

Law	Annotation	Commentary
RA No. 9710 - Magna Carta of Women of 2009 https://www.officialgazette.gov.ph/2009/08/14/republic-act-no-9710/	The Magna Carta of Women is a comprehensive women's human rights law that seeks to eliminate discrimination against women The Magna Carta of Women is a comprehensive women's human rights law that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women, especially those in marginalized sectors. Section 5. The State as the Primary Duty-Bearer. - The State as the primary duty-bearer, shall: - 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 fulfil the rights of women in all spheres, including their rights to substantive equality and non-discrimination.	“Migrant workers” is the term used for Filipinos who are engaged in work in a State of which they are not legal residents. Although they are overseas, it is the duty of the State to ensure their protection and promote their rights and welfare, regardless of status, whether documented or undocumented Prior to deployment, the State shall provide skills and language training, as well as cultural orientation. While working overseas, the State shall keep abreast with and be guided by progressive developments in the human rights of women under international law and the design of policies, laws, and other measures to promote the objectives of this Act Section 37 provides that a Gender Focal Point Officer shall be in the Philippine Embassies and Consulates. DFA Department Order No. 14-12, s. 2012 (Gender and Development Focal Point System) - Section 4.b states that the GAD Focal Point Officer must have at least five years of experience in working with gender-related matters and has attended intensive training on GAD and GAD-related areas such as Violence Against Women, Migration and HIV-AIDS. Before deployment of OWWA Welfare Officers and Assistants, their month-long training includes topics relevant to women's health. When OFWs return, the State shall promote skills or entrepreneurship development.
	The State shall fulfil these duties through law, policy, regulatory instruments, administrative guidelines, and other appropriate measures, including temporary special measures. Recognizing the interrelation of the human rights of women, the State shall take measures and establish mechanisms to promote the coherent and integrated implementation, and enforcement of this Act and related laws, policies, or other measures to effectively stop discrimination against and advance the rights of women.	

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	The State shall keep abreast with and be guided by progressive developments in the human rights of women under international law and design of policies, laws, and other measures to promote the objectives of this Act The Magna Carta of Women of 2009 (Republic Act No. 9710) defines a Gender and Development Program (GAD) as a development process that is participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and actualization of human potential. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices and contends that women are active agents of development, not just passive recipients of development.	
RA No. 11223 - Universal Health Care Act of 2018 https://lawphil.net/statutes/repacts/ra2019/ra_11223_2019.html	People-oriented approach for delivery of health services Section 2 (d). A people-oriented approach for the delivery of health services that is centered on people's needs and well-being, and cognizant of the differences in culture, values, and beliefs.	At the regional level, HIV and Mental Health medical support can be strengthened through provision of medical experts, health workers, personnel and facilities.

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RA No. 10606 - National Health Insurance Act of 2013 (amending RA No. 7875 of 1995) https://lawphil.net/statutes/repacts/ra2013/ra_10606_2013.html	Declaration of policy to institute a comprehensive medical care for all Filipinos, with emphasis on women “Section 2. Declaration of Principles and Policies. – It is hereby declared the policy of the State to adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost and to provide free medical care to the poor. Towards this end, the State shall provide comprehensive health care services to all Filipinos through a socialized health insurance program that will prioritize the health care needs of the underprivileged, sick, elderly, persons with disabilities (PWDs), women and children and provide free health care services to indigents.	Public health services is offered “for all groups such as women, children, indigenous people, displaced communities and communities in environmentally endangered areas, while the Program shall focus on the provision of personal health services.” The OFW families benefit from the Health Insurance Act but only to a certain extent as they have to shoulder expenses for medication. Only particular illnesses are covered and this does not include the long years of treatment of mental health.
RA No. 11166 - Philippine Comprehensive Policy on HIV and AIDS, 2018	An act strengthening the Philippine Comprehensive Policy on Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) Prevention, Treatment, Care, and Support, and, Reconstituting the Philippine National Aids Council (PNAC), repealing for the Purpose Republic Act No. 8504, otherwise known as: “Philippine Aids Prevention and Control Act of 1998”, and appropriating funds for an act strengthening the Philippine Comprehensive Policy on Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) Prevention, Treatment, Care, and Support, and, reconstituting the Philippine National Aids Council (PNAC), repealing for the Purpose Republic Act No. 8504, otherwise known as The “Philippine Aids Prevention and Control Act of 1998”, and appropriating funds.	The Province of Cebu has already put up an HIV Treatment Hub. This is part of the devolution process where dependence on the national office becomes less and less and the capacity of the region, province and cities and municipalities becomes more acute. This is not only true for consultation, but access to corresponding medicines as well.

