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First Regular Session)

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SENATE

P.S. RES. NO. 64

RECEIVED BY (Signature)

INTRODUCED BY SENATOR PIA S. CAYETANO

A RESOLUTION

DIRECTING THE SENATE COMMITTEE ON YOUTH, WOMEN AND FAMILY RELATIONS AND OTHER APPROPRIATE COMMITTEES TO CONDUCT A REVIEW, IN AID OF LEGISLATION, OF EXISTING LAWS WHICH ARE CONSIDERED DISCRIMINATORY TO WOMEN, NECESSITATING THEIR AMENDMENT OR REPEAL PURSUANT TO THE MAGNA CARTA OF WOMEN

Whereas, under the 1987 Philippine Constitution, 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 is a signatory to the "Convention on the Elimination of All Forms of Discrimination against Women" (CEDAW), a landmark international treaty which condemns discrimination against women in all its forms;

Whereas, as signatory to CEDAW, the Philippines agreed to pursue by all appropriate means, and without delay, a policy of eliminating discrimination against women, to incorporate the principle of equality of men and women in their legal system, to abolish all discriminatory laws and to adopt appropriate legislations prohibiting discrimination against women;

Whereas, in line with the policies embodied in CEDAW, Republic Act 9710 or the "Magna Carta of Women" was enacted into law defining "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, Sec. 12 of RA 9710 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, despite the increase of Philippine laws advancing women's rights, there remains in existence Philippine laws containing distinctions, exclusions and restrictions against women such as Articles 96, 124, 211 and 225 of the Family Code, Article 130 of the Labor Code, Articles 266 (c), 233, 234 of the Revised Penal Code and Articles 16, 122, 162, 180 of the Code of Muslim Personal Laws;

Whereas, many Filipino women continue to suffer discrimination despite the enactment of pro-women laws and the establishment of gender-equal institutional mechanisms;

Whereas, there is a need to review the discriminatory provisions against women in various existing laws to ensure that the Constitutionally-guaranteed rights of women

are upheld and to enable women to actively participate and contribute to our national development;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate Committee on Youth, Women and Family Relations and other appropriate committees conduct a review, in aid of legislation, of existing laws which are discriminatory to women with the end in view of amending or repealing these pursuant to RA 9710.

Adopted,


PIA S. CAYETANO