

### WHAT PROTECTION IS GIVEN TO TRAFFICKED PERSONS?

1. Legal Protection
2. Free Legal Assistance
3. Right to Privacy and Confidentiality
4. Witness Protection Program
5. Victim Compensation Program

### WHO MAY FILE A COMPLAINT?

1. The trafficked person or the offended party
2. Spouse
3. Parents or legal guardians
4. Siblings
5. Children
6. Any person who has personal knowledge of the offense

### How is Trafficking in Persons different from Illegal Recruitment and Human Smuggling?

Trafficking in Persons	Illegal Recruitment	Human Smuggling
May or may not involve coercion, fraud, deception, abuse of vulnerability, etc.	Usually does not involve coercion but uses more deception, promises and fraud	Usually does not involve coercion
Characterized by subsequent exploitation after the illegal entry of one person from one place to another or one country to another	Characterized by facilitating entry of one person from one country to another through an unorganized or unlicensed agency	Characterized by facilitating for a fee, the illegal entry of a person into a foreign country
There is a need to prove the presence of exploitation or that the recruitment was facilitated for the purpose of exploitation	Mere recruitment without license is punishable, no need to prove the consequential exploitation	Proof of illegal entry by non-compliance with the necessary requirements for travel
Considered a human rights issue	Considered a migration concern	Considered a migration concern

#### Reference:

Primer on RA 9208, Anti-Trafficking in Persons Act of 2003 as amended by RA 10364, Expanded Anti-Trafficking in Persons Act of 2012, Commission on Filipinos Overseas

### WHERE TO CALL FOR HELP?

#### Human Trafficking Action Line Inter-Agency Council Against Trafficking (IACAT)

Call or Text: 1343

E-mail: 1343actionline@cfo.gov.ph; Facebook: fb.com/1343Actionline

Web reporting: 1343actionline.ph

#### Department of Justice (DOJ)

DOJ IACAT: Tel. No.s : 527-2363, 523-8481 loc. 216

DOJ Action Center: Tel. Nos.: 521-2930; 523-8481 loc. 403

#### Department of Social Welfare and Development (DSWD-NCR)

Community Based Services Unit

Legarda, Manila

Tel. Nos.: 733-0014 to 18 loc. 116 / 488-2861

#### Philippine National Police (PNP)

Camp Crame, Quezon City

Tel. No.: 723-0401 to 20

Women and Children's Protection Center (WCPC)

Tel. Nos.: 410-3213 / 532-6690

Aleng Pulis Text Hotline: 0919-777- 7377

Emergency Hotline: 911

#### National Bureau of Investigation (NBI)

Anti-Human Trafficking Division (NBI-AHTRAD)

Taft Avenue, Manila

Tel. Nos.: 521-9208, 523-7414

#### Bureau of Immigration (BI)

Magallanes Drive, Intramuros, Manila

Tel. Nos.: 527-3260; 527-3248

#### Philippine Overseas Employment Administration (POEA)

Anti-Illegal Recruitment Branch

POEA Bldg., EDSA cor. Ortigas Avenue, Mandaluyong City

Tel. Nos.: 722-1189 to 90; 721-0619

For Filipinos Overseas: Philippine Embassy / Consulate which has jurisdiction over the place where the trafficking occurred or where the trafficked person is.

Cover Graphics: JOHN PAUL CLEMENTE

Top 12 Winner, 201418-Day Campaign to End VAW, Poster Making Contest



For more information, please contact the  
**Information Resource Management Division (IRMD)**  
1145 J. P. Laurel St., San Miguel, Manila, Philippines  
Trunk line: (02) 735-1654 loc. 122; Fax: (02) 736-4449  
Email: info@pcw.gov.ph; edo@pcw.gov.ph  
www.pcw.gov.ph

Philippine  
Commission  
on Women



**Republic Act 9208**  
as amended by RA 103

The Anti-Trafficking in Persons Act of 2003,  
by the Expanded Anti-Trafficking in Persons



## Republic Act 9208 or the Anti-Trafficking in Persons Act of 2003, as amended by RA 10364 also known as the Expanded Anti-Trafficking in Persons Act of 2012.