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RA No. 11036 - Mental Health Act of 2018	Section 5. Rights of service users Service users shall enjoy , on an equal and nondiscriminatory basis, all rights guaranteed by the Constitution as well as those recognizes under the United Nations Universal Declaration of Human Rights and the Convention on the Rights of Persons with Disabilities and all other relevant international and regional human rights conventions and declarations, including the right to: (b) Exercise all their inherit civil, political, economic, social, religious, educational, and cultural rights respecting individual qualities, abilities, and diversity of background , without discrimination on the basis of physical disability, age, gender, sexual orientation, race, color, language, religion or nationality, ethnic, or social origin Section 14. Quality of Mental Health Services. - Mental health services provided pursuant to this Act Section 26. Capacity building, reorientation, and training. In close coordination with mental health facilities, academic institutions, and other stakeholders, mental health professionals, workers, and other service providers shall undergo capacity building, reorientation, and training to develop their ability to deliver evidence-based, gender-sensitive, culturally appropriate and human rights-oriented mental health services, with emphasis on the community and public health aspects of mental health.	Mental health services shall be provided “respecting individual qualities, abilities, and diversity of background , without discrimination on the basis of physical disability, age, gender, sexual orientation, race, color, language, religion or nationality, ethnic, or social origin” However, there is lack of psychiatrists in regions and in Philippine embassies or consulates where OFW populations are significant.

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RA No. 10022 - Migrant Workers Act of 2009 (Amending RA No. 8042 or the Migrant Workers and Overseas Filipinos Act of 1995) Omnibus Rules and Regulations of RA No. 8042 as amended by RA No. 10022 https://legacy.senate.gov.ph/republic_acts/ra%2010022.pdf	Shared Government Information System for Migration (SGISM) Section 13. Section 20 of Republic Act No. 8042, as amended, is hereby amended to read as follows: “Section 20. Establishment of a Shared Government Information System for Migration. – “The inter-agency committee shall convene to identify existing data bases which shall be declassified and shared among member agencies. These shared data bases shall initially include, but not be limited to, the following information: “(h) A tracking system of past and present gender disaggregated cases involving male and female migrant workers, including minors; The Department of Labor and Employment has established the OFW Assistance Information System (OASIS) https://www.dole.gov.ph/php_assets/uploads/2020/06/OASIS-Form-as-of-9-June-2020-9-pm.pdf	The Government Information System Management (GISM) is intended to be implemented through inter-agencies with shared database that tracks past and present gender disaggregated cases involving male and female migrant workers. The Migrant Workers and other Overseas Filipinos Resource Center will offer gender sensitive programs and activities to assist particular needs of women migrant workers. Within Philippine embassies located in countries with a significant population of Filipino migrant workers, a Migrant Workers and Other Overseas Filipinos Resource Center shall be established, providing a range of gender-sensitive services including counseling, legal aid, welfare assistance, social integration programs, registration of undocumented workers, human resource development, and gender-specific support for women migrant workers, operated jointly by government agencies and staffed by foreign service personnel, service attaches, and officers from host countries, with coordination by the Labor Attache and a counterpart assistance center at the Department of Foreign Affairs.
	Declaration of policy on the State's guarantee of equality before the law of men and women. employer.” 1. Rule 1 – General Provisions Section 1. Declaration of Policies (d) The State affirms the fundamental equality before the law of women and men and the significant role of women in nation building. Recognizing the contribution of overseas migrant women workers and their particular vulnerabilities, the State shall apply gender sensitive	To enhance migration governance, an inter-agency committee consisting of relevant government departments and agencies, such as the Department of Foreign Affairs, Commission on Filipino Overseas, Department of Labor and Employment, Philippine Overseas Employment Administration, Overseas Workers Welfare Administration, Department of Tourism, Department of Justice, Bureau of Immigration, National Bureau of Investigation, and National Statistics

