

PROJECT OF COMMISSION ON HUMAN RIGHTS

SUMMIT AGAINST GENDER-BASED VIOLENCE

“A FOCUS ON THE VOICES OF WOMEN IN THE MARGINS”

Go Hotels Butuan, 3rd Floor, Kahimunan Hall
Robinsons Place Butuan, J.C. Aquino Avenue, Barangay Bayanihan,
Butuan City, Agusan Del Norte

December 5, 2019

DOCUMENTED BY:

METIS PHOEBE K. BUYAN

Overview

Passed in 2009, the Magna Carta of Women has since designated the Commission on Human Rights as the Gender and Development Ombud. The law sets out its specific mandates for the Commission which the Commission must faithfully and fully implement: among them, promoting and protecting women's rights through creative approaches in education while honing investigation of rights violations committed by persons not only from the public but equally from the private sectors. As the Commission capacitates itself in the investigation of such violations, its recommendations of appropriate remedial measures to other agencies of government must be closely monitored to ensure effective implementation.

The Commission introduced the Gender Based Violence Project in the community women with the objectives stated hereunder to wit;

- Harness the capacities of the Commission's 16 Regional Offices in monitoring functionality of referral mechanisms, providing recommendations and influencing enhanced functionality and responsiveness of local inter-agency mechanisms to respond to VAW; It aims to strengthen Commission's mandate as Gender Ombud;
- Gather regional data on GBV, particularly highlighting issues faced by the most marginalized and 'excluded', a focus on intersectionality, and an analysis that looks into women's lived experience of GBV.

Pursuant to its project the Commission on Human Rights conducted series of Four (4) Focused Group Discussion (FGD) in 2 Municipalities at Bunawan and San Francisco, Agusan del Sur. The focused group discussion is meant to gather data, basis and evidence together with its documentation to support the raising of awareness to end Violence against Women (VAW).

The facilitator, Atty. Aurora Cembrano, with the CHR Regional Director Atty. Jerefe Tubigon-Bacang, invited people from the Sub-Committee on VAW, Women's Organizations, Academic Representatives, Government Agencies, Barangay VAWC Desk Officers, and other organizations to relay the data gathered from the Four (4) Focused Group Discussion (FGD), to discuss the processes on how and what to do during an encounter of VAW victims, to focus on referral system of each organization and to obtain more information, encounters, experiences and solutions related to the project.

Profiling of Participants

No.	Name	Organization
1.	RD Jerefe D. Tubigon-Bacang	CHR EMPLOYEE
2.	Aurora Luanne R. Cembrano	CHR EMPLOYEE
3.	Maria Theresa Neri	CHR EMPLOYEE
4.	Joyce Ann Adlawan	CHR EMPLOYEE
5.	Arnold Vocales	CHR EMPLOYEE
6.	Leomar Avenido	CHR EMPLOYEE
7.	Cristyl Yve S. Genobia	PFC/AFP, SUB-COMM ON VAW
8.	Rose D. Baclayon	POO III/ DSWD, SUB-COMM ON VAW
9.	Onorata D. Mamacol	DMO II/ NCMF, SUB-COMM ON VAW
10.	Paisal Mamintal	NCMF, SUB-COMM ON VAW
11.	Kahlil L. Lamigo	ATTY. IV/ PPA, SUB-COMM ON VAW
12.	Ronald S. Berol	DISTRICT PA/PAO, SUB-COMM ON VAW
13.	Alexis Joyce G. Primalion	PDEA, SUB-COMM ON VAW
14.	Mirasol Y. Torralba	PMAS/PNP, SUB-COMM ON VAW
15.	Venus G. Abapo	AO II/ DOJ-PPA, SUB-COMM ON VAW
16.	Susan G. España	HRMO/NAPOLCOL, SUB-COMM ON VAW
17.	Shiela Jane Rosales	EVALUATOR/OWWA, SUB-COMM ON VAW
18.	Teres B. Aya	PRESIDENT/ WOMAN ORG.
19.	Riza J. Duyac	GABRIELA, WOMAN ORG.
20.	Judith P. Conales	GABRIELA, WOMAN ORG.
21.	Juliet V. Dalago	BUTUAN DEAF ASSOCIATION, WOMAN ORG.
22.	Jestine Mae F. Bagastos	BUTUAN DEAF ASSOCIATION, WOMAN ORG.
23.	Recel C. Busgano	STAFF/FSUU, ACADEME
24.	Easther Mordeno Badajos	FSUU, ACADEME
25.	Chery Tabada	CSU FACULTY, ACADEME
26.	Ma. Euville V. Mejias	BUTUAN SPED
27.	Dina P. Bermejo	BUTUAN SPED
28.	Zenaida N. Ybañez	VAW DESK OFFICER/ BAAN KM. 3
29.	Richard O. Geray	VAW DESK OFFICER
30.	Nimfa Galope Acera	GAD/ VAW DESK OFFICER
31.	Emma C. Ramos	GAD/ VAW DESK OFFICER
32.	Jennefer P. Gaitaro	GAD FOCAL
33.	Marife M. FArol	PMAJ/GFJ GAD
34.	Rosita M. Asaytona	BRGY. KAGAWAD

