RA BILL NO. **55**

Republic of the Philippines
Autonomous Region in Muslim Mindanao
REGIONAL ASSEMBLY
Cotabato City

SIXTH LEGISLATIVE ASSEMBLY
(Third Regular Session)

[MUSLIM MINDANAO AUTONOMY ACT NO. 280]

Begun and held in Cotabato City, on Monday, the twenty-six day of October, two Thousand and eight.

AN ACT PROVIDING FOR THE GENDER AND DEVELOPMENT CODE OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO AND FOR OTHER PURPOSES.

Be it enacted by the Regional Assembly in session assembled:

House

CHAPTER I
GENERAL PROVISIONS

Section 1. **Short Title.** – This Act shall be known and cited as the "The ARMM ARMM GADender and Development Code." , of 2009."

Sec. 2. **Declaration of Principles and Policies.** - The Autonomous Regional Government of Muslim Mindanao adheres to the Islamic way of life and endeavors to establish and implement Shari'ah inspired legislations.

To achieve these ends, the Autonomous Regional Government shall formulate and develop mechanisms to oandstrengthen existing structures promoting equity and equality, and to address issues on discrimination, marginalization and inequality in the economic, political, social or cultural life of women and men as well as boys and girls in the Autonomous Region. The autonomous region as a predominantly Muslim community in the Philippines with men, women and children leading and living an Islamic way of life adheres to the Quranic teachings and

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43 inspired legislations and support the declared policy of the Autonomous Regional Government to
44 uphold and protect the fundamental rights of women, men and children regardless of religious
45 pervasion including the right of women to engage in lawful employment, and for them to be
46 protected from exploitation, abuse, or discrimination. Recognizing that the economic, political,
47 and socio-cultural realities affect women and children's current condition, the State affirms the
48 role of women in nation building and ensures the substantive equality of women and men, boys
49 and girls. It shall promote empowerment of women and pursue equal opportunities for women
50 and men, boys and girls and ensure equal access to resources and to development results and
51 outcomes. Further, the State realizes that equality of men and women, boys and girls entails the
52 abolition of the unequal structures and practices that perpetuate discrimination and inequality.

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54 To carry out the above declared policies, the Autonomous Regional Government shall endeavor
55 to develop plans, policies, programs, budgets, measures and mechanisms to promote equity and
56 address discrimination and inequality in the economic, political, social and cultural life of
57 women and men, boys and girls in the region.

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Guiding Principles

61   The following guiding principles shall serve as directional indicators in the interpretation
62 and implementation of this Code;

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64   A. Islamic Principles on Gender and Development   under the Glorious Qur'an
65   particularly Surah Al-Nisa' (4:1), Surah Al-Isra' (17:70), Surah Luqman (31:14),
66   Surah Al-Nahl (16:72), Surah Al-Ma'idah (5:32), Surah Al-Ahzab (33:35), Surah
67   Al-Tawbah (9:71), and Surah Al-Rum (30:21).

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69   B. Relevant Principles in the Hadith and Sunnah of the Holy Prophet Mouhammad.

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71   C. Relevant Christian principles on Gender and Development enshrined in the Holy
72   Bible.

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74   D. Principles under various International Agreements, Treaties and United Nations (UN)
75   Declarations particularly, The Convention on the Elimination of All Forms of
76   Discrimination Against Women (CEDAW), Convention on the Rights of the Child
77   (CRC), ResolMillennium Development Goals, UN Resolution No. 1325, UN
78   Declaration on the Elimination of Violence Against Women (1993) and Beijing +5
79   Platform for Women.

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81   E. Principles embodied in the applicable provisions of the Philippine Constitution and
82   Special Laws, such as: The ARMM Organic Act (RA 9054), Code of Muslim
83   Personal Law (PD 1083), The Magna Carta of Women (RA 9710), Women in
84   Development and Nation Building Act (RA 7192), Anti-Rape Law of 1997 (RA
85   8353), Anti-Trafficking in Persons Act of 2003 (RA 9208), Anti-Violence Against

Women and Children Act of 2004 (RA 9262) and Sustainable Forest Management Act (MMA Act 161).

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Policies

It is hereby the declared policy of the Autonomous Regional Government to:

Section. 2. Declaration of Principles and Policies.

