

# ANNEX 1

## EXISTING LAWS OF THE STATE ON GENDER-BASED VIOLENCE

LAWS	SHORT TITLE	FULL TITLE
R.A. 10906	Anti-Mail Order Spouse Law of 2016.	An Act Providing Stronger Measures Against Unlawful Practices, Businesses, and Schemes of Matching and Offering Filipinos to Foreign Nationals for Purposes of Marriage of Common Law Partnership, <b>Repealing</b> for the Purpose Republic Act No. 6955, Also Referred to as the "Anti-Mail Order Bride Law of 1990.
R.A. 7610	Special Protection of Children Against Abuse, Exploitation and Discrimination Act of 1992	An Act Providing for Stronger Deterrence and Special Protection against Child Abuse, Exploitation and Discrimination, and for Other Purposes
R.A. 7877	Anti-Sexual Harassment Act of 1995	An Act Declaring Sexual Harassment Unlawful in the Employment, Education or Training Environment, and for Other Purposes
R.A. 8353	Anti-Rape Law of 1997	An Act Expanding the Definition of the Crime of Rape, Reclassifying the Same as a Crime Against Persons, Amending for the Purpose Act No. 3815, as Amended, Otherwise Known as the Revised Penal Code, and for Other Purposes
R.A. 8505	Rape Victim Assistance and Protection Act of 1998	An Act Providing Assistance and Protection for Rape Victims, Establishing for the Purpose a Rape Crisis Center in Every Province and City, Authorizing the Appropriation of Funds Therefor, and for Other Purposes
R.A. 9262	Anti-Violence Against Women and Their Children Act of 2004	An Act Defining Violence Against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefore, and for Other Purposes
R.A. 9775	Anti-Child Pornography Act of 2009	An Act Defining the Crime of Child Pornography, Prescribing Penalties Therefor and for Other Purposes
R.A. 9995	Anti-Photo and Video Voyeurism Act of 2009	An Act Defining and Penalizing the Crime of Photo and Video Voyeurism Prescribing Penalties Therefor, and for Other Purposes
R.A. 9208 as amended by R.A. 10364	Expanded Anti-Trafficking in Persons Act of 2012	An Act Expanding Republic Act No. 9208 entitled "An Act to Institute Policies to Eliminate Trafficking in Persons Especially Women and Children, Establishing the Necessary Institutional Mechanisms for the Protection and Support of Trafficked Persons, Providing Penalties for its Violations, and for Other Purposes.

## ANNEX 2

### PENDING BILLS ON GENDER-BASED DISCRIMINATION and VIOLENCE and ON WOMEN'S RIGHT and EMPOWERMENT

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#### a. Amending the Anti-Rape Law of 1997

House Bills numbered 00097, 03299, 04148, and 06088 on the amendment of the Anti-Rape Law of 1997 are still pending under Committee on Revision of Laws of the House of Representatives. On the other hand, **its counterpart Senate Bill Number 1252 is in the interpellation stage.**

The said bills seek to emphasize the absence of consent as an essential element of the crime of rape, over evidence of physical resistance and external injuries, and increase the age of sexual consent from 12 years old to 16 years old (in the House of Representatives) or 18 years old (in the Senate).

#### b. Amending/Repealing RA 7877 (Anti-Sexual Harassment Act of 1995)

Ten (10) Bills on Anti-Sexual Harassment were initially considered last August 8, 2017 wherein the Committee Secretariat was directed to prepare a draft bill in substitution of House Bills Numbered 194, 508, 2591, 2932, 3691, 4822 and 5977 on amending the Anti-Sexual Harassment Act (RA 7877).

The bill's objective is to uphold the rights of women and their well-being especially in the workplace and in training and educational institutions where discrimination against them are prevalent.

Second deliberation was held on August 1, 2018 where the draft substitute bill to House Bill Nos. 194, 508, 2591, 2932, 3691, 4822, and 5977, "An Act Amending Republic Act No. 7877, also known as the Anti-Sexual Harassment Act of 1995" has been approved and is set for interpellation. Said bill upholds the rights of women and their well-being especially in the workplace and in training and educational institutions where discrimination against them are prevalent.