### WHAT IS TRAFFICKING IN PERSONS (TIP)?

*Trafficking in persons is an illegal act and is considered a violation of human rights. It has three (3) inter-related and interdependent elements for a situation to be considered trafficking in persons:*



#### ACTS

It involves the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders;



#### MEANS

It is committed by use of threat, or use of force, or other forms or 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; and



#### PURPOSE

It is done for the purpose of exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, involuntary servitude or the removal or sale of organs.

*The recruitment, transportation, transfer, harboring, adoption or receipt of a child for the purpose of exploitation or when the adoption is induced by any form of consideration for exploitative purposes shall also be considered as "trafficking in persons" even if it does not involve any of the means mentioned above.*

### WHAT ARE THE ACTS PUNISHABLE UNDER THE ANTI-TIP LAW?

*The following acts are punishable under RA 9208 as amended by RA 10364:*

**1. Acts of TIP** – includes all acts committed by any natural or juridical person where all the three elements of TIP (acts, means, purpose) are present. Some examples are:

- recruitment, hiring, offering, transferring, harboring or receiving any person for the purpose of prostitution, pornography, or sexual exploitation, under the pretext of domestic or overseas employment

- undertaking or organizing tours and travel plans consisting of tourism packages or activities for the purpose of utilizing and offering persons for prostitution, pornography or sexual exploitation;
- maintaining or hiring a person to engage in prostitution or pornography;
- adopting persons by any form of consideration for **exploitative purposes**; and
- recruitment, hiring, adopting, transporting, obtaining, harboring, offering, receiving or abducting a person, by means of threat or use of force, fraud, deceit, violence, coercion, or intimidation for the purpose of **removal or sale of organs** of said person.

**Any person found guilty of acts of TIP shall be penalized with imprisonment of 20 years and a fine of not less than 1 million but not more than 2 million pesos.**

**2. Acts that Promote TIP** – includes all acts that encourages or facilitates TIP such as:

- knowingly using or allowing the use of any house or establishment for promoting TIP;
- facilitating the use of tampered or fake documents to evade government regulatory and pre-departure requirements;
- production, publication, broadcast and distribution, including use of ICT for propaganda materials that promote TIP;
- assisting in the conduct of misrepresentation or fraud in securing clearances and necessary exit documents from government, and facilitating exit/entry of persons possessing tampered or fraudulent travel documents for promoting TIP;
- preventing a trafficked person from seeking redress from appropriate agencies by confiscating or destroying his/her passport, travel or personal documents;
- tampering with or destroying of evidence, or influencing or attempting to influence witnesses in an investigation or prosecution of a TIP case;
- destroying, concealing, removing, confiscating or possessing travel and/or working documents of any person in order to maintain the labor or services of that person; and
- using one's office to impede the investigation, prosecution or execution of lawful orders in a case.

**Any person found guilty of acts that promote TIP shall be penalized with imprisonment of 15 years and a fine of not less than 500 thousand but not more than 1 million pesos.**

**3. Use of Trafficked Persons** – any person who buys or engages the services of trafficked persons for prostitution shall be penalized with imprisonment ranging from six (6) years to forty (40) years and fine ranging from 50 thousand

*In addition to imprisonment and fine, an offender who is be immediately deported and permanently barred from ente after serving jail terms, while an offender who is a public off dismissed from service and suffer perpetual absolute disqua public office.*

**4. Qualified TIP** – the act will be considered as qualified T

- the trafficked person is a child;
- there is adoption under RA 8043 (Inter-Country Adoption) adoption is for the purpose of prostitution, pornography exploitation, forced labor, slavery, involuntary servitude;
- the crime is committed by a syndicate or is large scale;
- the offender is a spouse, ascendant, parent, sibling, guardian person who exercises authority over the trafficked person;
- the offense is committed by a public official or employee;
- the trafficked person is recruited to engage in prostitution member of the military or law enforcement agencies;
- the offender is a member of the military or law enforcer;
- the trafficked person died, became insane, suffered mutilated or infected with HIV/AIDS;
- the offender commits one or more acts of TIP over a period of one or more days; and
- the offender directs or through another manages the trafficking in carrying out the exploitative purpose of trafficking.

