


FOURTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

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SENATE

RECEIVED BY: 

Senate Bill No. 1701

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Introduced by SENATOR COMPAÑERA PIA S. CAYETANO

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**EXPLANATORY NOTE**

History has proven that it has been a long and tough struggle for women in their efforts to combat discrimination in all its forms. Undeniably, the system that persists in our society until today is somewhat patriarchal in nature – that men dominate and rule. Although, there have been triumphs achieved in terms of uplifting the status of women, women are still the usual victims of discrimination due to mere gender. As such, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was adopted in 1979 by the United Nations General Assembly lays down the international bill of rights for women to address this problem.

The CEDAW has been in force for twenty six (26) years, since the Philippine Senate ratified it on 5 August 1981. Yet despite the ratification of the Convention, Filipino women continue to suffer from various forms of discrimination and unequal relations between men and women, stemming from the economic, political and social divide.

In the Concluding Comments of the Committee on the Elimination of Discrimination Against Women (CEDAW) for the Philippines during its 36<sup>th</sup> session held on 7 – 25 August 2006, one of the principal areas of concerns raised was the lack of a definition of discrimination in line with Article 1 of the Convention and the lack of progress in enacting legislations on comprehensive legal framework on gender equality. Specifically, it recommended the passage of a Magna Carta Bill of Women that will strengthen the promotion of gender equality in the country.

A Magna Carta is a piece of legislation that serves as a guarantee of basic rights. The CEDAW, usually referred also as the "international women's bill of rights" is the first major document that contains a ban on all forms of discrimination and recommends temporary special measures to immediately achieve equality in fact between men and women.

When the Philippine government ratified the Convention, it gave the signal to policymakers to embody the spirit and letter of CEDAW in the laws and policies of the land. Two and a half decades of waiting for the fulfillment of this obligation is too long. The time has long been ripe for a comprehensive law that guarantees and recognizes women's basic human rights.

In view of the foregoing, approval of this bill is earnestly requested.

  
PIA S. CAYETANO

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**SENATE**

**Senate Bill No. 1701**

RECEIVED BY: \_\_\_\_\_

*(Signature)*

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Introduced by **SENATOR PIA S. CAYETANO**

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**AN ACT  
PROVIDING FOR THE MAGNA CARTA OF WOMEN**

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

**CHAPTER I  
GENERAL PROVISIONS**

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3  
4 SECTION 1. *Short Title.* – This Act shall be known as “The Magna Carta of  
5 Women”.

6 SECTION 2. *Declaration of Policy.* – The State recognizes the role of women in  
7 nation building and shall ensure the substantive equality of women and men. It shall  
8 promote the empowerment of women and pursue equal opportunities for men and  
9 women as well as ensure their equal access to resources and to development results  
10 and outcome.

11 It condemns *discrimination against women in all its forms and pursues by all*  
12 *appropriate means and without delay the policy of eliminating discrimination against*  
13 *women in keeping with the Convention on the Elimination of All Forms of Discrimination*  
14 *Against Women (CEDAW) and other international instruments. The State shall accord*  
15 *to women the rights, protection, and opportunities available to every member of society.*

16 The State affirms women’s rights as human rights and shall intensify its efforts to  
17 recognize, respect, protect, fulfill and promote all human rights and fundamental  
18 freedoms of women especially in the marginalized sectors of society to guarantee their  
19 economic, social and cultural well-being without distinction or discrimination on account  
20 of class, age, sex, gender, language, ethnicity, religion, ideology, disability, education  
21 and status.

1 The State shall provide the necessary mechanisms to enforce and guarantee the  
2 realization of women's rights as well as adopt and undertake steps to include temporary  
3 special measures which encompass a wide variety of legislative, executive,  
4 administrative and other regulatory instruments, policies and practices aimed at  
5 accelerating the equal participation of women in the political, economic, social, cultural,  
6 civil or any other field. Temporary special measures must be discontinued when their  
7 desired results have been achieved and sustained for a period of time.

8 The State, in ensuring the full integration of women's concerns in the mainstream  
9 of development, shall provide ample opportunities to enhance and develop their skills,  
10 acquire productive employment and contribute to their communities to the fullest of their  
11 capabilities.

