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SENATE
S.B. No. 1240

INTRODUCED BY SEN. MANNY VILLAR

EXPLANATORY NOTE

Violence against women 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, as well as future generations. To address this concern, the State needs a program to implement and enhance the protection of females. Toward this end, the State shall provide a more responsive scheme of prevention.

Without a defense mechanism, the physically weaker gender is likely vulnerable to assault, harassment, rape and other violence. The pain, trauma, humiliation and damage inflicted on the victims are irreversible.

This bill seeks to mandate that basic self-defense techniques be taught to enable females to protect themselves in the event of imminent danger. This is based on the principle that self-defense is an instinct that needs to be developed.

The alarming upsurge of such (heinous) crimes has resulted not only in the loss of human lives and wanton destruction of property, but has also affected the nation's efforts towards sustainable economic development and prosperity. At the same time, it has undermined the people's faith in the Government and the latter's ability to maintain peace and order in the country.

Thus, there is an urgent need to impose that self-defense be taught to every female.


MANNY VILLAR

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AN ACT
STRENGTHENING THE RIGHTS OF FILIPINO WOMEN BY INTEGRATING THE
TEACHING OF SELF-DEFENSE AND PROVIDING ITS FREE ACCESS TO FEMALE
CONSTITUENTS, AND FOR OTHER PURPOSES

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

SECTION 1. Title. This Act shall be known as the "Women in the Further Eradication of Rape and Violence through Self-Defense".

For its easy recognition, it shall be popularized as "The MOTHER Act"

SECTION 2. Declaration of Policy. It is hereby declared that the State policy on the role of women in nation-building and their fundamental equality before the the law of women and men should be fully endeavoured for realization.

To this end, this Act seeks to prevent sexual harassment, assaults and other forms of abuses by enabling women to develop and be given opportunity to have knowledge of self-defense. With proper technique, self-defense results in confidence, good disposition and quick reflexes to the face of imminent danger.

It is an opportune time that the State addresses the same in the perspective of violence and similar crimes perpetuated against women.

A suitable basic and non-complicated program of self-defense accessible to all will be incorporated in the following training course:

- a) as part of the Physical Education program of the Department of Education (DepEd) for female students in the Primary, Secondary and Tertiary Schools;
- b) as part of the Technical and Vocational Education for female students of technical and vocational schools and training centers under the supervision of the Technical Education and Skills Development Authority;
- c) as part of the day-to-day routine of female employees, as well as the out-of-school female constituents in each Barangay, Municipality, Provincial, of the Department of Interior and Local Government (DILG);
- d) all female employees of the private government and semi-government officers, under the supervision of the Department of Labor and Employment (DOLE);
- e) all female employees of all government offices under the supervision of the Civil Service Commission (CSC);
- f) the overseas Filipino contract workers (OCWs) under the jurisdiction of the Philippine Overseas Employment Administration (POEA);
- g) all females traveling abroad as migrants, whether on short or long-term journeys, supervised by the Department of Foreign Affairs;
- h) all females associated in any group, organization, NGOs under their respective umbrella organizations.

SECTION 3. Definition of Terms: For purpose of this Act.

- a) "Basic Self-Defense Training" meaning the ability of an individual female to discern "at-risk" situations and the instinctive reaction using reflexes and judgment for protection against and impending danger.
- b) "Females" are girls of and beyond school age, young and old, regardless of socio-economic and marital status, calling, sect and location of residence;
- c) "MOTHER" is the self-defense discipline designed taking into consideration the characteristics of a Filipina;
- d) "Government Agencies" are the branches of Government which are the implementing arms of this Bill; the Department of Education (DepEd); the Department of Labor and Employment (DOLE); the Department of Foreign Affairs (DFA); all private government, semi-government sectors that have an authority and power to mandate this Act to females under their respective jurisdictions;
- e) "Female Groups" are the NGOs, school, workplace, congregations and associations, safe houses, halfway houses, orphanages, where females abound, not included in the above classifications;
- f) "Public and Private Schools" mean the elementary, primary, secondary and tertiary learning institutions operating outside the jurisdiction of DepEd; and
- g) "Advance Self-Defense Training" means the rigid training for females to enable those deployed in high-risk areas, overseas employment to defend themselves.