Another bill in substitution of HBs Numbered 5781 and HB 5956 was already crafted by the secretariat staff covering gender-based street, public spaces and on-line sexual harassment and will be scheduled for committee consideration sometime in August 2018.

The counterpart Senate Bill 1250 was consolidated/substituted in Committee Report 156.

#### c. The E-VAW (Electronic Violence Against Women) amending the Anti-VAWC Act

The House Committee on Women and Gender Equality (CWGE) has conducted three (3) meetings on measures amending the Anti-Violence Against Women and Children to include electronic violence or the E-VAWC Bills last August 8, 2017, January 30, 2018 and May 16, 2018. The third draft of the substitute bill on seven measures (HBs 1471, 2592, 2664, 2850, 5153) has been approved in the committee level and is now set for

interpellation. The counterpart Senate Bills 180 and 1251 have been heard in the Committee on Women, Children, Family Relations and Gender Equality. These bills have also gone through a Technical Working Group discussion.

The bill is aimed to protect women and children from all forms of electronic violence and obviate any creative legal defense that may be used by violators of the law who manipulate technology to inflict violence against women.

Other VAWC related measures, HBs 3818 and 5584, were also discussed during the August 8, 2017 but will be tackled separately because HB 3813 penalizes agencies that exploit women and glorify violence in advertisements while HB 5584 included the LGBTs in the bill's coverage, and the bill's author requested that it will be taken up separately;

**d. The "Resource Development and Crisis Assistance Center for Women Act" and The "Women Participation and Representation in Political Parties Act"**

These legislative measures will be scheduled for committee deliberation before October 2018.

**e. The "Safe Streets, Workplaces and Public Spaces Act"**

This pertains to Senate Bill 1558 (under Committee Report 156) which is currently in the period of Interpellation.

**f. The "Civil Partnership Bill"**

A priority measure in Congress, this was deliberated upon in six (6) committee meetings held last January 31, 2018, and February 12 and 26, 2018, March 19, 2018, May 16 and 30, 2018.

House Bill No. 6595 (Civil Partnership Act) seeks to grant couples whether they are of the opposite or of the same sex adequate legal instrument to recognize their partnerships, respecting their dignity and recognizing their equality before the law;

The next deliberation on said bill has been scheduled in August 2018.

**g. Expanded Maternity Leave Benefit Act**

Committee Report No. 13 re House Bill No. 4113 (Expanded Maternity Leave Law) in substitution of House Bills Numbered 152, 472, 483, 509, 580, 1046, 1382, 1644, 1912, 2838, 3224, 3445, 3513, 3645, and 3650, is still on second reading (period of interpellation). If the House approves it, a bicameral conference will be held to reconcile the provisions of the Senate and House versions for its eventual passage into law. Senate Bill 1305 was already approved on third reading and was already transmitted to the House.

The bill underwent a series of meetings with different government agencies, civil society organizations, the academe and others. The bill is now pending on second reading and has reached the Period of Interpellation in the plenary last January 24, 2017 and the second plenary consideration was held last March 5, 2018.

The objective of the bill is to protect the maternal health and postnatal healthcare of women, employed in both government and private sector, as well as the welfare of her child.

**h. Anti-Discrimination Act based on Sexual Orientation and Gender Identity or Gender Expression**

House Bill No. 4982 in substitution to House Bills No. 51, 267, 949, 1034, 1108, 1451, 1854, 3245, 3555, 3701 and 4414 (Sexual Orientation or Gender Identity or Expression (SOGIE) Equality Bill) was approved on third reading by the House on September 20, 2018 and was transmitted to the Senate last October 3, 2017. It was reported out by the CWGE as Committee Report No. 101 re House Bill No. 4982.

This bill seeks to prohibit and penalize acts of discrimination based on SOGIE and it will contribute to the achievement of gender equality.

An Anti-Discrimination Law will ensure that all people, regardless of SOGIE are able to exercise their rights to life, education, employment and expression without fear of reprisal, torture, arrest and detention.

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It defines “discrimination” as any distinction, exclusion, restriction, or preference which is based on any ground such as sex, sexual orientation, gender identity or expression, and which has the purpose or effect of nullifying or impairing the recognition, access to enjoyment, or exercise by all persons on an equal footing of all rights and freedoms; The Senate version SB No. 1271 is pending on 2<sup>nd</sup> Reading.