12 In pursuance of this policy, the State recognizes the right of women in all sectors  
13 to participate in policy formulation, planning, organization, implementation, management  
14 monitoring, and evaluation of all programs and projects. It shall support policies,  
15 researches, technology and training programs, and other support services such as  
16 financing, production and marketing to encourage active participation of women in  
17 national development.

## 18 CHAPTER II 19 DEFINITION OF TERMS

20 SECTION 3. *Definitions.* – For purposes of this Act, the following terms shall  
21 mean:

22 (A) *Empowerment* refers to the provision, availability and accessibility of  
23 opportunities which enable women to actively participate and contribute to the political,  
24 economic, social, and cultural development of the nation as well as those which shall  
25 provide them equal access to ownership, management and control of production, and of  
26 material and informational resources and benefits in the family, community and society;

27 (B) *Discrimination Against Women* refers to any gender-based distinction,  
28 exclusion or restriction which has the effect or purpose of impairing or nullifying the  
29 recognition, enjoyment or exercise by women, irrespective of their marital status, on a  
30 basis of equality of men and women, of human rights and fundamental freedoms in the  
31

1 political, economic, social, cultural, civil or any other field;

2 (C) *Marginalization* - a condition where a whole category of people is expelled  
3 from useful participation in political, economic, social and cultural life and is potentially  
4 subjected to severe material deprivation and even extermination.

5 (D) The *marginalized* refer to the basic, disadvantaged, or vulnerable persons or  
6 groups who are mostly living in poverty and have little or no access to land and  
7 resources, basic social and economic services such as health care, education, water  
8 and sanitation, employment and livelihood opportunities, housing, social security,  
9 physical infrastructure and justice system.

10 These include women in the following:

11 1. *Small Farmers and Rural Workers*. – refer to those who are engaged directly  
12 or indirectly in small farms and forest areas, workers in commercial farms and  
13 plantations, whether paid or unpaid, regular or season-bound. These shall include but  
14 not limited to (a) small farmers who own or are still amortizing for lands that is not more  
15 than three (3) hectares, tenants, leaseholders, and stewards; (b) rural workers who are  
16 either wage earners, self-employed, unpaid family workers directly & personally  
17 engaged in agriculture, small scale mining handicrafts and other related on-farm/off-  
18 farm activities

19 2. *Fishers*. – refer to those directly or indirectly engaged in taking, culturing or  
20 processing fishery or aquatic resources. These include, but should not be limited to,  
21 women engaged in fishing in municipal waters and coastal areas, women workers in  
22 commercial fishing and aquaculture, vendors and processors of fish and coastal  
23 products, and subsistence producers such as shell-gatherers, managers and producers  
24 of mangrove resources and other related producers.

25 3. *Urban Poor* – natural person/s residing in urban and urbanizable slum or  
26 blighted areas, with or without the benefit of security of tenure, where the income of  
27 the head of the family cannot afford in a sustained manner to provide for the family the  
28 minimum basic needs of food, health, education, housing and other essential amenities  
29 in life.

30 4. *Workers in the Formal Economy* – refer to those who are employed by any

1 person acting directly or indirectly in the interest of an employer in relation to an  
2 employee and shall include the Government and all its branches, subdivision and  
3 instrumentalities, all government-owned or controlled corporations and institutions, or as  
4 well as non-profit private institutions, or organizations.

5 *5. Workers in the Informal Economy.* – shall refer to self-employed and all those  
6 without employer – employee relationship.

7 *6. Migrant workers.* – shall refer to Filipinos who are to be engaged, are  
8 engaged or have been engaged in a remunerated activity in a State of which they are  
9 not legal residents whether documented or undocumented.

10 *7. Indigenous Peoples.* – refer to those who are members of any indigenous  
11 peoples/indigenous cultural communities of the Philippines as defined under Section  
12 3(h), Chapter II of Republic Act No. 8371 otherwise known as “The Indigenous People’s  
13 Rights Act of 1997” (IPRA of 1997).

14 *8. Moro* – refer to indigenous peoples that historically inhabited Mindanao,  
15 Palawan and Sulu, and who are of the Islamic faith.

