

SENATE
S.B. 1712

Introduced by Senator Villar

Explanatory Note

“The woman, whose womb is the first home of the human race, must be respected in the next environment which is called the family, which is housed in a home for many reasons--- closeness, protection from elements, and some form of stability, and eventually, a community, and they become a settlement.”

That was the powerful statement of a remarkable Filipina, Senator Helena Z. Benitez. And her sentiment is widely shared by all women believing that their empowerment, equal treatment and high respects are the essence of womanhood.

The fight for women parity is considered the longest revolution. Spanning centuries and countries, it has transcended race, religion, class and all other differences that set women apart. Gender equality were the same bravery that led Filipinas to fight for equal rights and take responsibilities with men. The saga of courage exemplified by Gabriela Silang, Melchora Aquino, and Gregoria de Jesus and the women of Katipunan are reflected in various ways of bravery in recent times.

This legislation honours gender equality. This bill is in solidarity with the cause of women to accord them personal power to courageously face the future and win their various struggles for human dignity, progress and equality. It is a paean to the Filipino women.

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


In the Concluding Comments of the CEDAW for the Philippines during its 36th session held on August 7-25, 2006, one of the principal areas of concerns raised was the lack of definition of what constitute discrimination vis-à-vis our government’s commitments. Likewise, there is a seeming absence of advancement in enacting legislation 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 documents that contains a ban on all forms of discrimination and recommends temporary special measures to immediately achieve equality between men and women.

When the Philippine government ratified the Convention, it gave the signal to policymakers to embody the spirit and the 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, the immediate approval of this bill is earnestly requested.



MANNY VILLAR



Introduced by Senator Villar

**AN ACT
ENABLING FILIPINO WOMEN TO REALIZE THEIR FULL POTENTIALS IN THE
SERVICE OF THE NATION AND ENSURING THEIR EQUALITY WITH MEN,
ORDAINING A MAGNA CARTA OF FILIPINO WOMEN THEREFOR
AND FOR OTHER PURPOSES**

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

CHAPTER 1

GENERAL PROVISIONS

1
2
3 SECTION 1. *Short Title* – This Act shall be known as “The Magna Carta of Filipino
4 Women of 2007”.

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

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

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

20 The State shall provide the necessary mechanisms to enforce and guarantee the
21 realization of women’s right as well as adopt and undertake steps to include temporary special
22 measures which encompass a wide variety of legislative, executive, administrative and other
23 regulatory instruments, policies and practices aimed at accelerating the equal participation of
24 women in the political, economic, socio-cultural, civic or any other field. Temporary special
25 measures must be discontinued when their desired results have been achieved and sustained for a
26 period of time.

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

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

9 CHAPTER II

10 DEFINITION OF TERMS

11 SECTION 3. *Definitions.* - For purposes of this Act, the following words and phrases
12 shall mean:

13 (A) *Women's empowerment* refers to the provision, availability and accessibility of
14 opportunities which enables women to actively participate and contribute to the political,
15 economic, social and cultural development of the nation as well as those which shall provide
16 them equal access to ownership, management and control of production, and of materials and
17 information resources and benefits in the family, community and society;

18 (B) *Discrimination Against Women* refers to any gender-based distinction, exclusion
19 or restriction which has the effect or purpose of impairing or nullifying the recognition,
20 enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of
21 men and women, of human rights and fundamental freedoms in the political, economic, social,
22 cultural, civic or any other field;

23 (C) *Marginalization* – a condition where a whole category of people is excluded from
24 useful participation in political, economic, social and cultural life.

25 (D) The *marginalized* refer to the basic, disadvantaged, or vulnerable persons or
26 groups who are mostly living in poverty and have little or no access to land and resources, basic
27 social and economic services such as health care, education, water and sanitation, employment
28 and livelihood opportunities, housing, social security, physical infrastructure and justice system.
29 The term includes but is not limited to small farmers and rural workers; fisherfolks and fishers;
30 urban poor; workers or labor in both formal and informal sector including those engaged in
31 intermittent employment; migrant workers; indigenous people and members of the cultural
32 communities; children including those with special needs and unable to protect themselves
33 from abuse, neglect, cruelty, exploitation or discrimination because of a physical and mental
34 disability or condition; senior citizens; persons with disabilities and similar other individuals
35 or groups who maybe possibly oppressed or discriminated relevant to their beliefs, alternative
36 lifestyles, advocacies or leanings.

