

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**EIGHTEENTH CONGRESS**  
First Regular Session

HOUSE BILL NO. 6839



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Introduced by **Representative Manuel Luis T. Lopez**

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**AN ACT**  
**AMENDING R.A. NO. 9262 OTHERWISE KNOWN AS "AN ACT DEFINING VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING FOR PROTECTIVE MEASURES FOR VICTIMS, PRESCRIBING PENALTIES THEREFORE, AND FOR OTHER PURPOSES", EXPANDING ITS COVERAGE AND COVERED ACTS PRESCRIBING PENALTIES THEREFORE, AND FOR OTHER PURPOSES.**

**EXPLANATORY NOTE**

In 2004, Republic Act No 9262 otherwise known as the Anti-Violence Against Women and Children (VAWC) was enacted to prevent and address violence committed against women and children, who are the usual and most likely victims of domestic violence due to unequal power relations and deeply ingrained cultural misogyny.

While women and children are still considered as the most vulnerable to domestic violence, it is important to recognize that domestic violence may also be committed against men and members of the LGBTQIA+ community. Existing social and cultural prejudices tend to trivialize domestic violence against these members of society—for men, they are often considered less macho and "under the saya (skirt)" or "takusa" (takot sa asawa); for members of the LGBTQIA+ community, they are often discriminated due to their sexual orientation or gender identity or expression and considered deserving of such violence.

As the Philippine society continues to challenge stereotypical gender norms, roles, and relations towards a more gender-inclusive society, it is important to provide measures to prevent and protect domestic violence against men and members of the LGBTQIA+, as well.

Finally, in the midst of the novel coronavirus disease pandemic where most families are mandated to stay at home until the community quarantine is lifted, there is a threat that domestic violence may be more frequent, severe, and dangerous. Thus, it is important to ensure that all members of society are protected.

In view of the foregoing, the passage of this bill is earnestly sought.

  
HON. MANUEL LUIS T. LOPEZ  
Representative

*1<sup>st</sup> District, City of Manila*



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

1       **SECTION 1.** Section of Republic Act No. 9161, otherwise known as the "Anti-  
2 Violence Against Women and Their Children Act of 2004" is hereby amended to read as  
3 follows:  
4

5       **"SECTION 1. Short Title.** – This Act shall be known as the "Anti-Violence Against  
6 Partners and their Children Act or Anti-VAPC Law".  
7

8       **SECTION 2.** Section 2 of the same law is hereby amended as follows:  
9

10       **"SECTION 2. Declaration of Policy.** – It is hereby declared that the State values  
11 the dignity of women, children, and marginalized genders and guarantees full  
12 respect for human rights. The State also recognizes the need to protect the family  
13 and its members from all forms of violence and threats to their personal safety  
14 and security.  
15

16       Towards this end, the State shall exert efforts to address violence committed  
17 against men, women, members of the of the LBTQIA+ Community that are in  
18 partnership, and children in keeping with the fundamental freedoms guaranteed  
19 under the Constitution and provisions of the Universal Declaration of Human  
20 Rights, the Convention on the Elimination of All Forms of Discrimination Against  
21 Women, Convention on the Rights of the Child, and other international human  
22 rights instruments of which the Philippines is a state party."  
23

24       **SECTION 3.** Section 3 of the same law is hereby amended as follows:  
25

1       **"SECTION 3. Definition of Terms. – As used in this Act,**  
2

3       (a) *"Violence against partners and their children"* refers to any act or a series of  
4       acts committed by any person against their spouse, former spouse, partner,  
5       or against any other person with whom they have or had a sexual or dating  
6       relationship, or with whom they have a common child, or against the other  
7       person's child whether legitimate or illegitimate, within or without the family  
8       abode, which result in or is likely to result in physical, sexual, psychological  
9       harm or suffering or economic abuse including threats of such acts, battery,  
10      assault, coercion, harassment, or arbitrary deprivation of liberty.