16 *9. Children.* – shall refer to children below eighteen (18) years of age or those 18  
17 and over but are unable to fully take care of themselves or protect themselves from  
18 abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental  
19 disability or condition.

20 *10. Senior Citizens* - shall refer to those sixty (60) years of age and above

21 *11. Persons with Disabilities.* – shall refer to those who are suffering from  
22 restriction or different abilities, as a result of a mental, physical or sensory impairment to  
23 perform an activity in the manner or within the range considered normal for a human  
24 being.

25 *12. Lesbians, Gays, Bisexuals, Transgender* –

26 *Lesbians and Gays* refer to those who are sexually and affectionally attracted to  
27 the same sex .

28 *Bisexuals* refer to those who are sexually and affectionally attracted to either sex.

29 *Transgender* refer to people whose biological and gender identity or expression may not  
30 be the same. It is an umbrella term that includes anyone whose gender identity or

1 expression differs from the sex of their birth - whether they have surgery or not.

2 *13. Solo Parents.* – shall refer to those who fall under the category of a solo  
3 parent defined under Republic Act No. 8972, otherwise known as the “Solo Parents  
4 Welfare Act of 2000”.

5 (E) *Gender* – refers to the socially differentiated roles, characteristics and  
6 expectations attributed by culture to women and men. It is created, produced,  
7 reproduced and maintained by social institutions.

8 Gender roles and attributes are not natural nor biologically given.

9 (F) *Gender Equality* indicates that men and women enjoy the same status; have  
10 equal conditions for realizing their full human potentials to contribute to and benefit from  
11 the results of development

12 (G) *Gender and Development (GAD)* refers to the development perspective and  
13 process that are participatory and empowering, equitable, sustainable, free from  
14 violence, respectful of human rights, supportive of self-determination and actualization  
15 of human potentials. It seeks to achieve gender equality as a fundamental value that  
16 should be reflected in development choices; seeks to transform society's social,  
17 economic and political structures and questions the validity of the gender roles they  
18 ascribed to women and men; contends that women are active agents of development  
19 and not just passive recipients of development assistance, and stresses the need of  
20 women to organize themselves and participate in political processes to strengthen their  
21 legal rights;

22 (H) *Gender Mainstreaming* is the process of assessing the implications for  
23 women and men of any planned action, including legislation, policies or programs, in all  
24 areas and at all levels. It is a strategy for making women's as well as men's concerns  
25 and experiences an integral dimension of the design, implementation, monitoring and  
26 evaluation of policies and programs in all political, economic and societal spheres so  
27 that women and men benefit equally and inequality is not perpetuated.

28 (I) *Violence against Women* refers to any act of gender-based violence that  
29 results in, or is likely to result in, physical, sexual or psychological harm or suffering to  
30 women, including threats of such acts, coercion or arbitrary deprivation of liberty,

1 whether occurring in public or in private life. It shall be understood to encompass, but  
2 not be limited to, the following:

3 1. physical, sexual, psychological, and economic violence occurring in the family,  
4 including battering, sexual abuse of female children in the household, dowry-related  
5 violence, marital rape, and other traditional practices harmful to women, non-spousal  
6 violence and violence related to exploitation;

7 2. physical, sexual and psychological violence occurring within the general  
8 community, including rape, sexual abuse, sexual harassment and intimidation at work,  
9 in educational institutions and elsewhere, trafficking in women and prostitution;

10 3. physical, sexual and psychological violence perpetrated or condoned by the  
11 state, wherever it occurs.

12 As defined in R.A. 9262,

13 *Physical violence shall mean bodily or physical harm.*

14 *Sexual violence shall mean any act that is sexual in nature, including but not*  
15 *limited to: rape; sexual harassment; acts of lasciviousness; treating the woman or her*  
16 *child as a sex object; making demeaning and sexually suggestive remarks; physically*  
17 *attacking the sexual parts of the victim's body; forcing the victim to watch obscene*  
18 *publications and indecent shows; forcing the victim to do indecent acts and/or make*  
19 *films thereof; forcing the wife and mistress/lover to live in the conjugal home or to sleep*  
20 *together in the same room with the abuser; causing or attempting to cause the victim to*  
21 *engage in sexual activity by force, physical or other harm, coercion or threats thereof;*  
22 *prostituting the woman or her child.*

