

**HONORABLE GERALDINE B. ROMAN**  
Chairperson  
Committee on Women and Gender Equality  
House of Representatives  
Quezon City

Dear **Representative ROMAN**,

The Department of Social Welfare and Development supports **House Bill Numbered 4967, 5186, 6007, 6066 and 6396 Amending Republic Act (RA) No. 8505 or the “Rape Victim Assistance and Protection Act of 1998”**, authored by Reps. Irene Gay F. Saulog, Ernesto M. Dioniso, Jr., Patrick Michael D. Vargas, Luis Raymund F. Villafuerte, and Rufus B. Rodriguez, respectively that seek to uplift the condition of women and children, particularly those who were victims of abuse.

In general, we believe that supporting existing health care center by enhancing and expanding their services would be more cost-effective and efficient in the long-term. This can be achieved by providing increased funding to health centers managed by Local Government Units (LGUs) since the situation of pregnant young women can be addressed by the maternal and child health care services provided by the health centers in the barangays. Further, other needed services (i.e., counseling and livelihood skills training) may be coordinated by the health centers to the Local Social Welfare and Development Offices (LSWDOs).

In addition, we recommend that provisions to protect all genders from abuse be considered in the amendment to RA 8505.

For the enhancement of the Bills, we recommend the following:

1. To consolidate all the Bills into one.
2. **Explanatory Note**
  - 2.1 On HBN 4967, to revise the statement to read as *“The State shall endeavor to provide free medical care to **the poor**”*, as the term “paupers” is no longer used to refer to people who lack material possessions; and
  - 2.2 On HBN 6007, the need for the establishment of centers for pregnant young women in all local government units (LGUs) in the country needs more data that will support it.

3. **Sec. 1 – Title**, considering the passage of RA 11648 and the prevalence of sexual violence committed against males aged 13 to 24 years old, it is recommended that the coverage for resource development and crisis assistance be gender-neutral and inclusive.
  
4. **Sec. 3 – Section 3 of the same Act**
  - 2.1 **On item (A) Composition of the Inter-Agency Council to be known as the Advisory Council**
    - 2.1.1 To include a separate section for the purpose of indicating the functions of the Inter-Agency Council (Advisory Council), including the organization and staffing;
    - 2.1.2 To enhance the provision to read as, “...**AND NON-GOVERNMENT AND PEOPLE’S ORGANIZATIONS DULY REGISTERED, LICENSED, AND/OR ACCREDITED BY NATIONAL GOVERNMENT AGENCIES...**”; and
    - 2.1.3 To include the Council for the Welfare of Children (CWC) in the Advisory Council.
  - 2.2 To consider delegating the advisory board task to the CWC considering that CWC is an attached agency of the DSWD and is performing the task of being the focal inter-agency body of the Philippine Government for children.
  - 2.3 To review the existing functions of the Inter-Agency Council on Violence Against Women and their Children (IAC-VAWC) to enhance/include additional role as mentioned in the bill. Using the existing platform and avenues, it is recommended to ensure continuity of efforts and initiatives along the eradication of VAWC as a whole.
  - 2.3 To enhance the provision to read as, “**THESE CENTERS SHALL BE UNDER THE MANAGEMENT AND SUPERVISION OF THE PROVINCIAL AND CITY SOCIAL WELFARE AND DEVELOPMENT OFFICES IN CONSULTATION WITH THE CONCERNED REGIONAL COUNCIL FOR THE WELFARE OF CHILDREN**” to be consistent with the Mandanas-Garcia Ruling.
  - 2.4 To ensure there is no duplication of functions of the Council for the Welfare of Children (CWC) by delegating the advisory board task to the CWC considering that CWC is an attached agency of the DSWD and is performing the task of being the focal inter-agency body of the Philippine Government for children.
  - 2.5 On item **B. Functions of the Centers**, to include in the functions of the

Resource Development and Crisis Assistance Centers the establishment of a referral system at the local government level to have an integrated and coordinated community response to victims of abuse and violence.

