Republic Act 8353: An Act Expanding the Definition of the Crime of Rape and Reclassifying the same as Crime Against Persons.

The Anti-Rape Law of 1997 redefines rape as:

1. A CRIME AGAINST PERSONS

Rape violates a person's well being and not just ones virginity or purity.

The law considers that any person, whether a prostituted person, non-virgin or one who has an active sexual life may be victimized by rape.

2. A PUBLIC OFFENSE

By declaring that rape is a crime against persons, the law no longer considers it as a private crime.

Anyone who has knowledge of the crime may file a case on the victim's behalf.

The prosecution continues even if the victim drops the case or pardons the offender.

Graphics: VANCE GALVIN TIN TANGCUECO,
Most Creative, 2013 18- Day Campaign to End VAW, Poster Making Contest

WHAT CONSTITUTES RAPE?

Rape is committed:

By a man who shall have sexual intercourse with a woman under any of the following circumstances:

A. Through force, threat, or intimidation;

B. When the victim is deprived of reason or is unconscious;

C. Through fraudulent machination or grave abuse of authority; and

D. When the victim is under twelve (12) years of age or is demented, even if none of the above circumstances are present.

By any person who, under any of the above circumstances, commits an act of sexual assault by inserting his penis into another person's mouth or anal orifice, or any instrument or object, into the genital or oral orifice of another person.

WHO CAN BE RAPED?

Anyone can be a rape victim, but the incidence of rape is more rampant in women and girls.

WHO CAN COMMIT RAPE?

Any man or woman may be held liable for rape.

It is possible that a man may rape his own wife, an act deemed as "marital rape." The penalty for rape in general may apply on the offender who commits marital rape.

HOW IS THE CRIME PUNISHED?

The penalty varies depending on the act itself and the circumstances surrounding it.

Reclusion Perpetua
(*Imprisonment from 20 to 40 years*) is imposed on the offender if rape is committed through sexual intercourse.

Prision Mayor
(*Imprisonment from 6 to 12 years*) is imposed on the offender if rape was committed through oral or anal sex or through the use of any object or instrument that was inserted into the mouth or anal orifice of the woman or a man.

This may also be elevated to ***Reclusion Temporal*** (*Imprisonment from 12 to 20 years*) or ***Reclusion Perpetua*** depending on the circumstances surrounding the crime.