23 *Psychological violence shall mean acts or omissions causing mental or emotional*  
24 *suffering of the victim, such as but not limited to: intimidation; harassment; stalking;*  
25 *damage to property; public ridicule or humiliation; repeated verbal abuse; marital*  
26 *infidelity; causing or allowing the victim to witness the physical, sexual, or psychological*  
27 *abuse of a family member; causing or allowing the victim to witness pornography in any*  
28 *form; causing or allowing the victim to witness abusing injury to pets; unlawful or*  
29 *unwanted deprivation of the right to custody and/or visitation of common children.*





1 gender sensitivity pursuant to this Act.

2 SECTION 6. *Participation and Representation.* The State shall undertake  
3 temporary special measures to accelerate the participation and representation of  
4 women in all spheres of society particularly in the decision-making and policy-making  
5 processes in government and private entities to fully realize their role as agents and  
6 beneficiaries of development.

7 The State shall institute affirmative action mechanisms so that women can  
8 participate meaningfully in the formulation, implementation and evaluation of policies,  
9 plans and programs for national, regional and local development;

10 (A) *Empowerment in Civil Service.* Within the next five (5) years, the number of  
11 women in third level positions in government shall be increased to achieve a fifty-fifty  
12 gender balance.

13 (B) *Development Councils and Planning Bodies.* To ensure the participation of  
14 women in all levels of development planning and program implementation, at least 33%  
15 of membership of all development councils from the regional, provincial, city, municipal  
16 and barangay levels shall be composed of women.

17 (C) *Other policy and decision-making bodies.* Women's groups shall also be  
18 represented in international, national and local special and decision-making bodies such  
19 as, but not limited, to agricultural, fisheries, agrarian reform and anti-poverty councils.

20 (D) *International bodies.* The State shall take all appropriate measures to ensure  
21 that women, on equal terms with men and without any discrimination, the opportunity to  
22 represent their Governments at the international level and to participate in the work of  
23 international organizations.

24 (E) *Integration of Women in Political Parties.* The State shall provide incentives to  
25 political parties with a women's agenda and with women comprising at least 33% of  
26 their leadership and/or membership. It shall likewise encourage the representation of  
27 women in their internal policy-making structures, appointive and electoral nominating  
28 processes.

29 (F) *Private sector.* The State shall take measures to encourage women  
30 leadership in the private sector in the form of incentives.

1 SECTION 7. *Equal Treatment before the Law.* The State shall take steps to  
2 review and when necessary, amend and/or repeal existing discriminatory laws within  
3 three years from effectivity of this Act.

4 SECTION 8. *Equal Access and Elimination of Discrimination in Education,*  
5 *Scholarships and Training.*

6 (A) The State shall remove gender stereotypes and images in educational  
7 materials and curricula. Gender-sensitive language shall be used at all times.

8 (B) Enrollment of women and men in non-traditional skills training in  
9 vocational and tertiary levels shall be encouraged.

10 (C) Expulsion of women students for single pregnancy shall be outlawed

11 SECTION 9. *Non-discriminatory Portrayal of Women in Media and Film* – The  
12 State shall formulate policies and programs for the advancement of women in  
13 collaboration with media-related organizations from the private sector. It shall likewise  
14 endeavor to raise the consciousness of the general public in recognizing the dignity of a  
15 woman, and the role and contribution of women in the family, community and the  
16 society through the strategic use of the mass media.

17 For this purpose, the State shall provide incentives to encourage programming  
18 that appropriately present women's needs, issues and concerns in movies, television  
19 shows, advertisements and print media, and support media watch groups, media  
20 professional associations and women's organizations. Similarly, gender-sensitivity  
21 training (GST) programs for all media practitioners including producers, directors,  
22 managers, journalists, news editors, news reporters, publishers as well as those in the  
23 movie and advertising industries shall be organized to encourage the creation and use  
24 of non-stereotyped, balanced, diverse and positive images of women in media. The use  
25 of gender-fair language shall also be encouraged specifically in the practice of their  
26 profession.

27 The MTRCB shall revise its rules and regulations to discourage unfair or  
28 derogatory portrayal of women in both media and film.