**Qualified trafficking shall be penalized by life imprisonment and a fine of not less than 2 million but not more than 5 million pesos.**

**5. Attempted TIP** – where there are acts to initiate the trafficking offense but the offender failed to or did not execute all the elements of the crime, by accident or by reason of some involuntary desistance, such overt acts shall be deemed as or constitute an act of TIP. In cases where the victim is a child, the following acts shall also be deemed as attempted TIP:

- facilitating the travel of a child who travels alone to a foreign territory without valid reason and without the required permit from the DSWD, or a written permit or justification from the child's parent or legal guardian;
- executing, for a consideration, an affidavit of consent or consent for adoption;
- recruiting a woman to bear a child for the purpose of selling the child;
- simulating a birth for the purpose of selling the child; and
- soliciting a child and acquiring the custody thereof through the purpose of selling the child.

**Any person found guilty of committing attempted TIP shall be penalized with imprisonment of 15 years and a fine of not less than 500 thousand but not more than 1 million pesos.**



## WHAT IS A PROTECTION ORDER?

It is an order issued by the Barangay or the Court to prevent further acts of violence against a woman or her child and to grant other necessary relief, under RA 9262. There are three (3) kinds of protection order:

1. Barangay Protection Order (BPO)
2. Temporary Protection Order (TPO)
3. Permanent Protection Order (PPO)



## WHO MAY APPLY FOR PROTECTION ORDER?

Anyone of the following may apply for protection order:

- a. the offended party
- b. parents, or guardians of the offended party
- c. ascendants, descendants or collateral relatives, within the fourth civil degree or consanguinity or affinity
- d. officers or social workers of the DSWD or LGUs
- e. police officers, preferably those in-charge of women and children's desk
- f. punong barangay or barangay kagawad
- g. lawyers, counselors, therapists, health care providers of the petitioner
- h. at least two (2) concerned citizens of the city or municipality where VAWC happened and who have personal knowledge of the offense committed



### References:

1. RA 9262 or the Anti-Violence Against Women and their Children Act Primer by SALIGAN
2. A guide to Anti-Violence Against Women and their Children (RA 9262) Philippine Information Agency and the NCRFW, 2004
3. END VAW: A Complete Reference Book on the Anti-Violence Against Women and their Children Act of 2004 (RA 9262). Published by the Support Service Institute of Women and the Democratic Socialist Women in the Philippines, 2006
4. RA 9262 or the Anti-Violence Against Women and their Children Act of 2004, Implementing Rules and Regulations
5. Q & A Implementing Rules and Regulations RA 9262 or the Anti-Violence Against Women and their Children Act of 2004, A Handbook for the Philippine National Police
6. Barangay Protection Order RA 9262 A Primer, Department of Interior and Local Government, National Barangay Operations Office, 2004

## DON'T BE AFRAID TO SEEK HELP

Barangay VAW Desk in your Barangay Hall

Provincial/City/Municipal Social Welfare and Development Office  
of Local Government Units

### Department of Social Welfare and Development (DSWD)

Community-Based Services Section (CBSS)

Legarda, Manila

Tel. Nos.: 733-0014 to 18 local 116 / 488-2861

### Philippine National Police (PNP)

Women and Children Protection Center (WCPC)

Camp Crame, Quezon City

Tel. No.: 410-3213 / 532-6690

Aleng Pulis Text Hot-line: 0919-777-7377

Emergency Hotline: 911

Women and Children Protection Desk of nearest Precinct

### National Bureau of Investigation (NBI)

Anti-Violence Against Women and Children Desk (VAWCD)

Taft Avenue, Manila

Tel. Nos.: 523-8231 to 38 / 525-6028

### DOJ - Public Attorney's Office (DOJ-PAO)

Tel. Nos.: 929-9010 / 929-9436 to 37 loc. 106 / 107

### UP-PGH Women's Desk

Tel. Nos.: 524-2990 / 567-3394 loc. 3072

DOH Hospitals, Women and Children Protection Unit

### Women's Crisis Center (WCC)

Women and Children Crisis Care and Protection Unit

Vito Cruz, Manila

Contact Nos.: 0999-577-9631/ 0928-420-0859

Cover Graphics: JAMIA MAE TOLENTINO

Second Prize Winner, 2013 18-Day Campaign to End VAW, Poster Making Contest



For more information, please contact the

### Information Resource Management Division (IRMD)

1145 J. P. Laurel St., San Miguel, Manila, Philippines

Trunk line: (02) 735-1654 loc. 122; Fax: (02) 736-4449

Email: [info@pcw.gov.ph](mailto:info@pcw.gov.ph); [edo@pcw.gov.ph](mailto:edo@pcw.gov.ph)