1. Uphold and protect the fundamental rights of women, men and children regardless of race, gender, faith, status, creed, including the right of women to engage in lawful productive employment, and for them to be protected from all forms of exploitation, violence, trafficking and discrimination;

2. Affirm the role of women in nation-building and ensure the substantive equality of women and men as well as boys and girls;

3. Promote empowerment of women and pursue equal opportunities for women and men as well as boys and girls;

4. Provide equal access to resources and development inputs, outputs and results; and

5. Ensure equality of men and women as well as boys and girls through social structures and practices that nurture their full development.

The autonomous region as a predominantly Muslim community in the Philippines where most men, women and children leading and living an Islamic way of life adheres to the Qur'an teachings and inspired legislations and support the declared policy of the Autonomous Regional Government to uphold and protect the fundamental rights of women, men and children regardless of religious persuasion including the right of women to engage in lawful productive employment, and for them to be protected from all forms of exploitation, violence and discrimination. Recognizing that the economic, political, religious and socio-cultural realities affect women and children's current condition, the Autonomous Regional Government affirms the role of women in nation-building and ensures the substantive equality of women and men, boys and girls. It shall promote empowerment of women and pursue equal opportunities for women and men, boys and girls and ensure equal access to resources and to development inputs, outputs and results. Further, the Autonomous Regional Government realizes that equality of men and women, boys and girls entails the abolition of the unequal social structures and practices that perpetuate discrimination, marginalization and inequality.

Rephrase, be brief and consult expert

Sec. 399. Construction and Interpretation. - In the construction and interpretation of the provisions of this Code, nothing herein shall be construed in violation of any religion, and belief or faith. The local customs, traditions and ordinances are hereby recognized and shall be given effect in so far as they are consistent with the Organic Act or the Constitution.

Holy Qur'an and Hadith references and standard treatises thereon

RA 7192 or the Women in Nation Building Act

The Convention on the Elimination of All forms of Discrimination against Women (CEDAW)

The Millennium Development Goals

UN Resolution No. 1325

The Magna Carta of Women

MMA Act 161 – Sustainable Forest Management Act

The Expanded ARMM Law or RA 9054.

Labor Code of the Philippines.

UN Resolution 1820.

RA 9262

RA 9208,

RA 8353

CHAPTER II
DEFINITION OF TERMS

Sec. 4. **Definition of Terms.** – As used in this Code, the following terms shall mean:

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1. **Amanah -** is an Arabic term for trust and it refers to man's stewardship of Allah's creations.

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2. **Arranged Marriage -** is basically a marriage arranged by someone other than the couples getting married. This is usually decided by the parents or an older family member.

Arranged marriage.

2.3. **ARMM -** refers to the Autonomous Region in Muslim Mindanao.

3.4. **Bangsamoro –** refers to those citizens of the Philippines who are believers of Islam and who are believers in Islam awho have retained some or all of their own social, economic, cultural and political institutions.

4.5. **Children** -" refers to those persons who are below eighteen (18) years of age or over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition.

46. **"Amanah" in Islam is a freewill, which has only been given to human beings.**

180 ~~Andropause - The decrease in function of male reproductive organs that occurs with~~
181 ~~aging.~~

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183 ~~3. "Caliphate" is the Islamic form of government representing the political unity and~~
184 ~~leadership of the Muslim World. The head of state (Caliph) has a position based on the~~
185 ~~notion of a successor to Muhammad's political authority ; according to Sunnis ideally~~
186 ~~elected by the people or their representatives and according to the Shia an inmate chosen~~
187 ~~from the Ahl ul Bayt.~~

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189 4. "CCivil Society Organization - refers "to the autonomous membership-based, cause-
190 oriented, or service-oriented organization, which share a common defining identity - social
191 solidarity with the people in the society it serves or represents.

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194 765.

195 5. Darul-Ifta - refers to the collegial body of ulama and experts that renders
196 legal opinion on a given issue or question. The legal opinion (ifta') must be based on the primary
197 sources of law (i.e., the Glorious Qur'an, the Hadith, Ijma and Qiyas) and the accepted views of
198 the classical jurists and legal luminaries and experts.

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200 8. "Persons with Disabilities/Differently-Abled Person -" refers to a person suffering
201 from restriction or different abilities, as a result of a mental, physical, or sensory impairment to
202 perform an activity in the manner or within the range considered normal for a human being.