37 (E) *Gender* – refers to the socially differentiated roles, characteristics and
38 expectations attributed by culture to women and men. It is created, produced, reproduced and
39 maintained by social institutions. Gender roles and attributes are not natural nor biologically
40 given.

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

4 (G) *Gender and Development (GAD)* refers to the development perspective and
5 process that are participatory and empowering, equitable, sustainable, free from violence,
6 respectful of human rights, supportive of self-determination and actualization of human
7 potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in
8 development choices; seeks to integrate the significance of gender equality in society's social,
9 economic and political framework; contends that women are active agents of development and
10 not just passive recipients of development assistance, and stresses the need of women to organize
11 themselves and participate in political process to strengthen their legal rights;

12 (H) *Gender Mainstreaming* is the process of assessing the implications for women
13 and men of any planned action, including legislation, policies or programs, in all areas and at all
14 levels. It is a strategy to consider and respect the rights of women and makes gender equality an
15 integral component in the design, implementation, monitoring and evaluation of government
16 policies and programs.

17 (I) *Violence against Women* refers to any act of gender-based violence that results in,
18 or is likely to result in, physical, sexual or psychological harm or suffering to women, including
19 threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in
20 private life. It shall be understood to encompass, but not limited to, the following:

21 1. Physical, sexual, psychological, and economic violence occurring in the family,
22 including battering, sexual abuse of female children in the household, dowry-related violence,
23 marital rape, and other traditional practices harmful to women, non-spousal violence and
24 violence related to exploitation;

25 2. Physical, sexual and psychological violence occurring within the general
26 community ,including rape, sexual abuse, sexual harassment and intimidation at work, in
27 educational institution and elsewhere, trafficking in women and prostitution;

28 3. Physical, sexual and psychological violence perpetuated or condoned by the state,
29 wherever it occurs.

30 As defined in R.A. 9262,

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

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

41 *Psychological violence* shall means acts or omissions causing mental or emotional suffering of
42 the victim, such as but not limited to: intimidation; harassment; stalking; damage to property;

1 public ridicule or humiliation; repeated verbal abuse; marital infidelity; causing or allowing the
2 victim to witness the physical, sexual, or psychological abuse of a family member; causing or
3 allowing the victim to witness pornography in any form; causing or allowing the victim to
4 witness abusing injury to pets; unlawful or unwanted deprivation of the right to custody and/or
5 visitation of common children.

6 *Economic violence* shall mean acts that make a woman financially dependent, including:
7 withdrawal of financial support; preventing the victim from engaging in any legitimate
8 profession, occupation, business or activity; deprivation of financial resources and the right to
9 conjugal, community or property owned in common; destroying household property or
10 controlling the victim's own money or properties

11 **CHAPTER III**

12 **RIGHTS AND EMPOWERMENT**

13 SECTION 4. *Human Rights of Women.* – All rights recognized under treaties, internal
14 agreements and instruments duly signed and ratified by the Philippines, including rights under
15 the Constitution and other existing laws shall be rights of women under this Act to be enjoyed
16 without discrimination.

17 SECTION 5. *Protection from Violence* – The State shall ensure that all women shall be
18 protected from all forms of violence as provided for in existing laws. Agencies of government
19 shall give priority to the defense and protection to women against gender-based offenses and
20 help women attain justice and healing.

21 Towards this end, measures to prosecute and reform offenders shall likewise be pursued.

22 (A). Within the next five years, there shall be an incremental increase in the recruitment
23 and training of women in the police force and law enforcement, forensics and medico-legal, and
24 legal services, energy and highly technical areas, and such other services availed by women to
25 achieve full equality of women in public service including directorships in government-owned
26 and controlled corporations.

27 (B). Women shall have the right to protection and security in situations of armed conflict
28 and militarization. The State shall observe international standards, particularly International
29 Humanitarian Laws, for the protection of civilian population in circumstances of emergency and
30 armed conflict. It shall not force women, especially indigenous peoples, to abandon their lands,
31 territories and means of subsistence, or relocate them in special centers for military purposes
32 under any discriminatory condition.

