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S E N A T E

S.B. No. **1357**

RECEIVED BY: *ji*

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

The Philippines being a group of islands houses a variety of religious and ethnic groups. This diversity, however, gave way to a number of incidences on racial and religious discrimination. There exists profiling, a police and criminology term that follows the basic sociological science method of understanding the complexities of human society by breaking down members of a population into groups that share common characteristics. Certain crimes, such as terrorism, murder and kidnapping, are deliberately attributed to a religious affiliation. Profiling has resulted in stereotyping, causing minority groups to be treated unjustly in restaurants, department stores or shopping malls and even in employment. An obvious prejudice against these groups has sprouted, running counter to our country's policy in promoting equality and justice.

In recognition of the abovementioned problems, the bill seeks to promote a society that values the dignity of every human person and guarantees full respect for human rights, regardless of race, religion and ethnicity. It therefore prohibits religious and racial profiling, effectively penalizing those who commit profiling acts enumerated as follows:

- Subjecting a person to unnecessary, unjustified, illegal and degrading search because of his manner of clothing, religion, color, creed or ethnic identity;
- Discriminating a person who is applying for a job because of his name, religion or ethnic background;
- Disallowing the entry of a person to establishment such as restaurants, shopping malls, hotels and similar nature because of his manner of clothing, religion, color, creed or ethnic identity; and
- Employing religious characterization as words of religious import in print and broadcast media when geographic, political, socio-economic or other distinction might be more accurate.

The Constitution clearly provides for the freedom of every Filipino to religion and racial identity. No Filipino is excluded; even tribes and indigent people of ethnic background, as citizens of our country, should be accorded with such rights. Through this proposed measure, we should be able to reduce the

discrimination that causes a different kind of terrorism - the kind that fuels hatred, thereby instigating deeper disunity among the people in our country.

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


LOREN LEGARDA
Senator

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'13 AUG 27 P3:29

S E N A T E

S.B. No. 1357

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Introduced by Senator Loren Legarda

**AN ACT
PROHIBITING DISCRIMINATION, PROFILING, VIOLENCE AND ALL FORMS
OF INTOLERANCE AGAINST PERSONS BASED ON ETHNICITY, RACE,
RELIGION OR BELIEF, LANGUAGE, DISABILITY OR OTHER STATUS**

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

- 1 **SECTION 1. Title** - This act shall be known as the Anti- Religious and Racial Profiling
2 Act of 2013.
- 3
- 4 **SECTION 2. Declaration of Policy.** It is hereby declared as the policy of the State to
5 value the dignity of every human person and to guarantee full respect for human rights
6 based on international human rights standard as well as recognize and accommodate
7 different ethnic, religious and cultural practices with the intention of fostering unity
8 among Filipinos and contributing to our integration as a nation. Towards this end, the
9 State shall endeavor to:
- 10
- 11 a) Value the dignity and equality of every human person and to guarantee full
12 respect for human rights and the universality, interdependence, indivisibility and
13 interrelatedness of human rights without distinction of any kind, such as
14 ethnicity, race, religion or belief, language, disability or other status;
- 15
- 16 b) Give the highest priority to the enactment of measures that protect and enhance
17 the right of all people to human dignity, reduce social, economic, and political
18 inequalities and remove cultural inequities by equitably diffusing wealth and
19 political power for the common good;
- 20
- 21 c) Promote just and dynamic social order that will ensure the prosperity and
22 independence of the nation and free the people from poverty through policies
23 that provide adequate social services, promote full employment, a rising
24 standard of living and an improved quality of life for all;
- 25
- 26 d) Maintain peace and order, protect life, liberty and property and promote the
27 general welfare for the enjoyment by all people of the blessings of democracy;
- 28
- 29 e) Recognize and promote the rights of indigenous cultural communities within the
30 framework of national unity and development;
- 31

- 1 f) Protect and promote freedom of religion and belief, and the practice and
2 observance thereof, as well as respect for and promotion of plurality of religious
3 and spiritual beliefs, and
4
5 g) Promote anti-racial, multicultural and interfaith harmony, dialogue and
6 cooperation for peace and development.
7

