

Philippine
Commission
on Women



Women's Priority Legislative Agenda (WPLA)

Making Laws that Work for Women

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2018 National Women's Month Celebration

WE MAKE CHANGE WORK FOR *women*

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#WomenMakeChange

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on Women

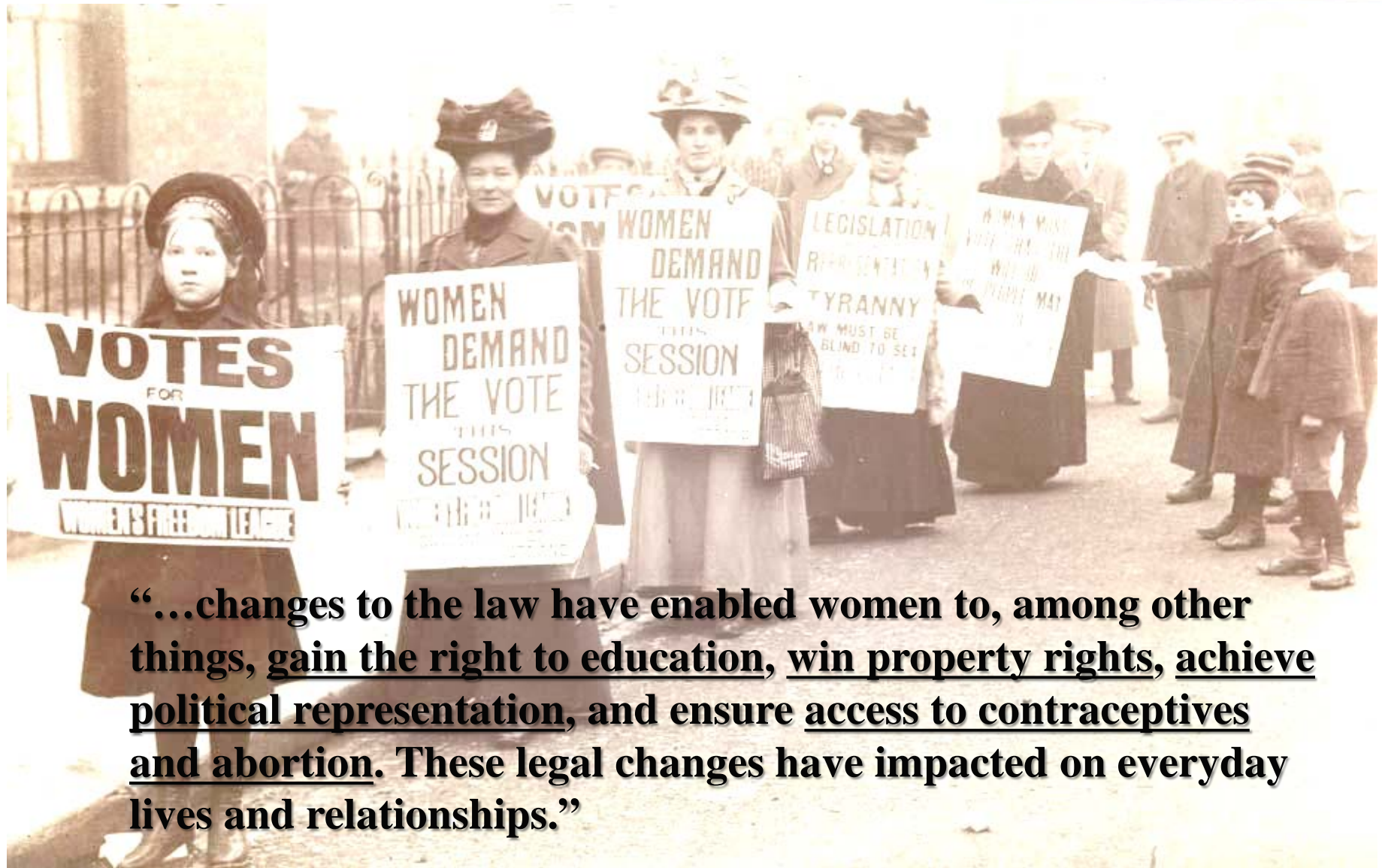




HOW HAVE WE MADE CHANGE
WORK FOR WOMEN?