**i. Fundamental Equality of Men and Women in Family Decisions/Matters (Amending Articles 14, 96, 124, 211 and 225 of the Family Code)**

Committee Report No. 138 re House Bill No. 5156 (Fundamental Equality of Men and Women in Family Decisions/Matters Bill Amending Articles 14, 96, 124, 211 and 225 of the Family Code) in substitution of House Bills Numbered 219, 374, 375, 1159, 2386, 3263 and 3951 which was included in the Order of Business on February 28, 2017 but remains pending with the Committee on Rules.

The bill seeks to correct the inequitable and unfair situation under current law which mandates that the decisions of the father should prevail in matters relating to marriage and family relations. Among others, the bill strengthens the provision of the Family Code in the joint administration and enjoyment of the community of property and of the conjugal partnership of spouses by providing that any act of administration by either spouse without the consent of the other shall be unenforceable until subsequently ratified by the non-consenting spouse.

It was included in the Official Business for the day dated 28 February 2017.

Other bills and resolutions pending in the Senate are:

- j. An Act Recognizing Serious Physical and Sexual Abuse as Ground for Legal Separation**
- k. An Sexual Violence/Abusive Conduct as Grounds for Legal Separation**
- l. An Act Protecting Women in State Custody, Prescribing the Minimum Standards for their Treatment**
- m. Senate Resolution pertaining to An Inquiry, In Aid of Legislation, on the Reported Persistence of Child Pornography and Prostitution in the Philippines**
- n. Senate Resolution pertaining to an Inquiry, In Aid of Legislation, on the Alleged Presence of Sex Tourism in the Philippines (Poe).**

## ANNEX 3

### **BILLS GIVING PRIORITY TO THE PROTECTION OF WOMEN'S HEALTH RIGHTS, IN PARTICULAR THEIR SEXUAL AND REPRODUCTIVE HEALTH RIGHTS**

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The following bills which are currently pending in Congress seek to give priority to the protection of women's health rights, in particular their sexual and reproductive health rights:

- The Expanded Maternity Leave Law of 2017
- Healthy Nanay and Bulilit Act: Scaling-Up of Nutrition for the First 1,000 Days of Life
- Philippine HIV and AIDS Policy Act
- *Philhealth Para sa Buntis at ang Kanyang Sanggol*: An Act Granting Automatic Philhealth Coverage for all Women About to Give Birth and their Newborn Children
- Prevention of Adolescent Pregnancy Act of 2017
- An Act Providing the Improvement of Maternal and Childbirth Services by Establishing Birthing Centers and Training Traditional Birth Attendants
- Senate Resolution: Rise of Premature or Pre-term Births

## ANNEX 4

### PHILIPPINE JUDICIAL ACADEMY'S TRAINING DATA ON GENDER EQUALITY, WOMEN'S RIGHTS and CHILDREN'S RIGHTS From 2016 to 2018

	Core Programs	Topics	Number of Batches		
			Jan-Dec. 2016	Jan-Dec. 2017	Jan-May 2018
1	Pre-Judicature Program	2 topics – 1. Republic Act No. 9262: Violence Against Women and Children 2. Updates in Persons and Family Relations	4	3	1
2	Orientation Seminar-Workshop for Newly Appointed Judges	2 topics – 1. Recent Jurisprudence on Persons and Family Relations 2. Overview of the Expanded Anti-Trafficking in Persons Act	3	3	1
3	Orientation Seminar-Workshop for Newly Appointed Clerks of Court	2 topics – 1. Family Mediation 2. The Clerks of Court and VAWC Cases(Including Handling of Witnesses: Women and Children)	2	4	1
4	Orientation Seminar-Workshop for Newly Appointed Sheriffs and Process Servers	1 topic – Gender Concepts Including the Rule on Administrative Procedure in SexualHarassment Cases and Guidelines on proper Work Decorum in the Judiciary	3	2	2
5	Orientation Seminar-Workshop for Newly Appointed Court Employees	1 topic – Gender Sensitivity and Gender Fair Language	0	1	0
6	Career Enhancement Program for Clerks of Court	1 topic – Examination of a Witness	2	3	1
7	Continuing Legal Education Program for Court Attorneys	1 Topic – Updates in Marital and Family Relations	3	0	0
8	Career Development Program for Court Legal Researchers	1 topic – Persons and Family Relations	2	2	0
9	Career Development Program for Court Interpreters	1 topic – Gender Fair Language with Workshop	0	2	2