SECTION 4. Establishment of the Movement to Help Eradicate Rape and Other Female Abuses (MOTHER). - To achieve the above objectives, the Movement to Help Eradicate Rape (MOTHER), having the rank of a Committee, is hereby established (hereinafter referred to as the "Committee").

The Committee shall be an independent entity, separate from the DepEd, DFA, DILG and DOLE, and attached to the Office of the President for administrative purposes only. Its coverage shall be both public and private institutions as stipulated in this Act.

SECTION 5. Components. -The components of the MOTHER program are:

- a) Prevention through Basic Self Defense and Practical Rape Prevention Techniques as an introductory program, comprising of theories discussed in a seminar with handouts and film showings as well as the mass media.
- b) To provide the techniques lectures to create Awareness, Education, Mental Preparedness, Do's and Don'ts; Developing Self Confidence and Removing Fear, Knowing the vital weak points; Developing one's strengths; Enhancing of weaknesses; Creating opportunities for escaping threatening situations.
- c) Advance training-comprised of hands-on and actual drills, practicum and continuous training;
- d) Continuing Education, Refresher Courses, Crisis Intervention; and
- e) Certification - to eradicate proof of training, participants of the Self Defense basic and advanced training course will be certified after completion of the corresponding requirements.

SECTION 6. Composition of the Committee. - The Committee shall be composed of five (5) full time members. During the transition period, which begins upon approval of this Act, the President may appoint the Interim Chairman for a maximum period of one (1) year. Thereafter, the President shall appoint a Chairman of the Committee and four (4) Commissioners who shall be holders of earned doctorate(s) who have been actively engaged in self-defense training or equivalent qualifications. They shall be educators known for their high degree of professionalism and integrity who have distinguished themselves as authorities in the self-defense field. In no case shall any of the Commissioners appoint representatives to act on their behalf.

SECTION 7. Term of Office. -The President shall appoint the full-time chairman and the commissioners for a term of four (4) years, without prejudice to their appointment.

The term of the initial appointees shall be on staggered basis: the full-time chairman shall hold office for a term of four (4) years, the next two (2) commissioners for three (3) years, and the last two (2) commissioners for two years.

SECTION 8. Board of Advisers. - There shall be constituted a Board of Advisers, which shall meet with the Committee at least once a year to assist it in aligning its policies and plans with the cultural, political and socio-economic development needs of the nation and with the demands of the project. The Board of Advisers shall be composed of the Secretaries of DepEd, DFA, DILG, DOLE, the Chief of the Philippine National Police and the Administrator of the Philippine Overseas Employment Administration.

SECTION 9. Powers and Functions of the Committee. - The Commission shall have the following powers and functions:

- a) Through the assistance of the Philippine National Police, formulation, recommendation, and enforcement of a suitable self-defense module for females which will be called "MOTHER."
- b) Ensure that the program is introduced and implemented on a gradual, staggered basis to all females in the various government agencies, monitor and evaluate the performance of the program;
- c) Formulate rules and regulations and exercise other powers and functions as may be necessary to carry out effectively the purpose and objectives of this Act; and
- d) Perform other functions as may be necessary for its effective operations and for the continued enhancement, improvement or development of the program.

SECTION 10 . Basic or Central Provisions. -Article 2, Section 14 of the Constitution declares: "The State recognizes the role of women in nation building and shall ensure the fundamental equality before law of women and men. Violence against women has a devastating impact on women's physical and emotional health and, as an answer to the needs of the changing times, the State clearly recognizes the need to fight against all forms of abuse perpetrated against women as part of its duty and obligation to serve and protect them.

The preventive measures provided under this Act encompass the State's response to increasing incidents of sexual harassment and abuse committed on women in today's society.

SECTION 11. Rape Awareness and Prevention Week. - The second Sunday of May every year shall usher the "Rape Awareness and Prevention Week," coinciding with the celebration of Mother's Day.