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212 ~~"Darul Iftah" means house of legal opinion.~~

213 689. 7. Discrimination Against Women -" refers to any gender-based distinction,
214 exclusion, or restriction which has the effect or purpose of impairing or nullifying the
215 recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of
216 equality of men and women, of human rights and fundamental freedoms in the political,
217 economic, social, cultural, civil, or any other field. It includes any act or omission, including by
218 law, policy, administrative measure, or practice, that directly or indirectly excludes or restricts
219 women in the recognition and promotion of their rights and their access to and enjoyment of
220 opportunities, benefits, or privileges, and when a measure or practice of general application fails
221 to provide for mechanisms to offset or address sex or gender-based disadvantages or limitations
222 as a result of which women are denied or restricted in the recognition and protection of their
223 rights and their access to and enjoyment of opportunities, benefits, or privileges. It includesIt
224 alsoincludes also discrimination

225 compounded by or intersecting with other grounds, status, or condition, such as ethnicity,
226 age, poverty, or religion.
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228 **Early Marriage** – refers to all marriages contracted by the parties whose ages are
229 below eighteen (18) years old.
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231 7. "Dowry" is either the money, goods or estate that a women brings to her husband
232 in marriage or a gift or property by a man to or for his bride.
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234 **10.** 8.
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236 **11.** 8. **Fatwa** - refers to the legal opinion rendered by the body of ulama and experts on a
237 given issue.
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239 9. **Forced Marriage** - refers to the kind of marriage where the consent of either or
240 both parties was obtained through the use of force, violence, threat or intimidation. is a union
241 between a male or a female whose consent to the marriage is forced physically as in pagguyod
242 (abduction).
243 **12.**
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245 10 **23.** **GAD** - **is the** acronym for **Gender and Development** which refers to", the
246 development perspective and process that are participatory and empowering, equitable,
247 sustainable, free from violence, respectful of human rights, supportive of self-determination and
248 actualization of human potentials. It seeks to achieve gender equality as a fundamental value
249 that should be reflected in development choices; seeks to transform society's social, economic,
250 and political structures and questions the validity of the gender roles they ascribed to women and
251 men, boys and girls; contends that women and girls are active agents of development and not just
252 passive recipients of development assistance; and stresses the need of women and children to
253 organize themselves and participate in political processes to strengthen their legal rights.
254 "**GAD**, is the acronym for **Gender and Development** which refers to", the development
255 perspective and process that are participatory and empowering, equitable, sustainable, free from
256 violence, respectful of human rights, supportive of self-determination and actualization of human
257 potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in
258 development choices; seeks to transform society's social, economic, and political structures and
259 questions the validity of the gender roles they ascribed to women and men; contends that women
260 are active agents of development and not just passive recipients of development assistance; and
261 stresses the need of women to organize themselves and participate in political processes to
262 strengthen their legal rights.
263
264 11 **34.** "**Gender Equality**" - refers to the principle asserting the equality of men and
265 women to enjoy equal conditions for realizing their full human potentials to and benefit from the
266 results of development and with the State recognizing that all human beings are free and equal in
267 dignity and rights.
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15 42. **"Fatwa" in the Islamic faith is a religious opinion concerning Islamic Law issued by an Islamic scholar. It also refers to an Islamic decree issued by a *mufti or a religious lawyer on specific issue.***

"Gender Equity -" refers to the policies, instruments, programs, services and actions that address the disadvantaged position of women in the society by providing preferential treatments and affirmative actions aimed at accelerating de facto equality between men and women.

16 53. **"Gender-Fair -"** refers to any practice, policy or procedure giving equal treatment to an individual or a group.

17 64. **" Gender Mainstreaming -"** refers to the strategy for making women and girl's as well as men and boy's concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. It is the process of assessing the implications for women and men, boys and girls of any planned action, including legislation, policies, or programs in all areas and at all levels.

Gender Mainstreaming" refers to the strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. It is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs in all areas and at all levels.

18 75. **"Gender Responsive -"** refers to that laws, policies and procedures made that should be accommodating to people regardless of race, class, sex, religious affiliation and cultural status and ethnicity.

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1 9. **Guidance and Counseling -** is the process of helping individuals discover and develop their educational, vocational, and psychological potentialities and thereby to achieve an optimal level of personal happiness and social usefulness. The conduct of guidance and counseling in ARMM is not only limited to emotional counseling but also include spiritual counseling.

