



Republic of the Philippines

Office of the President

PRESIDENTIAL TASK FORCE ON MEDIA SECURITY

2nd Floor, Philippine Cancer Society Bldg., 310 San Rafael St., Malacañang, San Miguel, Manila
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the Philippines (NUJP)

Office of the Ombudsman

Philippine Press Institute (PPI)

Publishers Association of the
Philippines (PAPI)

14 April 2020

BEATRIZ BALBIN

**Chief, Special Procedures Branch
Office of the High Commissioner Human Rights
United Nations, Geneva
Switzerland**

**Subject : PTFoMS INPUTS FOR THE SPECIAL RAPPOORTEUR
ON VIOLENCE AGAINST WOMEN, ITS CAUSES AND
CONSEQUENCES**

Dear Ms. Balbin,

This is in response to the letter of your inquiry regarding violence against women journalist working in the Philippines.

We at the Presidential Task Force on Media Security (PTFoMS) will be providing inputs and views related to violence against women journalists working in the Philippines which should be pertinent to the submission of a thematic report pursuant resolution 72/175 to the 44th session of the Human Rights Council.

Allow us to provide a brief introduction about the PTFoMS. The Task Force was created by the very first Administrative Order (AO1) of President Rodrigo Roa Duterte on 11 October 2016. It is mandated to protect the life, liberty and security of media workers.

The Philippine government under President Duterte abhors any violence perpetrated against journalists and other media practitioners. To resolve this pressing issue, the President immediately formed this task force upon assumption in office. The PTFoMS was specifically created to address the issue of violence against media workers in the country.

The Task Force is comprised by various department heads and other government agencies such as the National Prosecution Service (NPS), the Commission on Human Rights, the National Bureau of Investigation (NBI), and the Philippine National Police (PNP), who are working closely to resolve and monitor violence cases against media workers in general. PTFoMS is currently



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headed by Executive Director Undersecretary Jose Joel M. Sy Egco.

Be that as it may, the Philippines is one of the most gender-equal countries in the world. The country has consistently ranked higher in several gender-equality indexes than most OECD-member states such as the United States, Canada, Australia, France, or Switzerland.

In the latest World Economic Forum's annual Global Gender Gap Report, the Philippines maintained its position as the most gender equal country in Asia. According to the report, Filipino women outnumber men in senior and leadership roles, and in professional and technical fields.

The Philippines already had two women presidents, several women lawmakers, and countless women in high government positions such as department heads, commissioners, justices and the like. Two women have already served as Chief Justice of the Supreme Court. The current Vice-President is a woman.

While there are jobs that are traditionally considered for men due to the physical demands of the work such as those in construction and public transportation, the arena of journalism is not among them. Among the major media organizations in the Philippines such as Manila Bulletin, the Philippine Daily Inquirer, and Philippine Star, women hold high editorial positions. The news departments of the major TV networks in the Philippines such as ABS-CBN and GMA were reportedly led by women.

While violence against women exists in the country just like in all parts of the world, the Philippines has made tremendous strides in addressing this menace at home or in the workplace. Of particular importance is the Anti-Violence Against Women and Their Children Act (Republic Act (RA) 9262), a controversial yet ground-breaking law even to western standards. Other laws of this nature include the Anti-Sexual Harassment Law (RA 7877), the Anti-Rape Law (RA 8353), the Magna Carta of Women (RA 9710), the Rape-Victim Assistance and Protection Act (RA 8505), the Anti-Trafficking of Persons Act 2003 (RA 9208) and many more.

With regard to women journalists in particular, available data suggests that any violence perpetrated against them is not gender-based but are primarily due to the nature of their work as journalists (work related).

Through the efforts of this Task Force, much has been done to prevent or minimize violence perpetrated against Filipino journalists of all genders. The following information and data support the initiative of the Duterte



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Administration to deal with violence in the form of felony and online assaults against women journalists.

Following are the detailed responses of the Philippines to the questions:

1. PLEASE INDICATE WHETHER THERE ARE CASES OF GENDER-BASED VIOLENCE AND HARASSMENT AGAINST WOMEN JOURNALISTS IN YOUR COUNTRY. IF SO, PLEASE SPECIFY HOW THESE CASES ARE DOCUMENTED, AND DESCRIBE THE STATE RESPONSE, OR LACK THEREOF, TO SUCH CASES, INCLUDING EXAMPLES OF GOOD PRACTICE.