11      The term *"partner"* may refer to any individual who identifies as a  
12      heterosexual, lesbian, gay, bisexual, transgender, queer, intersex, asexual, and  
13      individuals of various sexual and gender orientations (hereinafter referred to  
14      as "LGBTQIA+").  
15

16      Violence against partners and their children includes, but is not limited to,  
17      the following acts:  
18

- 19      A. *"Physical violence"* refers to an act that includes bodily or physical harm;  
20  
21      B. *"Sexual violence"* refers to an act which is sexual in nature, committed  
22      against a partner or their child. It includes, but is not limited to:  
23  
24          i.     Rape, sexual harassment, acts of lasciviousness, treating a partner  
25               or their child as a sex object, making demeaning and sexually  
26               suggestive remarks, physically attacking the sexual parts of the  
27               victim's body, forcing them to watch obscene publications and  
28               indecent shows or forcing the partner or their child to do indecent  
29               acts and/or make films thereof, forcing the partner to live in the  
30               conjugal home or common home or sleep together in the same  
31               room with the abuser;  
32  
33          ii.    Acts causing or attempting to cause the victim to engage in any  
34               sexual activity by force, threat of force, physical or other harm or  
35               threat of physical or other harm or coercions;  
36  
37          iii.   Prostituting the partner or their child.  
38  
39      C. *"Psychological violence"* refers to an act or omission causing or likely to  
40      cause mental or emotional suffering of the victim such as but not limited  
41      to intimidation, harassment, stalking, damage to property, public ridicule  
42      or humiliation, repeated verbal abuse and mental infidelity. It includes  
43      causing or allowing the victim to witness the physical, sexual or  
44      psychological abuse of a member of the family to which the victim  
45      belongs, or to witness pornography in any form or to witness abusive  
46      injury to pets or to unlawful or unwanted deprivation of the right to  
47      custody and/or visitation of common children.  
48  
49



1 It shall also include electronic or information communication technology  
2 (ICT)-related violence which refers to an act or omission involving the use  
3 or exploitation of data or any form of ICT which causes or is likely to  
4 cause mental, emotional, or psychological distress or suffering to the  
5 partners and their children. This includes any forms of harassment,  
6 intimidation, coercion, threat, or vilification of the partner their children  
7 through any form, as well as any form of stalking including hacking of  
8 personal accounts on social media and the use of location data from  
9 electronic devices, fabrication of fake information or new through text  
10 messages or other cyber, electronic, or multimedia technology.

11  
12 D. "*Economic abuse*" refers to an act that makes or attempts to make a  
13 partner financially dependent which includes, but is not limited, to the  
14 following:

- 15  
16 i. Withdrawal of financial support or preventing the victim from  
17 engaging in any legitimate profession, occupation, business or  
18 activity, except in cases wherein the other spouse or partner  
19 objects on valid, serious and moral grounds as defined in Article 73  
20 of the Family Code;  
21  
22 ii. Deprivation or threat of deprivation of financial resources and the  
23 right to the use and enjoyment of the conjugal or community  
24 property, or property owned in common;  
25  
26 iii. Destroying household property;  
27  
28 iv. Controlling the victim's own money or properties or solely  
29 controlling the conjugal or common money or properties.  
30

31 xxx  
32

33 (i) "*Discrimination*" refers to any distinction, exclusion, restriction, or preference  
34 based on sex, sexual orientation, gender identity or expression, and has the  
35 purpose or effect of nullifying or impairing the recognition, access to,  
36 enjoyment, or exercise by all persons on an equal footing of all rights and  
37 freedoms. The actual sex, sexual orientation, or gender identity of the victim  
38 shall not be relevant for the purpose of determining whether an act of  
39 discrimination has been committed.  
40

41 (j) "*Hate crime*" refers to a criminal act or bias crime motivated by another  
42 person's race, color, religion, national origin, gender, sexual orientation,  
43 gender identity, or disability."  
44

45 **SECTION 4.** Section 5 of the same law is amended to include the following:  
46

