



03 May 2017

**SENATOR RICHARD J. GORDON**  
Chairperson  
Committee on Justice and Human Rights  
Senate of the Philippines  
Roxas Blvd., Pasay City

Dear **Chairperson Gordon**:

The Department of Social Welfare and Development supports **Senate Bill No. 744** entitled: An Act Modifying the Definition of the Crimes of Rape, Qualified Seduction and Simple Seduction Involving Minor Children and Rationalizing the Penalties Therefor, Amending for the Purpose Certain Sections of Act No. 3815, as Amended, Otherwise Known as the Revised Penal Code or "**The Law on Rape, Qualified Seduction and Simple Seduction**", introduced by Sen. Francis Escudero.

We believe that this proposed measure will give greater protection to children against abuses by **increasing the minimum age of statutory rape.**

To contribute to the bill's enhancement, we are recommending the following:

1. On **Section 3 (Article 266-B, Penalties)**

We would like to reiterate our strong objection to the re-institutionalization of death penalty because it is cruel, degrading and goes against the right of individuals to life as provided for in core universal and human rights punishments.

2. On **Sections 4 (Article 337) and 5 (Article 338)**

± **Sections 4 (Article 377-Qualified Seduction) and 5 (Article 338 – Simple Seduction):**

To use "**child**" as a more general term instead of "**female person**" in referring to the victim of seduction. This proposal highlights the use of non-sex specific references and acknowledges that even male children and LGBT children may be subjected to rape.

± **Section 4 – Article 337 (Qualified Seduction):** Removal of the qualifiers "**virgin**" in qualified seduction and "**single or a widow of good reputation**" in simple seduction. These qualifiers are discriminatory and inconsistent with the child-and-gender sensitive-approach guaranteed under the UN Convention and other domestic laws.

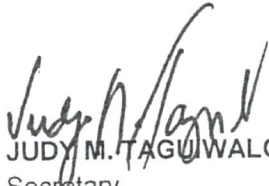
The character of the victim being a child should not be a factor in defining the crime of seduction committed against him/her.

3. To include a **Section for the Implementing Rules and Regulations**
4. Further, to indicate and clearly specify the **roles and responsibilities of concerned agencies** that will provide appropriate programs and services to victim-survivors of rape and their families.

For consideration of the Committee.

Thank you.

Very truly yours,

  
JUDY M. TAGUIWALO  
Secretary