8 **SECTION 3. *Definition of Terms* -**
9

10 (1) " Discrimination shall mean any distinction, exclusion, restriction or preference
11 made on the basis of ethnicity, race, religion or belief, disability or other status, which
12 has an effect or purpose of impairing or nullifying the recognition, enjoyment or
13 exercise by a person, group of persons or institutions of their human rights and
14 fundamental freedoms in the political, economic, social, cultural, civil or any other field,
15 especially including, but not limited to, employment, livelihood, housing, education
16 and basic services.
17

18 (2) "Ethnic Origin" includes race, national origin, and ethno-linguistic origin;
19

20 (3) "Indigenous Peoples" shall, as provided under Section 3(h) of Chapter II of R.A. No.
21 8371 or the Indigenous People's Rights Act (IPRA) of 1997", refers to a group of people
22 or homogenous societies identified by self-ascription by others, who have continuously
23 lived as an organized community on communally-bounded and defined territory, and
24 who have, under claims of ownership since time immemorial occupied, possessed, and
25 utilized such territories, sharing common bonds of language, customs, traditions, and
26 other distinctive cultural traits, or who have, through resistance to political, social, and
27 cultural inroads of colonization, non-indigenous religions and cultures, became
28 historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise
29 include peoples who are regarded as indigenous on account of their descent from the
30 populations which inhabited the country, at the time of conquest or colonizations, or at
31 the time of inroads of non-indigenous religions and cultures, or the establishment of
32 present state boundaries, who retain some or all of their own social, economic, cultural
33 and political institutions, but who may have been displaced from their traditional
34 domains or who may have resettled outside their ancestral domains.
35

36 (4) "Religious belief" includes the freedom of thought, conscience and religion;
37 including the freedom to change one's religion or belief, and freedom, either alone or in
38 community with others and in public or private, to manifest his religion or belief,
39 teaching, practice, worship and observance.
40

41 (5) "Racial and religious profiling" means the practice of relying to any degree, on race,
42 ethnicity and religious affiliations, in selecting individuals to subject to routine or
43 spontaneous investigatory activities or targeting individuals for suspicion of crime.
44 Racial profiling rests on the erroneous assumption that any particular individual of one
45 race or ethnicity is more likely to engage in misconduct than any particular individual
46 of other races or ethnicities.
47

48 (6) "Religious intolerance" means any distinction, exclusion, restriction or preference
49 based on religion or belief and having as its purpose or as its effect nullification or
50 impairment of the recognition, enjoyment or exercise of human rights and fundamental
51 freedoms on an equal basis. This includes practices when a group (e.g. a society,
52 religious group, non-religious group) specifically refuses to tolerate practices, persons
53 or beliefs on religious grounds (e.g. intolerance in practices)

1
2 (7) "Ethnic intolerance" refers to findings and acts of prejudice and hostility towards an
3 ethnic group in various degrees including ethnic hatred, ethnic conflict, discrimination,
4 racism and ethnic nationalism.

5
6 (8) "Hate speech" refers to any discrimination of ideas based on notions of superiority
7 or racial hatred, incitement to racial discrimination, violence or incitement to such acts.

8
9 (9) "Hate crime" which is committed because of the actual or perceived ethnicity, race,
10 religion or belief, language, disability, or other status.

11
12 (10) "Accommodation" as mentioned herein includes a house, apartment,
13 condominium, townhouse, flat, motel, boarding house, hotel and dormitory.

14
15 (11) "Employment" pertains to the existence of an employer-employee relationship,
16 which is determined by the four-fold test: 1) selection of the employee; 2) payment of
17 wages; 3) power of dismissal; and 4) power of control. This definition shall apply to
18 regular, probational, contractual, seasonal, and project-based workers. In legitimate
19 contracting or sub-contracting arrangements, the contractor/subcontractor shall be
20 deemed the employer of the contractual employee.

21
22 (12) "Education and training" refers to all types and levels of education and training,
23 and includes access to education, the standard and quality of education, and the
24 conditions under which it is given.