20 17. **Gynecology -** refers to women's health care, especially the diagnosis and treatment of disorders affecting the female reproductive organs including breast, menstrual disorders, menopause, infectious diseases and maldevelopment of the reproductive organs, disturbances of the hormones, benign and malignant tumor formulation, and the prescription of contraceptive devices.

18.21. **Hadith -** –refers to the sayings and actions of the Holy Prophet Muhammad (S.A.W.) and the actions of his venerable companions which he approved. It is the second primary source of conventions and declarations.

~~"Hadith" is a collection of writings that document the sayings and actions of the prophet Muhammad, one of the main sources of Islamic Law (second in authority to the Qur'an). This also refers to the oral traditions relating to the words and deeds of Prophet Muhammad.~~

22. **"Halal -"** is an Arabic term which means permissible. It refers to something allowed by Islamic doctrines (Qur'an, Hadith and Fatwa).

23. **Halaw** is a Malay term which refers to Filipino refugees or illegal migrants deported by the Malaysian immigration authorities and made to board in any vessel bound for the Southern Philippine Islands regardless of their point of disembarkation.

24. **"Haram" -** is an Arabic term which means anything that is strictly forbidden in Islam or something that is not allowed by Islamic doctrines (Qur'an, Hadith and Fatwa).

~~anything that is strictly forbidden in Islam or something that not allowed by Islamic doctrine (Al Qur'an Hadith and Fatwa) is considered haram.~~

2542. **Hijab -** refers to the dress code (not too tight to reveal the contours of the body, the clothing material should not be transparent, and not too attractive to catch the attention of onlookers) required for Muslim women and girls covering the whole body except the face, the hands and feet. ~~refers to~~

26. **"Indigenous People -"** refers to a group of people or homogenous societies identified by self-ascription and ascription by other, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social, and cultural inroads of colonization, non-indigenous religions and culture, became historically differentiated from the majority of Filipinos. They shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural, and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains as defined under the law.

2567. **Khilafah -** is an Arabic term for vicegerency which refers to the responsibility of man in serving as Allah's trustee and steward of His creations.

2876. (A) "Women Empowerment" refers to the provision, availability, and accessibility of opportunities, services and observance of human rights which enable women to actively participate and contribute to the political, economic, social, and cultural development of the nation as well as those which shall provide them equal access to ownership, management, and control of production, and of material and informational resources and benefits in the family, community, and society.

(B) "Discrimination Against Women" refers to 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 a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field.

It includes 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 and enjoyment of opportunities, benefits, or privileges.

A measure or practice of general application is discrimination against women if it fails to provide for mechanisms to offset or address sex or 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 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.

Provided, finally, that discrimination compounded by or intersecting with other grounds, status, or condition, such as ethnicity, age, poverty, or religion shall be considered discrimination against women under this Act.

(C) "Marginalization" refers to a condition where a whole category of people is excluded from useful and meaningful participation in political, economic, social, and cultural life.

(D) "Marginalized" refers to the basic, disadvantaged, or vulnerable persons or groups who are mostly living in poverty and have little or no access to land and resources, basic social and economic services such as health care, education, water and sanitation, employment and livelihood opportunities, housing, social security, physical infrastructure, and justice system.

These include, but are not limited to, women in the following sectors and groups:

1. "Small Farmers and Rural Workers" refers to those who are engaged directly or indirectly in small farms and forest areas, workers in commercial farms and plantations, whether paid or unpaid, regular or season bound. These shall include but are not limited to

(a) small farmers who own or are still amortizing for lands that is not more than three (3) hectares, tenants, leaseholders, and stewards; and (b) rural workers who are either wage earners, self employed, unpaid family workers directly and personally engaged in agriculture, small scale mining handicrafts, and other related farm and off farm activities;

2. "Fisherfolk" refers to those directly or indirectly engaged in taking, culturing, or processing fishery or aquatic resources. These include, but are not to be limited to, women engaged in fishing in municipal waters, coastal and marine areas, women workers in commercial fishing and aquaculture, vendors and processors of fish and