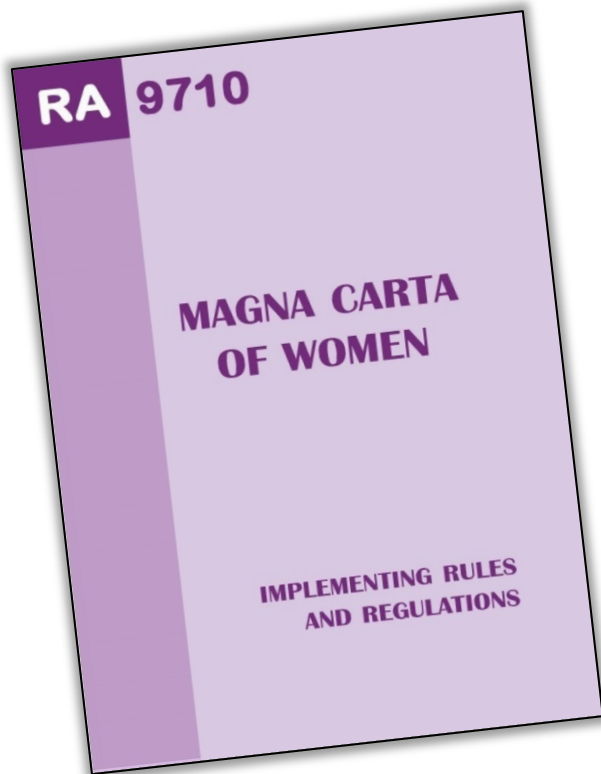
Legislation

Legislation is the process of making or enacting laws by the legislative branch of government and a law or set of laws.



“...changes to the law have enabled women to, among other things, gain the right to education, win property rights, achieve political representation, and ensure access to contraceptives and abortion. These legal changes have impacted on everyday lives and relationships.”

RA 9710 – Magna Carta of Women



- signed into law on August 14, 2009.
- is the local translation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women's (CEDAW) which is also known as the International Bill of Rights for Women
- MCW is a comprehensive women's human rights law that seeks to eliminate discrimination through the recognition, protection, fulfilment and promotion of the rights of Filipino women, especially those belonging in the marginalized sectors of the society



SALIENT POINTS OF THE MCW

- ❖ **accelerate participation and equitable representation of women** in all spheres of society particularly in the decision-making and policy processes in government and private entities
- ❖ **non-discrimination in employment in the field of military, police and other similar services**
- ❖ **provision for equal access and elimination of discrimination in education, scholarships, and training**

SALIENT POINTS OF THE MCW



WE ARE ALL WONDERWOMEN!



PH
CSW



- ❖ **non-discriminatory and non-derogatory portrayal of women in media and film**
- ❖ **provision by local government units (LGUs) of services and interventions to “Women in Especially Difficult Circumstances” or WEDC**