25
26 (13) "Goods and Services" as applied herein includes but shall not be limited to
27 establishments supplying physical goods and services such as restaurants, resorts,
28 hotels, clubs, and shopping malls as well as those providing cleaning, repair,
29 maintenance, construction, financial, health, transportation and public utility services.

30
31 (16) "Profiling" means a practice of relying to any degree on race, color, descent or
32 national or ethnic origin and religious belief or affiliation as a basis for subjecting
33 persons to investigatory activities or for determining whether an individual is engaged
34 in criminal activity.

35
36
37 **SECTION 4. Acts of Discrimination.** Violence and Intolerance. Acts of discrimination
38 and intolerance are committed when a person treats another less favorably on the basis
39 of ethnicity, race, religion or belief, language, disability or other status than the person
40 treats or would treat another without that attribute or with a different attribute on the
41 same or similar circumstances in employment, education, accommodation and delivery
42 of services, to wit.

43
44 (1) General acts - it shall be unlawful to commit any act of discrimination and
45 intolerance based on ethnicity, race, religion or belief, language, disability or
46 other status.

47
48 (2) Acts of Discrimination in Employment - it shall be unlawful for an employer to
49 discriminate against a person on the ground of ethnicity, race or religious
50 affiliation or belief.

51
52 a. In the arrangements made by the employer in determining who should be
53 offered employment;

- b. In determining who should be hired for employment; or
- c. In the terms and conditions in which the employer offers employment.

Likewise, it shall be unlawful for an employer to discriminate against an employee on the ground of ethnicity, race or religious affiliation or belief:

- 1. In the terms or conditions of employment which the employer affords the employee;
- 2. By denying the employee access or limiting the employee's access to opportunities for promotion, transfer or training, or to any other benefits associated with employment; or
- 3. By dismissing the employee or subjecting the employee to any other detriment.

(3) Acts of Discrimination in Education - it shall be unlawful for an educational institution, both public and private, along with their officers and employees, to discriminate against a person on the ground of ethnicity, race or religious affiliation or belief:

- a. By unduly delaying, refusing or failing to accept a person's applications for admission as a student; or
- b. By providing onerous or unjust terms and conditions for admission of a person as a student; or
- c. By subjecting the person to any other detriment on the basis of ethnic background and/ or religious affiliation or belief.

It is likewise unlawful for an educational institution, both public and private, along with their officers and employees, to discriminate against a student on the ground of ethnicity, race or religious affiliation or belief.

- 1. By denying the student access or limiting the student's access to any benefit provided by the educational institution, or
- 2. By expelling the student or subjecting the student to any other detriment;

(4) Acts of Discrimination in the Delivery of Goods and Services - it shall be unlawful for a person, whether as principal or agent, to discriminate against another person on the ground of ethnicity, race, religious affiliation or belief;

- a. By refusing to provide goods and services to another;
- b. By imposing onerous terms on which goods or services are provided; or
- c. By subjecting another to any detriment in connection with the provision of goods or services.

(5) Acts of Discrimination in Accommodation - It is unlawful for a person, whether as principal or agent, to discriminate against another person on the ground of ethnicity, race or religious affiliation or belief;

- a. By refusing the person's application for accommodation;
- b. In the terms and conditions imposed on the other person's accommodation;
- c. By deferring the person's application for accommodation or according the person a lower order of preference in any list of applicants for accommodation;
- d. By denying access or limiting access to any benefit associated with the accommodation occupied by the person;

- 1 e. To refuse, deny a person or group of persons entrance or service in any
2 establishment such as restaurants, hotels, shopping malls and other places of
3 similar nature and public commercial transactions solely because of color,
4 race, ethnicity, nationality or because such person or persons is/ are attired in
5 clothing or carries/wears symbols or accessories associated with religious
6 affiliation or belief; and
7 f. By evicting the person or subjecting the person to any detriment.
8