401 coastal products, and subsistence producers such as shell gatherers, managers, and
402 producers of mangrove resources, and other related producers;
403 3. "Urban Poor" — refers to those residing in urban and urbanizable slum or blighted
404 areas, with or without the benefit of security of abode, where the income of the head of
405 the family cannot afford in a sustained manner to provide for the family's basic needs of
406 food, health, education, housing, and other essential amenities in life;
407 4. "Workers in the Formal Economy" — refers to those who are employed by any person
408 acting directly or indirectly in the interest of an employer in relation to an employee and
409 shall include the government and all its branches, subdivision, and instrumentalities, all
410 government owned and controlled corporations and institutions, as well as non profit
411 private institutions or organizations;
412 5. "Workers in the Informal Economy" — refers to the self employed, occasionally or
413 personally hired, subcontracted, paid and unpaid family workers in household
414 incorporated and unincorporated enterprises, including home workers, micro
415 entrepreneurs and producers, and operators of sari sari stores, and all other categories
416 who suffer from violation of workers' rights;
417 6. "Migrant Workers" — refers to Filipinos who are to be engaged, are engaged, or have
418 been engaged in a remunerated activity in a state of which they are not legal residents,
419 whether documented or undocumented;
420 7. "Indigenous Peoples" — refer to a group of people or homogenous societies identified
421 by self ascription and ascription by other, who have continuously lived as organized
422 community on communally bounded and defined territory, and who have, under claims
423 of ownership since time immemorial, occupied, possessed customs, tradition and other
424 distinctive cultural traits, or who have, through resistance to political, social, and cultural
425 inroads of colonization, non indigenous religions and culture, became historically
426 differentiated from the majority of Filipinos. They shall likewise include peoples who
427 are regarded as indigenous on account of their descent from the populations which
428 inhabited the country, at the time of conquest or colonization, or at the time of inroads of
429 non indigenous religions and cultures, or the establishment of present state boundaries,
430 who retain some or all of their own social, economic, cultural, and political institutions,
431 but who may have been displaced from their traditional domains or who may have
432 resettled outside their ancestral domains as defined under Section 3(h), Chapter II of
433 Republic Act. No. 8371, otherwise known as "The Indigenous Peoples Rights Act of
434 1997" (IPRA of 1997);
435 8. "Moro" — refers to native peoples who have historically inhabited Mindanao, Palawan,
436 and Sulu, and who are largely of the Islamic faith;
437 9. "Children " — refers to those who are below eighteen (18) years of age or over but are
438 unable to fully take care of themselves or protect themselves from abuse, neglect,
439 cruelty, exploitation, or discrimination because of a physical or mental disability or
440 condition;
441 10. "Senior Citizens" — refers to those sixty (60) years of age and above;
442 11. "Persons with Disabilities" — refers to those who are suffering from restriction or
443 different abilities, as a result of a mental, physical, or sensory impairment to perform an
444 activity in the manner or within the range considered normal for a human being; and

12. "Solo Parents" refers to those who fall under the category of a solo parent defined under Republic Act No. 8972, otherwise known as the"Solo Parents Welfare Act of 2000."

(E) "Substantive Equality" refers to the full and equal enjoyment of rights and freedoms contemplated under this Act. It encompasses *de jure* and *de facto* equality and also equality in outcomes.

(F) "Gender Equality" refers to the principle asserting the equality of men and women to enjoy equal conditions for realizing their full human potentials to and benefit from the results of development, and with the State recognizing that all human beings are free and equal in dignity and rights.

(G) "Gender Equity" refers to the policies, instruments, programs, services, and actions that address the disadvantaged position of women in society by providing preferential treatment and affirmative action. Such temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discriminatory but shall in no way entail as a consequence the maintenance of unequal or separate standards. These measures shall be discounted when the objectives of equality of opportunity and treatment have been achieved.

(H) "Gender and Development (GAD)" refers to the development perspective and process that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self determination and actualization of human potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society's social, economic, and political structures and questions the validity of the gender roles they ascribed to women and men; contends that women are active agents of development and not just passive recipients of development assistance; and stresses the need of women to organize themselves and participate in political processes to strengthen their legal rights.

(I) "Gender Mainstreaming" refers to the strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all political, economic, and societal spheres so that women and men benefit equally and inequality is not perpetuated. It is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs in all areas and at all levels.

(J) "Temporary Special Measures" refers to a variety of legislative, execute, administrative, and regulatory instruments, policies, and practices aimed at accelerating this *de facto* equality of women in specific areas. These measures shall not be considered discriminatory but shall in no way entail as a consequence the maintenance of unequal or separate standards. They shall be discontinued when their objectives have been achieved.

