

9 SEP 29 P1 08

**SENATE**

S. No. **3462**

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Introduced by Senator Manuel "Lito" M. Lapid

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**EXPLANATORY NOTE**

Rape is an act of violence and is a frightening and traumatic experience. The series of rape incidents in the country are repugnant and outrageous to the common standards and norms of decency and morality in a just, civilized and ordered society. Violence against women through rape creates a devastating effect not only on their physical and emotional well-being. It affects not only the victim herself, but the people around her. The pain, trauma, humiliation and damage inflicted on the victims may be irreversible.

Originally penalized under Article 335 of the Revised Penal Code as a crime against chastity, rape has been transferred to Articles 266-A up to 266-D, Title Eight, Book II of the Revised Penal Code. Its inclusion in Title Eight of Book II indicates the vital change brought by RA 8353 or the "**Anti-Rape Act of 1997**" whereby rape is now categorized as a felony against persons. It placed emphasis on the fact that rape is a violation of the dignity of every person, irrespective of gender.

While there are sufficient legislation providing stiff penalties for the crime of rape, there are incidence when rape is committed against airline passengers aboard an aircraft while the same is in flight and no sufficient information and prevention mechanism have been instituted to prevent its occurrence.

In compliance with our International Commitments to the Tokyo Convention, otherwise known as the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo, Japan on September 14, 1963, this proposed measure seeks to address the above-cited concern by imposing the maximum penalty for the commission of the crime of rape against a Filipino citizen on board an aircraft. Furthermore, this measure seeks to provide a proactive information, education and communication (IEC) campaign program to inform airline passengers of the dangers of rape on board an aircraft.

In view of the foregoing, passage of this bill is earnestly recommended

  
**MANUEL "LITO" M. LAPID**  
Senator 

FOURTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
*Third Regular Session* )

OFFICE OF THE CLERK

9 SEP 29 P 1:08

**SENATE**

S. No. **3462**

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Introduced by Senator Manuel "Lito" M. Lapid

**AN ACT**  
**AMENDING REPUBLIC ACT NO. 8353, OTHERWISE KNOWN AS THE**  
**"ANTI-RAPE LAW OF 1997", BY IMPOSING THE MAXIMUM PENALTY TO**  
**BE IMPOSED FOR THE COMMISSION OF THE CRIME OF RAPE AGAINST**  
**A FILIPINO CITIZEN ON BOARD AN AIRCRAFT**

*Be it enacted by the Senate and the House of Representatives of the Philippines*  
*in Congress assembled:*

**SECTION 1. Short Title.** - This Act shall be known as the "*Rape Prevention*  
*in Aircraft Act of 2009*".

**SEC. 2. Declaration of Policy.** - It is hereby declared the policy of the State  
to protect the welfare of women and prevent the incidence of sexual harassment,  
assaults and all forms of sexual abuses by providing stiffer penalties for the act of rape  
when committed inside an aircraft.

**SEC. 3.** Article 266-B of Republic Act No. 8353, otherwise known as the  
"Anti-Rape Law of 1997" is hereby amended to add a last paragraph as follows:

"Article 266-B. *Penalty.* - Rape under paragraph 1 of the next  
preceding article shall be punished by *reclusion perpetua*."

Xxxxx

**WHENEVER THE RAPE IS COMMITTED ON BOARD AN**  
**AIRCRAFT, THE PENALTY SHALL BE RECLUSION**  
**PERPETUA."**

**SEC. 4. *Proactive Rape Awareness and Prevention Campaign.*** - The Department of Transportation and Communication (DOCT), joint with the Civil Aviation Authority of the Philippines shall formulate the necessary Information, Education and Communication (IEC) program that will mandatorily inform and educate airline passengers of the dangers and incidence of rape inside an aircraft in order to prevent the occurrence of such acts.

**SEC. 5. *Separability Clause.*** - If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

**SEC. 6. *Repealing Clause.*** - All laws, acts, presidential decrees, executive orders, administrative orders, rules and regulations inconsistent with or contrary to the provisions of this Act are deemed amended, modified or repealed accordingly.

**SEC. 7. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after completion of its publication in two (2) newspapers of general circulation.

***Approved,***