9 (6) Acts of Racial, Religious and Belief Profiling - it shall be unlawful to commit
10 racial and religious profiling including to subject a person to unnecessary,
11 unjustified, illegal and degrading routine or spontaneous search, arrest and
12 detention, questioning and other investigative activity because of one's
13 ethnicity, race or religious affiliation or belief.
14

15 (7) To disallow a person or group of persons from entering any establishment such
16 as restaurants, hotels, shopping malls, and other places of similar nature or to
17 subject one to discrimination or harassment in buses, taxis, ships, airplanes,
18 solely because he happens to don an attire based on ethnicity, race, religion or
19 belief, language, disability and other status.
20

21 (8) Organizing groups and activities which promote and incite discrimination based
22 on ethnicity, race, religion or belief, language, disability or other status.
23

24 (9) Discriminatory, inciting and hate speech - It shall be illegal to make statements
25 in print, broadcast and social based on race, religion, ethnicity or nationality
26 that:
27

28 1. Ridicule a person or group of person/persons:

29 2. Insinuate or state inferiority or superiority of a person or group of person/s:

30 3. Incite to racial discriminations; or
31

32 4. State or insinuate that a person or group of persons shall be subject to hatred
33 or violence.
34

35 Factual description of actual practices, absent malice or intent to incite hatred or
36 violence, shall not on its own be considered an act violating this law.
37

38 It is encouraged to avoid adjectives of religion, race, nationality or ethnicity,
39 when not relevant or where descriptions of geographic, political or socio-
40 economic distinctions are more accurate.
41

42 When the discriminatory, inciting or hateful communications have been
43 produced, published or distributed by a media organization, a corporation or a
44 large organization with substantial membership, reach and resources, the
45 responsibility and liability is larger than when produced and distributed by an
46 individual or small group. Independent media organizations and
47 civic/professional organizations are encouraged to institute internal disciplinary
48 measures on their members.
49
50
51
52

1 (10) Discriminatory attacks - it shall be illegal to commit attacks on any person or
2 group of persons based on or relating to color, race, ethnicity, nationality or
3 religious affiliation or belief. Such unlawful attacks include but are not
4 limited to:

5
6 a) Attacks in violation of the security on the person, family, home,
7 correspondence, usual place of meetings/associations/ worship/gathering of
8 any individuals or group of individuals;

9
10 b) Threat of attack or violence against the person, family, home, correspondence,
11 usual place of meetings/ association/ worship/ gathering or any individuals or
12 group of individuals;

13
14 3) Intimidation, acts of coercion, psychological and emotional attacks; and

15
16 4) Similar attacks, as well as frustrated and attempted attacks.

17
18 (11) Discrimination in political and civil life. It shall be unlawful to deny, prevent or
19 deprive a person or group of persons from enjoying their right to participate
20 equally in political and civic life where qualified and not disqualified by law;

21
22 (12) Discrimination in cultural and social life. It shall be unlawful to deny, prevent or
23 deprive a person or group of persons from participation in the social and
24 cultural life of one's ethnic, racial, cultural or religious community, and
25 practice of religion."

26
27 (13) Any analogous act which has the effect or purpose of impairing or nullifying the
28 recognition, enjoyment, or exercise of the person's human rights and
29 fundamental freedoms in the political, economic, social, cultural, and civil
30 spheres on the basis of ethnic or racial background and/or religious
31 affiliations or beliefs.

32
33
34 **SEC. 5. Racial Profiling.** It shall be illegal to subject a person to unnecessary,
35 unjustified, illegal, and degrading search, questioning or other investigative activity
36 solely because of his race, color, ethnicity, nationality, or religious affiliation or belief,
37 language, disability or other status;

38
39 The government shall take the necessary steps to prevent questioning, arrests and
40 deprivation of liberty, searches and determination of guilt in criminal activity which are
41 in reality based solely on the physical appearance of a person, that person's color or
42 features or membership of a racial or ethnic group, or any profiling which exposes him
43 or her to greater suspicion."