47 "**SECTION 5.** *Acts of Violence Against Partners and Their Children.* – The crime of  
48 violence against partners and their children is committed through any of the  
49 following acts:

1  
2 XXX  
3

4 (k) Creating fake social media accounts using an  
5 alias or a different personal information with  
6 ill-intent and malice to sow intrigue and  
7 inflict harm.”  
8

9 **SECTION 5.** Section 6 of the same law is amended to read as follows:  
10

11 “SECTION 6. Penalties. – The crime of violence against partners and their  
12 children under Sec. 5 hereof shall be punished according to the following rules:  
13

14 XXX  
15

16 If acts are committed while the woman or child is pregnant or committed in the  
17 presence of the child, the penalty to be applied shall be the maximum period of penalty  
18 prescribed in the section.  
19

20 Also, any acts of violence perpetuated as hate crimes against partners and their  
21 children which includes discrimination on the grounds of sex, sexual orientation, gender  
22 identity or expression shall be considered as special aggravating circumstance where  
23 the penalty shall be imposed on its maximum period.  
24

25 Xxx”  
26  
27

28 **SECTION 6.** Section 33 of the same law is amended, to read as follows:  
29

30 “xxx  
31

32 Willful refusal of a government official whose duty is to investigate, prosecute, or  
33 otherwise act on a complaint for a violation of this Act to perform such a duty  
34 without a valid ground shall constitute gross negligence on the part of the public  
35 official and shall be subject to administrative sanctions.”  
36  
37

38 **SECTION 7.** Section 39 of the same law is amended to include the following:  
39

40 “**SECTION 41.** *Inter-Agency Council on Violence Against Partners and their*  
41 *Children (IAC-VAPC).* – In pursuance of the abovementioned policy, there is  
42 hereby established an Inter-Agency Council on Violence Against Partners and  
43 their Children, hereinafter known as the Council, which shall be composed of the  
44 following agencies:  
45

46 (a) Department of Social Welfare and Development (DSWD);  
47

48 (b) National Commission on the Role of Filipino Women (NCRFW);  
49



- 1 (c) Civil Service Commission (CSC);  
2  
3 (d) Commission on Human Rights (CHR);  
4  
5 (e) Council for the Welfare of Children (CWC);  
6  
7 (f) Department of Justice (DOJ);  
8  
9 (g) Department of the Interior and Local Government (DILG);  
10  
11 (h) Philippine National Police (PNP);  
12  
13 (i) Department of Health (DOH);  
14  
15 (j) Department of Education (DepEd);  
16  
17 (k) Department of Labor and Employment (DOLE);  
18  
19 (l) National Bureau of Investigation (NBI);  
20  
21 (m) Department of Foreign Affairs (DFA);  
22  
23 (n) Movie and Television Review and Classification Board (MTRCB);  
24  
25 (o) Philippine Commission on Women (PCW);  
26  
27 (p) Department of Information and Communications Technology (DICT);  
28  
29 (q) Commission on Overseas Filipinos; and  
30  
31 (r) Two (2) representatives from civil society organizations.

32  
33 xxx"  
34

35 **SECTION 9.** Any reference to woman/women in the same law shall also refer to  
36 partner/s" of other sexual orientation and gender identity and expression, without  
37 prejudice to any law providing distinction and limitations to the rights of men and  
38 women including the Civil Code and the Family Code.

39  
40 **SECTION 10. *Suppletory Application.*** – For purposes of this Act, the Revised Penal Code  
41 and other applicable laws shall have suppletory application.

42  
43 **SECTION 11. *Separability Clause.*** – If any section or provision of this Act is held  
44 unconstitutional or invalid, the other sections or provisions shall not be affected.

45  
46 **SECTION 12. *Repealing Clause.*** – All laws, presidential decrees, executive orders, rules  
47 and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby  
48 repealed or modified accordingly.  
49

1 **SECTION 13. *Effectivity.*** – This Act shall take effect fifteen (15) days from the date of its  
2 complete publication in at least two (2) newspapers of general circulation.  
3  
4 Approved,