SECTION 12. Implementation. - In collaboration with the cooperating government institutions for the proper implementation of this Act, the Committee shall oversee the implementation of this Act by the various government agencies concerned, to wit:

- a) The Department of Education - shall ensure that all female students have an access to the MOTHER self-defense program, incorporated in their physical education (PE) curriculum in the elementary, secondary and tertiary levels;
- b) The Department of Interior and Local Government (DILG) - shall ensure that all female employees in all the DILG attached agencies, including the out-of-school youth in every barangay have an access to the self-defense training sessions;
- c) The Department of Labor and Employment (DOLE) - shall mandate that all females employed in the private and government sectors, locally or overseas, are provided the opportunity to undertake the necessary self-defense training modules;
- d) The Philippine Overseas Employment Administration - shall mandate that all prospective female OCW's who are applying for foreign employment, are

mandated to undergo training as part of the orientation prior to taking up their assignment.

- e) The Department of Foreign Affairs - shall require the every Filipina wishing to go out of the country for any purpose is required to have a basic self-defense knowledge; and
- f) All other government agencies, private corporations, and those not covered by the above Departments, shall enable their female constituents to acquire the basic self-defense knowledge.

SECTION 13. Collaboration with NGO's - There shall be MOTHER Chapters to be formed in collaboration with NGOs, which will support the maximum awareness and implementation of the program.

SECTION 14. The Secretariat. - The Committee shall be assisted by a secretariat, headed by an executive officer, subject to the national compensation and position classification plan. It shall fix the secretariat's staffing pattern, determine the duties, qualifications, responsibilities and functions, as well as the compensation scheme of the positions, to be created upon the recommendation of the executive officer. It shall also prepare and approve its budget.

SECTION 15. Appropriation. -A fund hereinafter referred to as "Prevention against rape and other female abuses fund" or "MOTHER Fund is hereby established exclusively for the implementation of the self-defense training program in the entire country.

- a) The Government's contribution to the Fund shall be the following:
 - 1. Appropriation from the National Treasury: for the initial operation of the Committee, such sum as may be necessary is hereby authorized to be appropriated from the National Treasury. Thereafter, the sums necessary for the continuous operation of the program shall be included in the appropriations for the respective government agencies concerned namely: the Department of Labor and Employment, the Department of Education and the Department of Foreign Affairs; and
 - 2. An amount equivalent to one percent (1%) of the gross sales of the lotto operation of the Philippine Charity Sweepstakes Office (PCSO) shall be contributed to the Committee for its operational expenses.
- b) Starting fiscal year 2010 and every year thereafter, the government financing institutions identified and requested by the Committee may contribute to the Fund an amount as deemed necessary for the implementation of the program.
- c) The fund shall have a private component to be raised from donations, gifts, and other conveyances by gratuitous title, including materials, equipment, properties and services.

SECTION 16. Management and Administration of the MOTHER Fund. -The Fund shall be administered by the Committee. For sound and judicious management of the Fund, Committee shall appoint a reputable government financial institution as a portfolio manager of the Fund, subject to the conditions set by the Committee.

As Administrator of the Fund, the Committee shall prepare the necessary guidelines for its use, subject to the conditions set by the Committee:

- a) No part of the seed capital of the Fund, including earnings, thereof, shall be used to underwrite overhead expenses for the administration;
- b) Unless otherwise stipulated by the private donors, only earnings of private contributions shall be used for administrative expenses;
- c) The Commission shall appoint and organize a separate staff, which shall be independent administratively and in its budget, from the Committee Secretariat; and
- d) The Fund shall be utilized equitable accordingly to regions.

SECTION 17. Technical Committees. - The Committee shall reconstitute and/or organize a technical panel whose job description is to formulate, review, evaluate, restructure, and improve the module of self-defense discipline based on the criteria:

- a) The model self-defense program shall be called "MOTHER."
- b) The Mother Self-Defense discipline shall give due consideration to cultural heritage and image of the Filipina and her culture.
- c) Due consideration shall be given to the strength, weakness, and other qualities of the individuals.
- d) Discipline will be the primordial aim that will be inculcated in each and every MOTHER trained participant.

SECTION 18. Separability Clause. - If any part or provision of this Act is held unconstitutional or invalid, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 19. Repealing Clause. - All laws, orders, rules or regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed accordingly.

SECTION 20. EFFECTIVITY -This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,