35.	Alma A. Bejer	BRGY. KAGAWAD
36.	Vivian C. Beroy	PDAO STAFF
37.	Angelyn P. Aradam	CPO
38.	Jihai M. Lumusay	CPO
39.	Joan Charles E. Malazarte	PWD ASSSITANT
40.	Jessie Catherine B. Aranas	SWO-IV

*Morning Session
started at 9:20 AM*

The summit started with a welcome remark by the **Regional Director Jerefe D. Tubigon-Bacang**.

Summary of the Summit Discussions

- ❖ **Atty. Aurora Luanne Cembrano** began with the summary of her report the she will talk about the conducted series of Four (4) Focus Group Discussion in 2 Municipalities at Bunawan and San Francisco, Agusan del Sur then she clarified that the summit is all about gathering of more stories and encounters with VAW victims and not gathering of data which is the number of VAW victims assisted. They will also focus on the referral system of the different agencies that assisted different cases of VAW victims. On the other hand, she will share the summarized data gathered from the Focused Group Discussion, report on the findings of the FGD Mapping as strengthening of Legal Referral Mechanisms. As Atty. Aurora reports, she showed the documentation of their participants during their 4 FGD's. She also explained the meaning, the goal and objectives of Gender-Based Violence and added that despite of the several laws that penalizes Gender-Based Violence, it remains pervasive in the country until now there are still many cases of Gender-Based Violence. She reported the summarized practices, challenges and recommendations of all service providers. On the other hand, she reported what is GBV Observatory Project all about, that it aims a wider understanding of GBV, enhancing women's access to justice and making data work for women that the summit will focus on the existing legal system, documentation of processes and identifications of issues, gaps and challenges when assisting VAW victims. She added the information gathered from the service providers and woman organization during the FGD such as the best practices, common process as they assist the VAW victims, the concerns, challenges and problems encountered, the seminars & symposiums conducted and the referrals to the right people so the victims can file the case. She ended up by presenting the artwork with each life stories drawn by the VAW victims and survivors from Women in Detention of Butuan City Jail and provincial Jail while agreeing to Ma'am Cha that the victims were still hopeful despite of their situations.

*The 1st Set of Panelist
starts at 10:27 AM*

Summary of the Panelist Discussions

- ❖ **Teresa B. Aya, President, Brgy. Buhangin Women's Organization** shared her experienced with a VAW victim who have a problem, Ma'am Teresa tried to help the victim many times to get her out from the situation she is in, even if the service provider is willing and eager to help and knowing that the victim is a minor, the inhumane experience she has gone through, the illegal doings, how disrespectful it is and though the victim is being provided by material things she is still being abused by two perpetrators and Ms. Aya cannot do anything if the victim is okay with her situation and does not even want to get out.
- ❖ **Judith Conales, representative of Gabriela National Women's Alliance Caraga** shared the goal, practices and duties performed of their office, then she added that it's time to stand and end the violence, torture and abuse against women. Gabriella already encountered a lot of cases that includes financial problem and being just a self-reliant organization there are lot of limitations in their services. She also said that there are still women who can't stand for their selves even if there is already a law that penalizes any Violence against women and their children that can already be seen in television programs, can be read in the articles and heard in radio drama's they can't stand for their selves yet for they lacked determination that even if they do make a file every time they were abused but they are not determined enough to continue. The Gabriella Organization passes their assisted VAW victims to PAO, some made a file but then they would not continue in the end. There are cases with similar problems such as those wives that were abused by their husbands and were advised to think over about the case that is about to be file and get back later but little did the person know who assisted the victim, the client already decided to return and live again with the husband. She continued that one of the reasons why the wives were abused and can't continue to make a file is because of financial problem. She repeated that the summit was a great help to achieve the real meaning of women being free from violence, discrimination, torture and abuse.
- ❖ **Maria Theresa Neri, Chief Investigator, CHR Caraga** agreed that all things that Mrs. Judith Conales said were true and really did happen and continued that the CHR held a lot of different cases with different conditions of the VAW victims. She cited three cases received by the CHR. She started with intersectionality, a case without a complainant, a minor with speaking disability that was raped and killed, followed by a story wherein justice was not served and then she ended with a successful one.