29 SECTION 10. *Access to Information and Services relating to Women's Health;*

30 (A) *Comprehensive Health Services.* – The State shall at all times provide for

1 comprehensive gender responsive health services and programs covering all stages of  
2 a woman's life cycle and ensure access to the following:

- 3 1. Maternal care services;
- 4 2. Nutrition package;
- 5 3. Reproductive health services;
- 6 4. Adolescent and youth health services;
- 7 5. Women and children protection services;
- 8 6. Screening and appropriate management of reproductive tract infections  
9 (RTIS) including sexually transmitted infections (STIS), human immunodeficiency virus  
10 (HIV) and acquired immune deficiency syndrome (AIDS), breast and reproductive tract  
11 cancers, and other gynecological conditions;
- 12 7. prevention and management of abortion and its implications;
- 13 8. Healthy lifestyle activities;
- 14 9. Care of the elderly;
- 15 10. Health services for women with disabilities;
- 16 11. Post-menopausal services;
- 17 12. VAW Services – Women shall be given provision and access to  
18 comprehensive services which include psychosocial therapeutic interventions and  
19 assistance towards healing, recovery and empowerment

20 *(B) Comprehensive Health Information and Education.* – The State shall provide  
21 women in all sectors with timely, complete and accurate information and education on  
22 all the above-stated aspects of women's health, in government education and training  
23 programs.

24 Further, education programs on reproductive health shall always include the  
25 following:

- 26 1. The important role of parents in the total formation of their children
- 27 2. The formation of a person's sexuality that affirms human dignity
- 28 3. Natural and artificial family planning methods including fertility awareness

29 SECTION 11. *Equal rights in all matters relating to marriage and family relations.*

30 The State shall take all appropriate measures to eliminate discrimination against women

1 in all matters relating to marriage and family relations and shall ensure:

2 (1) The same right to enter into and leave partnerships or relationships other than  
3 those referred to in the Family Code

4 (2) The same right to choose freely a spouse and to enter into marriage only with  
5 their free and full consent. The betrothal and the marriage of a child shall have no legal  
6 effect.

7 (3) The joint decision on the number and spacing of their children and to have  
8 access to the information, education and means to enable them to exercise these rights;

9 (4) The same personal rights as husband and wife, including the right to choose  
10 freely a profession and an occupation;

11 (5) The same rights for both spouses in respect of the ownership, acquisition,  
12 management, administration, enjoyment, and disposition of property.

13 (6) The same rights to properties and resources, whether titled or not, and  
14 inheritance, whether formal or customary.

15 Customary laws shall be respected provided, however, that they do not  
16 contradict the above-enumerated rights.

17 **CHAPTER IV**  
18 **RIGHTS AND EMPOWERMENT OF MARGINALIZED SECTORS**

19 Women are guaranteed all the rights- civil, political, social and economic  
20 recognized, promoted and protected under existing laws, including the Indigenous  
21 Peoples' Rights Act, Urban Development and Housing Act, Comprehensive Agrarian  
22 Reform Law, Fisheries Code, Labor Code, Migrant Workers Act, Solo Parents Welfare  
23 Act and Social Reform and Poverty Alleviation Act.

24 **SECTION. 12.** The State recognizes the contribution of women to food  
25 production and shall therefore ensure sustainability and sufficiency of its activities in the  
26 household and community levels. To address this, the State shall ensure:

27 (A) *Right to Food* - The State shall guarantee the availability of food in quantity  
28 and quality sufficient to satisfy the dietary needs of individuals; physical and economic  
29 accessibility for everyone to adequate food, free from unsafe substances and culturally  
30 accepted.  
31

1           (B) *Right to Resources for Food Production*

2           The State shall promote the right to adequate food by proactively engaging in  
3 activities intended to strengthen access to and utilization of resources and means to  
4 ensure their livelihood, including food security:

5           1. Equal status shall be given to men and women, whether married or not, in the  
6 titling of the land and issuance of stewardship contracts and patents;

7           2. Equal treatment shall be given to men and women beneficiaries of the  
8 agrarian reform program, wherein vested right of a woman agrarian reform beneficiary  
9 is defined by the woman's relationship to the tillage, i.e. her direct and indirect  
10 contribution to the development of the land;