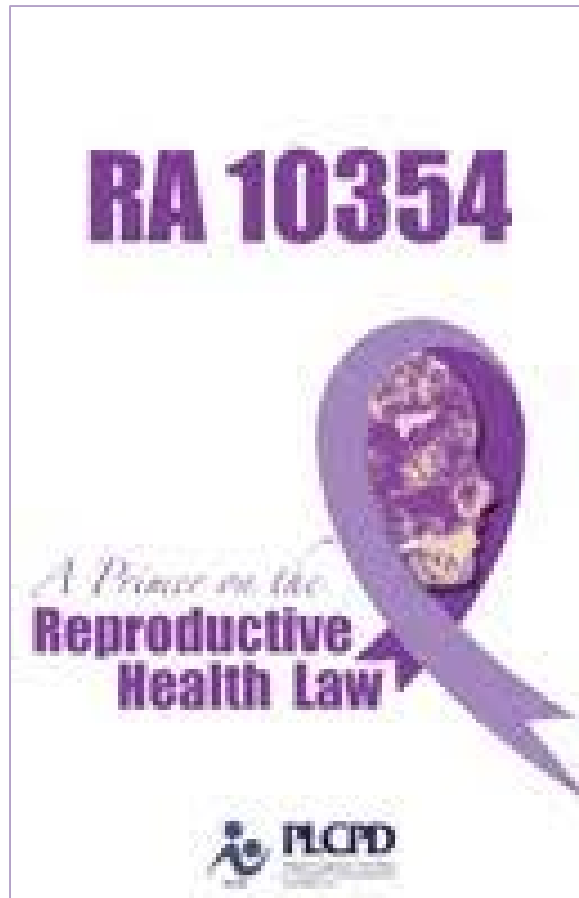
SALIENT POINTS OF THE MCW



- ❖ adoption of measures to eliminate all forms of discrimination against girl-children in education, health and nutrition, and skills development
- ❖ protection of women senior citizens from neglect, abandonment, domestic violence, abuse, exploitation and discrimination.
- ❖ prohibition of discrimination against women by public and private entities and individuals

Republic Act 10354

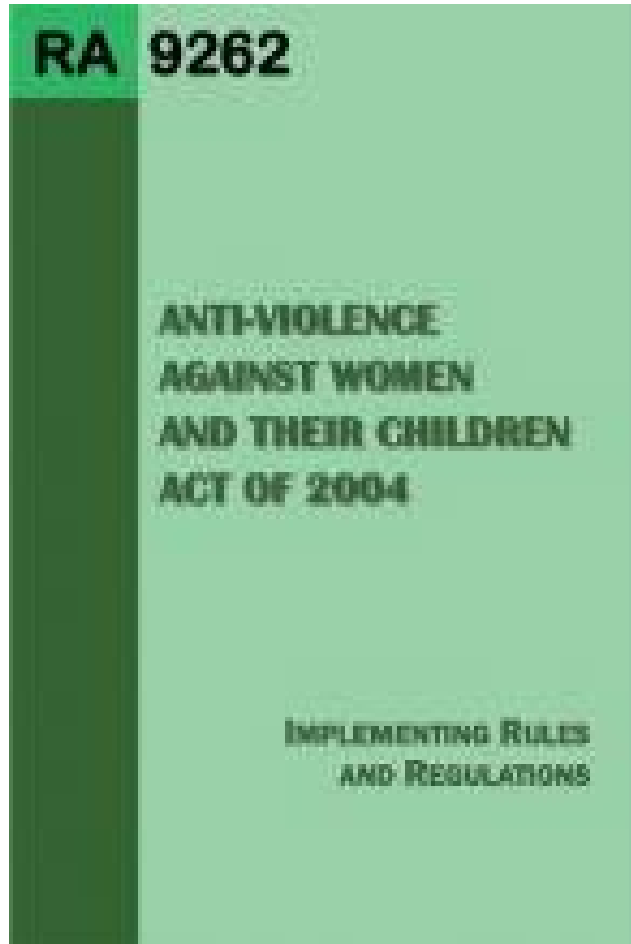
“Responsible Parenthood and Reproductive Health Act of 2012”



- empowers the Filipino people - couples, adult individuals, women and adolescents to have free and informed choice with regards to their sexual and reproductive health, which include preference and choice for family planning methods and determination of ideal family size.
- the law guarantees universal access to effective and quality RH care services especially to the poor and marginalized; and provision of age - and development-appropriate reproductive health education.

Republic Act 9262

“Anti-Violence Against Women and Their Children Act of 2004”



- Seeks to address the prevalence of violence against women and their children (VAWC) by their intimate partners like: husband or ex-husband, live-in partner or former live-in partner, boyfriend/girlfriend or ex-boyfriend/ex-girlfriend, and dating partner or former dating partner;
- It gives the offended party to file a criminal action, or apply for Protection Order either as an independent action or as an incident in civil or criminal action and other remedies.



Republic Act 8972 “Solo Parents' Welfare Act of 2000”



- the law provides for benefits and privileges to solo parents and their children.
- It aims to develop a comprehensive package of social development and welfare services for solo parents and their children to be carried out by the Department of Social Welfare and Development (DSWD), as the lead agency, various government agencies including NSO and other related NGOs.
- It gives solo parents 7-day parental leave subject to conditions specified in the law.