33 (C). All government personnel involved in the protection and defense of women against
34 gender-based violence shall undergo a mandatory training on human rights and gender sensitivity
35 pursuant to this Act.

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

40 The State must undertake comprehensive program and framework that will bring to
41 fulfillment the commitments of the Philippines in the Beijing Platform for Action to have at least

1 thirty three percent (33 %) or more of available opportunities in decision making bodies,
2 agencies and instrumentalities in government allotted to women.

3 The State shall institute affirmative action mechanism so that women can participate
4 meaningfully in the formulation, implementation and evaluation of policies, plans and programs
5 for national, regional and local development.

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

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

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

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

20 (E) *Integration of Women in Political Parties.* Political parties must endeavor to put
21 premium on women's agenda and to encourage the active participation of women in electoral
22 exercises and in their leadership and membership. It shall likewise encourage the representation
23 of women in their internal policy-making structures, appointive and electoral nominating
24 processes.

25 (F) *Women Directors in Government Owned and Controlled Corporations (GOCCs).*
26 Full equality of women shall be advanced in public corporate management through appointments
27 of women in various government-owned and controlled-corporations including those that are
28 considered highly technical or technologically-oriented. Initially, thirty three percent (33 %) of
29 the available directorship positions be allotted to women and within five years after the
30 effectivity of this Act, the fifty-fifty gender balance must be achieved.

31 (G) *Private sector.* The State shall take measures to encourage women leadership in
32 the private sector in the form of incentives.

33 SECTION 7. *Equal Treatment before the Law.* The State shall take steps to review and
34 when necessary, amend and/or repeal existing laws that are discriminatory to women within
35 three years from effectivity of this Act.

36 SECTION 8. *Equal Access and Elimination of Discrimination in Education, Scholarships
37 and Training.*

38 (A) The State shall remove gender stereotypes and images in educational materials
39 and cirricula. Gender-sensitive language shall be used at all times. Capacity-building on gender
40 and development (GAD), peace and human rights, education for teachers and all those involved
41 in the education sector shall be pursued toward this end. Partnerships between and among

1 players of the education sector, including the private sector and church/faith groups shall be
2 encouraged.

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

5 (C) Expulsion, non-readmission, prohibition of enrolment and other related
6 discrimination of women students due to pregnancy outside of marriage shall be outlawed.

7 SECTION 9. *Non-discriminatory Portrayal of Women in Media and Film and In Other*
8 *Forms of Information Technology.* – The State shall formulate policies and programs for the
9 advancement of women in collaboration with media-related organizations from the private
10 sector. It shall likewise endeavor to raise the consciousness of the general public in recognizing
11 the dignity of a woman, and the roles and contributions of women in the family, community and
12 the society through the strategic use of mass media and information technology.

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

22 The MTRCB and other government agencies engaged in information dissemination shall
23 revise its rules and regulations to discourage unfair or derogatory portrayal of women in both
24 media and film and all other materials in information technology.

25 SECTION 10. *Access to Women's Health Information;*

26 (A) *Comprehensive Health services.* – The State shall at all times provide for
27 comprehensive gender responsive health services and programs covering all stages of a woman's
28 life cycle and ensure access to the following:

- 29 1. Maternal care services;
- 30 2. Nutrition services;
- 31 3. Accepted health services pertaining to responsible parenthood and reproduction geared
32 towards the total development of Filipino family;
- 33 4. Adolescent and youth health services;
- 34 5. Women and children protection services;
- 35 6. Screening and appropriate management of reproductive tract infections (RTIS)
36 including sexually transmitted infections (STIS), human immunodeficiency virus (HIV) and
37 acquired immune deficiency syndrome (AIDS), breast and reproductive tract cancers, and other
38 gynecological conditions;
- 39 7. Healthy lifestyle activities;
- 40 9. Care of the elderly;
- 41 10. Health services for women with disabilities;
- 42 11. Post-menopausal services;

1 12. VAW Services -- Women victims and survivors shall be given provision and access to
2 comprehensive services which include psychosocial therapeutic interventions and assistance
3 toward healing, recovery and empowerment. Perpetrators of VAW should also be given access
4 to psychological therapy and rehabilitation.