10	<b>Career Enhancement Program for Court Social Workers</b>	<p>7 topics –</p> <ol style="list-style-type: none"> <li>1. <i>Rule on Examination of Child Witness</i></li> <li>2. <i>Anti-Violence Against Women and Their Children Act</i></li> <li>3. <i>Interviewing Skills and Techniques</i></li> <li>4. <i>Counseling Skills, Techniques and Processes</i></li> <li>5. <i>Children in Conflict with the Law</i></li> <li>6. <i>Family Court and the Role of Court Social Workers</i></li> <li>7. <i>Updates on Adoption Laws</i></li> </ol>	1	0	0
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	Special Focus Programs	Topics	Number of Batches		
			Jan-Dec. 2016	Jan-Dec. 2017	Jan-May 2018
1	<b>Competency Enhancement Training for Judges and Court Personnel Handling Cases Involving Children</b>	<p>all topics –</p> <ol style="list-style-type: none"> <li>1. <i>The Phenomenon of Child Abuse in the Philippines</i></li> <li>2. <i>The Developing Child: What the Courts Should Know</i></li> <li>3. <i>The Rule on Examination of a Child Witness (Part 1)</i></li> <li>4. <i>The Rule on Examination of a Child Witness and Creating Disability-Sensitive and Accessible Courts (Part 2)</i></li> <li>5. <i>Badgering of A Child Witness</i></li> <li>6. <i>Toys They Are Not: The Anatomically Correct Dolls</i></li> <li>7. <i>Child and Gender Insensitive Court Atmosphere</i></li> <li>8. <i>Testimonial Competence of Children</i></li> <li>9. <i>Dynamics of Victimization and Offending</i></li> <li>10. <i>Salient Provisions of the Comprehensive Juvenile Justice and Welfare Act of 2006</i></li> <li>11. <i>What is Discernment?</i></li> <li>12. <i>Salient Provisions on the Rule on CICL</i></li> <li>13. <i>Salient Features of Diversion</i></li> </ol>	3	2	1



2	<b>Competency Enhancement Training for Judges, Prosecutors, Legal Researchers, Social Workers, and Law Enforcement Investigators Handling Trafficking in Persons Cases</b>	<i>all topics –</i> 1. <i>Overview of Trafficking in Persons</i> 2. <i>Dynamics of Victimization/The Profile of a Trafficked Victim</i> 3. <i>Risks and Vulnerabilities of TIP Victims</i> 4. <i>How to Interview TIP Victims</i> 5. <i>Insensitivity to TIP Victims</i> 6. <i>Salient Features of RS 9208 as amended</i> 7. <i>Psycho-Social Trauma of Trafficking Victims</i> 8. <i>How to Investigate a Case of Trafficking</i> 9. <i>Putting It All Together: Prosecuting a TIP Case</i>	2	1	0
3	<b>Advanced Competency Enhancement Training for Judges, Prosecutors, Legal Researchers, Social Workers, and Law Enforcement Investigators Handling Trafficking in Persons Cases</b>	<i>all topics –</i> 1. <i>International and Domestic Legal Framework</i> 2. <i>Supreme Court Rules, relevant provisions of the Rules of Court, and Rule on Criminal Procedure: What can be used in TIP Cases?</i> 3. <i>Mutual Legal Assistance and Other Relevant Treaties</i> 4. <i>Digital Evidence</i> 5. <i>Protective Custody</i> 6. <i>Investigation, Prosecution and Victim Support Team</i> 7. <i>Interview of a TIP Victim</i>	4	2	1
4	<b>Special Course on International Criminal Law and Security</b>	2 topics – 1. <i>Modes of Liability and Crimes of Sexual Violence</i> 2. <i>Crimes of Sexual Violence, Forced Marriage and Child Soldiers</i>	3	0	0
5	<b>Competency Enhancement Training for Family Court Judges, Prosecutors, Social Workers, and Law Enforcement Investigators on the Management of Online Sexual Exploitation of Children Cases</b>	<i>all topics –</i> 1. <i>The Generation Today: Dynamics of Young Children in the Digital World</i> 2. <i>Trauma-Informed Care: Parenting the Millennial Generation and Its Carers</i> 3. <i>Detection, Surveillance, Monitoring and Investigation of the Crimes Against Millennials</i> 4. <i>The Financial Trail of OSEC</i> 5. <i>Pre- and Post-Rescue Operation and Protective Custody</i> 6. <i>How to Catch a Predator</i>	4	3	2

