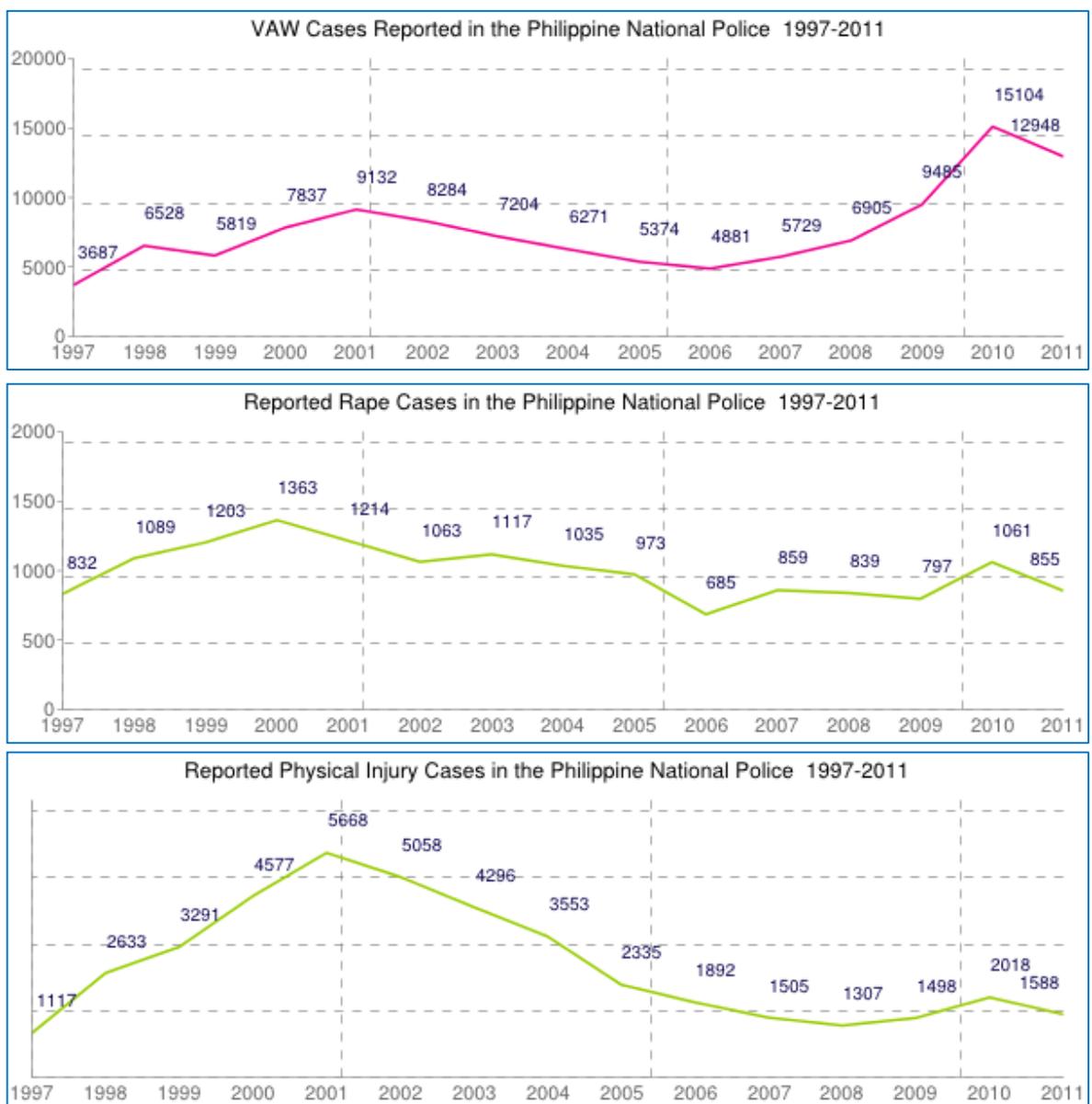
- One in three women who experienced physical/sexual violence reported having physical injuries such as cuts, bruises or aches. More than 10 percent reported to have suffered eye injuries, sprains, dislocations or burns, and about the same proportion reported that they attempted to commit suicide.
- Three in five women who experienced physical/sexual violence reported having experienced psychological consequences like depression, anxiety and anger.



Violence initiated by women against husbands

- Women were asked, "Have you ever hit, slapped, kicked, or done anything else to physically hurt your (last) husband at times when he was not already beating or physically hurting you?". 16 percent answered "Yes, ever" and 9 percent answered "Yes, in the last 12 months"

VAW reported to the Philippine National Police



- In 2011 the number of VAW cases reported to the Philippine National Police (PNP) decreases by 14.3 percent from the 2010 report. The decrease caused the trend to go downward after a five-year upward trend from 2006 to 2010.
- The 2010 report (15,104) is so far the highest number of reported VAW cases since 1997.
- The trend, however, is not conclusive of a decreasing or increasing VAW incidence in the country because data are based only from what was reported to PNP.
- Across an eight-year period from 2004 to 2011, average violations of RA 9262 ranked first at 49.0 percent among the different VAW categories since its implementation in 2004.
- Reported cases under RA 9262 continue to increase from 218 in 2004 to 9,021 cases in 2011. Continuous information campaign on the law and its strict implementation may have caused the increasing trend.
- Since 2004, wife battering cases have been categorized under 'Violation of RA 9262' that is, if the victim files a case under such law, otherwise the reported cases will fall under physical injuries category.
- Physical injury is now the second most prevalent case across the eight-year period, accounting for 23.5 percent of all reported VAW cases nationwide.

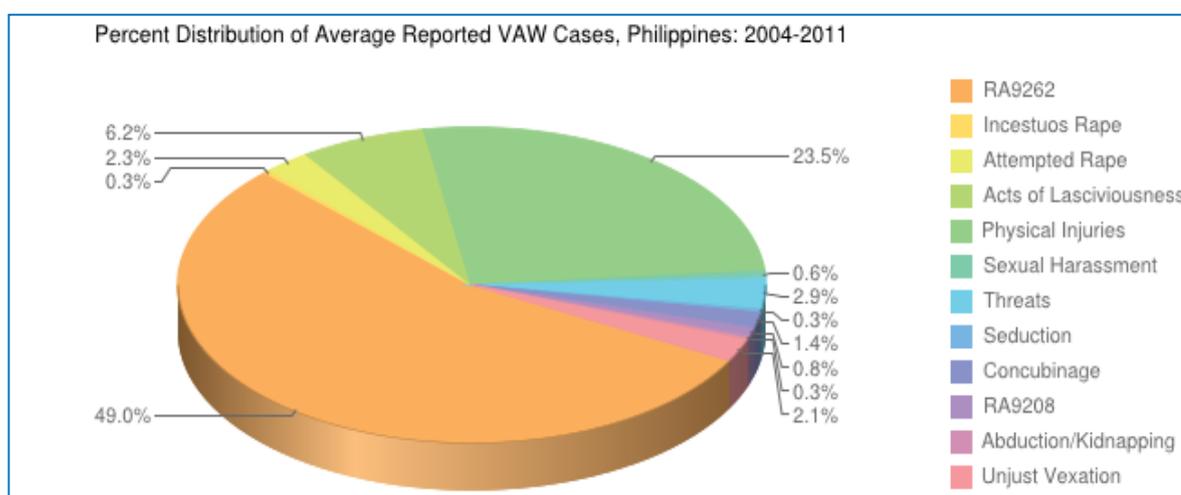


Table 1. Annual Comparative Statistics on Violence Against Women, 2004 - 2011*

Reported Cases	2004	2005	2006	2007	2008	2009	2010	2011
Rape	997	927	659	837	811	770	1,042	832
Incestuous Rape	38	46	26	22	28	27	19	23
Attempted Rape	194	148	185	147	204	167	268	201
Acts of Lasciviousness	580	536	382	358	445	485	745	625
Physical Injuries	3,553	2,335	1,892	1,505	1,307	1,498	2,018	1,588
Sexual Harassment	53	37	38	46	18	54	83	63
RA 9262	218	924	1,269	2,387	3,599	5,285	9,974	9,021
Threats	319	223	199	182	220	208	374	213
Seduction	62	19	29	30	19	19	25	15
Concubinage	121	102	93	109	109	99	158	128
RA 9208	17	11	16	24	34	152	190	62

Abduction / Kidnapping	29	16	34	23	28	18	25	22
Unjust Vexation	90	50	59	59	83	703	183	155
Total	6,271	5,374	4,881	5,729	6,905	9,485	15,104	12,948

* 2011 report covers only from January to August

Source: Philippine National Police - Women and Children Protection Center (WCPC)

- Reported incidence of physical injury has been decreasing in the latter years. Its peak was in 2001 at 5,668 reported cases.
- The decrease can be partly attributed to the enactment into law of RA 9262 or Anti-VAWC Act of 2004 which penalizes abusive husbands and live-in partners. However, in 2009 and 2010 the reported cases show an increasing trend but it slides back in 2011.
- Reported rape cases which ranked third accounted for about 10.3 percent of total reported VAW cases from 2004 to 2011.
- Acts of lasciviousness ranked fourth at an average of 520 reported cases accounting for 6.2 percent of all reported VAW cases from 2004 to 2011. The comparative figures indicate an upward trend of the reported cases after a record low of 382 reported cases in 2006.
- Among the different regions, Region 6 (Western Visayas) posted the highest reported VAW cases from January to December 2011 with 2,772 reported cases, accounting for 21.4 percent of the total reported VAW cases nationwide.
- Region 11 (Davao) comes next at 2,490 (19.2%) reported VAW cases followed by Region 7 (Central Visayas) with 1,447 reported VAW cases or 11.2 percent of the total reported VAW cases nationwide.
- The Autonomous Region of Muslim Mindanao (ARMM) posted the lowest reported VAW cases with 81 cases in 2011.

