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SENATE
P.S. RES. NO. **441**

RECEIVED BY: 

Introduced by Senator Pia S. Cayetano

A RESOLUTION

DIRECTING THE COMMITTEE ON WOMEN, FAMILY RELATIONS, AND GENDER EQUALITY AND OTHER APPROPRIATE COMMITTEES TO CONDUCT A REVIEW, IN AID OF LEGISLATION, OF THE EXISTING LAWS WITH PROVISIONS WHICH ARE CONSIDERED AS DISCRIMINATORY TO WOMEN, WITH THE END IN VIEW OF AMENDING AND/OR REPEALING THESE AS MANDATED BY THE MAGNA CARTA OF WOMEN

WHEREAS, Article II, Section 14 of the 1987 Philippine Constitution provides that the State “recognizes the role of women in nation-building and shall ensure the fundamental equality before the law of women and men”;

WHEREAS, the Philippines signed and ratified, in 1980 and 1981 respectively, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), also known as the Women’s Convention and the International Bill of Rights for Women, a first human rights instrument covering a full range of the rights of women and their equality with men¹, where State parties agree to incorporate the principle of equality of men and women in its legal system, to abolish all discriminatory laws and to adopt appropriate national legislations prohibiting discrimination against women in the civil, economic, social, political, and cultural, realms²;

WHEREAS, on August 14, 2009, in compliance with Part I, Article 2 of the CEDAW, the Philippines enacted into law Republic Act 9710, otherwise known as the Magna Carta of Women, defining in Section 2 “discrimination against women” as “any gender-based distinction, exclusion, or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field”;

WHEREAS, Section 12 of RA 9710 explicitly provides that “the State shall take steps to review and, when necessary, amend and/or repeal existing laws that are discriminatory to women within three (3) years from the effectivity of this Act”;

WHEREAS, in the last Congress, the Committee on Youth, Women, and Family Relations conducted hearings and sponsored bills on the amendment and/or repeal of provisions in the Family Code, the Revised Penal Code, and other laws which are discriminatory to women;

¹Short History of CEDAW Convention. UN Women. Retrieved <http://www.un.org/womenwatch/daw/cedaw/history.htm> on October 24, 2013.

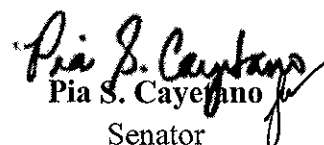
² CEDAW Report Brief: Factsheet on Filipino Women. August 2006. National Commission on the Role of Filipino Women.

WHEREAS, some of these bills have passed into law, however, there are still existing laws that are discriminatory, containing distinction, exclusions, and restrictions to women, such as Articles 14, 96, 124, 211, and 225 of the Family Code, Articles 333, 334 and 351 of the Revised Penal Code, provisions of the Code of Muslim Personal Laws, among others;

WHEREAS, there is a need for a continuous review of discriminatory provisions against women in various existing laws to ensure that the full human rights of women, as guaranteed by the Constitution, are upheld to encourage and enable active participation of women and significantly contribute to our national development;

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Senate Committee on Women, Family Relations, and Gender Equality and other appropriate committees conduct a review, in aid of legislation, of existing laws which are discriminatory against women, necessitating their amendment and/or repeal pursuant to the Magna Carta of Women.

Adopted,


Pia S. Cayetano
Senator