

## WHO IS RESPONSIBLE IN IMPLEMENTING THE MAGNA CARTA

All government offices, including local government units, government-owned and controlled corporations shall be responsible to implement the provisions of MCW. As the primary duty-bearer, the Government 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;
- 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.

## WHAT ARE THE SPECIFIC RESPONSIBILITIES OF GOVERNMENT UNDER THE MAGNA CARTA OF

The Magna Carta of Women mandates all government offices, and other duty bearers to adopt gender mainstreaming as a strategy in implementing the law and attaining its objectives. It also mandates:

- (a) planning, budgeting, monitoring and evaluation for gender and development,
- (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 National Commission on the Role of Filipino Women or later known as Philippine Commission on Women (PCW) shall be the overall monitoring and oversight body to ensure the implementation of the law. It will serve as an agency under the Office of the President of the Philippines which is responsible for policy-

With this, the Commission on Human Rights shall act as the Gender and Development Ombud to ensure the promotion and protection of women's human rights.

The Commission on Audit shall conduct an annual audit on the government offices' use of their gender and development budgets for the purpose of determining its judicious use and the efficiency, and effectiveness of interventions in addressing gender issues.

Local government units are also encouraged to develop and pass a gender and development code to address the issues and concerns of women in their respective localities based on consultation with their women constituents.

## WHAT ARE THE PENALTIES OF VIOLATORS?

If the violation is committed by any of the duty bearers, the person directly responsible for the violation, as well as the head of the agency or local chief executive 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 been 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. Further, the offended party can also pursue other remedies available under the law and can invoke any of the other provisions of existing laws, especially those that protect the rights of women.

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# THE MAGNA CARTA OF WOMEN



## WHAT IS MAGNA CARTA OF WOMEN?

Magna Carta of women is a human rights law that seeks to eliminate discrimination against women.

It recognizes, protects, fulfills and promotes the rights of Filipino women under the marginalized sectors.

These sectors include small farmers and rural workers, fisherfolks, urban poor, workers in the formal and informal economy, migrant workers, indigenous people, moro children, senior citizens, person with disabilities, and solo parents.

The Magna Carta of Women defined **discrimination against women** as any act that fails to provide mechanism in offsetting the gender- based limitations of women that results to restriction, recognition, and protection of their human rights and access to the enjoyment of opportunities and privileges and any other fundamental freedoms (economic, social, political, etc.).

## WHAT ARE THE RIGHTS OF WOMEN GUARANTEED UNDER THE MCW?

### Protection from violence

- Protection of women from all forms of sexual abuse and in situations of armed conflicts
- Mandatory training on human rights and gender sensitivity of all government personnel
- Establishment of Violence against women desk in every barangay



### Protection and security in times of disasters and calamities especially in relief and recovery, rehabilitation and construction efforts.

- Immediate humanitarian assistance, allocation of resources, early resettlement, responses to disasters such as livelihood support, health services, etc.



### Participation and equitable representations in all spheres of society particularly in decision-making and policy-making processes

- Empowerment in Civil Service
- Participation in Development Councils and Planning bodies, Policy and Decision-Making Bodies, as well as the International Bodies
- Integration of women in Political Parties
- Leadership in private sectors



### Equal treatment before the law.

- Repeal existing laws that are discriminatory to women

### Equal access and elimination of discrimination in education, scholarships and trainings.

- Use of gender sensitive language at all times
- Revision of educational materials to remove gender stereotypes
- Enrollment of women in non-traditional skills training in vocational tertiary levels is encouraged.
- Outlaw the expulsion of women faculty due to pregnancy without marriage



### Women in sports

- Strengthen programs in competitive and non-competitive sports to promote well-being
- Provide materials and incentives to organizations promoting sports
- Ensured safety and medical insurances

### Women in the military

- Promotional privileges, pay increase, additional benefits, and awards are based on competency and quality of performance
- The dignity of women shall always be respected, and be accorded with the same capacity as men in entering contracts, including marriage, as well as be entitled to maternity leave



### Non-discriminatory and non-derogatory portrayal of women in media and film

- Ensure space, airtime, production, and concerns in all forms of media, communication and advertising

### Women's right to health

- Comprehensive health services and health information and education covering all stages of a woman's life cycle, which addresses the major causes of women's mortality and morbidity
- Access to maternal care, and responsible, ethical, legal, safe and effective methods of family planning, and healthy lifestyle activities to prevent diseases



### Special leave benefits for women.

- Leave benefits of two (2) months with full pay based on gross monthly compensation, for women employees who undergo surgery caused by gynecological disorders, if they have rendered employment service of at least six (6) months

### Equal rights in all matters relating to marriage and family

- The State shall ensure the same rights of women and men to: enter into and leave marriages, freely choose a spouse, decide on the number and spacing of their children
- Enjoy personal rights including the choice of a profession, and administer their property, and acquire, change, or retain their nationality



## The Magna Carta of Women also guarantees the civil, political and economic rights of women in the marginalized sectors, particularly their

- Food security and resources for food production, including equal rights in the land titling and issuance of stewardship contracts and patents;
- Localized, accessible, secure and affordable housing;
- Employment, livelihood, credit, capital and technology;
- Skills training, scholarships, especially in research and development aimed towards women friendly farm technology;
- Representation and participation in policy-making or decision making bodies in the regional, national, and international levels;
- Access to information regarding policies on women, including programs, projects and funding outlays that affect them;
- Social protection;
- Recognition and preservation of cultural identity and integrity provided that these cultural systems and practices are not discriminatory to women;
- Inclusion in discussions on peace and development;
- Services and interventions for women in especially difficult circumstances;
- Protection of girl-children against all forms of discrimination in education, health and nutrition, and skills development; and
- Protection of women senior citizens.