11           3. Customary rights of women to the land, including access to and control of the  
12 fruits and benefits, shall be recognized in circumstances where private ownership is not  
13 possible such as ancestral domain claims;

14           4. Information and assistance on claiming rights to the land shall be made  
15 available to women at all times;

16           5. Equal rights of women to the enjoyment, use and management of land and  
17 water and other natural resources within their communities or ancestral domains;

18           6. Equal access to the use and management of fisheries and aquatic resources,  
19 and all the rights and benefits accruing to stakeholders in the fishing industry;

20           7. Equal status shall be given to men and women in the issuance of stewardship  
21 or lease agreements and other fishery rights that may be granted for the use and  
22 management of coastal and aquatic resources. In the same manner, women's  
23 organizations shall be given equal treatment as with other marginalized fishers  
24 organizations in the issuance of stewardship or lease agreements or other fishery rights  
25 for the use and management of such coastal and aquatic resources which may include  
26 providing support to women-managed coastal resources;

27           8. There shall be no discrimination against women in the deputization of fish  
28 wardens.

29           9. Women-friendly agriculture technology shall be designed based on  
30 accessibility and viability shall be designed in consultation with women's organizations;

1           10. Access to small farmers-based and controlled seeds production and  
2 distribution shall be ensured;

3           11. Indigenous practices of women in seed storage and cultivation shall be  
4 recognized;

5           12. Provide opportunities for empowering women fishers to be involved in the  
6 control and management not only of the catch and production of aquamarine resources  
7 but also to engage in entrepreneurial activities which will add value to production and  
8 marketing ventures;

9           13. Provide economic opportunities for the indigenous women, particularly access  
10 to market for their produce.

11           SECTION 13. *Right to Housing* – The State shall develop housing programs for  
12 women that are localized, simple, accessible, secure, with viable employment  
13 opportunities and affordable amortization. In this regard, the State shall consult women  
14 and involve them in community planning and development especially in matters  
15 pertaining to land use, zoning and relocation.

16           SECTION 14. *Right to Employment, Livelihood, Credit, Capital and Technology-*  
17 The State shall ensure that women shall be provided with the following:

18           (A) Equal access to formal sources of credit and capital at concessional rates;

19           (B) Equal share to the produce of the farms and aquatic resources;

20           (C) Support services and gears to protect them from occupational and health  
21 hazards.

22           (D) Support services that will enable women to balance family obligations and  
23 work responsibilities;

24           (E) Membership in unions regardless of status of employment and place of  
25 employment;

26           (F) In recognition of the temporary nature of overseas work, the State shall exert  
27 all efforts to address the causes of outmigration by developing local employment and  
28 other economic opportunities for women and by introducing measures to curb violence  
29 and forced and involuntary displacement of local women. The State shall ensure the  
30 protection and promotion of the rights and welfare of migrant women regardless of their

1 work status;

2 (G) Protection against discrimination in wages, conditions of work and  
3 employment opportunities in host countries;

4 (H) Employment opportunities for returning women migrant workers taking into  
5 account their skills and qualifications. Corollary, the State shall also promote skills and  
6 entrepreneurship development of returning women migrant workers.

7 SECTION 15. *Right to Education And Training* – The State shall ensure the  
8 following:

9 (A) Participation in trainings and extension services related to rights enumerated  
10 in Sections 6 and 8 of this Act;

11 (B) Gender-sensitive trainings and seminars;

12 (C) Equal opportunities in scholarship, especially to those interested in research  
13 and development aimed towards women-friendly farm technology.

14 SECTION. 16. *Right to Representation and Participation* - The State shall ensure  
15 women's participation in policy-making or decision-making bodies in the regional,  
16 national, and international levels. It shall also ensure the participation of at least thirty  
17 three percent (33%) grassroots women leaders in decision and policy making bodies in  
18 their respective sectors, including but not limited to, Presidential Agrarian Reform  
19 Council (PARC) and local counterparts; community-based resource management  
20 bodies or **mechanisms on forest** management and stewardship; National Fisheries  
21 and Aquatic Resources Management Council (NFARMC) and local counterparts;  
22 National Commission on Indigenous Peoples, Presidential Commission for the Urban  
23 Poor and where applicable, local housing boards; **and National Anti-Poverty**  
24 Commission.