44
45 (a) To subject a person to unnecessary, unjustified, illegal and degrading search because
46 of his manner of clothing or by reason of his religion, color, creed or ethnic identity;

47 (b) To discriminate a person who is applying for a job just because of his name, religion
48 or ethnic background;

49 (c) To disallow an individual from entering any establishment such as restaurants,
50 hotels, shopping malls and other places of similar nature or to subject him to
51 discrimination or harassment in relation to other passengers in buses, taxis, ship or
52 airplanes because he happens to don a peculiar attire such as wearing of veil, turban
53 or any other traditional costumes or because of his color, creed, belief and ethnicity;

- 1 (d) To employ religious characterization such as words of religious import in print and
2 broadcast media when geographic, political, socio- economic or other distinction
3 might be more accurate; and
4 (e) To mimic or imitate a person's way of speaking particularly his peculiar accent and
5 diction in an insulting and degrading manner.
6

7 **SEC. 6. *Persons liable.*** - Any person, natural or juridical, including the government,
8 government-owned and controlled corporations or any private corporation, institution
9 or company, who commits discrimination or profiling against any person on account of
10 ethnicity, race, religion or belief, language, disability or other status, as provided for
11 above, shall be liable under this Act.
12

13 Any person, who requests, instructs, induces, encourages, authorizes, or assists another
14 to commit acts of discrimination or profiling against any person on account of ethnicity,
15 race, religion or belief, language, disability or other status shall also be principally liable
16 under this Act.
17

18 For acts of violence, intimidation or coercion as prohibited under this Act. - Any person
19 who participated in conspiracy to commit such attacks shall be liable as principal under
20 this act.
21

22 When any officers, personnel or agents of law enforcement agencies, military and
23 intelligence organization are involved, their immediate superiors and other superior
24 officers in direct control and in the direct line administrative command of the act,
25 operation, and unit/s of the involved officers, personnel and agents are also liable as
26 principals under the principle of command responsibility."
27

28 **Sec. 7. *Right to Equality and Non-discrimination and Repeal of Discriminatory Laws.***-
29 All persons shall have equal rights in matters of marriage, adoption, tax exemption,
30 social security and health care benefits, health/life insurance benefits, next of kin
31 during hospitalization, death and burial benefits, immigration, succession, custody and
32 other related matters without distinction or restriction based on one's ethnicity, race,
33 religion or belief, language, disability or other status.
34

35 All laws that discriminate on matters related to marriage, adoption, tax exemption,
36 social security and health care benefits, health/life insurance benefits, next of kin
37 during hospitalization, death and burial benefits, immigration, succession, custody and
38 other related matters without distinction or restriction based on one's ethnicity, race,
39 religion or belief, language, disability or other status shall be repealed within three (3)
40 years.
41

42 **Sec. 8. *Public Information and Education.*** Public information and education on
43 discrimination, profiling, violence and intolerance and acts that constitute
44 discrimination based on ethnicity, race, religion or belief, language, disability or other
45 status shall be conducted in communities, schools and places of employment.
46

47 It shall be ensured that the curriculum of public and private schools, from primary to
48 tertiary levels, shall include discussions on discriminations based on ethnicity, race,
49 religion or belief, language, disability, or other status.
50

51 **SEC. 9. *Equal Opportunity.*** - It shall be the duty of every person, natural or juridical,
52 public or private, to ensure that there is equal opportunity for all persons in relation to
53 actual or prospective employees, students, tenants, customers, clients, and that no

1 discriminatory acts, as defined herein, is committed by them or their agents in the areas
2 of employment, housing, education and delivery of basic goods and services.

3
4 For this purpose, every agency, corporation, company and education institution, as well
5 as any other person providing employment, housing, education and delivery of basic
6 goods and services, shall issue an equal opportunity policy, including the creation of an
7 Equal Opportunity Committee, as provided in the following section. Failure to do so
8 shall be deemed refusal to address discrimination, and shall be penalized as an
9 analogous act of discrimination.