*Interactions between the Panelist and Participants
starts at 11:27 AM*

Summary of the Interactions between the panelist and participants

- ❖ **A Police Officer, one of the participants** reacted to the experience/story of the 1st panelist, she advised that Ma'am Teresa must make a report to the police so that the two perpetrators be put in jail. They should not consider the case okay even if the victim is okay and already accepted the situation she is in because the victim is still a minor and still do not know yet what is really happening. The police officer added that the victim needs counselling and still must be guided.
- ❖ **An Attorney** also reacted to the experience/story of the 1st panelist, according to him to all the stories that shared hers is the most disturbing one because the victim is being held as sex slave and that there are already violations that had happened and the perpetrators providing material things is a psychological manipulation to the victim. He said that they should not stop and be vigilant about the case, as a society, they should be protecting the

minors regardless if they are resistant because minors according to law they are not in their sound mind, does not understand what is really happening to them. The victim finds satisfaction and her sense of worth every time she had sex and that is putting the woman in a degrading level, she was becoming an object to the sex and there is psychological impact to the victim. He continued that it is not yet late and that there should be more intervention and reporting the two perpetrators because it is a child abused, there is no defence from the two men even if they provided material things to the victim because she is a minor also the police can act on behalf of the victim because it is a public crime.

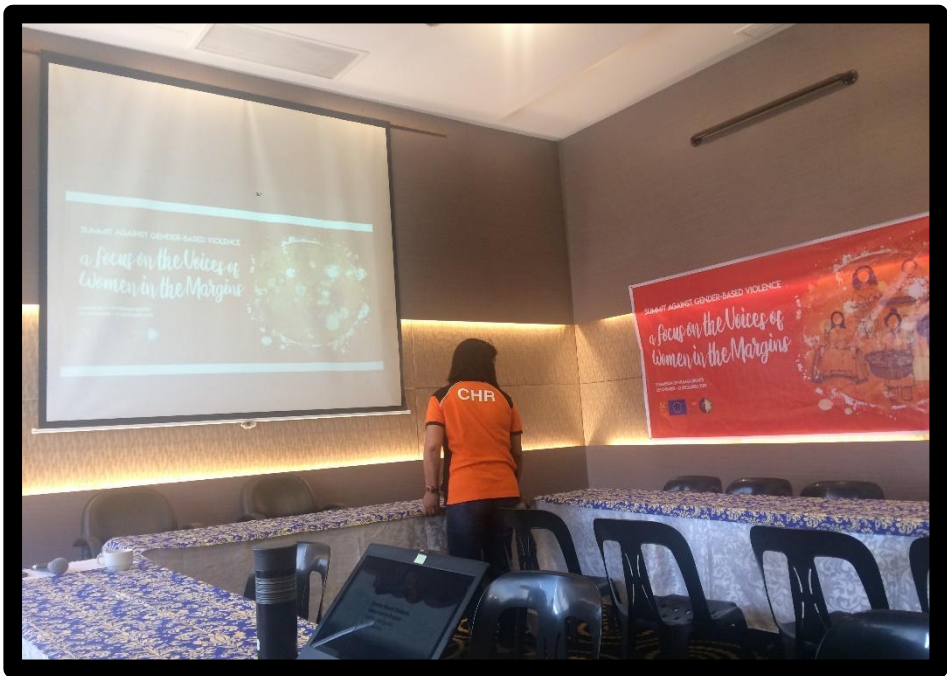
- ❖ **Teresa B. Aya, President, Brgy. Buhangin Women's Organization** she answered that she told the Kagawad to report it to the police.
- ❖ **Another Police woman** reacted still on the 1st panelist story, she said to the panelist that they have fault in their part because they did not report it to the police, that the victim which is the minor has been “groomed”, that just like the other kids if you give them something like money they will get used to it and will continue to ask for it or be okay with it.
- ❖ **Atty. Cembrano** thanked the participant and continued that through their sharing they were able to see what they are lacking in their services, they can still correct and improve what they are doing, also they acquired more information on what to do in cases there are Gender-Based Violence. The sharing was a great avenue to hear that came from the duty bearers, that all of them duty bearers has the responsibility to look out for their constituents especially when it involves minor. She told the panelist that it is not yet late to do the right thing and they can still do something about it she also told the VAW Desk Officers attended the summit that if they have a case like the story of the first panelist, they should immediately refer it to the PNP or other agencies that can help the case.
