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SENATE

P. S. RES. NO. 573

RECEIVED BY: 

Introduced by **SENATOR LEILA M. DE LIMA**

RESOLUTION
EXPRESSING THE SENSE OF THE SENATE
AFFIRMING THE STATE OBLIGATION OF THE PHILIPPINES
TO PROTECT WOMEN HUMAN RIGHTS DEFENDERS
FROM GENDER-BASED VIOLENCE IN ITS VARIOUS FORMS

WHEREAS, the 1987 Constitution in Article II Section 11 states that “[t]he State values the dignity of every human person and guarantees full respect for human rights”;

WHEREAS, the Constitution also states in Article II Section 14 that “[t]he State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men”;

WHEREAS, the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), ratified by the Philippines on 5 August 1981, obligates the State Parties, including the Philippines to undertake, *inter alia*, legislative measures to eliminate all forms of discrimination against women;

WHEREAS, discrimination against women is defined under the CEDAW as any distinction, exclusion or restriction made on the basis of sex 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;¹

WHEREAS, the Committee on Elimination of Discrimination Against Women in its General Recommendation No. 19 explains that discrimination includes gender-based violence,² and the rights violated in the commission of the same includes, among others, the right to life; the right not to be subject to torture or to cruel, inhuman or

1 UN Convention on the Elimination of all forms of Discrimination Against Women, Article 1.

2 General Recommendation No. 19, par.1

degrading treatment or punishment; the right to liberty and security of person; and the right to equal protection under the law;

WHEREAS, Republic Act No. 9710 or the Magna Carta of Women Act of 2009, in its Declaration of State Policy provides “[t]he State condemns discrimination against women in all its forms and pursues by all appropriate means and without delay the policy of eliminating discrimination against women in keeping with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and other international instruments consistent with Philippine law”;

WHEREAS, Section 8 of the Magna Carta of Women states that “[a]ll rights in the Constitution and those recognized under international instruments duly ratified by the Philippines, in consonance with Philippine law, shall be rights of women under this Act to be enjoyed without discrimination”;³

WHEREAS, the report of the Working Group on the Philippines’ Report for its 3rd cycle reporting in the Universal Periodic Review last May 2017, provides recommendations from member States in the Human Rights Council calling for the action to combat crimes committed against Human Rights Defenders;⁴

WHEREAS, the concern of UN member states underscore the need to examine protection gaps for human rights defenders who deal with intersecting violations and discrimination especially compounded by their gender;

WHEREAS, women human rights defenders are victims and potential targets of physical assault, sexual violence, misogynistic attack, and even death, all of which are forms of gender-based violence;

WHEREAS, in a news report in the Philippine Star’s issue on 29 November 2017, human rights groups *Tanggol Bayi* and *Karapatan* claimed that 17 women activists were summarily killed under the Duterte administration with most of them being peasant leaders and members of various human rights advocacy groups;⁵

WHEREAS, civil society organizations have brought to the attention of the government cases of continuing harassment, enforced disappearances, and killings of human rights defenders, coupled with a low level of investigations into, and prosecutions and convictions for these crimes;⁶

3 Republic Act No. 9710, Section 8.

4 See, Report of the Working Group (A/HRC/36/12), Retrieved from <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Phindex.aspx>. Accessed on 07 December 2017.

5 Marcelo, Elizabeth. (29 November 2017). Philippine Star, *Women human rights defenders say they face ‘grave challenge’ under Duterte*. Retrieved from <http://www.philstar.com/headlines/2017/11/29/1763688/women-human-rights-defenders-say-they-face-graver-challenge-under>. Accessed on 11 December 2017.

6 Amnesty International. (22 February 2017). Amnesty.org, *State of the World’s Human Rights*. Retrieved from <https://www.amnesty.org/en/documents/pol10/4800/2017/en/>. Accessed on 07 December 2017.

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED,
by way of the sense of the Senate, that the Senate considers the Filipino women human rights defenders to be victims and potential targets of gender-based violence for which they should be protected by all relevant agencies and mechanisms of government, by way of investigation and prosecution of those who may be liable for deaths, physical assaults, verbal violence, and other forms of abuses.

Adopted,


LEILA M. DE LIMA