There were some slight differences in figures from the statistics above that came from PCW and from that, which came recently from PNP-WCPC. However, what is outstanding from the new data is the January to November 2012 Report on VAW. There is a significant increase from the 2011 data of 12,948. As of November 2012, the gender cases are up to 15,056. With other related crimes included in the data, the total will increase to 15,516 cases. These related crimes are:

- Neglect/Abandonment
- Homicide
- Slander
- Murder
- Attempted Murder
- Frustrated Murder
- Oral defamation
- Parricide
- Illegal Recruitment

According to both interviews with the social worker at PNP-WCPC and the Planning Management Director of DoJ, the increase in the figure of VAW reported cases through the years is not a conclusive indicator of heightened VAW incidence. But more so because of the continuous information campaign, gender mainstreaming and sensitivity training done at the local level and the strict implementation of the law. According to them, these efforts had paid off and as a result, more women are empowered to report their cases and pursue up until prosecutorial level.

As for the DoJ's data, it has been categorized into three main gender crimes: 1) rape, 2) VAW, and 3) trafficking.

For the year 2009, there were a total of 9,233 rape cases with only 6,717 resolved, either filed in court or dismissed. The volume of decided cases against total caseload at that time was at 73%, also known as the disposition rate. The number of cases pending though was at 2,516. In 2010, the caseloads were at 8,966, carry over and newly received cases combined. Around 6,953 cases were

resolved, 2,013 were pending. Disposition rate was at 78%. For 2011, the caseloads were a total of 8,668 while those resolved were at 6,758. Disposition rate was maintained at 78%.

Violence against Women (VAW) cases in 2009 were at 8,721 while the resolved ones were at 6,061. Pending VAW cases were at 2,660. Caseloads versus the number of resolved cases were at 69%. In 2010, caseloads were at 9,046 versus resolved cases of about 6,698 or a disposition rate of 74%. Pending cases at that time was at 2,348. In the year 2011, cases were at 10,210 while those resolved were at 7,579. The disposition rate was maintained at 74%. Pending cases was at 2,631.

For the trafficking of women, there were a total of 1,422 reported cases while the ones resolved were at 936 in 2009. Pending cases were at 486. Caseloads versus resolved ones were at 66%. In 2010, the cases were at 797 while those resolved were at 648 with 149 pending cases. Disposition rate was at 81%. For 2011, cases of trafficking were at 802. Resolved cases were 643 while pending were at 159. Disposition rate was at 80%.

CSOs statistical data

VAW were gathered in the websites of Women's Crisis Center (WCC) and Gabriela National People's Alliance (GABRIELA).

Highlights from the WCC website as of 2011 were as follows:

FACTS ABOUT RAPE & SEXUAL ABUSE

- **9** women in the Philippines are raped daily.
- For every 3 Filipino children, **one child** experiences sexual abuse.
- **50%** of the 50,000 to 70,000 women trafficked each year throughout the world (mostly from Southeast Asia), are Filipino.
- Most victims of rape or gang rape stay silent for months before reporting the crime

FACTS ABOUT DOMESTIC VIOLENCE

- For married women, the perpetrator of physical violence is their husband more than half of the time (**54.7%**)
- **14.4%** of married women experienced physical violence perpetrated by their husbands
- **8%** of married women experienced sexual violence perpetrated by their husbands
- Almost **4 out of 100** pregnant women experience physical violence

FACTS ABOUT PHYSICAL ABUSE

- **One in five women** aged 15-49 experienced physical violence since age 15!
- **70%** of physical abuse cases occur in homes

Most victims of VAW did not seek help from the police or a social service organization.

- Among women aged 15-49 who have ever experienced physical or sexual violence and sought help to stop the violence, **45.1%** sought help from own family, **28.5%** from friends and neighbors, and **14.5%** from in-laws. Only **9.3%** went to the police and **6.0 %** to a social service organization.

As for GABRIELA, its data came from the 1,670 cases reported to the organization from 2010 – Sept 2012. Unlike government data, case types were not purely based on the violations of specific

legislations. It clustered into groups certain types of women/gender-related crimes such as the following:

Table 1. Summary of VAW cases (2010-2012)

Case type	2010	2011	Jan-Sep 2012	Total
Domestic violence (physical abuse, abandonment, child custody, RA9262, infidelity)	524	285	296	1,105
Rape (date rape, stranger rape, gang rape, rape with murder, child sexual abuse)	51	51	58	160
Sexual harassment	27	22	14	63
Prostitution/Sex trafficking/Pornography	2	4	11	17
Child sexual abuse/molestation	7	10		17
e-VAW (blackmailing)		2	6	8
Other cases (e.g. discrimination at work)	129	85	86	300
Total	740	459	471	1,670

Another worth pointing out in GABRIELA’s data is the fact that it attempts to already include in its reporting the electronic violence against women (eVAW). They have categorized eVAW as under domestic violence, specifically synonymous to psychological abuse because perpetrators use video or pictures to blackmail former partners.

Also GABRIELA has recorded its data from 2001-2010. According to its data, 2010 is recorded as the highest incidence of violence against women for the past 10 years, with domestic violence as the most prevalent form of abuse followed by rape. Though there is a decrease in cases of rape for the year 2010 compared to 2009, there is an increase of 40% for rape cases, with 32 reported gang rape cases from January 2010 to January 2011.

After the enactment of RA 9262 or the Anti-Violence against Women and their Children Act, there is an increase of reported domestic violence cases through the years, with 2010 as the highest reported cases. Rape and child sexual abuse (which includes statutory rape and molestation) has increased but still remain underreported. Sexual harassment cases also increased.

Case	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Domestic Violence	23	57	163	162	177	238	498	295	400	524
*Rape	10	22	32	45	34	26	45	47	74	51
**Child Sexual Abuse		1				2	21	17	13	7
Sexual harassment	7	9	18	24	24	17	21	22	16	27
Sex Trafficking		2	3	3	4	2	9	3	1	2
Pornography				1		1			2	
Prostitution		1			1			1	2	
Battered child					3					
TOTAL	40	92	216	235	243	286	594	385	508	611

Another distinctive data collected by GABRIELA were the perpetrators of the gender crimes they have collected. Around 9% or 42 VAW cases were perpetrated by “men in uniform” or those whose primary work should be to protect the women and children of this country, those who are in government offices.

Table 3. VAW Cases Perpetrated by Men in Uniform

CASE TYPE	RP Military	US Military	Police	Politician	Diplomat	Judge	Clergy	TOTAL
DV	7	1	10	5		1		24
Rape	3		2	1	1		1	8
SH				2				2
Others (abuse of authority)			3	5				8
	10	1	15	13	1	1	1	42

On the other hand, the bulk number of the perpetrators was again those men who are in intimate relationships with those women or children they violated.

Domestic violence through battering or physical injuries, as shown by the data, continues to be the most prevalent form of VAW during the last ten years in the Philippines.

Economic forms of VAW

According to the paper, “Violence Against Women and Information Communication Technologies: Philippine Country Report,” written by Jesse Umanos Sotto for Association for Progressive Communications (APC) and APC Women’s Networking Support Programme (WNSP), a huge body of literature from women’s organizations and development institutions claim that poverty is one of the major factors that make women more at risk and vulnerable to all forms of violence and discrimination.

The paper also claimed that in rural areas, women perennially deal with poverty too. Other issues in the area also compound this problem such as the long-standing internal armed conflict in some parts of the country. Most of the time majority of Filipino women in the rural communities where there is conflict fall victim to varying forms of violence like trafficking, displacement, physical abuse and sexual harassment (Santos 2004).

Another compounding phenomenon that adds burden to Filipino women is the unwritten but continuing labor export policy of this country. According to the 2011 Survey on Overseas Filipino (SOF) conducted by the National Statistics Office (NSO), there were 2.2 million estimated overseas Filipinos (OFWs), a 5.6% increase over the previous year’s estimate of 2.0 million OFWs.



However according to the paper on Overseas Migration of Center for Migrants Advocacy-Philippines (CMA) in 2011, by 2010 OFWs were in approximately 214 countries and territories around the globe. In December 2009, total estimates of population of overseas Filipinos numbered 8.579 million also in the same number of countries and territories. More than 4 million (47.3%) have permanent residence status, 3,864,068 (45%) are OFWs, and a little more than half a million (7.7%) are undocumented or have irregular status. The latter being the most insecure and vulnerable. Of the 2.2 million OFWs in 2011 SOF data, female OFWs were estimated at 1.03 million (47.8%) or an increase of 5.8 percent from the 975 thousand estimated female OFWs in 2010.