Beginning 1986, it was recorded that 11 women journalists have been killed. Four of the deaths occurred during the infamous Maguindanao Massacre (November 23, 2009), hence classified as work related (WR). Six were classified as cold cases (1986 to 2016). Only one new case of death was recorded under the President Duterte's administration (October 2016 – present) but was classified as a non work-related (NWR) incident.

There were also a total of eight (8) online threats that were recorded against women journalists, all occurring in the present administration. It must be noted that such harassment was brought to light due to the efforts of the Task Force.

The PTFoMS is mandated to record and address every complaint of harassment and violence against media workers in the Philippines. The State response to such complaints is both immediate and immense. All are given utmost importance. These cases are all painstakingly documented, investigated, and prosecuted to the full extent of the law with assistance of all relevant agencies of the government. Kindly note that Administrative Order No. 1 creating PTFoMS enjoined all branches and agencies of the government to render full support, assistance and cooperation to the task force in carrying out its mandate of providing security to all media workers.

2. PLEASE INDICATE WHETHER YOUR COUNTRY HAS EARLY-WARNING AND RAPID-RESPONSE SYSTEMS IN PLACE, SUCH AS HOTLINES, ONLINE PLATFORMS OR 24-HOUR EMERGENCY CONTACT POINTS TO ENSURE THAT JOURNALISTS AND OTHER MEDIA ACTORS HAVE IMMEDIATE ACCESS TO PROTECTIVE MEASURES WHEN THEY ARE UNDER THREAT.

The PTFoMS has a dedicated 24/7 hotline (+639178406790) for media workers to ensure a prompt response and immediate access for protective



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measures. Also, an online platform, the PTFoMS Facebook page, provides updated and factual information related to media practitioners.

The Quick Response System was put in place to serve as a mechanism for receiving, recording, resolving and responding to reports on complaint/grievance or requests for assistance by media workers involving threats and intimidation. After careful and thorough validation of the threats, the Task Force immediately issues a notice/letter to persons of interest, informing them that they are on the Task Force's watchlist. This has served as an effective prevention measure.

Since its creation up to 2019, the Task Force received 58 reported cases of threats made against media workers. All 58 cases have been acted upon and investigated by police and judicial authorities and the departments which comprise the Task Force.

Moreover, the Task Force, in consultation with its member-agencies, observers or resource persons, and media partners, came up with what is known as the **PTFoMS Protocols** ("Protocols"). Launched on 11 October 2018, the Protocols consists of rules and compilation of the procedures, methodologies, and mechanisms that the PTFoMS observed and adopted in the course of implementing Administrative Order no. 1 and the Operational Guidelines to ensure a safe environment for media workers. The Protocols also serves as a manual for the purpose of assisting journalists - threatened or killed - while in the exercise of their profession. Specifically, it provides media workers, as well as their families, the proper action to take when confronted with any of five different situations considered as acts of violence, namely: (a) personal threats; (b) online threats; (c) actual physical attack, torture, etc.; (d) surveillance; and (e) killing.

The Protocols was ratified by the member-agencies of the Task Force and has been integrated into a comprehensive handbook containing security measures for media workers and a directory of contact numbers of the relevant government agencies, including the PTFoMS hotline, which aggrieved media workers may contact for immediate assistance.

Also under Administrative Order No. 1, prosecutors were specifically appointed in the different prosecution offices all over the country to give a big boost on the investigation of cases of violence against media workers.



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3. PLEASE SPECIFY WHETHER THERE ARE ANY PROGRAMS IN PLACE AIMED AT ADDRESSING FACTORS THAT INCREASE THE LIKELIHOOD OF VIOLENCE AND HARASSMENT IN THE WORLD OF WORK FOR WOMEN JOURNALISTS, INCLUDING DISCRIMINATION, THE ABUSE OF POWER RELATIONS, AND GENDER, CULTURAL AND SOCIAL NORMS THAT SUPPORT VIOLENCE AND HARASSMENT.