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Republic of the Philippines

Anti-Violence Against Women  
and their Children Act



## Republic Act 9262 Anti-Violence Against Women and their Children (VAWC) Act of 2004



Seeks to address the prevalence of violence against women and their children (VAWC) by their intimate partners like:

- ✓ Husband or ex-husband
- ✓ Live-in partner or former live-in partner
- ✓ Boyfriend/girlfriend or ex-boyfriend/ex-girlfriend
- ✓ Dating partner or former dating partner



Classifies VAWC as a public crime.

### What is VAWC under RA 9262?

It refers to any act or series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had 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 result 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.

**Children** are those below 18 years of age or older but are incapable of taking care of themselves (as stated in RA 7610). It includes biological children of the victim and other children under her care.

**Dating relationship** is one which has a romantic involvement. It means that a relationship existed between a woman and a partner who is abusive or has previously abused her, whether or not the relationship was formal.

**Sexual relations** refer to a single sexual act which may or may not result in the bearing of a common child.



VAWC includes, but is not limited to the following acts:

- 1. PHYSICAL VIOLENCE** refers to acts that include bodily or physical harm;
- 2. SEXUAL VIOLENCE** refers to an act which is sexual in nature, committed against a woman or her child. It includes, but is not limited to:
  - 2.a.** Rape, sexual harassment, acts of lasciviousness, treating a woman or her child as a sex object, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the

and indecent shows or forcing the woman or her child to do indecent acts and/or make films thereof, forcing the wife and mistress/lover to live in the conjugal home or sleep together in the same room with the abuser;

- 2.b.** Acts causing or attempting to cause the victim to engage in any sexual activity by force, threat of force, physical or other harm or threat of physical or other harm or coercion; and

- 2.c.** Prostituting the woman or her child.

- 3. PSYCHOLOGICAL VIOLENCE** refers to acts or omissions causing or likely to cause mental or emotional suffering of the victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and marital infidelity. It includes causing or allowing the victim to witness the physical, sexual, or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or unlawful or unwanted deprivation of the right to custody and/or visitation of common children.

- 4. ECONOMIC ABUSE** refers to acts that make or attempt to make a woman financially dependent. This includes but is not limited to the following:



*Withdrawal of financial support or preventing the victim from engaging in any legitimate profession, occupation, business or activity, deprivation of financial resources and the right to conjugal community or property owned in common, destroying household property or controlling the victim's own money or properties.*

### Who gets protected under the Law?

The law recognizes the unequal relations between a man and a woman in an abusive relationship where the woman is usually at a disadvantage. Thus the law protects the **woman and her children**.

The **victim-child** who is a minor (legitimate and illegitimate), and a person aged 18 years and beyond who doesn't have the ability to decide for herself/himself because of an emotional, physical and mental illness can make full use of the law.

**Any child under the care of a woman** is also protected under the law.

### What can women and children do under RA 9262?

Under the law, the offended party may file a criminal action, or apply for Protection Order either as an independent action or as an incident in civil or criminal action and other remedies.

**Is VAWC committed by men a**  
Women can also be liable und partners/girlfriends or former whom she has or had a sexual

**What if the male spouse/part abuses committed by his wife**  
He may file a complaint or cas

**Who may file a complaint un**  
Any citizen having personal kno involving the commission of th because violence against womi a PUBLIC crime.

**Where should cases for VAW**  
Cases may be filed in the Regi FAMILY COURT of the place w These courts have original an cases.

**What are the penalties for cc**  
Offenders proven in court to t shall be penalized with:

- imprisonment ranging fror and 1 day to 20 years
- payment of P100,000 to P3
- mandatory psychological cc treatment

**What is Battered Woman Syr**  
RA 9262 acknowledges that wom partner or who commit violence suffered from **Battered Woman** !