25 SECTION 17. *Right to Information* - Access to information regarding policies on  
26 women, including programs, projects and budget shall be ensured.

27 SECTION 18. *Social Protection*. –

28 (A) The Social Security System (SSS) and the Philippine Health Insurance  
29 Corporation (PhilHealth) shall support indigenous and community-based social  
30 protection schemes.

1 (B) The State shall endeavor to reduce and eventually eliminate transfer costs of  
2 remittances from abroad through negotiations. It shall likewise provide access to  
3 investment opportunities for remittances in line with national development efforts;

4 (C) The State shall establish alternative social security system and health  
5 insurance program for senior citizens.

6 SECTION 19. *Recognition and Preservation of Cultural Identity/Integrity* - The  
7 State recognizes and respects the rights of Moro and indigenous women to practice,  
8 promote, protect and preserve their own culture, traditions and institutions and to  
9 consider these rights in the formulation and implementation of national policies and  
10 programs. To this end, the State shall adopt measures in consultation with the sectors  
11 concerned to protect their rights to their indigenous knowledge systems and practices,  
12 traditional livelihood and other manifestations of their cultures and ways of life provided  
13 that these cultural systems and practices are not discriminatory to women as defined in  
14 this Act

15 SECTION. 20. *Peace and Development* – Peace process shall be pursued with  
16 the following considerations:

17 (A) Increase the number of women participating in decision making in the peace  
18 process, including membership in peace panels;

19 (B) Ensure the development and inclusion of the women’s peace agenda in the  
20 over-all peace strategy and women’s participation in the planning, implementation,  
21 monitoring and evaluation of rehabilitation and rebuilding of conflict-affected areas;

22 (C) Recognize and support women’s role in conflict-prevention and peacemaking  
23 and in indigenous systems of conflict resolution

24 **SECTION. 21. *Protection of Girl-children.* –**

25 (A) The State shall pursue measures to eliminate all forms of discrimination  
26 against girl-children in education, health and nutrition and skills development.

27 (B) Girl-children shall be protected from all forms of abuse and exploitation  
28 caused by negative cultural attitudes and practices as well as in the economic  
29 exploitation of child labor.

30 (C) Equal access of Moro and indigenous girl children in the Madaris, schools of



1 living culture and traditions and the regular schools, shall be ensured;

2 (D) Gender-sensitive curriculum, including legal literacy, books and curriculum in  
3 the Madaris and school of living culture and tradition, shall be developed.

4 (E) Sensitivity of regular schools to particular Moro and indigenous practices,  
5 such as fasting in the month of Ramadan, choice of clothing (including the wearing of  
6 hijab), halal food shall be ensured.

7 SECTION 22. *Protection of Senior Citizens* – The State shall protect women  
8 senior-citizen from neglect, abandonment, domestic violence, abuse, exploitation and  
9 discrimination. Towards this end, the State shall ensure special protective mechanisms  
10 and support services against violence, sexual abuse, exploitation and discrimination of  
11 older women.

12 **CHAPTER V**  
13 **INSTITUTIONAL MECHANISMS**  
14

15 SECTION. 23. *Gender Mainstreaming as a strategy for implementing the Magna*  
16 *Carta of Women*. All agencies, national and local, State colleges and universities,  
17 government owned and controlled corporations including local government units, shall  
18 adopt gender mainstreaming as a strategy to eliminate discrimination in their systems,  
19 policies, programs, processes and procedures that shall include but not be limited to the  
20 following:

21 (A) *GAD plan and budget*. GAD plans based on the government entity's and  
22 agency's mandates or charter designed to empower women and gender issues, in  
23 accordance with R.A. 7192 and the national framework plan for women for the period,  
24 shall be developed. The development of the GAD plan shall proceed from the conduct  
25 of gender analysis of policies and programs, review and collection of sex-disaggregated  
26 data in consultation with gender/women's rights advocates and agency women  
27 clientele. Programs on economic empowerment and strengthening of women's  
28 bargaining powers in the globalized economy as well as micro-finance and micro-  
29 enterprise development of women; poverty alleviation and effective reduction of  
30 violence against women shall be priority allocation. The cost of implementation of the  
31 GAD plan shall be at least five percent (5%) of the agency's total budget appropriations;