Male OFWs accounted for 52.2 percent or around 1.13 million of the total OFWs in 2011. There was an increase of 5.4 percent from the estimated 1.07 million male OFWs in 2010.

However, in SocSKsargen, Cagayan Valley, ARMM and CAR, sex distribution of OFWs is very different because for every 10 female OFWs, there are only 3-5 male OFWs.

While male OFWs were higher in number, female OFWs in 2011 were generally younger than males. Around 63.1 percent female OFWs were aged 15 to 34 years while only 48.5 percent male OFWs are of the same age group. There was a slight decrease of younger female OFWs because in 2010, an estimated 64.5 percent of the total female OFWs belonged to the 15 to 34 age group.

This makes female OFWs more vulnerable especially that in 2011, 55.5 percent of them were categorized under Laborers and Unskilled Workers, slightly lower compared with 2010 report at 55.6 percent. A significant number of female workers, particularly domestic workers, caregivers and entertainers continue to be vulnerable to multiple abuses, ill treatment and violations from two fronts: directly, from their employers and indirectly from the receiving countries' discriminatory laws or policies.

Another indicator perhaps was the remittances from female OFWs worldwide, which were relatively lower than their male counterpart. Of the total Php 156.3 billion estimated OFW remittances in 2011, around 30.6 percent (Php 47.8 billion) came from female OFWs. In 2010, around 32.2 percent (Php 45.5 billion) of the Php 141.2 billion OFW remittances were from female OFWs.

Saudi Arabia, United Arab Emirates (UAE) and Qatar were the top three countries of destination accounting 44.1 percent of the OFWs in 2011 and 43.5 percent in 2010. For female OFWs, UAE topped as the number one destination followed by Saudi Arabia and Hong Kong.

In the same paper by APC, CMA also pointed out the fact that 1.62 million Filipina OFWs have been victims of the global web of white slavery and sexual servitude. Despite this, very limited protection programs, if there's any, are provided by the Philippine government to fully address the predicament of women OFWs.

Nothing much has changed since the APC paper was written and the 2004 Philippine Country Report as edited by Ms. Aida Santos where it claimed that the conservative values and strict standards of morality engendered by a predominantly Catholic society, and the patriarchal institutions and its attendant values are pinpointed as the root causes of VAW. These were again witnessed in action as the Catholic Church hierarchical institution desperately attempted to stop the passage of the Reproductive Health bill last 2012. These harsh values also had a significant role in constructing and maintaining society-dictated power relations between men and women, which have persistently put Filipino women at a disadvantage.

These facts on the ground proved otherwise even if the Philippines bagged the 8th rank on the top ten list of the Global Gender Gap Report 2011-2012 (before it was ranked at no. 6 in the 2007-2008 report).

Part 1: Measuring the Global Gender Gap

Table 3a: The Global Gender Gap Index 2012 rankings: comparisons with 2011, 2010, 2009, 2008, 2007 and 2006

Country	2012 rank	2012 score	2012 rank among 2011 countries	2011 rank	2011 score	2010 rank	2010 score	2009 rank	2009 score	2008 rank	2008 score	2007 rank	2007 score	2006 rank	2006 score
Iceland	1	0.8640	1	1	0.8530	1	0.8496	1	0.8276	4	0.7999	4	0.7836	4	0.7813
Finland	2	0.8451	2	3	0.8383	3	0.8260	2	0.8252	2	0.8195	3	0.8044	3	0.7958
Norway	3	0.8403	3	2	0.8404	2	0.8404	3	0.8227	1	0.8239	2	0.8059	2	0.7994
Sweden	4	0.8159	4	4	0.8044	4	0.8024	4	0.8139	3	0.8139	1	0.8146	1	0.8133
Ireland	5	0.7839	5	5	0.7830	6	0.7773	8	0.7597	8	0.7518	9	0.7457	10	0.7335
New Zealand	6	0.7805	6	6	0.7810	5	0.7808	5	0.7880	5	0.7859	5	0.7649	7	0.7509
Denmark	7	0.7777	7	7	0.7778	7	0.7719	7	0.7628	7	0.7538	8	0.7519	8	0.7462
Philippines	8	0.7757	8	8	0.7685	9	0.7654	9	0.7579	6	0.7568	6	0.7629	6	0.7516
Nicaragua	9	0.7697	9	27	0.7245	30	0.7176	49	0.7002	71	0.6747	90	0.6458	62	0.6566
Switzerland	10	0.7672	10	10	0.7627	10	0.7562	13	0.7426	14	0.7360	40	0.6924	26	0.6997

Table 3b: Detailed rankings, 2012

Country	OVERALL		ECONOMIC PARTICIPATION AND OPPORTUNITY		EDUCATIONAL ATTAINMENT		HEALTH AND SURVIVAL		POLITICAL EMPOWERMENT	
	Rank	Score	Rank	Score	Rank	Score	Rank	Score	Rank	Score
Iceland	1	0.8640	27	0.7540	1	1.0000	98	0.9696	1	0.7325
Finland	2	0.8451	14	0.7847	1	1.0000	1	0.9796	2	0.6162
Norway	3	0.8403	4	0.8300	1	1.0000	94	0.9697	3	0.5616
Sweden	4	0.8159	10	0.7957	39	0.9969	73	0.9735	4	0.4976
Ireland	5	0.7839	29	0.7514	30	0.9988	69	0.9737	6	0.4115
New Zealand	6	0.7805	15	0.7822	1	1.0000	94	0.9697	9	0.3703
Denmark	7	0.7777	16	0.7724	1	1.0000	67	0.9739	11	0.3645
Philippines	8	0.7757	17	0.7719	1	1.0000	1	0.9796	14	0.3515
Nicaragua	9	0.7697	88	0.6148	23	0.9996	58	0.9758	5	0.4889

According to the report, the Philippines remains the highest-ranking country from Asia in the Index. It ranks 1st on both education and health and is also among the top 20 on economic participation and political empowerment. The Philippines is the only country in Asia this year to have closed the gender gap in both education and health.

Well, these claim remains to be seen in reality.

Laws, legislations on violence against women

This section enumerates the list of both international and national laws that provide the protection of the rights of women, specifically those who are victims-survivors of violence.

However, the protection of women's rights is not limited only to these laws. Provinces, cities and municipalities have also instituted ordinances, resolutions and other policies to ensure women's rights (i.e. Gender and Development Code).

A. International laws

- **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).** The first and only international treaty that comprehensively addresses women's rights not only within civil and political spheres, but also within economic, social, cultural and family life. It defines discrimination and emphasizes that discrimination against women violates the principles of equality of rights & respect for human dignity that hampers women's participation, on equal terms with men, in all fields for development and peace. Among others, it guarantees women's right to be free from all forms of traffic in women and exploitation of prostitution (Art. 6). General Recommendation Nos. 12 & 19 specifically deals with gender-based violence and that State Parties shall report legislations in force to protect women against all kinds of violence in everyday life and the existence of support services.
- **Declaration on the Elimination of Violence against Women (DEVAW).** Defines violence against women (Art. 1) and its various forms (Art. 2) which includes but is not limited to: a) physical, sexual and psychological violence occurring in the family, including battering, sexual abuse, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation; b) physical, sexual and psychological violence occurring with the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution; and c) physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.
- **Beijing Declaration and Platform for Action (BPA).** Seeks to promote and protect the full enjoyment of all human rights and the fundamental freedoms of all women throughout the life cycle. One of the twelve (12) priority areas is violence against women and girls which is seen as an obstacle to the achievement of the objectives of equality, development and peace. A strategic objective is the integration of measures to prevent and eliminate violence against women. Further, developing a holistic and multidisciplinary approach to the challenging task of promoting families, communities and State that are free of VAW is necessary and achievable (par. 119).
- **Convention on the Rights of the Child (CRC).** Recognizes that the child, by reason of physical and mental immaturity, needs special safeguards and care, including appropriate

legal protection, before as well as after birth. It provides under Art. 19 that "State Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of the parents, legal guardians or any other persons who have the care of the child."