10
11 **SEC. 10. Equal Opportunity Committees.** - In order to ensure the compliance of this
12 Act, agencies, corporations, companies and educational institutions, whether private or
13 public, shall create an Equal Opportunity Committee which shall have administrative
14 jurisdiction over cases involving discrimination under this Act. Administrative
15 sanctions shall not be a bar to any prosecution in the proper courts for any act of
16 discrimination committed under this Act or to any civil claims for damages by said act.

17
18 **Sec. 11. Promotion of Equitable Enjoyment of Rights.** Government shall take measures
19 to progressively minimize the obstacles to equal enjoyment of rights faced by
20 vulnerable and marginalized ethnic, racial, religious and cultural communities.

21
22 (a) It shall adopt measures to ensure and promote, among others:

- 23
24 1. Full access to political participation;
25 2. Access to justice; and
26 3. Equitable opportunities in the academic, employment, economic, commercial and
27 professional spheres.

28
29 (b) Agencies in charge of scheduling national examinations for educational purposes,
30 scholarships or professional qualifications are encouraged to:

- 31
32 1. Take measures to prevent possible cultural skewing of examination questions
33 and techniques; and

34
35 To take into account where possible and where not overly burdensome to the public
36 good and public purposes, practices that affect the ability to participate of a significant
37 number of persons who are qualified to and would wish to take such exams.

38
39 **SEC. 12. Civil Liability and Reparations.** Persons liable for any of the acts prohibited
40 by Sections 4 and 5 of this Act shall be civilly liable for actual, moral, punitive and other
41 damages.

42
43 The courts, quasi-judicial, and administrative bodies before which any complaint is
44 brought shall, on petition or motu proprio, also determine appropriate measures for
45 restitution, reparation and compensation to victims.

46
47 **SEC. 13. Penal Clause.** - Any person liable under Section 4 (1), (2), (3), (4), (5), (6), (7),
48 (8), (9), (12) and (13) shall be penalized with:

49
50 a. For the first violation, reprimand on the record and a fine of not less than seven
51 thousand pesos (P7,000.00) nor more than fifteen thousand pesos (P15,000.00) taking
52 into consideration the circumstances and gravity of the offense;

1 b. For the second violation, reprimand on record and a fine of not less than ten
2 thousand pesos (P10,000.00) nor more than ninety thousand pesos (P90,000.00), taking
3 into consideration the circumstances and gravity of the offense. When the circumstances
4 and gravity of the offense justify imprisonment; the court may also impose a penalty of
5 imprisonment for a period of not less than ten (10) days to not more than one (1) year in
6 addition to or in alternative to monetary fine;

7
8 c. For the third and further violations, imprisonment of not less than sixty (60) days to
9 not more than five (5) years and/or a fine of not less than fifty thousand (P50,000.00)
10 nor more than two hundred thousand pesos (P200,000.00), taking into consideration the
11 circumstances, gravity of the offense, and repetitive behavior of the person/s liable.

12
13 Any person liable under Section 4 (11) shall be penalized with:

14
15 a) If no serious physical injuries or death have resulted - imprisonment for a period of
16 not less than sixty (60) days to not more than twenty-five (25) years and/or a fine of not
17 less than ten thousand (P10,000.00) nor more than three hundred thousand pesos
18 (P300,000.00), taking into consideration the circumstances and gravity of the offense;

19
20 b) If serious physical injuries and/or death have resulted - imprisonment for a period
21 of not less than twelve (12) years to not more than thirty (30) days and/or fine of not
22 less than fifty thousand pesos (P50,000.00) nor more than five hundred thousand pesos
23 (P500,000.00), taking into consideration the circumstances and gravity of the offense.

24
25 For violations of Section 4 (10) of this Act:

26
27 There shall be imposed a fine between fifteen-thousand (P15,000.00) to fifty-thousand
28 (P50,000), in addition to the civil action which may be brought by the offended party,
29 taking into consideration the circumstances, gravity of the offense, and repetitive
30 behavior of the person/s liable.

31
32 For violations of Section 5 Racial Profiling, the following shall be imposed:

33
34 (a) for the first violation, reprimand on the record and a fine of not less than seven
35 thousand pesos (P7,000) nor more than fifteen thousand pesos (P15,000.00), taking into
36 consideration the circumstances and gravity of the offense.