5. **Sec. 4 – “Sec. 4 Rehabilitation and Development Program.”**

3.1 To revise the statement to read as, ***“THE LOCAL DEVELOPMENT COUNCILS (LDCS), IN CONSULTATION WITH THE DEPARTMENT OF HEALTH (DOH) AND THE REGIONAL COUNCILS FOR THE WELFARE OF CHILDREN, SHALL WITHIN SIX (6) MONTHS FROM THE APPROVAL OF THIS ACT, FORMULATE A PROGRAM FOR THE REHABILITATION, DEVELOPMENT AND PROTECTION OF WOMEN AND CHILDREN, MENTIONED IN SECTION 3(B) HEREOF. THE LDCS SHALL ALSO OVERSEE THE EFFECTIVE IMPLEMENTATION OF THE PROGRAMS OF THE CENTERS AND MONITOR THE ACCOMPLISHMENTS OF PARTICIPATING AGENCIES. IT SHALL ALSO ACT AS AN ADVISORY BOARD. THE LDCS MAY CALL ON NATIONAL AGENCIES AND LGUS, ACADEMIC INSTITUTIONS AND INTERNATIONAL ORGANIZATIONS TO ASSIST IN THE IMPLEMENTATION OF THIS ACT BY WAY OF PROGRAM COLLABORATION AND FUNDING AUGMENTATION, AMONG OTHERS”.***

3.2 To enhance the provision to read as, ***“...SHALL ALSO OVERSEE THE EFFECTIVE IMPLEMENTATION OF THE PROGRAMS AND SERVICES OF THE CENTER...”***

6. **Sec. 4 – Beneficiaries**, to specify that target beneficiaries are women and girls ***in especially difficult circumstances*** such as, pregnant women classified poor, abandoned pregnant women, women at risk to be victims of violence, and others.

7. **Sec. 5 – Refuge and Assistance Center**

5.1 To clarify how this Refuge and Assistance Center is different from the existing DSWD Residential Care Facilities (RCFs) nationwide.

5.2 To include a Social Worker among the Center’s personnel.

5.3 To reconsider the appointment of the Center Head requiring the President of the Philippines as appointing authority.

5.4 With the dearth of doctors in the country, to consider qualified Social Workers with Master’s or Doctoral Degrees to head the Centers.

8. **Sec. 7 – Appropriations**, to revise the statement to indicate that funding for the implementation of the Act shall be charged to the Internal Revenue Allotment (IRA) of the LGUs under the current General Appropriations Act (GAA) and subsequent appropriations for the continued operation and maintenance of the Centers shall be included in the regular appropriations for the LGUs, for consistency with the Mandanas-Garcia Ruling.
  
9. **Sec. 8 – Implementing Rules and Regulations**
  - 5.1 To indicate the specific concerned Agencies, including but not limited to the Department of Education (DepEd), Technical Education Skills and Development Authority (TESDA), Department of Labor (DoLE), Philippine Commission on Women (PCW) that will be involved in the crafting of the Implementing Rules and Regulations (IRR); and
  
  - 5.2 To revise the statement to read as *“Within ninety (90) days upon the approval of this Act, the DSWD, **through the CWC**, and all concerned agencies shall formulate rules and regulations as may be necessary for the proper implementation thereof”*.
  
10. **Sec. 9 – Authority to Accept Donations**, to revise the statement to read as, *“**SEC. 5. AUTHORITY TO ACCEPT DONATIONS. – THE LOCAL CHIEF EXECUTIVE MAY ACCEPT DONATIONS AND GRANTS, BOTH DOMESTIC AND FOREIGN, FOR PURPOSES RELEVANT TO THE FUNCTIONS OF THE CENTERS OR FOR THE PURPOSES SPECIFIED BY THE DONOR. SUCH DONATIONS AND GRANTS SHALL BE SUBJECT TO PERTINENT ACCOUNTING AND AUDITING RULES AND REGULATIONS”***.
  
11. **Other Comments**, to include proactive means of ending rape and sexual assault by integrating gender studies during the formative years of learning children.

This is being submitted for the Chairperson’s information.

Thank you.

Very truly yours,

  
REX GATCHALIAN  
Secretary  
Date: 17 FEB 2023