The Philippines is proactive in clamping down any violence against women and has put in place various laws and other programs to protect Filipino women's rights and enforce legal measures to reduce and eradicate incidents related to violence against women in general. These are applicable to women journalists as well. These include:

- **Republic Act 6725**, also known as **Anti-Discrimination Against Women Act** prohibits discrimination with respect to terms and conditions of employment solely on the basis of sex.
- **Republic Act 9262**, or **An Act Defining Violence Against Women and Their Children, Providing Protective Measures for Victims, Prescribing Penalties Therefor and for Other Purposes**, recognizes the need to protect the family and its members particularly women and children, from violence and threats to their personal safety and security.
- **Republic Act 7882**, also known as the **Women in Development and Nation Building Act** the act that states the Provision of Assistance to Women Engaging in Micro and Cottage Business Enterprises, and for other purposes.
- **Republic Act 7877**, also known as **Anti-Sexual Harassment Act**, addresses the issue of sexual harassment committed in employment, education or training environment.
- **Republic Act 8353**, also known as **Anti-Rape Law of 1997** states that any person having carnal knowledge of a woman through force, threat, or intimidation or by means of fraudulent machination or grave abuse of authority will be punished.
- **Republic Act 8505**, also known as **Rape Victim Assistance Protection Act of 1998** declares the policy of the State to provide necessary assistance and protection for rape victims.
- **Republic Act 9710**, also known as the **Magna Carta for Women** is a comprehensive women's human rights law that seeks to eliminate discrimination through the recognition, protection, fulfillment, and promotion of the rights of Filipino women, especially those belonging in the marginalized sectors of the



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society. Pursuant to this law is Executive Order 273 that states the approval and adoption of Philippine Plan for Gender-Responsive Development, 1995-2025.

- **Republic Act 6949**, declares the National Women’s Day every 8th day of March yearly, considering as a special working holiday.
- **Republic Act 11210**, also known as the **Expanded Maternity Leave Law** extends the previous 60-day (78 days for caesarian section delivery for women workers in the private sector) paid maternity leave to 105 days, one of the longest in the world.

Last but not the least, **Administrative Order No. 1 (AO1)** signed by President Duterte upon assumption of office in 2016, creating the PTFoMS whose mandate is to “establish a government-wide program of action where the whole system of the bureaucracy is involved in the efficient, coherent, and comprehensive resolution of unsolved cases of violence in the form of killings, enforced disappearances, torture, and other grave violations of the right to life, liberty, and security of persons against the members of the press”.

Precisely due to the pervasiveness of violence against Filipino journalist that happened in the past administrations which prompted President Duterte to create the Task Force to deal with this pressing problem. Today, the data shows that violence against journalists has significantly dropped.

It is important to note that PTFoMS Deputy Investigation Chief is P/COL Rechie A Duldulao, a retired woman police officer. She is actively investigating all incidents related to media violence and online harassment especially against women journalists.

Worth mentioning is House Bill 2476 (HB 2476), otherwise known as the “Media Workers’ Welfare Act” (MWWA), pending before Congress.

The bill seeks to provide media workers with security of tenure, better pay, insurance and conditions of work.

PTFOMS SEMINARS AND LOCAL COUNCILS

Further, PTFoMS conducted a series of seminars in 2018 in the sixteen (16) regions of the country for the purpose of orienting the stakeholders in the protection of media workers of their roles in accordance with the provisions of Administrative Order no.1 and its



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Operational Guidelines. Specifically, the ultimate objective of the seminars is the creation of local PTFoMS councils composed of local police investigators and public prosecutors that will be in charge of investigation and case build-up in each city and province.

In each seminar, the speakers always highlighted the crucial role of the law enforcement officers and prosecutors in the handling of AO1 cases, as provided specifically in Item No. 4 of the Definition of Terms of the OG which defines AO1 Prosecutors as those designated by the PTFoMS to lead Special Investigation Teams (SIT) in the investigation and build-up of cases involving violence against media workers. Relative to this, the heads of the various law enforcement and prosecution offices, and even the heads of the local government units, have pledged their commitment to help in the full implementation of AO1.