(K) "Violence against women" refers to any act of gender based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life. It shall be understood to encompass, but not limited to, the following:

1. Physical, sexual, psychological, and economic violence occurring in the family, including battering, sexual abuse of female children in the household, dowry related

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489 violence, marital rape, and other traditional practices harmful to women, non spousal
490 violence, and violence related to exploitation;
491 2. Physical, sexual, and psychological violence occurring within the general community,
492 including rape, sexual abuse, sexual harassment, and intimidation at work, in educational
493 institutions and elsewhere, trafficking in women, and prostitution; and
494 3. Physical, sexual, and psychological violence perpetrated or condoned by the state,
495 wherever it occurs.
496 It also includes acts of violence against women as defined in Republic Acts No. 9208
497 and 9262.
498 (L) "Women in the Military" refer to women employed in the military, both in the major
499 and technical services, who are performing combat and/or non combat functions,
500 providing security to the state, and protecting the people from various forms of threat. It
501 also includes women trainees in all military training institutions.
502 (M) "Social Protection" refers to policies and programs that seek to reduce poverty and
503 vulnerability to risks and enhance the social status and rights of the women, especially
504 marginalized by promoting and protecting livelihood and employment, protecting
505 against hazards and sudden loss of income, and improving people's capacity to manage
506 risk. Its components are labor market programs, social insurance, social welfare, and
507 social safety nets.

508
509 "**Madrasah**." is an Arabic word for any type of school, secular or religious (of any religion).
510 In common usage, it has been taken to refer to an Islamic religious school.
511
512 2987. **Mahr** - is an Arabic term which refers to any gift or present which a groom
513 is required to give to the bride. It is a requirement under Islamic law considered as personal right
514 of the bride. The bride's right over the Mahr is imprescriptible and inalienable.
515
516 30298.
517
518 **Mahram** - refers to male employee who can serve as an escort and with whom a woman
519 can never marry at any time in her life such as because of close relationship (e.g. aa brother, a
520 farther, a son, an uncle;). or her own husband.
521
522 "Hijab" is the type of head covering traditionally worn by Muslim women, allowing the face,
523 the hands and the feet to be seen.
524
525 Ijma - is an Arabic term referring ideally to the consensus of the ummah (the community of
526 Muslims, or followers of Islam).
527 31029. **Islam - a monotheistic religion characterized by the acceptance of the**
528 **doctrine of submission to God and to Muhammad as the chief and last prophet of**
529 **God. It is the religion of Muslims, having the Koran as its sacred scripture and**
530 **teaching that there is only one God and that Mohammed is his prophet.**
531
532 **Marginalization** - refers to a condition where a whole category of people is excluded from
533 useful and meaningful participation in political, economic, social, and cultural life.

30.32. "**Migrant Workers** ", are those refer to Filipinos who are to be to be engaged, are engaged, are engaged, or have been engaged in a remunerated activity in a state of which they are not legal residents, whether documented or undocumented.

33. -**Moro** - refers to native people who have historically inhabited Mindanao, Palawan, and Sulu, and who are largely of Islamic faith.

Muslim a believer in or adherent of Islam.

34. 32. "**Non-**Government Organization - refers to" intermediate agency or institution that ttend to operate with a full time staff complement and provide a wide range of services and programs and are non-profit.

335. **Parental Authority** - refers to the ensemble of rights and power that the law accords to the father and the mother with respect to the person and the goods of their unemancipated minor children, to the end of their accomplishing the duties of protection, education, and support that are incumbent on them.

346. "**Peoples Organization** - refers to" grassroots organization, union, community association or primary cooperative that serve as primary group coming together largely on a voluntary basis.

37. **Perpetrator** - refers to a person who performs or commits a crime or wrong doing.

38. **Polygyny** - refers to a custom of being married to two or more-than one than one wifewi fe at the same time.

1. 39. **Proxy M**m**arriage** - is a marital union that follows after the approval of offer and acceptance to marry between parents and elders of the contracting parties wherein one or both the parties to be married are not present during the marriage ceremony.

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37. "**Perpetrator**s" refers to a person who performs or commits a crime or wrong doing.

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36.**Polygamy** is the practice of being married to more than one person.

37.**P** It is a custom of being married to or more than one wife at the same time.