B. National laws and ordinances

Law	Short title and description	Approved date
Republic Act 9710	Magna Carta of Women--is comprehensive women's human rights law that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women, especially those in marginalized sector.	Aug 14, 2009
DILG Memo Circular 2012-61	Guidelines in the establishment and management of a referral system on Violence Against Women (VAW) at the local government unit level The Inter-Agency Council on Violence Against Women and Their Children (IAC-VAWC) has issued the "Guidelines in the Establishment and Management of a Referral System on Violence Against Women and Their Children at the Local Government Unit Level", pursuant to Section 54 of the Implementing Rules and Regulations (IRR) of RA 9262 also known as the Anti-Violence Against Women and Their Children Act of 2004.	Mar 28, 2012
CHED Memo s.2011	Submission by all higher education institutions of reports on the compliance to Republic Act no. 7877 otherwise known as the "Anti-Sexual Harassment Act of 1995	Feb 17, 2011
Proclamation No. 1172	18 Day Campaign to End Violence against Women	Nov 17, 2006
Republic Act 9262	Anti-Violence Against Women and their Children Act of 2004 – An Act Defining Violence Against Women and their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefore and for other Purposes	Mar 8, 2004
Republic Act 9208	Anti-Trafficking in Persons Act of 2003 - consonant with the state's obligation to protect the dignity of the individual, this law criminalizes the act of trafficking in persons especially of women and children for prostitution, sexual exploitation and slavery, among others.	May 26, 2003
Republic Act 8505	Rape Victim Assistance and Protection Act of 1998 – An Act Providing Assistance and Protection for Rape Victims, Establishing for	Feb 13, 1998

	the Purpose A Rape Crisis Center in every Province and City, Authorizing the Appropriation of Funds Therefore, and for other Purposes	
Republic Act 8353	The Anti-Rape Law of 1997 - is a landmark legislation for Filipino women because it provided for a broader definition of the crime of rape and reclassifying it from a Crime Against Chastity to a Crime Against Persons.	Sept 30, 1997
Republic Act 7877	Anti-Sexual Harassment Act of 1995 - provides criminal sanctions for acts constituting sexual harassment. The law also requires the employers or the head of the covered institutions to deter the commission of acts of sexual harassment and to provide for procedures for resolution, settlement or prosecution of acts of sexual harassment.	Feb 14, 1995
CSC Memo Circular No. 30, s.1994	Policy on Sexual Harassment in the Workplace	May 31, 1994
Republic Act 6955	Mail-Order Bride Law – An Act to Declare Unlawful the Practice of Matching Filipino Women for Marriage to Foreign Nationals on a Mail-Order ba and other Similar Practices, including the Advertisement, Publication, Printing or Distribution of Brochures, Fliers and other Propaganda Materials in Furtherance thereof and Providing Penalty	June 13, 1990
Republic Act No. 3815	The Revised Penal Code - supplanted the Spanish Penal Code, which was in force in the Philippines from 1886 to 1930. The new Code was drafted by a committee created in 1927, and headed by Judge <u>Anacleto Diaz</u> , who would later serve on the <u>Supreme Court</u> . Rather than engage in a wholesale codification of all penal laws in the Philippines, the committee instead revised the old Penal Code and included all other penal laws only insofar as they related to the Penal Code.	Aug 12, 1930

1. VAW Reporting Today

In ensuring full and quality compliance of the country's international obligations and commitments to respect, fulfill and realize gender equality and women's rights, national laws and ordinances are necessary to be crafted and passed to concretize its application at the ground level.

These policies and legislations are also used to strengthen institutional mechanisms that will provide anti-VAW Programs and Services, mainstreaming gender and reproductive health to all gender and specifically, women.

In a study conducted by the former and current Philippine Commission on Women about performance standards and assessment tools for services, it had identified five categories of

government services related to anti-VAW including the respective agency that needs to provide the service:

- ❖ Investigatory Services or Procedures provided by the Philippine National Police (PNP)
- ❖ Psychosocial Services provided by the Department of Social Welfare and Development (DSWD)
- ❖ Medical or Hospital-based Services provided by the Department of Health (DOH)
- ❖ Legal/Prosecution Services provided by the Department of Justice (DoJ)
- ❖ Anti-VAW services at the barangay, municipal city and provincial levels are provided by the Department of Interior and Local Government (DILG) or specifically the local government units

The mandate of these agencies started in the passage of RA 9262 when key government agencies have been identified to compose the Inter-Agency Council on Violence against Women and Children (IAC-VAWC). The members of the IAC-VAWC are the Department of Social Welfare and Development (DSWD), the formerly National Commission on the Role of Filipino Women (NCRFW) or currently PCW, Civil Service Commission (CSC), Commission on Human Rights (CHR), Council for the Welfare of Children (CWC), Department of Justice (DOJ), Department of Interior and Local Government (DILG), Philippine National Police (PNP), Department of Health (DOH), Department of Education (DepEd), Department of Labor and Employment (DOLE); and the National Bureau of Investigation (NBI). The IAC-VAWC members are tasked to formulate programs and projects to eliminate violence against women and children based on their mandates, develop capability programs in order that government employees become more sensitive to victim's needs as well as monitor anti-violence against women and children initiatives.

Within these services lies the reporting of data and safekeeping of them confidentially. The policies, physical facilities, personnel, services, monitoring and evaluation, advocacy and information and resources are provided for to ensure that these will be done. Whether the parameters in providing these services are fully satisfied or insufficient to ensure that there's quality reporting and statistical data is another topic.

The PNP-Women and Children Desks are at the forefront in delivering services and it is the first to accept complaints from victim-survivors including the ones at the barangay level.

It is the Women and Children Protection Desk in almost all police stations throughout the country that officers received firsthand complaints from victim-survivors. The PNP-WCPC acts as a quick response unit that accepts complaints. However, complaints are endorsed immediately to the appropriate agency that will give the anti-VAW service. The agency is more of a policy-body inside the PNP while CIDG is the one doing the investigation services.

In the PNP's complaint standard reporting form, the reporting officer/unit writes down the following initial data: 1) person/unit reporting; 2) date accomplished; 3) referring party and contact numbers; 4) investigation/case number; and 5) name of investigator/interviewer.

The data reported in the main part of the report form is classified into: 1) offense data, 2) victim's data, 3) offender's data, 4) evidence data, 5) case disposition, and 6) incident brief.

The offense data shall include the time/day/month/year of commission, place of commission and offense committed.

The victim's data shall include the name of the victim, sex, age and date of birth, place of birth, highest educational attainment, civil status, nationality, present address, provincial address, parents' names, occupation, identifying documents presented, and contact person, address and contact numbers.

The offender's data shall include the name of the offender, sex, age and date of birth, civil status, highest educational attainment, nationality, previous criminal record, employment information, last known address, relationship to victim, and identifying documents presented.

The evidence data must specify the weapons/means used, and the motive/cause. It should also note whether the suspect is under the influence of drugs, alcohol or others and whether medico-legal examination was performed or not.

Under the case disposition portion, the report must indicate how the case was disposed/handled, whether the victim/survivor is in the custody of others and whether the suspect has been arrested, detained or at large.

Any incident pertinent to the reported case must also be specified in the incident brief. When asked about the form, however, some WCCPC personnel did not seem to know that it exists. Rather, the Center's report is maintained in the computer and updated every month.

During my interview with PNP's social worker, she wasn't able to provide the researcher a copy of the VAW complaint form because a permission needs to be secured from the person-in-charge. As of this research, data was not found either to show how VAW reporting has changed in the last 10 years.

However, in the Guidelines in the Establishment and Management of a Referral System on Violence Against Women at the Local Government Unit Level, a VAW Client Card Form was found in its Annex and was referred to in this baseline report.

Please refer to the VAW client card below:

VAW Form 1 - VAW CLIENT CARD

CONFIDENTIAL

Instructions	Form to be completed by fully trained and designated staff. Part I must be filled up at initial contact and forwarded to the RecA, while the CM shall accomplish Part II. Attach additional pages with narrative, if needed. Retain a copy and ensure that confidentiality is observed.
Note	Separate intake sheets are used in accordance with the requirements of the concerned agencies. However, there are supplemental information which are needed for the data base.

Part I. Initial Information

Name of Referring Person/Party	Address	Date of Referral:
Designation or relationship with victim-survivor:	Contact Numbers: Landline: Mobile Phone:	Time of Referral:
A. Victim-Survivor Information		
Name:		
Date of Birth:	Sex: <input type="checkbox"/> F <input type="checkbox"/> M	
Place of Birth:	Civil Status: <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> "Live-in" <input type="checkbox"/> Separated <input type="checkbox"/> Widow	
Address:		
Ethnic Background:	Head of family (self or name and relationship to victim-survivor):	
Highest Educational Attainment:		
Occupation:		
No. of children and ages (if any):		
If victim-survivor is a child		
Name of parent/caregiver/guardian:		
	Relationship:	
	Address:	
	Contact number:	
	Relationship:	
	Address:	
	Contact number:	

B. The incident:			
Type: <input type="checkbox"/> Sexual abuse (Specify) _____ _____		<input type="checkbox"/> Psychological <input type="checkbox"/> Physical (Battering) <input type="checkbox"/> Economic <input type="checkbox"/> Others _____	
Location	Date	Time of day	
Description of incident (Summarize circumstances, what exactly occurred, what happened afterwards) Attach additional pages with continued narrative, if needed.			
C. Perpetrator Information			
Name:	No. of perpetrators	Sex:	
Address:	Nationality:	Age:	Ethnic Background:
Relationship to victim-Survivor:	Civil Status:	Occupation:	
If perpetrator is unknown, describe him/her including identifying marks:			
Current location of perpetrator if known: Is the perpetrator a continuing threat?			
If perpetrator is a child, Name of parent/caregiver/guardian:			
		Relationship:	
		Address:	
		Contact number:	
D. Witnesses: (Use additional paper if necessary)			
Name, address, and contact number		Describe the event witnessed:	

Though this form may not be the exact complaint form used by frontline agencies like the PNP, this gives an overview of questions asked and need to be filled-up during the interview.

At the barangay level, Women and Gender desks and rape crisis center also have their own in-take forms for victim-survivors.

Referral forms are also used by these frontline agencies to endorse cases for appropriate services.

