

WHAT ARE THE PENALTIES OF VIOLATORS?

If the violation is committed by a government agency or any government office, including government-owned and controlled corporations, and local government units, the person directly responsible for the violation, as well as the head of agency or local chief executives shall be held liable under the MCW. The sanctions under administrative law, civil service or other appropriate laws shall be recommended by the Commission on Human Rights to the Civil Service Commission and the Department of the Interior and Local Government. In cases where violence has proven to be perpetrated by agents of the State, such shall be considered aggravating offenses with corresponding penalties depending on the severity of the offenses.

If the violation is committed by a private entity or individual, the person directly responsible for the violation shall be liable to pay damages.

The offended party can also pursue other remedies available under the law and can invoke any of the provisions of existing laws, especially those that protect the rights of women.

For more information, please contact:

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**Philippine
Commission
on Women**



MAGNA CARTA OF WOMEN

R.A. 9710

WHO WILL BE RESPONSIBLE FOR IMPLEMENTING THE MCW?

The State, the private sector, society in general, and all individuals shall contribute to the recognition, respect, and promotion of the rights of Women defined and guaranteed in the MCW.

The **Philippine government** shall be the primary duty-bearer in implementing the said law. It is tasked to refrain from discriminating against women and violating their rights; protect women against discrimination and from violation of their rights by private corporations, entities, and individuals; and promote and fulfill the rights of women in all spheres, including their rights to substantive equality and non-discrimination.

The government shall fulfill these duties through the development and implementation of laws, policies, regulatory instruments, administrative guidelines, and other appropriate measures, including temporary special measures. It shall also establish mechanisms to promote the coherent and integrated implementation of the MCW and other related laws and policies to effectively stop discrimination against Filipino women.

WHAT ARE THEN SPECIFIC RESPONSIBILITIES OF THE GOVERNMENT UNDER THE MCW?

The Magna Carta of Women mandates all government offices, including government-owned and controlled corporations and local government units to adopt gender mainstreaming as a strategy for implementing the law and attaining its objectives. It also mandates (a) planning, budgeting, monitoring and evaluation for GAD (b) the creation and/or strengthening of gender and development focal points, and (c) the generation and maintenance of gender statistics and sex-disaggregated databases to aid in planning, programming, and policy formulation.

The **Philippine Commission on Women (PCW)** shall be the overall monitoring and oversight body to ensure the implementation of the law. It shall be the primary policy-making and coordinating body for women and gender equality concerns and shall lead in ensuring that government agencies are capacitated on the effective implementation of MCW. Consistent with its mandates, the **Commission on Human Rights (CHR)** shall act as the Gender and Development Ombud to ensure the promotion and protection of human rights. The **Commission on Audit (COA)** shall conduct an annual audit on government offices' use of their gender and development budgets for the purpose of determining its judicious use and the efficiency, and effectiveness of intervention in addressing gender issues.

What is RA 9710 or the Magna Carta of Women?

The RA 9710 or the Magna Carta of Women (MCW) of 2009

is a comprehensive women's human rights law that seeks to eliminate discrimination against women by recognizing, respecting, protecting, fulfilling and promoting the rights of Filipino women, especially those in the marginalized sectors.

What is discrimination against women?

- ◆ 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 the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field;
- ◆ Any act or omission, including by law, policy, administrative measure, or practice, that directly or indirectly excludes or restricts women in the recognition and promotion of their rights and their access to enjoyment of opportunities, benefits, or privileges;
- ◆ A measure or practice of general application that fails to provide for mechanisms to offset or address sex and gender-based disadvantages or limitations of women, as a result of which women are denied or restricted in the recognition and protection of their rights and in their access to and enjoyment of opportunities, benefits, or privileges; or women, more than men are shown to have suffered the greater adverse effects of those measures or practices and
- ◆ Discrimination compounded by or intersecting with other grounds, status, or condition, such as ethnicity, age, poverty, or religion.

What are the rights of women guaranteed under the Magna Carta of Women?

All rights in the Philippine Constitution and those rights recognized under international instruments duly signed and ratified by the Philippines, in consonance with Philippine laws shall be rights of women under the Magna Carta of Women. These rights shall be enjoyed without discrimination since the law prohibits discrimination against women, whether done by public and private entities or individuals.

The Magna Carta of Women spells out the following rights:

- Protection from all forms of violence, including those committed by the State
- Protection and security in times of disaster, calamities, and other crisis situations
- Participation and representation
- Equal treatment before the law
- Equal access and elimination of discrimination against women in education, scholarships and training
- Equal participation in sports
- Non-discriminatory in employment in the field of military, police, and other similar services
- Non-discriminatory and non-derogatory portrayal of women in media and film
- Comprehensive health services and health information and education
- Special leave benefits
- Equal rights in matters relating to marriage and family relations

The Magna Carta of Women also guarantees the following civil, political and economic rights of women in the marginalized sectors:

- ◆ Food security and resources for food production
- ◆ Localized, accessible, secure, and affordable housing
- ◆ Decent work standards
- ◆ Employment, livelihood, credit, capital and technology
- ◆ Skills training
- ◆ Representation and participation
- ◆ Access to information
- ◆ Social protection
- ◆ Recognition and preservation of cultural identity and integrity
- ◆ Inclusion in discussions on peace and development
- ◆ Services and interventions for Women in Especially Difficult Circumstances
- ◆ Protection of Girl-Children
- ◆ Protection of Senior Citizens

“All individuals are equal as human beings by virtue of the inherent dignity of each human person. No one, therefore, should suffer discrimination on the basis of ethnicity, gender, age, language, sexual orientation, race, color, religion, political, or other option, national, social, or geographical origin, disability, property, birth, or other status as established by human rights standards”. (MCW, Sec. 3)