*BWS refers to a p symptoms found ir history of abuse.*

Any victim who su by a Psychiatric ex This will also help in her case.

The law does not allow the of children. Their care is still enti is found to have BWS.



**WHAT IF THE EMPLOYER OR HEAD OF OFFICE DID NOT UNDERTAKE ANY ACTION DESPITE HIS/HER KNOWLEDGE OF THE SEXUAL HARASSMENT ACT/S?**

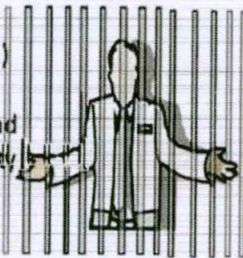
The employer or head of office, educational or training institution will be held liable for the damages arising from acts of sexual harassment if they are informed by the offended party of the occurrence of such acts, yet no action has been undertaken.

**CAN AN OFFENDED PARTY SEEK REDRESS BY TAKING INDEPENDENT ACTION?**

Yes, the offended party may take independent action for damages incurred in the act of sexual harassment. She/he may also avail of relief.

**WHAT ARE THE PENALTIES FOR OFFENDERS?**

Any person who violates the provisions of the law shall be penalized by imprisonment of not less than one (1) month nor more than six (6) months, or a fine of not less than Ten Thousand Pesos (P10,000) nor more than Twenty Thousand Pesos (P20,000), or both such fine and imprisonment at the discretion of the court.



Any action arising from the violation of the provisions of this Act shall prescribe in three (3) years.

*For more information, please contact the*  
**Information Resource Management Division (IRMD)**  
1145 J. P. Laurel St., San Miguel, Manila, Philippines  
Trunk line: (02) 735-1654 loc. 122; Fax: (02) 736-4449  
Email: [info@pcw.gov.ph](mailto:info@pcw.gov.ph); [edo@pcw.gov.ph](mailto:edo@pcw.gov.ph)  
[www.pcw.gov.ph](http://www.pcw.gov.ph)

**WHERE DO WE GO FOR HELP?**

*for government sector employees:*  
Civil Service Commission (CSC)  
Constitution Hills, Batasang Pambansa Complex, Diliman, Quezon City  
Tel. Nos: 723-0401 / 931-6851  
Para sa Taumbayan  
Hotline: 951-2575 / 932-0111

*for private sector employees:*  
Department of Labor and Employment (DOLE)  
Bureau of Working Conditions  
3rd Floor, Muralla Wing, DOLE Bldg., Intramuros, Manila  
Trunk line: 527-3000 loc. 303-307

Philippine National Police (PNP)  
Women and Children Protection Center (WCPC)  
Camp Crame, Quezon City  
Tel. No.: 410-3213 / 532-6690  
Aleng Pulis Text Hotline: 0919-777-377  
Emergency Hotline: 911

National Bureau of Investigation (NBI)  
Anti-Violence Against Women and Children Desk (VAWCD)  
Taft Avenue, Manila  
Tel. Nos.: 523-8231 to 38 / 525-6028

DOJ - Public Attorney's Office (DOJ-PAO)  
Tel. Nos.: 929-9010 / 929-9436 to 37 loc. 106 / 107

**Sources:**

1. Republic Act 7877 or the Anti-Sexual Harassment Act of 1995
2. A.M. No. 03-03-13-SC Rule on Administrative Procedure in Sexual Harassment Cases and Guidelines on Proper Work Decorum in the Judiciary. Supreme Court, December 2004

Cover Graphics: MICHELLE JERALDIN S. DOMANOG  
Official entry, 2014 18-Day Campaign to End VAW, Poster Making Contest

Philippine  
Commission  
on Women



**Republic Act (RA) 7**  
**Anti-Sexual Harassment Act**



## Republic Act (RA) 7877: The Anti-Sexual Harassment Act of 1995

### WHAT IS SEXUAL HARASSMENT?

Under RA 7877, 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 any 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 or not by the object of said act."