OTHER WOMEN-RELATED LAWS

Anti-Sexual Harassment Act of 1995 (R.A. 7877)

Anti-Rape Law of 1997 (R.A. 8353)

Rape Victim Assistance and Protection Act of 1998 (R.A. 8505)

Anti-Trafficking in Persons Act of 2003 (R.A. 9208 as amended by R.A. 10364)

Anti-Child Pornography Act (RA 9775, 2009)

Anti-Photo and Video Voyeurism Act (RA 9995, 2009)

An Act Allowing the Employment of Night Workers of 2011 (RA 10151, 2011)

Cybercrime Prevention Act (RA 10175, 2012)

Domestic Workers Act or Batas Kasambahay (RA 10361, 2013)

Anti-Mail Order Spouse Law (RA 10906, 2016)



PCW as oversight

The Philippine Commission on Women shall:

- Serve as the overall monitoring body and oversight to ensure the law's implementation.
- Review, evaluate, and recommend measures, including priorities to ensure the full integration of women for economic, social and cultural development at national, regional and international levels, to ensure further equality between women and men.

Hence,

the *Women's Priority Legislative Agenda*

Women's Priority Legislative Agenda



- a set of proposed topics of bills that seek to amend or repeal discriminatory provisions of existing laws and advocate for the formulation and passage of new laws that promote women's empowerment and gender equality

Women/GAD-Related Laws

Enacted in the 16th Congress

RA 10655: An Act Repealing the Crime of Premature Marriage under Article 351 of the Revised Penal Code

(enacted on March 13, 2015)





Women's *P*riority *L*egislative *A*genda for the 17th Congress



Women's Priority Legislative Agenda for the 17th Congress

1. Amendments to RA 8353 or the Anti-Rape Law of 1997

Proposed amendment:

- ✓ Redefine acts of rape and **highlight the essential element of lack of consent**; remove the requirement that sexual assault be committed by force, and any requirement of the proof of penetration;
- ✓ Repeal Article 266-C. *Effect of Pardon* of the Anti-Rape Law
Subsequent valid marriage with and forgiveness by the offended party should not extinguish criminal liability ;
- ✓ Increase age of statutory rape **from under 12 years old to under 16 years old.**



Women's Priority Legislative Agenda for the 17th Congress

2. Equalizing Maternity Leave and Increasing it to 100 Days

Proposed Amendments:

- ✓ Equal maternity leave benefits for employed women regardless of employment status in both the government and private sectors;
- ✓ 100 days (or 14 weeks) paid maternity leave, with optional additional 30 days leave without pay; and
- ✓ Security of tenure to all women employees availing of the maternity leave.



Women's Priority Legislative Agenda for the 17th Congress

3. Anti-Marital Infidelity Bill to amend Articles 333 and 334 on Adultery and Concubinage

- ✓ Repeals RPC Articles 333 and 334;
- ✓ Decriminalizes marital infidelity but still considers it as illegal or unlawful and could be used as grounds for legal separation;
- ✓ Continues to be one of the manifestations of psychological violence under RA 9262;
- ✓ Could serve as basis to sue for ordinary damages under the Civil Code (i.e. psychological pain and suffering) against the offending/guilty spouse and the third party involved.



Women's Priority Legislative Agenda for the 17th Congress

4. Enactment of Women's Political Participation and Representation Act

Proposed Amendments:

- ✓ Adoption of gender quotas;
- ✓ Creation of a women's campaign fund for aspiring women candidates, especially those belonging to marginalized sectors;
- ✓ Training and support for women's gender-responsive and transformational leadership; and
- ✓ Promotion of gender-responsive voter's education.





Women's Priority Legislative Agenda for the 17th Congress

5. Amendments to RA 7877 or the Anti-Sexual Harassment Law of 1995

Proposed Amendments:

- ✓ Expand the scope of acts constituting sexual harassment by redefining the term, the prohibited acts and the ones committing the crime
- ✓ Consider peer-to peer sexual harassment and emerging forms of SH not covered by the current provisions of the law
- ✓ Strengthen the monitoring mechanism to ensure the creation of a Committee on Decorum and Investigation (CODI) of cases on sexual harassment in all private and public offices.