As for the DOJ, cases endorsed to them are already those filed in court or have reached the prosecutorial level. Thus, data or records that reached them are already sifted through or "sanitized" by the police.

The DSWD Crisis Unit was also contacted for this baseline research. However, request is still pending until the documentation requirements asked from the researcher are approved by the Secretary of the Department herself.

According to the researcher's initial

phone interview, the statistical data available at DSWD came from their own crisis centers stationed at various LGUs.

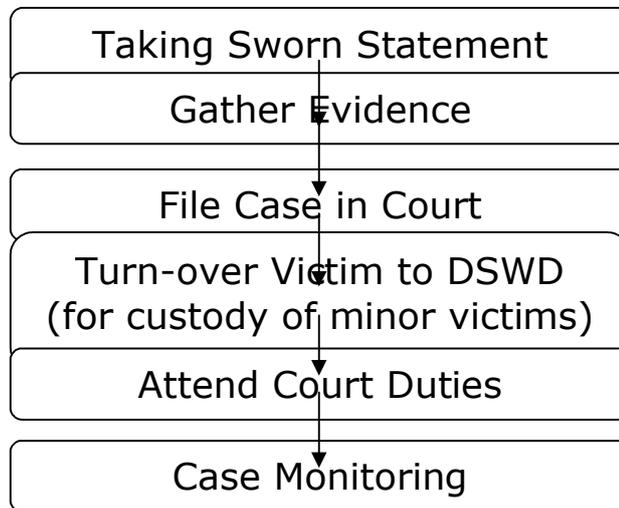
The PNP as frontline agency providing direct service for victim-survivors has the following services that become sources of VAW data:

1. Receiving of complaints and calls for assistance
2. Rescue operations

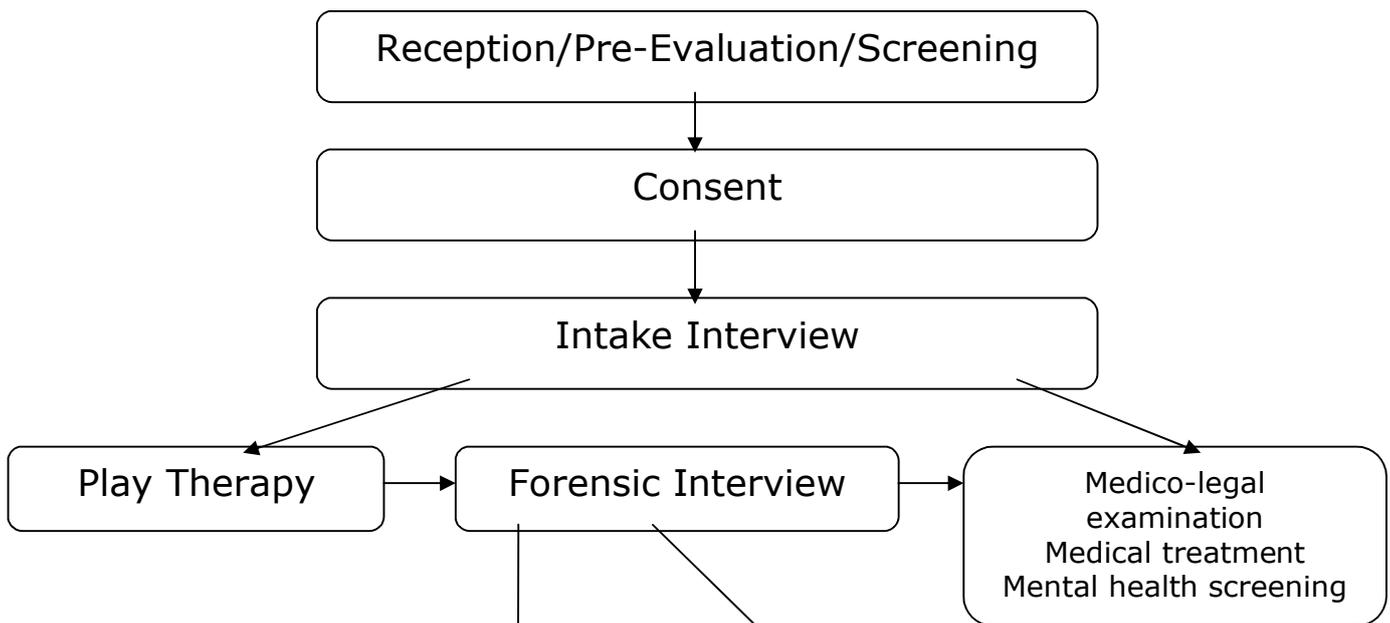
3. Arrests and apprehension of perpetrators
4. Conduct of interview and investigation
5. Conduct of forensic interview and medico-legal examination
6. Enforcement of protection order
7. Referral System
8. Confidentiality of police blotter, records and reports

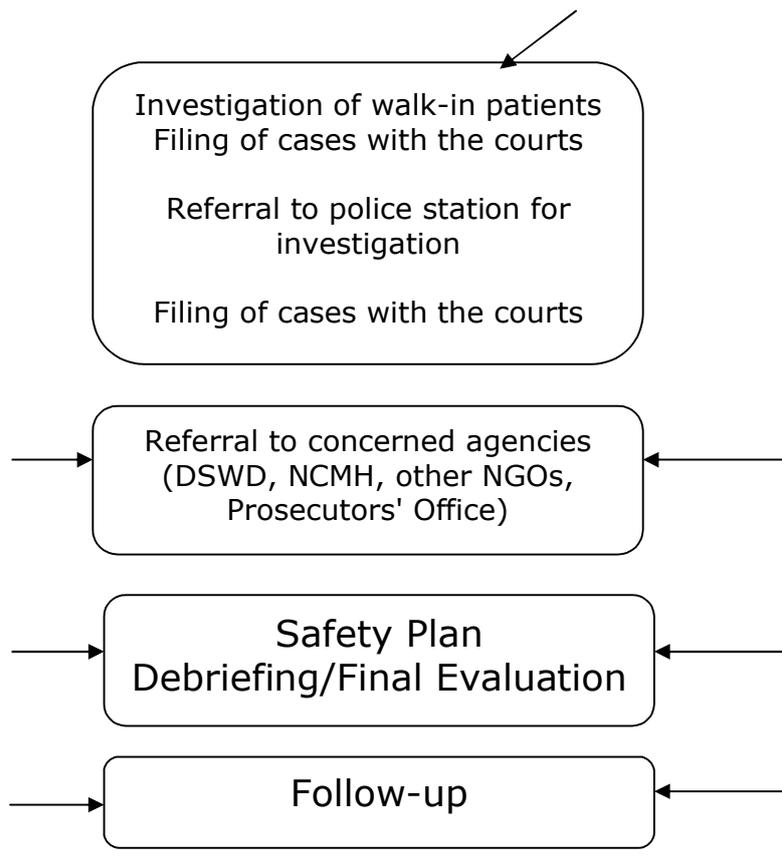
Women and Children Complaint Division - Criminal
Investigation and Detection Group (WCCD-CIDG)
Investigation Process Flow Chart Interview

- a. Conduct separate interview of the victim's parents or guardian
- b. Interview witness (if there is any)
- c. Prepare referral for physical examination/drug test (PNP Crime Lab)
- d. Prepare referral from Psychosocial and Psychiatric Examination addressed to NCMH (if victim is mentally incapable)

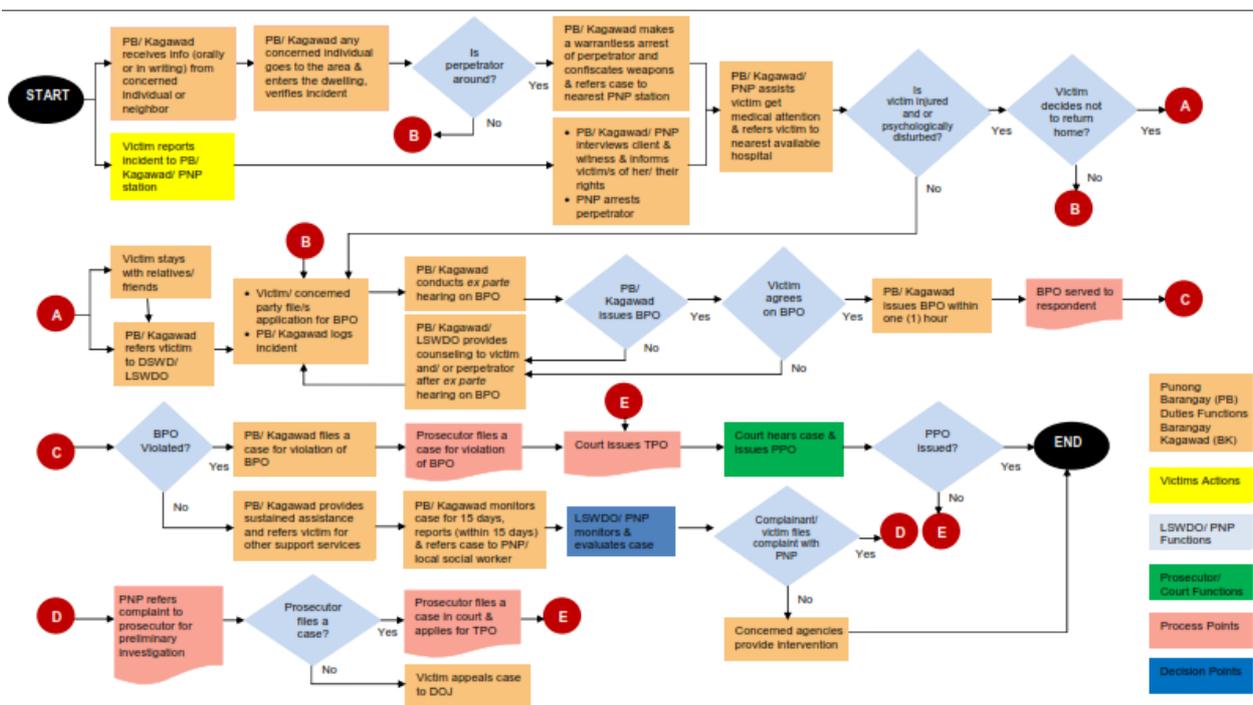


PNP Women Crisis and Child Protection Center
Flow Chart of Patient Care





As for the CSOs like GABRIELA, they have established a systematized process of helping victim-survivors. Refer to the flowchart below and their step-by-step procedure on what to do if you are a rape victim.