37
38 (b) for the second violation, imprisonment for a period of not less than twenty (20) days
39 to not more than one (1) year and/or a fine of not less than fifteen thousand pesos
40 (P15,000) nor more than one hundred thousand pesos (P100,000.00), taking into
41 consideration the circumstances and gravity of the offense

42
43 (c) for the third and further violations, imprisonment of not less than seventy (70) days
44 to not more than seven (7) years and/or a fine of not less than fifty thousand pesos
45 (P50,000) nor more than two hundred-fifty thousand pesos (P250,000.00), taking into
46 consideration the circumstances, gravity of the offense, and repetitive behavior of the
47 person/s liable."

48
49 In all the penalties prescribed under this Act, the following shall constitute aggravating
50 circumstances in the application of the penalties provided under this Act:

- 51
52 1. When act is committed in performance of official/public functions;

- 1 2. When act is committed making use of or abusing official/government authority,
2 access, resources and discretion;
- 3 3. If goods/ services are denied at a time of urgent need for human life/ safety to
4 prevent human injury or death; and
- 5 4. When the discriminatory act has been committed by a corporation, a duly-
6 accredited school, or a large organization with substantial membership, reach
7 and resources, the responsibility and liability is larger than when committed by
8 an individual or small group.

9
10 This liability is without prejudice to any applicable criminal action that may be
11 instituted under the Indigenous Peoples Rights Act (RA 8371) or the Revised Penal
12 Code (Act No. 3815); including but not limited to the acts of violence as defined in R.A.
13 Nos. 9262, 7610, 8353, 9208, 7877, 9995 and 9775 any administrative action or
14 disciplinary measures under Civil Service rules or any civil action for damages under
15 the Civil Code.

16
17 **SEC. 14. Duty of the Commission on Human Rights (CHR) and other Government**
18 **Bodies and Agencies.** - It shall be the duty of the Commission on Human Rights (CHR),
19 in coordination with the National Commission on Indigenous Peoples and the National
20 Commission on Muslim Filipinos to prevent or deter the commission of acts of
21 discrimination and to provide the procedures for the resolution, settlement or
22 prosecution of acts of discrimination.

23 Towards this end, the CHR shall:

- 24
- 25 (a) Protect and promote the economic, social and cultural rights;
- 26 (b) Promulgate appropriate rules and regulations prescribing the composition and
27 details of the equal Opportunity Committee as well as the procedure for the
28 investigation of discrimination cases against citizens falling under their
29 jurisdiction and the administrative sanctions therefore;
- 30 (c) With the assistance of the Department of Labor and Employment (DOLE), Civil
31 Service Commission (CSC), Department of Education (DepEd), Commission on
32 Higher Education (CHED) and other relevant agencies to oversee and assist in
33 the creation of equal opportunity committees in different agencies, corporations,
34 companies and educational institutions, whether private or public and monitor
35 their work; and
- 36 (d) Require and supervise the agencies, corporations, companies and educational
37 institutions, whether private and public, in the implementation of this Act.

38
39 It shall be the duty of the DOLE, CSC, DepEd, CHED, Department of Health (DOH),
40 Department of Trade and Industry (DTI) and other relevant agencies as identified by
41 the CHR, including independent government bodies to:

42
43 (a) Ensure creation of equal opportunity committees in different agencies, corporations,
44 companies and educational institutions, whether private or public and monitor their
45 work and report to the CHR;

46
47 (b) Ensure the compliance of the agencies, corporations, companies and other entities
48 and educational institutions, whether private or public, with the provisions of this act.

49
50 **SEC. 15. Separability Clause.** - If any portion of this Act is declared void or
51 unconstitutional, the remaining portions hereof shall not be affected by such
52 declaration.

1 **SEC. 16. *Repealing Clause.*** – Any provision of law or regulations inconsistent herewith
2 is hereby repealed, revoked or modified accordingly.

3
4 **SEC. 17. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in
5 two (2) newspapers of general circulation.

6
7 Approved,