



Office of the President of the Philippines  
**COMMISSION ON FILIPINOS OVERSEAS**



*"Responding to the Challenges of Migration and Development"*

25 January 2018

**CONGRESSWOMAN SOL ARAGONES**

Acting Chairperson  
Committee on Women and Gender Equality  
3/F Ramon V. Mitra Building, Batasan Complex  
Constitution Hills, Quezon City

Dear Congresswoman Aragonés:

Greetings from the Commission on Filipinos Overseas (CFO)!

We would like to extend our sincerest appreciation to the House Committee on Women and Gender and Equality for considering our earlier inputs to House Bills 2592, 1471, 2664, 2850 and 5153 regarding Electronic Violence Against Women and Children.

In this regard, we are pleased to submit our additional inputs to the draft Substitute Bill for consideration by the Committee.

Thank you for giving us again the opportunity to provide our inputs. For any queries, your office may contact Mr. Rodrigo V. Garcia, Jr, of the Policy, Planning and Research Division with the following contact details: telephone number 552-4765, fax number 561-8160 and email address: [rgarcia@cfo.gov.ph](mailto:rgarcia@cfo.gov.ph).

Thank you and best regards.

Very truly yours,

  
**MARIA REGINA ANGELA G. GALIAS** *ph*  
Interim Officer-in-Charge

**Office of the President**  
**COMMISSION ON FILIPINOS OVERSEAS**

**POLICY INPUTS ON THE SUBSTITUTE BILL OF THE HOUSE  
TO HOUSE BILLS NUMBERED 2592, 1471; 2664; 2850; and 5153  
AN ACT DEFINING ELECTRONIC VIOLENCE AGAINST WOMEN AND  
THEIR CHILDREN, PROVIDING PROTECTIVE MEASURES, AND  
PRESCRIBING PENALTIES, AMENDING FOR THE PURPOSE REPUBLIC  
AT NO. 9262 OTHERWISE KNOWN AS THE ANTI-VIOLENCE AGAINST  
WOMEN AND THEIR CHILDREN ACT OF 2004**

1. The Commission on Filipinos Overseas (CFO) would like to extend its sincerest appreciation to the House Committee on Women and Gender and Equality headed by its Acting Chairperson, Representative Sol Aragon for considering some of CFO's earlier comments and recommendations with reference to the definition of Electronic Violence or ICT-related Violence; acts or omissions that fall under ICT-related Violence; and penalties that were reflected in the Draft Substitute Bill.
2. The CFO would like to reiterate its support to the draft Substitute Bill that will serve as an amendatory Bill to Republic Act No. 9262 as it aims to safeguard the inviolable rights of Filipino women and Children, being one of the most vulnerable sectors of our society from the exploitations of today's fast-paced digital era.
3. We are thus pleased to provide the Committee with the following additional inputs for the Substitute Bill:

**A. Title of the Substitute Bill**

We are of the view that the pronoun ***“their”*** preceding “children” in the title, limits the coverage of this Act to the children ***only*** of women victims and disregards other children whose parents are not victims of violence. Thus, we propose its omission in the Title of the amendatory bill.

We further propose that the underlined portions in the succeeding provisions be considered:

AN ACT DEFINING ELECTRONIC VIOLENCE AGAINST  
WOMEN AND ~~THEIR~~ CHILDREN, PROVIDING  
PROTECTIVE MEASURES, AND PRESCRIBING PENALTIES,  
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9262

OTHERWISE KNOWN AS THE ANTI-VIOLENCE AGAINST  
WOMEN AND THEIR CHILDREN ACT OF 2004

**SECTION 1. Short Title.** - This Act shall be known as the “THE EXPANDED ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (E-VAWC) ACT.”

**B. Section 3 on the definition of Psychological Violence (Section 3.C)**

We propose that “**Emotional**” be included in the definition of Psychological Violence.

C. “*Psychological violence*” refers to acts or omissions THAT MAY BE COMMITTED THROUGH PHYSICAL, **EMOTIONAL**, ELECTRONIC OR INFORMATION COMMUNICATION TECHNOLOGY (ICT), OR OTHER MEANS 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 to unlawful or unwanted deprivation of the right to custody and/or visitation of common children.

**C. Section 3 on the definition of Electronic Violence (Section 3.E.1.)**

To include “**hugging**” as one of the acts that should not be showed under the ICT-related Violence would signal a precarious effect towards innocuous hugs. Such would likely put malice to sincere hugs. We therefore propose its omission from E.1.

1. UNAUTHORIZED RECORDING, REPRODUCTION, DISTRIBUTION, USE, SHARING OR UPLOADING OF ANY PHOTOGRAPH, VIDEO, OR OTHER FORM OF ELECTRONIC AND/OR ARTISTIC PRESENTATION SHOWING OR DEPICTING IN ANY FORM OR MANNER THE VICTIM'S GENITALIA, PUBIC AREA, BUTTOCKS, BREASTS, EXCRETORY BODY PART OR FUNCTION, NUDITY, SCENES WITH SEXUAL CONTEXT OR PORTRAYAL OF SEXUAL CONDUCT SUCH AS SEXUAL INTERCOURSE, MASTURBATION, KISSING, CARESSING, ~~HUGGING~~, AND PETTING;

**D. Additional and Separate Acts for Section 3.E.**

8. FABRICATION OF FAKE INFORMATION/NEWS TO SPREAD GOSSIP AND MALICIOUS INFORMATION WITH ILL INTENT TOWARDS THE VICTIM.

9. CREATION OF FAKE SOCIAL MEDIA ACCOUNTS USING A DIFFERENT INDIVIDUAL'S PERSONAL INFORMATION WITH ILL INTENT AND/OR TO SOW MALICE, INTRIGUE OR OTHER HARM.

**E. Consideration of the following proposals to Section 5.G., under “Acts of Violence Against Women and Children”**

“SEC. 5. *Acts of Violence Against Women and ~~their~~ Children.* – XXXXXX

(a).Engaging in purposeful, knowing, or reckless conduct, personally or through another, that alarms or causes substantial emotional or psychological distress to the woman or ~~her~~ A child. This shall include, but not limited to, the following acts:

Stalking or following the woman or ~~her~~ A child in public or private places;

Peering in the window or lingering outside the residence of the woman or ~~her~~ A child;

Entering or remaining in the dwelling or on the property of the woman or ~~her~~ A child against her/his will;

Destroying the property and personal belongings or inflicting harm to animals or pets of the woman or ~~her~~ A child.

3. The CFO appreciates the efforts of the House Committee on Women and Gender Equality in responding to the harmful impact of electronic devices as a platform in exploiting women and children through this Substitute Bill. We hope that the additional recommendations we provided could assist the Committee in finalizing the amendatory bill of RA 9262 that will enhance the rights of women and men.