578 **Proxy Marriage is a marital union that follows after the approval of offer and**
579 **acceptance to marry between parents and elders of the contrering parties wherein**
580 **one or both the parties to be married are not present during the marriage ceremony.**

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582 Prophet S.A.W. the prophet believed by Muslims to be the channel for the final
583 unfolding of God's revelation to mankind.

584

585 Qur'an is the central religious verbal text of Islam, [1] also sometimes
586 transliterated as **Quran, Qur'ān, Koran, Al-Coran** or **Al-Qur'ān**. Muslims believe the
587 Qur'an to be the verbal book of divine guidance and direction for mankind, and consider
588 the original Arabic verbal text to be the final revelation of God.[‡]

589

590 Qiyas is the process of analogical reasoning in which the teachings of the Quran
591 are compared and contrasted with those of the Hadith. Through this process, the ruling of
592 the Sunnah and the Qur'an may be used as a means to solve or provide a response to a
593 new problem that may arise.
594 2. (N) "Reproductive Health" as defined in the International Conference on
595 Population and Development and World Health Organization, and affirmed in Beijing
596 Conference, is a state of complete physical, mental and social well-being and not merely
597 the absence of disease and infirmity, in all 'matters relating to the reproductive system
598 and to its function and process.

599

600 **Parental Authority**
601 39.**"Reproductive Health "** refers to a state of complete physical, mental and social well-being
602 and not merely the absence of disease and infirmity in all matters relating to the reproductive
603 system and to its functions and processes.

604

605 40. 41.
606 41. **"Senior Citizen "** refers to a person sixty (60) years of age and above.
607 41.

608 41.

609

610 41. 42.
611 40.

612

613 **"Sexual Harassment "** refers to a form of misconduct involving an act or series of
614 unwelcomed sexual advances, requests for sexual favors or other verbal or physical behavior of a
615 sexual nature which is made directly or indirectly.

616

617 43.
618 **Shari'ah** or **Sharia** refers to the body of Islamic law which serves asThe term means "way" or
619 "path to the water source"; the legal framework within which the public and private aspects of
620 life are regulated for those living in a legal system based on Islamic principles and jurisprudence,
621 and for Muslims living outside the domain. It deals with many aspects of day-to-day life,

15

622 including politics, economics, banking, business, contracts, family, sexuality, hygiene, and social
623 issues.

625
626 Shariah Court. Literally no doubt it means "Shari`ah Court" meaning a court where Islamic
627 Law is applied. But in the context of Surian Legal system it means the family court where the
628 dispute between spouces are decided. This is the only field where Islamic Law is applied that
629 is why it is called "Shari`ah Court".

631 41 4. to exclude authority of the Usba (Paternal relatives) to enforce child
632 marriages

634 "refers to a person "Social Protection -" refers to policies and programs that seek to reduce
635 poverty and vulnerability to risks and enhance the social status and rights of the women,
636 especially the marginalized by promoting and protecting livelihood and employment, protecting
637 against hazards and sudden loss of income, and improving people's capacity to manage risks. Its
638 components are labor market programs, social insurance, social welfare, and social safety nets.

641 6

644 42 5. "Solo Parent -" refers to a any person who fall under the category of a solo parent
645 defined under Republic Act No. 8972, otherwise known as the "Solo Parents Welfare Act of
646 2000."

648 43 6. "Substantive Equality -" refers to the full and equal enjoyment of rights
649 and freedom contemplated under this Act.

651 47. Sunnah - refers to the oral traditions relating to the words and deeds of Prophet
652 Mohammad (Peace be Upon Him BUH) and is one of the main sources of Islamic Law (second in
653 authority to the Qur'an). It is also a collection of writings that documented the sayings and
654 actions of the Prophet Mohammad (PBUH).

656 45 8.

658 "Temporary Special Measure -" refers to a variety of legislative, executive, administrative and
659 regulatory instruments, policies, and practices aimed at accelerating equality of women in
660 specific areas.

662 46 9. "Urban Poor" - refers to those residing in urban and urbanizable slum or
663 blighted areas, with or without the benefit of security of abode, where the income of the head of
664 the family cannot afford in a sustained manner to provide for the family's basic needs of food,
665 health, education, housing, and other essential amenities in life.

5047. **Urology** - refers to the diagnosis and treatment of diseases of the urinary tract and urogenital system.

5148.