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RA No. 10022 - Migrant Workers Act of 2009 (Amending RA No. 8042 or the Migrant Workers and Overseas Filipinos Act of 1995) Omnibus Rules and Regulations of RA No. 8042 as amended by RA No. 10022	criteria in the formulation and implementation of policies and programs affecting migrant workers and the composition of bodies tasked for the welfare of migrant workers. Definition of Gender Sensitivity 2. Rule 2 – Definition of Terms (q) Gender Sensitivity – refers to cognizance of the inequalities and inequities prevalent in society between women and men and a commitment to address issues with equal concern for the respective interest of the sexes. Section 3. Definitions. – For purposes of this Act: a. “Migrant worker” refers to a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a legal resident to be used interchangeably with Overseas Filipino Worker. b. “Gender-sensitivity” shall mean cognizance of the inequalities and inequities prevalent in society between women and men and a commitment to address issues with concern for the respective interests of the sexes. c. “Overseas Filipinos” refers to dependents of migrant workers and other Filipino nationals abroad who are in distress as mentioned in Sections 24 and 26 of this Act. Anti-illegal recruitment programs, mandate for comprehensive Pre-Employment Orientation Seminar. 3. Rule VI – Anti-Illegal Recruitment Programs	Office, will establish a shared government information system, with a gender focus, facilitating data exchange and collaboration, including shared master lists, legal case inventories, statistical profiles, information on legal systems and immigration policies, and a tracking system for gender-disaggregated cases, among other relevant information, to better address the needs and rights of migrant workers and overseas Filipinos. DOLE has established the OFW Assistance Information System (OASIS) LIMITATION: The website is inaccessible.

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RA No. 10022 - Migrant Workers Act of 2009 (Amending RA No. 8042 or the Migrant Workers and Overseas Filipinos Act of 1995) Omnibus Rules and Regulations of RA No. 8042 as amended by RA No. 10022	Section 23. Pre-Employment Orientation Seminar (PEOS). The POEA shall strengthen its comprehensive Pre-Employment Orientation Program through the conduct of seminars that will discuss topics such as legal modes of hiring for overseas employment, rights, responsibilities and obligations of migrant workers, health issues, prevention and modus operandi of illegal recruitment, and gender sensitivity. The POEA shall inform migrant workers not only of their rights as workers but also of their rights as human beings, instruct and guide the workers how to assert their rights and provide the available mechanism to redress violation of their rights. Role of DOLE to provide a Migrant Workers and Other Overseas Filipino Resource Center. 4. Rule X – Role of DOLE D. Migrant Workers and Other Overseas Filipino Resource Center Section 18. Services The Migrant Workers and other Overseas Filipinos Resource Center shall provide the following services: g. Gender-sensitive programs and activities to assist particular needs of migrant workers; Role of the LGU in preventing illegal recruitment. 5. Rule XII – Role of LGU Section 1. Role in Anti-Illegal Recruitment and the Overseas Employment Program.	

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RA No. 10022 - Migrant Workers Act of 2009 (Amending RA No. 8042 or the Migrant Workers and Overseas Filipinos Act of 1995) Omnibus Rules and Regulations of RA No. 8042 as amended by RA No. 10022	In the fight against illegal recruitment, the local government units (LGUs) and the Department of the Interior and Local Government (DILG), in partnership with the POEA, other concerned government agencies, and non-government organizations advocating the rights and welfare of OFWs, shall take a proactive stance by being primarily responsible for the dissemination of information to their constituents on all aspects of overseas employment. To carry out this task, the following shall be undertaken by the LGUs: d. Establish and maintain a database pertaining to a master list of OFWs residing in their respective localities, classified according to occupation, job category, civil status, gender, by country or state of destination, including visa classification, name, address, and contact number of the employer. Inter-agency sharing of information 6. Rule XIV Shared Government Information System For Migration Section 4. Declassification and sharing of existing information The Inter-Agency Committee shall convene to identify existing databases, which shall be declassified and shared among member agencies. These shared databases shall initially include, but not be limited to, the following information: h) A tracking system of past and present gender disaggregated cases involving male and female migrant workers, including minors;	