What to do if you a rape victim:

- STEP 1 Get immediate assistance from the nearest police or barangay to arrest the offender
- STEP 2 Get Referral Letter for medico-legal exam at police station nearest to the crime scene
- STEP 3 Get immediate medico-legal exam at Camp Crame Crime Laboratory where they conduct free DNA tests
- Important for medico-legal exam:
- Get your exam immediately or within three days
 - Avoid bathing, brushing teeth and mouth rinsing, douching, urinating and washing until after the examination
 - Collect clothing used during the incident and other evidence; air dry and place in paper envelope
 - Collect blood and urine samples to test for drug and alcohol intake
 - Note: no evident injury at the time of examination does not exclude sexual abuse
- STEP 4 Get copy of your Complaint-Affidavit (Sinumpaang Salaysay) for violation of the Anti-Rape Law (RA 8353) at the police station nearest to the crime scene
- STEP 5 File your criminal complaint (Complaint-Affidavit) with the Prosecutor's Office nearest to the crime scene
- STEP 6 Get counseling and counseling/psychological evaluation report from:
- Women's Crisis Center, East Ave. Medical Center
 - UP-PGH Women's Desk
 - UP-PGH Child Protection Unit
 - National Center for Mental Health if victim is mentally challenged

As for the Women's Crisis Center Manila (WCC), they offer the following programs and services to victim-survivors:

- Intervention Programs
 - Crisis Intervention Counseling Program (CICP). Provides the most critical services needed by a woman as a result of violence and abuse. These cover emotional support and feminist counseling, referrals for health and medical needs, legal assistance, shelter and other support services.
 - Temporary Shelter Program (TSP). A safe and short term refuge is available to survivors with security risks, have limited resources, and have nowhere to go to escape and abusive situation. It is the only shelter that accepts both mothers and their children as well as significant others who are survivors themselves. At the shelter, residents receive crisis intervention and support services and are assured of emotional support as they try to recover from the trauma of violence. They are also provided with educational sessions, skills training, empowerment workshops and other therapeutic activities. The TSP facilitates referral to other shelters and institutions especially for survivors needing longer-term support.
 - Survivors' Support Program (SSP). WCC organizes communities of women on the basis of geographic location and shared experience. Through the SSP, WCC organizes survivors who avail of crisis intervention services into communities or groups from which survivors draw support from each other while being served by WCC. The SSP organizes group work, empowerment workshops, capability building, and educational activities for survivors and support survivors' groups until they become effective resources for organizing other women to become advocates for the elimination of violence against women.

WCC also engages in prevention programs that provides training and education both for its staff and survivors as well as other service providers and advocates of violence prevention. It also offers workshops on setting-up and managing crisis centers for VAW survivors. Furthermore, the center undertakes feminist research, documentation and publication, community organizing, networking and policy advocacy programs.

Much have to be done in reporting VAW data today. Changes in reporting mechanisms on VAW only happen when new laws, legal bases and memorandums are passed by policymakers.

While the data collection, making them cohesive and avoiding double entries including safekeeping of victim-survivors records still need much improvement.

According to the 2009 study, "BREAKING THE SILENCE, SEEKING JUSTICE IN INTIMATE PARTNER VIOLENCE IN THE PHILIPPINES: A Review on the Implementation of Republic Act 9262 Or the Anti-Violence against Women and their Children Act of 2004" by the Women Working Together to Stop Violence against Women (WWTSSVAW), the following are their assessment on the documentation and reporting of VAWC:

- ❖ Documentation of cases of intimate partner violence against women and children is erratic and very poor.
- ❖ The tracking of cases by the DILG is dismal. Having links to the 42,000 barangays (villages) across the country where incidents of violence against women and children first come to the attention of government, the DILG is in the best position to provide comprehensive data. The DILG issued a circular directing barangays to report on VAWC cases but the data set available is very incomplete, with information from only six regions out of the 17 regions in the country. These regions correspond to the locations of the 2000 barangay officials who were trained on RA 9262.
- ❖ The processing and recording of cases of violence against women and children is problematic. There is no national institution that maintains all data and information regarding intimate partner violence against women and children.
- ❖ The varied data sets across agencies make comparison and consolidation difficult. There is a need to standardize monitoring and documentation systems towards compiling a national data on intimate partner violence against women and their children. Another challenge is accurate recording, ensuring that all cases are recorded and overlap of cases avoided.

Director Pagunsan of DOJ-Planning Management Services, the agency and the PNoy Administration is currently doing a project on the national justice information system, which aims to link all databases from various agencies collecting statistical crime data including VAWC. It is a process-based system which will generate all data needed. Once finished, this may yet answer the problem of incomplete and incomprehensible data on VAWC.

2. Role of technology in the current state of VAW

With the advancement of technology, information communication technology or ICT platforms can either be used as a liberating or controlling tool. This depends on how the State interprets its role in respecting, fulfilling and realizing human rights in relation to technology or the internet as a public good through the laws it crafts.

For citizens, they can also use ICTs in the same manner. Internet, SMS and other ICT platforms can be used to reinforce gender discrimination in the same way that they can also be used to counter discrimination and empower citizens to promote gender equality and equity.

This baseline research has been conducted to basically give ideas on how to integrate technology-related VAW or what is popularly known as eVAW.

ICT in the Philippines

Currently, ICT-related efforts of the government are lodged at the Information and Communications Technology Office (ICTO) of the Department of Science and Technology (DOST). It was created through Executive Order (EO) 47 which transferred the former Commission on Information and Communications Technology (CICT) from the Office of the President to the DOST.

The ICTO is tasked to be the lead implementing agency of Government in all most of its ICT related efforts such as industry development, policy formulation, ICT infrastructure development, R&D, ICT capacity building for the public sector and administration of the E-Governance Fund.

The ICTO's primary thrusts for 2011 – 2016 are in the areas of ICT Industry Development, E-Government, ICT Policy Development, ICT Infrastructure and Cybersecurity. Much of these directions are in line with the Philippine Digital Strategy (PDS), the Philippine Government's masterplan on how to actively use information and communications technology in promoting economic and social growth, and in promoting efficiency in the delivery of public service

The Office is currently headed by Executive Director Louis Napoleon C. Casambre.

In the recent years, technology becomes a necessity for more people and so as government that it can no longer be ignored. In fact, the current PNoy government makes use of the technology of internet to propagate transparency and accountability in governance. Agencies now take time to post narrative reports, achievements, financial statements and statistical data in their websites. The introduction of social networking sites even made the internet all the more functional for people all over the world to connect and maintain relationships despite the distance. With this, internet service providers (ISPs) sprouted like mushrooms in the country and the number keeps growing. Below are the internet service providers (ISPs) in the Philippines as of March 2012:

Internet Service Provider	Type of internet service	Internet Bandwidth	ISP Price
Tattoo Sonic	3G capable device	3.6 Mbps	P995
Tattoo Flash	4-G capable device	7.2 Mbps	P1245
Tattoo Superstick	4G WiFi Stick	7.2 Mbps plus sharing the Wifi connection up to 5 devices	P3495
WiMAX Light Use	Internet only: Chatting, emailing with light attachments and surfing	Up to 512 Kbps	P 799
WiMAX Moderate Use	Internet only: Chatting, emailing with large attachments, surfing, video streaming, gaming, uploading/downloading of pictures and media files	Up to 1 Mbps	P 999
WiMAX Moderate Use	Internet and landline: Chatting, emailing with large attachments,	Up to 1 Mbps	P 1099

	surfing, video streaming, gaming, uploading/downloading of pictures and media files		
WiMAX Moderate to Heavy Use	Internet and landline: Chatting, emailing with large attachments, surfing, video streaming, gaming, uploading/downloading of pictures and media files	Up to 2 Mbps	P 1299
Smart Bro Fixed Wireless Plan	Unlimited internet hours	Up to 512 kbps	P 799
Smart Bro Fixed Wireless Plan	Download files and watch videos fast	Up to 1 Mbps	P 999
WiMAX Plan	Unlimited internet hours	Up to 512 kbps	P 799
WiMAX Plan	Unlimited surfing, signal that is more reliable and more consistent than DSL	Up to 1 Mbps	P 999
Sun Broadband Wireless Plan	Unlimited broadband subscription and complete with a plug and play modem plus a Sun Broadband Wireless SIM thereby allowing you to get connected right away	Up to 2 Mbps	P 799
Sun Easy Broadband	Unlimited broadband subscription and complete with a plug and play modem plus a Sun Broadband Wireless SIM without going through the hassle of submitting documents.	Up to 2 Mbps	P 1895 for modem fee and P 799 advance
Sun Easy Broadband Sim only	Easy Broadband SIM only does not come with a plug & play modem. In terms of service features, this subscription is exactly the same as Easy Broadband.	Up to 2 Mbps	P 1895 for modem fee and P 799 advance
Sun Broadband Wireless Prepaid	Sun Broadband Wireless Prepaid comes with a plug-and-play device. It's compact and easy to use thus allowing you to have mobility to enjoy broadband internet	Up to 2 Mbps	depends
PLDT myDSL plan 990	Unlimited DSL plus landline and watchpad	up to 384 kbps	P 990
PLDT myDSL plan 1299	Unlimited DSL plus landline and watchpad	Up to 768 kbps	P 1299
Xperience 999	Unlimited DSL and landline	Up to 1 Mbps	P 999
Xcite 1995	Unlimited DSL and landline	Up to 2 Mbps	P 1995
Xcel 3000	Unlimited DSL and landline	Up to 3 Mbps	P 3000

byanBROABANDplan 256	byanBROADBAND is an unlimited broadband subscription perfect for home use.	Up to 256 kbps	P 699
byanBROABANDplan 512	byanBROADBAND is an unlimited broadband subscription perfect for home use.	Up to 512 kbps	P 999
BayanDSL	perfect unlimited internet plan	Up to 768 kbps	P 899
BayanDSL	perfect unlimited internet plan	Up to 1 Mbps	P 999
BayanDSL	perfect unlimited internet plan	Up to 1.5 Mbps	P 1499
BayanDSL	perfect unlimited internet plan	Up to 2 Mbps	P 1999
BayanDSL	perfect unlimited internet plan	Up to 3 Mbps	P 2499
Wi-tribe Plan 598	Pure 4G connection guaranteed, unlimited surfing and browsing	Up to 1 Mbps	P 598
Wi-tribe Plan 998	Pure 4G connection guaranteed, unlimited surfing and browsing	Up to 2 Mbps	P 998
Wi-tribe Plan 1998	Pure 4G Technology, unlimited surfing and browsing	Up to 4 Mbps	P 1998
Wi-tribe SME	Designed to address additional requirements of Small and Medium Enterprises	Up to 4 Mbps	P 3998
Wi-tribe prepaid	The only internet stick in the market that carries 3 different speeds	Up to 512 kbps tp 2 Mbps to 6 Mbps	depends
Wi-tribe WiLL and WiLL Premium	I will not elaborate on this since it is for corporation		
Sky Plan 1 Mbps	Unlimited surfing offer for non-SKY cable subscribers	Up to 2 Mbps	P 999
Sky Plan 1.5 Mbps	Unlimited surfing offer for existing SKYcable subscribers	Up to 2.5 Mbps	P 999
Sky Plan 2 Mbps	Unlimited surfing offer for non-SKYcable suscribers	Up to 3 Mbps	P 1,999
Sky Plan 3 Mbps	Unlimited surfing offer for existing SKY cable subscribers	Up to 4 Mbps	P 1,999
Sky Business Plans	I will not elaborate on this but you can check their site		

As for mobile phones as ICT platform, here are the following providers:

- **SMART.** As of June 2012, 50.9 million subscribers are on their network and have over 95 stores nationwide to accommodate the present and future subscribers from Luzon to the farthest location in Mindanao.

There are only two options for cellular phones: prepaid and postpaid.

- **GLOBE.**
- **SUN.**

ICT and the emerging eVAW

It was mentioned earlier in this report that technology can either be used in a positive and negative way. Perpetrators of gender-based violence or VAW have found new ways to torment their victims anew with the use of technology.

Foundation for Media Alternatives (FMA) defined technology-related violence against women or **eVAW** as violence against women in and using ICT platforms such as television, radio, telephone/mobile phones, computers, SMART phones, tablets, internet, VoIP, social networking sites (FB, Twitter), websites and blogs.

Several forms of eVAW crimes being perpetrated are:

- ❖ **Cyberharassment.**

It is the online harassment of women, which includes rape threats, doctored photographs portraying women being strangled, postings of women's home addresses alongside suggestions that they are interested in anonymous sex, and technological attacks that shut down blogs and websites (Citron 2009).

Forms of cyberharassment are: cyberstalking, emails to forward unwanted proposals blackmail, extortion/publication of an individual's personal information, monitoring by abusers of both the physical and virtual activities of their victims.

- ❖ **Cyberpornography.**

It is an act of using cyberspace to create, display, distribute, import or publish pornography or obscene materials, especially materials depicting children engaged in sexual acts with adults.

- ❖ **Cybertrafficking.**

The forms of cybertrafficking are: fake online "marriage agencies and websites advertising nonexistent work or study opportunities and the commercialization of private home videos

Though we know that these have been happening, based on this research, there were no government data available that points to a figure on the extent of eVAW. In fact, government has no clear definition of what eVAW is. From FMA's meeting with government last November 9, the representative of the National Bureau of Investigation (NBI), Mr. Dennis Siyhian, said that technology used in VAW is treated as just one of those tools in committing the crime. And that the Supreme Court has already passed the Rules on Electronic Evidence under the implementing rules and regulations (IRR) of the Electronic Commerce Act of 2000. Therefore, documenting eVAW separately might just be duplicating some of the current efforts of the government authorities.

Being a signatory to various international commitments on human rights, the Philippine government accepts the idea of respecting, fulfilling and realizing the human rights of all its citizens. Thus it

crafted laws/policies to comply with these commitments. For example, in compliance to the country's commitment to the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the government passed the Anti-Violence Against Women and their Children Act of 2004 – An Act Defining Violence Against Women and their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefore and for other Purposes (RA 9262). The latter law was clearly for the protection of women from discrimination and all types of abuses, enshrined in CEDAW.

The following international treaties/conventions support access to technology particularly the internet and some of the national laws that protect women from the abuse of ICT:

International commitments	National laws/policies
<p>UN declares internet Freedom a basic right "...the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one's choice, in accordance with articles 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights."</p>	<p>Republic Act 9995 or the Anti-Photo and Video Voyeurism Act of 2009 - The State values the dignity and privacy of every human person and guarantees full respect for human rights. Toward this end, the State shall penalize acts that would destroy the honor, dignity and integrity of a person. (Approval date: Feb 15, 2010)</p>
<p>1. Internet Access For All</p> <p>ARTICLE 26, UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR): EDUCATION SHALL BE DIRECTED TO THE FULL DEVELOPMENT OF THE HUMAN PERSONALITY AND TO THE STRENGTHENING OF RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS</p>	<p>Republic Act No. 9775 or the An Act Defining the Crime of Child Pornography, Prescribing Penalties Therefor and for other Purposes</p>
<p>2. Freedom of Expression and Association</p> <p>ARTICLE 18, UDHR: EVERYONE HAS THE RIGHT TO FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION</p> <p>ARTICLE 19, UDHR: EVERYONE HAS THE RIGHT TO FREEDOM OF OPINION AND EXPRESSION; THIS RIGHT INCLUDES FREEDOM TO HOLD OPINIONS WITHOUT INTERFERENCE AND TO SEEK, RECEIVE AND IMPART INFORMATION AND IDEAS THROUGH ANY MEDIA REGARDLESS OF FRONTIERS</p>	<p>The Right to Privacy</p> <p>Philippine Constitution under Section 3 of the Bill of Rights which states: "The privacy of communications and correspondences shall be inviolable except upon lawful order of the court, or when public safety or order requires otherwise as prescribed by law"; and in the New Civil Code (Article 32).</p> <p>Moreover, Article 32 of the Code seeks to penalise any government official or individual who 'obstructs, defeats, violates, impedes and impairs' the exercise of freedom of speech, the freedom to write for the press or to maintain a publication, as well as the privacy of communication or correspondence'</p>
<p>3. Access to Knowledge</p> <p>ARTICLE 27, UDHR: EVERYONE HAS THE RIGHT TO PARTICIPATE IN THE CULTURAL LIFE OF THE COMMUNITY, TO ENJOY THE ARTS AND TO SHARE IN SCIENTIFIC ADVANCEMENT AND ITS BENEFITS</p>	<p>The Right to Information</p> <p>Article III, Section 7 of the 1987 Constitution defines the right to information as: the right to information on matters of public concern and the corollary right of access to official records and documents. It states: "The right of the people to information on matters of public concern ... by its very nature is a public right..."</p>

	when the question is one of public right, the people are ... the real party in interest ... [a citizen] need not show that [he or she] has any legal or special interest in the result [of litigation]" to avail himself or herself of this right
4. Shared Learning and Creation - Free and Open Source Software and Technology Development (Art 27 UDHR)	
5. Privacy, Surveillance and Encryption ARTICLE 12, UDHR: NO ONE SHALL BE SUBJECTED TO ARBITRARY INTERFERENCE WITH HIS PRIVACY, FAMILY, HOME OR CORRESPONDENCE, NOR TO ATTACKS UPON HIS HONOUR AND REPUTATION	

However, what if the law being passed by government conflicts with the protective measure earlier passed?