TWIN-TACK DRIVE TO END IMPUNITY

Under the leadership of the PTFoMS, a new approach in the campaign to end impunity against journalists was introduced in January 2020 by combining the twin efforts of ensuring the delivery of justice for victims of attacks and promoting the professional and economic welfare of journalists. Dubbed "**PTFOMS 2020: REINFORCED, RELOADED**", the campaign will usher in more active engagements with media workers as well as future journalists around the country.

The Task Force will continue to be more relentless and proactive when it comes to protecting the life, liberty and security of media workers. Besides running after so-called enemies of press freedom as we have done in the previous years, specific activities lined up for this year include: i) continue the holding of seminars by media partners on media safety, welfare, and ethics in various provinces; ii) re-organize and hire additional PTFOMS personnel to man its teams for Luzon, Visayas, Mindanao and the National Capital Region; iii) creation of inter-agency tracker teams to intensify the manhunt for the remaining Ampatuan Massacre suspects who are still at large, among others.

At the international fora, the Task Force continues to build and strengthen partnerships with both local and international organizations in the global campaign to protect media workers against violence. In the first quarter of 2018, the Asian Institute of Journalism and Communication (AIJC) joined the Task Force and is collaborating for the creation of a database for media cases.



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In November 2018, the Center for Community Journalism and Development (CCJD) and the Mindanao Independent Press Council (MIPC) became the latest observers or resource persons of the PTFoMS.

4. PLEASE SPECIFY WHETHER ONLINE AND ICT-FACILITATED VIOLENCE AGAINST WOMEN IS RECOGNIZED AS A CRIME, PARTICULARLY CASES OF KILLINGS, THREATS OF RAPE AND HARASSMENT OF WOMEN JOURNALISTS.

The Philippines has already passed several laws which criminalize online and ICT facilitated violence against the public in general. These laws specifically deal with the use of current technology as means to promote violence against its citizen and may be utilized by women journalists. These include:

- **Republic Act No. 9995**, an act defining and penalizing the crime of photo and video voyeurism.
- **Republic Act No. 10627**, an act requiring all schools to adopt policies to prevent and address the acts of bullying in their institutions, including cyber bullying. This can be used by student journalists as a means to protect against any form of bullying.
- **Republic Act 10175**, also known as the Cybercrime Prevention Act is an an act defining cybercrimes and providing for the prevention, investigation, suppression and the imposition of penalties therefor.

There are plenty of other existing laws against violence, threats and intimidation that have been enacted years ago and have been used successfully to prosecute such crimes that were "online and ICT facilitated". Aside from the laws mentioned in No. 3 hereof, the

REVISED PENAL CODE (as amended) enacted way back in 1930 remains the primary law in penalizing any act of violence, including those committed through the internet or other forms of ICT.

Toward this end, the Philippine Supreme Court, as early as July 17, 2001, has issued the **RULES ON ELECTRONIC EVIDENCE** (A.M. No. 01-7-01-SC) which provided for the procedure on how to admit in evidence any form of electronic document in legal proceedings. Under the rule, an "Electronic document" refers to information or the representation of information, data, figures, symbols or other modes of



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written expression, described or however represented, by which a right is established or an obligation extinguished, or by which a fact may be proved and affirmed, which is received, recorded, transmitted, stored, processed, retrieved or produced electronically. It includes digitally signed documents and any print-out or output, readable by sight or other means, which accurately reflects the electronic data message or electronic document. For purposes of these Rules, the term "electronic document" may be used interchangeably with "electronic data message".

With these laws, the PTFoMS treats any reported online violence against media workers as a crime. The Task Force secretariat, in coordination with various law-enforcement agencies immediately acts and initiates investigative measures on all reported violence and harassment against media practitioners.

5. PLEASE INDICATE WHETHER TRANSPARENT COMPLAINT MECHANISMS FOR CASES OF OFFLINE AND ONLINE AND ICT-FACILITATED VIOLENCE AGAINST WOMEN JOURNALISTS HAVE BEEN ADOPTED, AND IF SO, WHETHER POLICIES AND PROCEDURES FOR REPORTING AND REQUESTING THE REMOVAL OF HARMFUL CONTENT ARE AVAILABLE AND EASILY ACCESSIBLE.