- ❖ **CHR's Regional Director** directly told that “they cannot assume the feelings of the child because it is a course sexual activity and the child now becomes a sexual slave” that whatever comments that have been said was also written on the RD's notes because their purpose was to share stories because it is one way of their activism and campaign to know and be aware of some of the abuses, and some activism took accountability. She continued that based on the information that they acquired they can make people accountable, also it is better to hear the words “from activism to accountability” than “from campaign to accountability.” She added that they will not judge her because she was not trained on how to handle the case and were also not familiar in the word “groom”, she thanked Ms. Aya for sharing the story but on how to handle the case will be Ms. Aya's action step. She explained further that they need to capacitate the women's organization, people's organization, VAWC Desk Officers together with the PNP, DSWD, CHR and all other stakeholders on how to handle. She then talked about her point that from raising awareness to making people accountable, to have accountability. She added that the United Nation's theme for 2019 is “standing against rape” while the CHR's theme is “VAW Free Community starts with me”, that the focus for that period is personal action steps, what would an individual do to make the community VAW free. The CHR Regional Director wanted to show the theme of the United Nation to the participants because it conforms their topic that the sexual violence among women is very common all over the world that is why the theme of the United Nation for 2019 of 16-days Activism to end VAW is “Orange the World: Generation Equality Stands against Rape.” She continued that rape case is really rooted in our complex set of patriarchal beliefs and power that today's generation focuses on equality and this generation's equality stands against rape. She also shared her interpretations regarding the story of Ms. Aya, that even if they assumed that the victim is happy and okay with her situation, still they don't know what she truly felt, their assessment is not material, they should not assess through that instead look for the elements of the crime because it is a public crime. She continued that what happened is really a violation and the effect to the victim is traumatic, and she commented that under the convention of the rights of the child, the interpretation under human rights treaty there is more impact from the trauma of sexual violence and emotional abuse rather than the physical abuse. The pain of the victim will

be with her until her old age not unless she will undergo processes to get over with what happened, and she ended by giving thanks to the 1st Panelist for the story she shared.

During the discussion it has been said that one way of activism is breaking the silence of violence, it is sharing of stories, raising of awareness and be accountable of it. Most of the panelist in the summit shared their experiences and encounters while the participants shared their knowledge, the legal actions to be done and solutions on how to handle the problems. One of the participant said that “If it is a public crime everyone is responsible and must take an action to solve the problem.” The participants continued to interact with each other by giving of solutions to the cases and problems that has been raised. The summit has become a gateway of acquiring more information of what to do in times of assisting and encounters of VAW victims.

*Morning Session
Ended at 11:48 AM*

DOCUMENTATION:



**Before the Summit
starts**



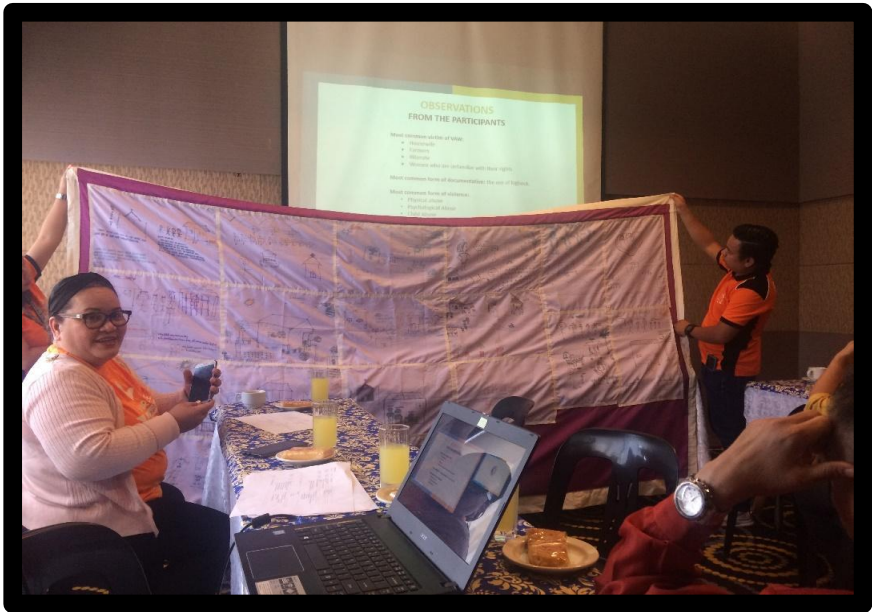
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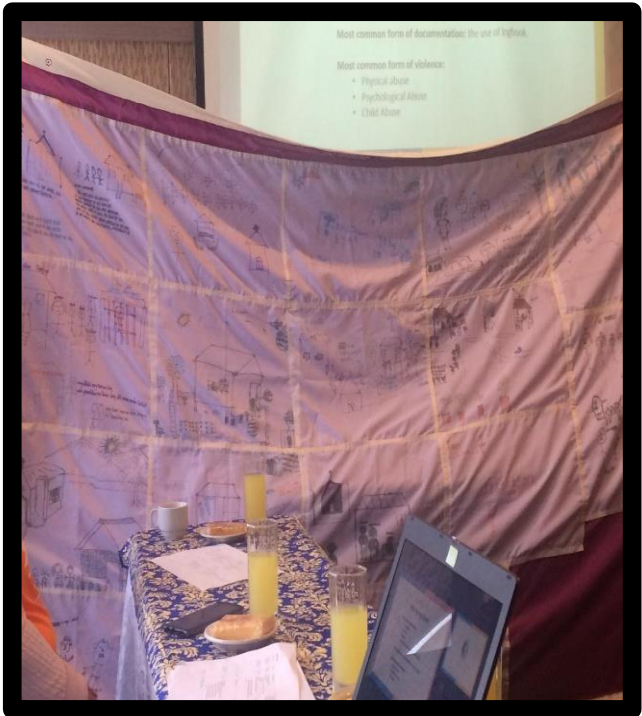


Start of the Summit

DOCUMENTATION:



Presentation of drawings from the Women in Detention of Butuan City Jail & Provincial Jail.



DOCUMENTATION:



The 1st Set of Panelist sharing their experiences, dilemmas and encounters with the VAW victims & survivors.

DOCUMENTATION:



The participants as they shared their reactions, comments and solutions.

*Afternoon Session
started at 1:04 PM*

Atty. Cembrano introduced the second set of panelist, the second round of discussion is the sharing of each offices about the services they provide together with their reflections on the gains and challenges in addressing the GBV Cases, reflection on the office best practices, current data, trends and what should be the focus for the next year.

*The 2nd Set of Panelist
starts at 1:30 PM*

Summary of the Panelist Discussions

- ❖ **Zenaida N. Ybanez, VAW Desk Officer, Brgy. Baan KM3, Butuan City** shared about the activities of their office, she said that she already encountered different kinds of experiences just like this one complainant that who does not want to go home because she got beaten up by her husband and Ms. Ybanez as a desk officer, asked the complainant of what she wanted to happen then the complainant answered that she do not want her husband anymore and asked Ms. Ybanez to talked to her husband later that night because her husband is working at night so as the complainant instructed, Ms. Ybanez scheduled the discussion with the husband the next morning, she saw at that moment how eager the complainant was to break up with her husband. The morning comes, when it is already time for the scheduled discussion, Mrs. Ybanez saw the complainant back riding at her husband's motorcycle while saying that she already forgave her husband and she was worried about who will provide for her children if she will file and put her husband in jail so what happened was the VAW Desk officer cannot do anything when even the complainant do not want to continue with the case and that she also encountered a case where it already reached the court, the woman which is the complainant asked for a Barangay Protection Order (BPO) and the Barangay helped her. The story is about the Father who wants to be with his child and the mother no longer wants to be with his husband and in the end, the complainant did not continue the case. She also shared another story about the couple who wanted separation but then the next day they decided to join the mass wedding. She also said that in their barangay they have willingness to help with their complainants, but they cannot do anything anymore if the victim won't continue with the case. She ended by saying that in the year 2018 they have lesser case of VAW than 2019 it is because of women who wants to file even if in reality it was just a minor problem.
- ❖ **Jessie Catherine B. Aranas, SWO IV, OIC-Chief, Protective Services Division, Department of Social Worker and Development** reported about the situations of Human Trafficking and exploitation because it is also in the context of Violence Against Women and their Children in general, she presented the data of human trafficking in Caraga Region, she reported about the cases throughout the year. She also showed the comparison between the cases of VAWC's than of men in regards of human trafficking. She ended her report with the DSWD-VAWC's activities, challenges, preventions and advocacies in connection of VAWC.
- ❖ **PCI Mirasol Y. Torralba, Chief, PNP – Regional Woman & Children Protection Desk Officer, RIDMD-RWCPD** reported about the best practices of each Police Offices in the province, presented the documentation of the establishment of Women and Children Protection Unit (WCPU) and showed the pictures of the Seminars conducted in every barangay.