### HOW IS WORK-RELATED SEXUAL HARASSMENT COMMITTED?



Anika Bienes Padrigio, Official entry

*Work-related Sexual Harassment is committed when:*

**A.** The sexual favor is made as a condition in the hiring or in the employment, re-employment or continued employment of said individual, or in granting said individual favorable compensation, terms, conditions, promotions, or privileges; or refusal to grant the sexual favor

results in limiting, segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee;

**B.** The above acts would impair the employee's rights or privileges under existing labor laws; or

**C.** The above acts would result in an intimidating, hostile or offensive environment for the employee.

### HOW IS EDUCATION OR TRAINING-RELATED SEXUAL HARASSMENT COMMITTED?

*Education or Training-related Sexual Harassment is committed:*

**A.** Against one who is under the care, custody or supervision of the offender;

**B.** Against one whose education, training, apprenticeship, or tutorship is entrusted to the offender;

**C.** When the sexual favor is made a condition to the giving of a passing grade, or granting of honors and scholarships, or the payment of a stipend, allowance or other benefits, privileges, or considerations; or

**D.** When the sexual advances result in an intimidating, hostile or offensive environment for the student, trainee or apprentice.

*A person who directs or induces another person to commit any act of sexual harassment or who cooperates to commit the act, without which the said act would not have been committed, will also be held liable under the law.*

### WHAT IS THE DUTY OF THE EMPLOYER OR HEAD OF OFFICE IN A WORK OR EDUCATION/TRAINING ENVIRONMENT?

The employer or head of office is required by the law to prevent the occurrence of sexual harassment acts and to provide the procedures for the resolution, settlement or prosecution of sexual harassment. Towards this end, the employer or head of office shall:

**A.** Promulgate appropriate rules and regulations in consultation with and jointly approved by the employees or students or trainees, through their duly designated representatives. Said rules and regulations shall prescribe the procedures for the investigation of sexual harassment cases and the administrative sanctions thereof.



*The said rules and regulations should include guidelines on proper decorum in the work and educational or training institution.*



*Administrative sanctions shall not be a bar to prosecution in the proper courts for unlawful acts of sexual harassment.*

**B.**

Create a Committee on Decorum and Investigation of cases on sexual harassment. The committee shall hold meetings or as the case may be, with officers and teachers, instructors, professors, coaches, trainors or trainees to increase understanding and prevent acts of sexual harassment. It shall also conduct the investigation of alleged cases constituting sexual harassment.



*In the case of work-related environment, the committee shall be composed of at least one representative each from the management, union, if any, the employees from the same rank, and from the rank and file employees.*



*In the case of the educational or training institution, the committee shall be composed of at least one (1) representative from the administration, the trainors, teachers, professors or coaches and students as the case may be.*



*The employer or head of office, educational or training institution shall disseminate a copy of RA 7877 for the information of all concerned.*





## WHAT TO DO IF SOMEONE IS RAPED?

1. Advise the victim to seek the help of a counselor or a therapist who is an expert in handling cases of sexual abuse.
2. Assist her in securing a safe and temporary shelter if she needs to move to another place for security reasons. She can be referred to a crisis center or any government agency that offers temporary shelter.
3. Make sure that the evidence is safe and intact. This would help should the victim decides to file a case.
4. Secure a Medico-legal certificate from a Medico-legal officer. Absence of bodily injuries does not mean that rape did not occur or that the case may not be pursued anymore.
5. Support the victim along the way when she decides to file a case.
6. Ensure that she is prepared in all aspects. Make her understand the overall picture of the case. Inform her that it is possible that doctors, police, lawyers and judges would not be sensitive to her situation and experience.
7. Help the victim choose the lawyer who understands her most.
8. Coordinate with people who can assist or support her all throughout.