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RA No. 10022 - Migrant Workers Act of 2009 (Amending RA No. 8042 or the Migrant Workers and Overseas Filipinos Act of 1995) Omnibus Rules and Regulations of RA No. 8042 as amended by RA No. 10022	Migrant Workers and Other Overseas Filipinos Resource Center Section 19. Establishment of a Migrant Workers and Other Overseas Filipinos Resource Center. - Within the premises and under the administrative jurisdiction of the Philippine Embassy in countries where there are large concentrations of Filipino migrant workers, there shall be establish a Migrant Workers and Other Overseas Filipinos Resource Center with the following services: - Counseling and legal services; - Welfare assistance including the procurement of medical and hospitalization services; - Information, advisory and programs to promote social integration such as post-arrival orientation, settlement and community networking services for social integration; - Institute a scheme of registration of undocumented workers to bring them within the purview of this Act. For this purpose, the Center is enjoined to compel existing undocumented workers to register with it within six (6) months from the effectivity of this Act, under pain of having his/her passport cancelled; - Human resource development, such as training and skills upgrading; - Gender sensitive programs and activities to assist particular needs of women migrant workers; - Orientation program for returning workers and other migrants; and	

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RA No. 10022 - Migrant Workers Act of 2009 (Amending RA No. 8042 or the Migrant Workers and Overseas Filipinos Act of 1995) Omnibus Rules and Regulations of RA No. 8042 as amended by RA No. 10022	h. Monitoring of daily situations, circumstances and activities affecting migrant workers and other overseas Filipinos. Inter-Agency Committee for a Shared Government Information System for Migration Section 20. Establishment of a Shared Government Information System for Migration. - An inter-agency committee composed of the Department of Foreign Affairs and its attached agency, the Commission on Filipino Overseas, the Department of Labor and Employment, the Philippine Overseas Employment Administration, The Overseas Workers Welfare Administration, The Department of Tourism, the Department of Justice, the Bureau of Immigration, the National Bureau of Investigation, and the National Statistics Office shall be established to implement a shared government information system for migration. The inter-agency committee shall initially make available to itself the information contained in existing data bases/files. The second phase shall involve linking of computer facilities in order to allow free-flow data exchanges and sharing among concerned agencies. Inter-agency committee for a shared government information system, with a gender focus, facilitating data exchange and collaboration, including shared master lists, legal case inventories, statistical profiles, information on legal systems and immigration policies, and a tracking system for gender-disaggregated cases, among other relevant information, to better address the needs and rights of migrant workers and overseas Filipinos.	

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RA No. 10022 - Migrant Workers Act of 2009 (Amending RA No. 8042 or the Migrant Workers and Overseas Filipinos Act of 1995) Omnibus Rules and Regulations of RA No. 8042 as amended by RA No. 10022	The inter-agency committee shall convene to identify existing data bases which shall be declassified and shared among member agencies. These shared data bases shall initially include, but not limited to, the following information: a. Master lists of departing/arriving Filipinos; b. Inventory of pending legal cases involving Filipino migrant workers and other Filipino nationals, including those serving prison terms; c. Master lists of departing/arriving Filipinos; d. Statistical profile on Filipino migrant workers/overseas Filipinos/Tourists; e. Blacklisted foreigners/undesirable aliens; f. Basic data on legal systems, immigration policies, marriage laws and civil and criminal codes in receiving countries particularly those with the large numbers of Filipinos; g. List of labor and other human rights instruments where receiving countries are signatories; h. A tracking system of past and present gender disaggregated cases involving male and female migrant workers; and i. Listing of overseas posts which may render assistance to overseas Filipinos, in general, and migrant workers, in particular.	

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RA No. 10364 - Expanded Anti-Trafficking in Persons Act of 2012 (amending RA No. 9208 of 2003)	Section 2. Declaration of Policy. – It is hereby declared that the State values the dignity of every human person and guarantees the respect of individual rights. In pursuit of this policy, the State shall give highest priority to the enactment of measures and development of programs that will promote human dignity, protect the people from any threat of violence and exploitation, eliminate trafficking in persons, and mitigate pressures for involuntary migration and servitude of persons, not only to support trafficked persons but more importantly, to ensure their recovery, rehabilitation and reintegration into the mainstream of society. It shall be a State policy to recognize the equal rights and inherent human dignity of women and men as enshrined in the United Nations Universal Declaration on Human Rights, United Nations Convention on the Rights of the Child, United Nations Convention on the Protection of Migrant Workers and their Families. United Nations Convention Against Transnational Organized Crime Including its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and all other relevant and universally accepted human rights instruments and other international conventions to which the Philippines is a signatory.	To prevent illegal recruitment, RA No. 10022 specifies the role of the LGU “establish and maintain a database pertaining to a master list of OFWs residing in their respective localities, classified according to occupation, job category, civil status, gender, by country or state of destination, including visa classification, name, address, and contact number of the employer.”