	Others Programs	Topics	Number of Batches		
			Jan-Dec. 2016	Jan-Dec. 2017	Jan-May 2018
1	<b>Enhanced Justice on Wheels Seminar: Information Dissemination Through a Dialogue Between Barangay Officials and Court Officials</b>	<p>2 topics –</p> <p>1. <i>Barangay Protection Order under the Anti-Violence against Women and Their Children Act (R.A. 9262)</i></p> <p>2. <i>Diversion under the Juvenile Justice Act</i></p>	8	13	4
2	<b>National Convention and Seminar of the Philippine Women Judges Association</b>	<p>2016 - <b>Dispensing Justice with a Gender Perspective</b></p> <p>3 topics –</p> <p>1. <i>Overview on Gender Sensitivity</i></p> <p>2. <i>Basic Concept of Gender, Sexual Harassment, and the CODI</i></p> <p>3. <i>Avoiding Gender Discrimination in Court Decisions</i></p> <p>2017 – <b>Judges Beyond Borders</b></p> <p>2 topics –</p> <p>1. <i>Foreign Arbitration Awards Enforcement in Domestic Courts</i></p> <p>2. <i>Inter-Country Adoption Laws and Procedure</i></p>	1	1	1
3	<b>National Convention and Seminar of the Court Legal Researchers Association of the Philippines</b>	<p>2016 – <b>Moving Forward with Judicial Innovations and Reforms</b></p> <p>1 topic –</p> <p><i>Recent Jurisprudence on Family Laws</i></p>	1	0	1
4	<b>National Convention and General Assembly of the Philippine Association of Court Social Workers, Inc.</b>	<p>2016 – <b>Empowering the Social Workers of the Judiciary with In-Depth Professionalism</b></p> <p>1 topic – <i>Children in Conflict with the Law (CICL) and Court Diversion Procedure: Restorative Justice in Action</i></p> <p>2018 - <b>Judiciary Social Workers: Facing Millennial Challenges</b></p> <p>3 topics –</p> <p>1. <i>Court Social Workers and the Use of Social media in Family Court Cases</i></p> <p>2. <i>Updates on Laws relative to Family Court Cases</i></p> <p>3. <i>Updates in Civil Registry</i></p> <p>4. <i>Procedures in relation to Adoption, Foundling, Simulation of Birth and Registration of CICL with No Birth Certificate</i></p>	1	0	1
5	<b>National Convention and Seminar of the First Level Clerks of Court Association of the Philippines</b>	<p>2016 – <b>FLECCAP: The Embodiment of Judicial Integrity, Independence, and Competency in Public Service</b></p> <p>1 topic – <i>Gender Sensitivity and Fair Language</i></p>	1	0	0

## ANNEX 5

### DEMAND GENERATION AND ADVOCACY STRATEGIES OF THE STATE ON ADOLESCENTS' SEXUAL HEALTH RIGHTS

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National Population Quiz (PopQuiz) – A nationwide contest where facts on population and development are asked of the youth. This aims to increase the awareness and interest of the young people on population and development issues and concerns. It is co-implemented by POPCOM and the Department of Education (DepEd).