Last September 12, 2012, the President signed the Cybercrime Prevention Act of 2012 (R.A. 10175). The law seeks to combat crimes occurring in cyberspace. Though the intention was good, the law actually tramples on the fundamental human rights already won such as the right to freedom of expression and liberty due to the insertion on libel and the stricter penalties imposed on it. Many members of the media and online journalists criticized law and filed their own petition against it.

Aside from them, the women's groups have also raised their serious concerns over the "cybersex provision" of R.A. 10175 that moved them to reject the entire law. In the Feminist Technology Exchange that happened last October, the Women's Legal and Human Rights Bureau, Inc. (WLB), together with other women groups, they clearly stated:

"We reject the cybersex provision of the law for being vague. While the law presumably addresses sexual violence committed online, which are exploitative and harmful particularly to women, the vagueness and overbreadth of cybersex as content-related offense create a different impact on women, who will be the ones caught up in its wide web and targeted for criminal prosecution.

Moreover, **the elements of the crime under the cybersex provision are not well-defined, therefore the law poses more harm to women who are usual victims of sexual violence in cyberspace.** The law fails to concretely define what constitute the violation under the cybersex provision of the law. If the intent of the law is to suppress the occurrence of syndicated and exploitative cybersex, the measure may be ineffective as it fails to consider the transnational nature of sexual violence in cyberspace where site owners or operators and the buyers are beyond the jurisdiction of the Philippines. It will only succeed in arresting women found in local cybersex dens and putting them behind bars.

The law could be used to further perpetuate violence against women. Laws and the legal system are powerful spaces that shape public discourses. Indeed, the legal system is a venue where women engage to seek positive recognition and protection of their rights. Over the years, women secured gains in this arena. However, laws like RA 10175, which does not specify and define the acts covered by the cybersex provision and is not clear on how it relates to other laws protective of women, runs the risk of being used against the very human beings it seek to protect- the women. **This is why we call**

for caution and judiciousness. *Our engagement with the legal system through the years have shown that **women have so far experienced little gains in accessing justice** - there are very few cases filed and there are even fewer cases won, not to mention the unequal access to resources, gendered-based myths and misconceptions that pervade the justice system and a society that tolerates or even promotes sexist ideas and practices. The legal system is just another site for men to harass women as laws are used to file retaliatory suits against women.*

*The passage of the law is reacting to the increasing violations and crimes committed and perpetrated through information and communications technology (ICT), and focus solely on criminalization, unmindful of its possible effects and without clear understanding of the inherent nature and characteristic of ICTs relating to violence committed against women. Hence, **we oppose RA 10175 because of its possible detrimental effects to women.***

Also, with the absence of eVAW or technology-related VAW data, how can government agencies penalize cybercrimes particularly if it's in violation of the cybersex provision?

The law dwells on the possibility of using the internet for criminal activities instead of basing the law on how technology or the internet, in this case, can be a tool of empowerment, education and source of evidence. Furthermore, the process that the law undertook completely disregarded the principle of people's participation in policymaking.

Fifteen petitions against R.A. 10175 resulted to a temporary restraining order (TRO) from the Supreme Court, which halted its implementation for 120 days. Today, January 15 is the Oral Arguments for the said law. Lawyers who shall speak before the Supreme Court justices vowed to include the "cybersex" provision in their arguments. While the counsels of the Philippine Internet Freedom Alliance (PIFA), which FMA is a member of, shall stressed on the cybersex provision along with the rights to privacy in the memorandum to be submitted.

In a nutshell, netizens demand for a law that respects citizen's participation in the crafting of such a policy that has the potential to trample the rights of the people if done sloppily, which what actually happened. Netizens want a law founded on recognizing the 'public value' of the internet and/or internet freedom that protects the human rights of the citizens, especially those marginalized like the women.

Gender and ICT

The study on VAW and ICT of APC and APC-WNSP pointed out that there is a lack of a "clear-cut and equivocal commitment" on the part of government to advance gender equality and women's empowerment through ICT. This was according to the framework paper of PLCPD and Women's Hub in 2003.

In closely looking at the current thrusts of DOST-ICTOs, the lead agency of the government in ICT-related efforts, it is not clear whether these thrusts will address gender discrimination and inequality happening in cyberspace.

In these primary thrusts, there are four strategic interventions in the areas of E-Governance, ICT Planning and Policy Development, National Information Infrastructure Development and ICT Industry Development that are in line with the Philippine Digital Strategy 2011-2016. The four interventions stated that it will leverage ICTs to promote transparent and effective government services, advance digital inclusion, deepen political participation and achieve sustainable socio-economic development. However, where in these interventions does it plan to integrate the use of ICT to end gender bias and discrimination?

In the area of ICT Industry Development, how does the government plan to address and maximize the newly-opened economic opportunities for women, and at the same time, curb the tendency of stereotyping women into specific types of online work such as encoders, telecom operators, administrative assistants, etc. Will it develop a policy that shall consider equity in gender roles?

Integrating eVAW in the reporting system and statistical data on VAWC

Except for GABRIELA's attempt at integrating eVAW in a separate category, the government agencies interviewed have yet to integrate eVAW in their reporting methods or better yet protocols have to be set first. Hopefully this baseline report can recommend guidelines in drafting the protocols.

For FMA, the importance of mapping technology-related VAW rests on three main bases:

- Empowerment - mapping platform will allow women who have experienced violence online to document their experience
- Evidence - maps will help gather evidence of the presence of technology-related violence against women
- Education – will help in educating the public

Thus, the USHAHIDI platform was initially used to map-out eVAW cases. It was also able to gather a sampling of 39 eVAW cases. Mostly, SMS and internet were commonly used by perpetrators. In several cases, the perpetrators reinforced gender hate and discrimination through humiliation or to blackmail former intimate partners (e.g. sex videos scandals). Other cases were sexual harassment and rape by initially contacting the victim-survivor through SMS. Some were cybersex den victims or were forced to cyberpornography. Also, cases of cyberstalking, identity theft and hacking were also recorded through the software platform.

6. Recommended guidelines in incorporating eVAW in VAW reporting

Before guidelines and protocols on eVAW can even be crafted, FMA together with its partners have to settle the following concerns:

- ❖ Agree on the operational definition of eVAW.
- ❖ Ask these questions:
 - Do we really need the drafting of a separate policy on eVAW (like a Cybercrime law incorporating eVAW in one of its provisions? Or do we consider other laws/memo amended and integrate a provision on eVAW?
 - Is eVAW another form of VAW or just technology being used to commit VAW? Is it just another box to tick in the intake or complaint forms of victim-survivors?

Once these are settled and decided on, eVAW shall be integrated as another form of VAW. A further recommendation would be perhaps to use the parameters and indicators already set by government agencies to ensure effectivity and realization like in the other anti-VAW services. However, monitoring of these parameters must be regular and thorough. Other parameters and indicators may be suggested as well as the integration of eVAW progresses.

The parameters that need to be satisfied are as follows:

- ❖ **Policies.** The existence of policies, memorandum circulars and mandate provisions on eVAW will articulate the legal or administrative basis, purpose and guidelines in providing the

services to victims of violence. It also strengthens institutional mechanisms to ensure that human rights are respected, fulfilled and fully realized.

- ❖ **Physical facilities.** The courts already provided approval on the use of electronic evidences in cases. It also gave guidelines on how to safekeep such evidences. If there's still none, appropriate facilities should be built in compliance with this provision of the court.
- ❖ **Personnel and services.** Personnel with basic skills in retrieving and safekeeping electronic evidences for use in court trials must be available. Their skills have to be upgraded regularly with the latest technology. Services to analyze eVAW including its evidences must be available for use by the personnel.
- ❖ **Monitoring and evaluation system** is very important in collecting statistical data and resolving eVAW cases.
- ❖ **Advocacy and information** must be made available to inform agencies and the public on the integration of eVAW in their services. This empowers victim-survivors to file complaints knowing that their cases are not far-fetched and can be resolved by authorities.
- ❖ **Resources.** Steady and regular flow of resources/funds for investigating VAW including those with eVAW component must be ensured for sustainability.

Note on the policies, FMA and its partner women's groups have been active in pursuing and supporting other Filipino netizens and networks in stopping the implementation of the Cybercrime Prevention Act of 2012 (R.A. 10175). This is being done by strengthening and projecting the arguments against the cybersex provision and how this can harm women more than protect them from cybercrimes or eVAW. Once declared unconstitutional or once TRO of R.A. 10175 is extended, FMA, its women partners and networks will proceed to campaign its eventual repeal and provide recommendations for a new law that would genuinely address eVAW.

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