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Republic Act No. 8972 - Solo Parents' Welfare Act of 2000	(c) "Parental responsibility" - with respect to their minor children shall refer to the rights and duties of the parents as defined in Article 220 of Executive Order No. 209, as amended, otherwise known as the "Family Code of the Philippines."	It is the policy of the State to promote the family as the foundation of the nation, strengthen its solidarity and ensure its total development. Towards this end, it shall develop a comprehensive program of services for solo parents and their children to be carried out by the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the Department of Education, Culture and Sports (DECS), the Department of the Interior and Local Government (DILG), the Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), the National Housing Authority (NHA), the Department of Labor. Limitation: Implementation is ongoing in the Philippines but not among OFs in their countries of work.
RA No. 10354 - The Responsible Parenthood and Reproductive Health Act of 2012	Section 3 (b) respect for protection and fulfillment of reproductive health and rights which seek to promote the rights and welfare of every person particularly couples, adult individuals, women and adolescents. (d) The provision of ethical, medically safe, legal, accessible, affordable, non-abortifacient, effective and quality reproductive health care services and supplies is essential in the promotion of people's right to health, especially those of women. (e) The State shall promote and provide information and access to all methods of family planning.	Section 3 (d) The provision of ethical, medically safe, legal, accessible, affordable, non-abortifacient, effective and quality reproductive health care services and supplies is essential in the promotion of people's right to health, especially those of women. (e) The State shall promote and provide information and access to all methods of family planning.

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BARMM Executive Order No. 0015 s. 2021 (20 Dec 2021) - Expanding the Bangsamoro Task Force against Trafficking (BTFFAT) to Bangsamoro Inter-agency Committee on Anti-Trafficking and Violence against Women and their Children (BIACAT-VAWC)	Bangsamoro Autonomous Region has areas with high incidence of interceptions of potential trafficked victims and cross-border trafficking. The BIACAT-VAWC will strengthen and intensify the effort to protect the BARMM constituents against human trafficking and violence against women and children and other forms of abuses	The Department of Health (DOH) issued Department Memorandum No. 2023-0142 on April 11, 2023 addressed to all the DOH regional offices (i.e. Centers for Health Development), including the BARMM Ministry of Health, reiterating the provisions in RA No. 10022 on the establishment of Medical Facilities for Overseas Workers and Seafarers (MFOWS) in DOH hospitals. Limitation: This is yet a work in progress
RA No. 7877 - Anti-Sexual Harassment Act of 1995	City of Mandaluyong Ordinance 698, S-2018, which seeks to “uphold the rights of all Filipinos especially those discriminated against based on their sexual orientation, gender identity and expression (SOGIE).” The policy of the Mandaluyong City government is to afford equal protection to LGBTQI people as guaranteed by our Constitution and to craft legal legislative measures in support of this aim. https://outragemag.com/mandaluyong-city-passes-lgbt-anti-discrimination-ordinance/ Quezon City Ordinance No. Sp 2357, S. 2014. The 2014 Quezon City Gender-Fair Ordinance (QCGFO) criminalizes discrimination based on sexual orientation, gender identity, and/or expression. With similar societal contexts, these two cities legislated two different anti-discrimination ordinances. http://quezoncitycouncil.ph/ordinance/SP/sp-2357,%20s-2014-1.pdf	LGUs that have ordinances to implement this RA are Mandaluyong, Quezon City, Baguio City and Cebu City. Limitation: While the Lower House passed a version of an anti-LGBT discrimination bill in September, its Senate version faces stiff opposition from religious groups and conservative senators.

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	Cebu City Ordinance No. 2660, which recognizes members of the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) community and creates a body that protects them and looks after their welfare. The ordinance also provides specific penalties for the following offenses: maliciously humiliating someone in public due to sexual orientation; Inflicting physical harm on an individual due to sexual orientation; vexing, harassing, threatening, whether verbal or physical; subjecting the individual to jokes, pranks, and humor based on sexual orientation. https://cebucity.news/2022/08/18/mayor-signs-ordinance-protecting-lgbtq-community/ Baguio City 2017 Anti-Discrimination Ordinance of the City of Baguio (ADOCB) The new law prohibits discrimination and enforces equality and espouses equal protection of the law regardless of religion, ethnicity, sexual orientation and gender identity, health status, disability, and/or age. https://www.sunstar.com.ph/article/127556/baguio-city-council-passes-anti-discrimination-law.	