- a. Adolescent Health and Development Independent Film Festival – a nationwide contest which serves as a venue to create awareness on the status of today's adolescents and young people. It features issues on teenage pregnancy written, directed, and produced by the youth.
- b. Development of training tools for adolescents such as the Sexually Health and Personally Effective (SHAPE) Adolescent Modules.
- c. U4U: Youth for Youth Initiative – a youth hub initiative of POPCOM and UNFPA. It aims to deliver critical information to Filipino teens aged 10-19 years old to prevent or reduce the incidence of early pregnancy and sexually transmitted infections including HIV/AIDS. The U4U has the following platforms:
  - i. Online portal ([www.u4u.ph](http://www.u4u.ph)) – a dynamic and interactive website that allows teen users to learn about self-identity, life skills, friendships and health advocacy, among others.
  - ii. Social Media ([www.facebook.com/U4U.ph](http://www.facebook.com/U4U.ph))
  - iii. Interactive Voice Response System (IVRS) – an automated mobile service that gives recorded information to teens who send a “U4U” text message to dedicated mobile phone numbers.
  - iv. Teen Trail – an education and entertaining teen caravan that is set up in schools and communities and managed by teens themselves. It includes interactive exhibit, fun workshops, songs and dances.
- d. Parent Education on Adolescent Health and Development - aims to engage parents in providing their adolescent child/children with information on sexuality and health-related concerns. It is done through conduct of classes where parents are given knowledge on adolescent health and development and skills on how to communicate the necessary information to their child/children. The Learning Package on Parent Education (LPPed) on Adolescent Health and Development was developed as the tool for the conduct of parenting adolescent classes.
- e. Policy Research – POPCOM has collaborated with the UP Population Institute (UPPI) in the conduct of the following studies:

- i. Parental Involvement in Adolescent Health and Development (2012)
  - ii. “Post-Millennial Filipinos: Renewed Hope vs Risks” (Further Studies of the 2013 Young Adult Fertility and Sexuality Study)
- f. Policy advocacy – POPCOM provides its support for the passing of the following bills for the prevention of teenage pregnancy both in the House and Senate:
  - i. House Bill 4742 (Prevention of Adolescent Pregnancy Act of 2017)
  - ii. Senate Bill 1482 (An Act Providing for a National Policy in Preventing Teenage Pregnancies, Institutionalizing Social Protection for Teenage parents, and providing Funds Therefor)
- g. Information and Service Delivery Network (ISDN) – The overall objective of the ISDN is to improve the enabling environment for adolescents to ensure their health and total well-being through the scaling-up and institutionalization of existing integrated coordinative and referral structures that improve health-seeking behaviours and easy access of adolescents to information and services related to their health and well-being through the ISDN. The ISDN specifically aims to:
  - i. Provide accurate information and skills on sexuality and reproductive health and other development-related (socio-economic or non-health) concerns among adolescents;
  - ii. Improve adolescents’ health- and service-seeking behaviour;
  - iii. Ensure linkage and referral system to appropriate facilities;
  - iv. Ensure availability of appropriate services for adolescents in adolescent-friendly health and other service facilities; and promote youth-adult partnership and ensure participatory, inclusive, and collaborated planning, policy-making, implementation, monitoring, and evaluation of adolescent health and development programs among all stakeholders at the local level.

## ANNEX 6

### OVERALL ACCOMPLISHMENT OF THE FAMILY PLANNING PROGRAM FOR THE YEAR 2017

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- a. 264,799 New Acceptors for Long Acting Reversible Contraceptives/ Permanent Methods were provided. To date, the project was able to serve a total of 768,351 women in the project sites.
- b. 747,888 women of reproductive age (15-49) were counselled by a health provider on family planning (FP) in the last twelve months, adding to the 4.3 million already reached and counselled in the project sites.
- c. 181,016 youth (15-24 years old) provided with FP information/ counselling and/or services in supported sites which added to the 798,701 reached and served in the previous years.
- d. 797 additional service delivery points were providing FP counselling and service to couples, men, women, youth and adolescents of both sexes in USG sites. Currently, there are 2,484 facilities providing the services.
- e. 1,381 new public and private providers trained on FPCBT-I (a total of 6,644 providers in the project sites are now capacitated); 782 public and private providers trained on FPCBT-II (a total of 6,644 providers are now capacitated in the project sites to date).
- f. 176 Local government units (LGUs) in the project sites are with functional referral mechanism adding to the existing total of 401 LGUs with functioning service delivery networks (SDN).
- g. 817 LGUs now have mechanisms to track or map unmet need for FP in the public and private sector.