5 (B) *Comprehensive Health Information and Education.* - The State shall make it
6 accessible to women and all citizens an accurate information and relevant materials on women's
7 health. The Department of Health through all its satellite offices and branches and all
8 government hospitals must provide informational references discussing responsible parenthood
9 and health values including but not limited to the important role of parents in the total formation
10 of their children; the formation of a person's sexuality that affirms human dignity; issues
11 covering unwanted pregnancy, sexual behaviour, contracting sexually transmitted diseases and
12 prevention, among others.

13 SECTION 11. *Equal rights in all matters relating to marriage and family relations.* The
14 State shall take all appropriate measures to eliminate discrimination against women in all matters
15 relating to marriages and family relations and shall ensure:

16 (1) The same right to enter into and leave partnership or relationships consistent
17 with the provisions on family and women in the 1987 Philippine Constitution and those referred
18 to in the Family Code of the Philippines;

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

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

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

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

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

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

31 CHAPTER IV

32 RIGHTS AND EMPOWERMENT OF MARGINALIZED SECTORS

33 Women are guaranteed all the rights-civil, political, social and economic recognized,
34 promoted and protected under existing laws, including but not limited to the Indigenous Peoples'
35 Rights Acts, Urban Development and Housing Act, Comprehensive Agrarian Reform Law,
36 Fisheries Code, Labor Code, Migrant Workers Act, Solo Parents welfare Act and Social reform
37 and Poverty Alleviation Act.

38 SECTION. 12. The State shall recognizes the contribution of women to food production
39 and shall therefore ensure sustainability and sufficiency of its activities in the household and
40 community levels. To address this, the state shall ensure:

41 (A) *Right to Food and Nutrition* - The State shall guarantee the availability of food in
42 quantity and quality sufficient to satisfy the dietary needs of individuals and the physical and

1 economic accessibility of everyone to adequate food that is culturally acceptable and free from
2 unsafe substances.

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

4 The State shall promote the right to adequate food by proactively engaging in activities
5 intended to strengthen access to and utilization of resources and means to ensure women's
6 livelihood, including food security:

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

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

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

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

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

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

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

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

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

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

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

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

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

40 SECTION 13. *Right to Decent Shelter.* – The State shall develop a decent shelter
41 program for women that are localized, simple, accessible, secure, with viable employment
42 opportunities and affordable amortization. In this regard, the State shall consult women and

1 involve them in community planning and development especially in matters pertaining to land
2 use, zoning and relocation.

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

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

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

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

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

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

11 (F) In recognition of the temporary nature of overseas work, the State shall exert all
12 efforts to address the causes of out-migration by developing local employment and other
13 economic opportunities for women and by introducing measures to curb violence and forced and
14 involuntary displacement of local women. The State shall ensure the protection and promotion of
15 the rights and welfare of migrant women regardless of their work status;

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

18 (H) Employment opportunities for returning women migrant workers taking into account
19 their skills and qualifications. Corollarily, the State shall also promote skills and
20 entrepreneurship development of returning women migrant workers.

21 SECTION 15. *Right to Education and Training* – The State shall ensure the following:

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

24 (B) Gender-sensitive trainings and seminars;

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

27 SECTION. 16. *Right to Representation and Participation* – The State shall ensure
28 women's participation in policy-making or decision-making bodies in the regional, national,
29 and international levels. It shall also ensure the participation of at least thirty three percent
30 (33%) grassroots women leaders in decision and policy making bodies in their respective
31 sectors, including but not limited to, Presidential Agrarian Reform Council (PARC) and local
32 counterparts; community-based resource management bodies or **mechanisms on forest**
33 **management and stewardship**; National Fisheries and Aquatic Resources Management Council
34 (NFARMC) and local counterparts; National Commission on Indigenous peoples, Presidential
35 Commission for the Urban Poor and where applicable, local housing boards; and **National**
36 **Anti-Poverty Commission**.

37 SECTION 17. *Rights to Information* – Access to information regarding policies on
38 women, including programs, projects and budget shall ensured.