- ❖ **Atty. Ronald S. Berol, Public Attorney's Office** shared the cases he handled such as VAWC cases, trafficking and rape cases in defense of the perpetrators BUT THERE ARE INSTANCES that he can handle VAWC's complainant but before he starts to discuss he explained first what will happen with VAWC cases when it reached the court is also the same with what Ms. Ybañez said, mostly of the VAWC cases in the court can also be settled most of the reason is due to economic problem, forgiveness of the complainant or when the children asked their parents to make peace with each other, so the case is dismissed. The court can only do one thing because they are mindful with the fact that the act of abuse can be repeated they made the dismissed case as temporary provisionary for only for two years, after that the complainant will start all over again with the filing if the abusive acts repeat and he ended by giving more information about protection orders.

*Giving of Tokens to the Panelist
started at 2:18 PM*

*Open Forum and asking of Questions
started at 2:22 PM*

Summary of the Forum and asking of Questions

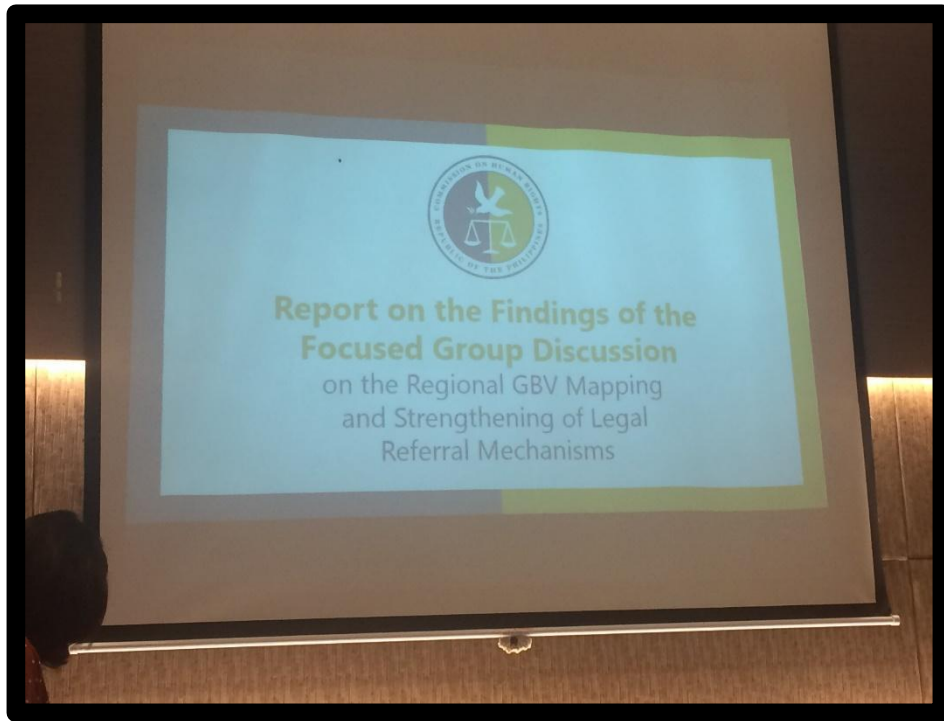
- ❖ **A Participant from Taguibo** shared a story where the abused victim is not a woman but her husband. The woman left her 5 children to be with her lover, her husband cleans their house, cooked their food and worked for hours so he can provide for his children, when the wife got pregnant the husband still accepted the child even though he already knows that it is not his and because the woman is still seeing the other guy the husband let her go. So what the woman did was she brought the child to the other guy's house and left her 4 children and husband until her 2 children died, as she returned home the husband accepted her but then the wife continued seeing the other guy and cheat with her husband publicly, and instead of feeling guilty she beat her husband up and the husband was scared of VAWC so he did not do anything. She also added that the husband found his children bound and was left behind by the mother then she ended with asking for advice on what they should do to help the husband.
- ❖ **A Police Officer**, she pitied the husband who were trying to restrain himself to not hurt his wife because he loves her. She added that the husband could file a case of physical injury if he reported it to the PNP but if he ever did not report it because it will make him less of a man or because of his pride or his children they can't do anything about it. She advised the participant of Taguibo to report the case to the Barangay or to the police because there is already threat that had happened and he already experience a physical abused.
- ❖ **A Participant from DSWD** added that what happened to the children was already a child abused. That the participant from Taguibo should file a report and look unto the children's safety. She added that going to the DSWD's facility should be the last resort and ended by advocating their program, the need of foster family and that they are giving a monthly subsidy to each child.