1 (B) *GAD focal points.* Key fulltime or permanent personnel shall be appointed  
2 as GAD focal points in all government entities and agencies, both at the national and  
3 local levels. They shall serve as the catalysts and/or advocates that will facilitate the  
4 implementation of this Act. They shall likewise lead in the conduct of GAD-related  
5 initiatives in their respective agencies;

6 (C) *Sex-disaggregated data.* All government entities and agencies shall develop  
7 a systematic sex-disaggregated data gathering and gender analysis for planning,  
8 programming and policy formulation;

9 (D) *GAD related policies and plans.* Implementation of this Act shall be  
10 articulated in the following policies and plans:

- 11 1. Macro-economic policies and plans such as the Medium-Term Philippine  
12 Development Plan and Medium-Term Philippine Investment Plan;
- 13 2. Other national programs such as poverty-alleviation and hunger  
14 mitigation;
- 15 3. Plans and programs of local government units such as the comprehensive  
16 development plans, comprehensive land use plans, annual development  
17 plans and annual investment plans.

18 *In partnership with all relevant government agencies and institutions, non-*  
19 *government and people's organizations and the private sector, the NCRFW shall*  
20 *develop a National Framework Plan for Women aimed at empowering women as well*  
21 *as men to achieve gender equality, to be used as a guide in the formulation of the*  
22 *abovementioned plans and programs.*

23 Local government units (LGUs) shall likewise be encouraged to legislate GAD  
24 Codes, with the meaningful participation of women's rights and gender advocates, in  
25 their respective units.

26 SECTION 24. An officer duly trained on gender and development shall be  
27 designated as the gender focal point in the consular section of Philippine embassies or  
28 consulates. Said officer shall be primarily responsible in handling gender concerns of  
29 *women migrant workers.* Attached agencies shall cooperate in strengthening the  
30 Philippine foreign posts' program for the delivery of services to women migrant workers;

1           SECTION 25. *The National Commission on the Role of Filipino Women*  
2 *(NCRFW)*. As the primary coordinating agency and policy advisory on women and  
3 gender concerns under the Office of the President, the NCRFW shall be the overall  
4 monitoring body to ensure the implementation of this Act. In doing so, it shall direct all  
5 agencies to report on the implementation of this Act and immediately respond to the  
6 problems brought to their attention in relation to this Act. It shall also lead in ensuring  
7 that government entities and agencies are capacitated on effective implementation of  
8 this Law

9           SECTION 26. *The Gender and Development (GAD) Ombud*. A gender and  
10 development Ombud shall be established in the Commission on Human Rights. The  
11 GAD Ombud shall:

- 12           (1) monitor and oversee the strict implementation of this Act, inc coordination  
13           with NCRFW;
- 14           (2) on its own or on report or complaint, have the power to require  
15           information, investigate or hear administrative complaint involving the  
16           possible violations of this Act;
- 17           (3) use every and all reasonable means to ascertain the facts in the report or  
18           complaint, in all instances observing due process;
- 19           (4) recommend to the President or the Civil Service Commission any possible  
20           administrative action based on non-compliance or failure to implement the  
21           provisions of this Act;
- 22           (5) direct agencies to immediately respond to the problems brought to their  
23           attention in relation to the implementation of this Act and report to the Council  
24           on action taken; assist in filing of cases against individuals, agencies,  
25           institutions or establishment that violate the provision of this Act.

26           SECTION. 27. *Incentives and awards*- there shall be established an incentives  
27 and awards system which shall be administered by a board under such rules and  
28 regulations as may be promulgated by the NCRFW to deserving entities, government  
29 agencies and local government units for their outstanding performance in upholding the  
30 rights of women and effective implementation of gender-responsive programs.

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**CHAPTER VI**  
**FINAL PROVISIONS**

SECTION 28. *Implementing Rules and Regulations.* – As the lead agency, the NCRFW shall, in coordination with the Commission on Human Rights and all departments and agencies, formulate the Implementing Rules and Regulations (IRR) of this Act within ninety (90) days after its effectivity.

SECTION 29. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION. 30. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION. 31. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,