39 SECTION 18. *Social Protection* –

40 (A) The Social Security System (SSS) and the Philippine Health Insurance
41 Corporation (Philhealth) shall support indigenous and community-based social protection
42 schemes.

1 economic accessibility of everyone to adequate food that is culturally acceptable and free from
2 unsafe substances.

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

4 The State shall promote the right to adequate food by proactively engaging in activities
5 intended to strengthen access to and utilization of resources and means to ensure women's
6 livelihood, including food security:

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

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

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

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

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

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

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

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

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

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

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

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

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

40 SECTION 13. *Right to Decent Shelter.* -- The State shall develop a decent shelter
41 program for women that are localized, simple, accessible, secure, with viable employment
42 opportunities and affordable amortization. In this regard, the State shall consult women and

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

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

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

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

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

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

21 (C) Include peace perspective in the education curriculum and in other educational
22 activities

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

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

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

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

30 (C) Equal access of girl children and those from the cultural communities in the
31 Madaris, schools of living culture and traditions and the regular school, shall be ensured;

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

34 (E) Sensitivity of regular schools to particular indigenous practices and cultural
35 communities, such as fasting in the month of Ramadhan, choice of clothing (including the
36 wearing of hijab), halal food shall be ensured.

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

41 CHAPTER V

42 INSTITUTIONAL MECHANISMS

1 SECTION 23. *Gender Mainstreaming as the strategy for implementing the Magna*
2 *Carta of Women.* All agencies, national and local, State colleges and universities, government
3 owned and controlled corporations including local government units, shall adopt gender
4 mainstreaming as the strategy to eliminate gender discrimination in their systems, structures,
5 policies, programs, processes and procedures that shall include but not be limited to the
6 following:

7
8 (A) *Articulation of gender concerns in national plans and programs.* Gender issues
9 and concerns shall be articulated and addressed in the following national policies and plans:

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

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

28 (C) *GAD focal points.* Key fulltime and permanent personnel with a rank not lower
29 than a director or its equivalent shall be appointed as GAD focal point in each government entity,
30 agency and LGU. She/he shall serve as the catalysts and/or advocates that will facilitate the
31 implementation of this Act. She/he shall likewise lead in the conduct of GAD-related initiatives
32 in their respective agencies;

33 (D) *Sex-disaggregated data.* All government entities, agencies and LGU's shall
34 develop and maintain their own database of sex-disaggregated that have been systematically
35 gathered. Their data shall be regularly updated and subjected to gender analysis for planning,
36 programming and policy formulation;

37 In partnership with all relevant government agencies and institutions, non-
38 government and people's organizations and the private sectors, the NCRFW shall develop a
39 National Framework Plan for Women aimed at empowering women as well as men to achieve
40 gender equality, to be used as a guide in the formulation of the abovementioned plans and
41 programs.

1 Local government units (LGU's) shall likewise be encouraged to develop and pass
2 their respective GAD Codes, with the meaningful participation of women's rights and gender
3 advocates, in their respective units.

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

9 SECTION 25. *The National Commission on the Role Of Filipino Women (NCRFW).*
10 As the primary coordinating agency and policy advisory on women and gender concerns under
11 the Office of the Presidents, the NCRFW shall be the overall monitoring body to ensure the
12 implementation of this Act. As such, it shall direct all agencies to regularly submit an
13 accomplishment report on the implementation of this Act and immediately respond to the
14 problems brought to their attention in relation to the implementation of this Act. It shall also lead
15 in ensuring that government entities and agencies are sufficiently and effectively capacitated on
16 effective implementation of this Law

17 SECTION 26. *The Gender and Development (GAD) Monitor.* A gender and
18 development Monitor shall be established in the Commission on Human Rights. The GAD
19 Monitor shall:

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

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

39 CHAPTER VI

40 FINAL PROVISIONS

41 SECTION 28. *Implementing Rules and Regulations.* – As the lead agency, the
42 NCRFW shall, in coordination with the Commission on Human Rights and all departments and

1 agencies formulate the Implementing Rules and Regulations (IRR) of this Act within ninety (90)
2 days after its effectivity.

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

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

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

11 Approved,
12
13
14
15
16
17
18
19
20
21