The Regional Director of CHR ended the summit discussion by highlighting the summit's theme which is Gender-Based Violence, it is the recognition that those who are victims of violence is not only women but it could also be men and the LGBT community so that is the thrust of the CHR because they believed in the dignity of all and it is also an emphasis that the female has the higher number of victims than men.

After the discussion is the signing of Bayanihan Declaration.

*Afternoon Session
Ended at 3:00 PM*

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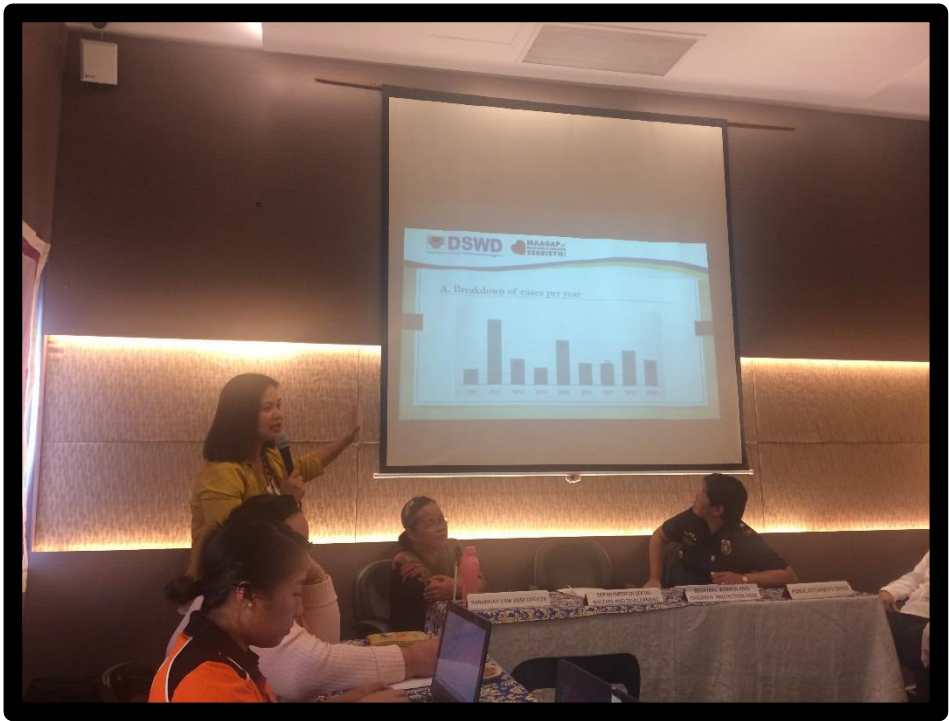
**In the Afternoon Session, the CHR
addressed& discussedabout GBV Cases**

DOCUMENTATION:



The 2nd Set of Panelist sharing their experiences, dilemmas and encounters with the VAW victims & survivors.

DOCUMENTATION:



The 2nd Set of Panelist reporting about Situations regarding Human Trafficking

DOCUMENTATION:



The 2nd Set of Panelist sharing their office best practices, experiences, and encounters with the VAW victims & survivors.

DOCUMENTATION:



Giving of Tokens

DOCUMENTATION:



Signing of the Bayanihan Declaration