## WHERE TO GET HELP?

**Philippine National Police (PNP)**  
**Women and Children Protection Center (WCPC)**  
 Camp Crame, Quezon City  
 Tel. No.: 410-3213 / 532-6690  
 Aleng Pulls Text Hotline: 0919-777-7377  
 Women and Children Protection Desk of nearest Police Precinct  
 Emergency Hotline : 911

**National Bureau of Investigation (NBI)**  
**Anti-Violence Against Women and their Children Desk (VAWCD)**  
 Taft Avenue, Manila  
 Tel. Nos.: 523-8231 to 38 / 525-6028

**DOJ - Public Attorney's Office (DOJ-PAO)**  
 Tel. Nos.: 929-9010 / 526-2747 / 929-9436 to 37 loc. 106 / 107

**UP-PGH Women's Desk**  
 Tel. Nos.: 524-2990 / 567-3394 loc. 3072

**DOH Hospital's Women and Children Protection Unit**  
 Tel. No. 651-7800 locs. 1726 to 1730

**Department of Social Welfare and Development (DSWD)**  
**Community-Based Services Section (CBSS) Legarda, Manila**  
 Tel. Nos.: 733-0014 to 18 local 116 / 488-2861

**Women's Crisis Center (WCC)**  
**Women and Children Crisis Care and Protection Unit**  
 Vito Cruz, Manila  
 Contact Nos.: 0928-420-0859 / 0999-577-9631

### References:

1. The Anti-Rape Law of 1997 and Rape Victim Assistance and Protection Act of 1998, NCRFW
2. *Ang Batas Laban sa Panggagahasa, Isang Praymer*, WLB in cooperation with NCRFW and UNFPA, 1998

Cover Graphics: ALBERTO N. DAUS  
 First Prize Winner, 2014 18 Day Campaign to End VAW, Poster Making Contest



For more information, please contact the  
**Information Resource Management Division (IRMD)**  
 1145 J. P. Laurel St., San Miguel, Manila, Philippines  
 Trunk line: (02) 735-1654 loc. 122; Fax: (02) 736-4449  
 Email: [info@pcw.gov.ph](mailto:info@pcw.gov.ph); [edo@pcw.gov.ph](mailto:edo@pcw.gov.ph)  
[www.pcw.gov.ph](http://www.pcw.gov.ph)



**Republic Act 83**  
**The Anti-Rape Law of 1**



## Republic Act 8353: An Act Expanding the Definition of the Crime of Rape and Reclassifying the same as Crime Against Persons.

The Anti-Rape Law of 1997 redefines rape as:

### 1. A CRIME AGAINST PERSONS

*Rape violates a person's well being and not just ones virginity or purity.*

The law considers that any person, whether a prostituted person, non-virgin or one who has an active sexual life may be victimized by rape.

### 2. A PUBLIC OFFENSE

*By declaring that rape is a crime against persons, the law no longer considers it as a private crime.*

Anyone who has knowledge of the crime may file a case on the victim's behalf.

The prosecution continues even if the victim drops the case or pardons the offender.

Graphics: VANCE GALVIN TIN TANGCUECO,  
Most Creative, 2013 18- Day Campaign to End VAW,  
Poster Making Contest



## WHAT CONSTITUTES RAPE?

*Rape is committed:*



By a man who shall have sexual intercourse with a woman under any of the following circumstances:

- A. Through force, threat, or intimidation;
- B. When the victim is deprived of reason or is unconscious;
- C. Through fraudulent machination or grave abuse of authority; and
- D. When the victim is under twelve (12) years of age or is demented, even if none of the above circumstances are present.



By any person who, under any of the above circumstances, commits an act of sexual assault by inserting his penis into another person's mouth or anal orifice, or any instrument or object, into the genital or oral orifice of another person.

## WHO CAN BE RAPED?



Anyone can be a rape victim, but the incidence of rape is more rampant in women and girls.

## WHO CAN COMMIT RAPE?



Any man or woman may be held liable for rape.

It is possible that a man may rape his own wife, an act deemed as "marital rape." The penalty for rape in general may apply on the offender who commits marital rape.

## HOW IS THE CRIME PUNISHED?

*The penalty varies depending on the act and the circumstances surrounding it.*

### Reclusion Perpetua

(Imprisonment from 20 to 40 years) is imposed on the offender if rape is committed through sexual intercourse.

### Prision Mayor

(Imprisonment from 6 to 12 years) is imposed on the offender if rape was committed through carnal or anal sex or through the use of any object or instrument that was inserted into the mouth or anal orifice of the woman or a man.

This may also be elevated to **Reclusion Temporal** (Imprisonment from 12 to 20 years) or **Reclusion Perpetua** depending on the circumstances surrounding the crime.