Women's Priority Legislative Agenda for the 17th Congress

6. Amendments to certain provisions of the Family Code

To equalize
the weight
of the
decision of
husband/
father and
wife/mother

Parental Consent to Marry (Article 14)

**Administration of Community or Conjugal
Properties (Articles 96 and 124)**

**Parental Authority Over The Person And Legal
Guardianship Over The Property Of Common
Children (Articles 211 and 225)**



Women's Priority Legislative Agenda for the 17th Congress

7. Repeated physical abuse as a ground for legal separation

Art. 55, Family Code. A petition for legal separation may be filed on any of the following grounds:

- (1) Repeated physical violence or grossly abusive conduct directed against the petitioner, a common child, or a child of the petitioner; xxx*

Proposed Amendment:

- ✓ The provision should be amended to include sexual violence and remove “repeated” and “grossly”, and focus on the acts committed rather than the severity and instances of violence and abusive conduct.



Women's Priority Legislative Agenda for the 17th Congress

8. Women in the Informal Economy: Providing Measures for the Transition from the Informal to the Formal Economy

Proposed Amendments:

- ✓ Provides for the conceptual and operational definition of the informal economy and its components in the Philippine context based on the ILO framework;
- ✓ Recognizes, promotes, protects and fulfills the rights of every worker in the informal economy;
- ✓ Promotes gender equality and eliminates gender-based discrimination in entrepreneurship and employment;
- ✓ Pays special attention to those who are especially vulnerable to the most serious decent work deficits in the informal economy.



Women's Priority Legislative Agenda for the 17th Congress

9. Anti-Prostitution Bill to amend Articles 202 & 341 of RPC

Amendment highlights:

- ✓ Redefines prostitution and persons exploited in prostitution;
- ✓ Targets the demand side of prostitution by shifting the criminal liability from the persons exploited in prostitution to those who buy them (i.e., customers) and those who are involved in the promotion or facilitation of such act (i.e, pimps, traffickers, etc);
- ✓ Regards prostituted persons as victims not criminals and establish support mechanisms for them to get out of the system of prostitution;
- ✓ Accords higher penalties to those who attempt to or actually commit child prostitution.



Women's Priority Legislative Agenda for the 17th Congress

10. Repeal Art. 247 of Revised Penal Code, Death under Exceptional Circumstances

- ✓ Remove the provision that justifies the infliction of physical injuries or even death by a spouse or a parent upon the other spouse or daughter, respectively, when the former catches the latter in the act of committing sexual intercourse with another person.





Women's Priority Legislative Agenda for the 17th Congress

11. Anti-Discrimination Based on Sexual Orientation and Gender Identity (SOGI)



- ✓ Prohibits violence and discrimination on the basis of sexual orientation or gender identity;
- ✓ Addresses violence and discriminatory policies and practices directed towards LGBT persons in schools, workplaces, commercial establishments, public service, and law enforcement agencies.



Women's Priority Legislative Agenda for the 17th Congress

12. Divorce Law

- ✓ Permits divorce
- ✓ Allows women to remarry after divorce
- ✓ Grants women and men the same rights to administer property during marriage and equal rights to property on divorce
- ✓ Grants women the right to initiate divorce on the same terms as men



CHALLENGES FOR THE PASSAGE OF WOMEN-RELATED LAWS



- There is no existing version (either in one or both House of Representatives and the Senate);
- the proposed bill doesn't conform/violates the existing international laws/documents;
- requires budget/appropriations and if the version doesn't provide clear provision where the budget will be sourced the chances that it will take time to be passed;
- problem with Committee Referral, sometimes it is referred to a wrong committee;
- not a priority of the legislative committee; and
- short timeline/timeframe to pass the bill;

CHALLENGES FOR THE PASSAGE OF WOMEN-RELATED LAWS



- prevailing culture of both the legislators and pressure groups like faith-based organizations and the church itself would;
- dynamics of political parties in the Congress.

NEXT >> STEPS



- First, we must inform and engage women as stakeholders of government programs and services to promote citizen-centric governance and make “change” a conscious effort to know, understand, and provide what ALL citizens need;

NEXT >> STEPS

- Second, we must create and facilitate platforms to discuss good practices, gaps, challenges, and commitments in pursuing gender and development (GAD) – to strengthen implementation of the Magna Carta of Women;



NEXT >> STEPS



- Lastly, we must inspire and empower women and girls to be agents of change – to contribute in promoting gender equality and the empowerment of all women.



THANK YOU !