Various transparent complaint mechanisms for cases of offline, online and ICT-facilitated violence against women in general have been adopted by the Philippines. These mechanisms are readily available to women journalists 24/7.

To properly address complaints of threats and violence specifically targeting journalists, the presidential task force is mandated to "receive, process, and take necessary action upon complaints of abuse and other acts of violence filed by Media Workers" in coordination with

the law-enforcement agencies. This includes "aid in witness protection" involving journalists of any gender.

Some of the various transparent measures and policies already put in place by the task force include:

- The **2020 Task Force's Action Plan**, based on the book *Defending Journalism with 5 principles for Developing and Implementing a National Safety Response* (Strategy, Presence, Collaboration, Influence, and Sustainability)



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- The **Handbook on Personal Security Measures for Media Practitioners** is a guide specifically created for journalists on the Do's and Don't's of how to protect oneself and the family against violence, threats and intimidation.
- The **PTFoMS Quick Response System** through Incident Report Form is provided to the victims to report the complaint. It includes details of the incidents as well as the assailant.
- Creation of a **PTFoMS WATCHLIST of Person/s of Interest (POI)**. The term POI applies to individuals or groups that have been verified as sources of threats against local media workers. This includes giving "Red-flag" warnings to POIs.

Through these initiatives, much of the online threats and defamation against women journalists have been significantly reduced or deterred. Any attempted harassment or threats against journalists are given utmost priority by the task force using all available law enforcement agencies at its disposal and are therefore resolved immediately.

The digital age, while providing opportunities for enhancing freedom of expression, media independence and diversity, has also brought in new challenges and threats. These include the growth of online trolls/ fake accounts among other forms geared toward spreading hate in the online community which heightens the risk for media workers of actual physical attacks following online threats and harassment.

Of the reported cases of threats received by PTFoMS, three cases involved online threats in which the journalists were tagged as communist terrorists by certain Facebook pages in relation to their published news articles. The reposting and sharing generated comments that constituted intimidation and threats. The **Task Force immediately coordinated and made representations with Facebook to take down the damaging posts.** The **Task Force also discussed long-term collaboration with Facebook on the implementation of measures to neutralize and counter the proliferation of dubious social media accounts or**

pages that continue to target journalists for the practice of their profession and other related measures to further strengthen the online protection and security of media workers.

Another challenge relating to the digital age is the **proliferation of fake news**. The spread of fake news and disinformation assails the foundations of a strong and vibrant democracy. The Presidential Communications Operations Office (PCOO) launched in 2019 its "**Dismiss Disinformation Campaign**" to stop disinformation by encouraging a culture of



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responsibility and discernment among the public, including media practitioners, highlighting the civic responsibility of every citizen to share only correct, verified and truthful information.

6. PLEASE INDICATE WHAT CHALLENGES ARE FACED BY WOMEN JOURNALISTS WHEN REPORTING ON CASES OF GENDER-BASED VIOLENCE, AND SPECIFY WHETHER THERE ARE ANY GOOD PRACTICES IN THIS REGARD.

It is important to note that based on available data, women journalists in the Philippines may experience challenges when reporting on any sensitive topic.

To repeat, as one of the most gender-equal countries in the world, the country has more than enough laws to protect women's rights at home and in the work place, and any gender-based violence is usually prosecuted to the fullest extent of the law. Generally, gender-based violence is NOT a sensitive topic in the country as compared to reports on perceived abuses committed by public officials.

As such, women journalists in the Philippines face similar challenges with their fellow journalists of other genders when reporting about sensitive issues in the country. These challenges include threats of violence or being labelled as communist sympathizers.

While the presidential task force is very proactive in providing "good practices" to journalists through seminars, workshops and various publications such as the "**Handbook on Personal Security Measures for Media Practitioners**" authored by PTFoMS, media outlets are also encouraged to formulate additional strategies in facing these challenges.

May this report apprise your good Office on the state of women working in the field of journalism in the Philippines.

Thank you.

Undersecretary Jose Joel M. Sy Egco
Executive Director