Tender Age - young age

"Violence Against Women " refers to any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life. It shall be understood to encompass physical, sexual, psychological, and economic violence occurring in the family, including battering, sexual abuse of female children in the household, marital rape, and other traditional practices harmful to women, non-spousal violence, and violence related to exploitation; physical, sexual, and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in educational institutions and elsewhere, trafficking in women and children, and prostitution; and physical, sexual, and psychological violence perpetrated or condoned by the customs and traditions, wherever it occurs.

50. 5249. **"Voyeurism "** refers to the compulsion to seek sexual gratification by secretively looking at sexual objects or acts.

53.

50. **"Waqf"** - is an Arabic term which literally means to stop, contain, or to preserve. In Shariah, it refers to a voluntary, permanent, irrevocable dedication of a portion of one's wealth – in cash or kind – to Allah.

50.

54. **Wives in Subsequent Marriages** - refer to those married women whose marriage had been contracted after the first or succeeding marriages of the husband.

50.

Wives in subsequent marriage

55. 515. **"Women and Children's Protection Desk** - "refers to designated personnel who attend to the needs and concerns of abused women and children lodged at the Philippine National Police (PNP).

Women Executives

526. **Women Empowerment** -" refers to the provision, availability, and accessibility of opportunities, services and observance of human rights which enable women to actively participate and contribute to the political, economic, social, and cultural development of the nation as well as those which shall provide them equal access to ownership, management,

711 and control of production, and of material and informational resources and benefits in the
712 family, community, and society.

714 57. **Women Executives -** refers to women employed in the government and private
715 having
716 administrative or managerial authority occupying third level positions or its equivalent, and
717 elective positions.

719 583. **"Women in the Military and Police Service -"** refers to women employed in the
720 Armed Forces of the Philippines and the Philippine National Police military and the police, both in
721 the major and technical services, who are performing combat or non-combat functions, providing
722 security to the state, and protecting the people from various forms of threat. It also includes
723 women trainees in all military training institutions.

726 7

729 3. 569. **"Young Adult -** refers to" man or woman regardless of marital status whose
730 age ranges from 158 to 35 27 years old.

737 (U) Pagguyod (V) (W)
738 (X)
739 (Y)(Z)

745 **CHAPTER III**
746 **ROLE OF DEVELOPMENT STAKEHOLDERS**

748 **Sec. 5. Role of the Autonomous Regional Government. -** TThe Autonomous Regional
749 Government shall uphold and protect the fundamental rights of men, women, boys and girls
750 including the rights of women to engage in lawful employment, protect women and children
751 especially orphans of tender age from all forms of exploitation, discrimination and violence, and
752 strive to promote the essence of substantive equality and justice. and gender justice.

754 The promotion of gender and development in the Autonomous Region shall include, but
755 not limited to, the following:

18

1. Organization and mobilization of awareness campaign on the mainstreaming of gender and development at all levels of government;

2. Increase in the participation of women in social, economic, cultural, political activities at all levels, in decision-making and policy-making endeavors through the implementation of capacity -building programs and projects;

3. Formulation of programs and strategies that shall ensure the dissemination of the Fatwah of the Dar-ul Ifta on reproductive health and family planning;

4. Strengthening of programs which shall provide assistance to women towards self-reliance, expansion of access to opportunities through Islamic financing, grants and waqf (endowment) and ensure equal availment of government and private sector programs and resources; and; and

5. Encouragement, support and expansion of the participation of grassroots women in the planning, implementation, monitoring and evaluation of development programs and projects.

Section 5. Role of the Autonomous Regional Government and Regional Line Agencies,). The Autonomous Regional Government and Regional Line Agencies shall strive to promote and implement the essence of equality in accordance with Qur'an and Hadiths.

The ARG shall pursue the foregoing declartion promotion of gender and development in the region shall include, but are not limited to the followingOrganize and mobilize awareness campaign on

Increase the participation of women in social, economic, cultural, political activities at all levels, in decision-making and policy-making endeavors within the areas of autonomy through the implementation of capability-building programs

Strengthen programs to assist women to become self-reliant, expand access of opportunities to women through Islamic financing, grants and *endowments (waqaf)*; ensure equal access to government and private sector programs.

Encourage, support and expand the participation of grassroots women in the planning, implementation, monitoring and evaluation of development programs and projects.

Sec. 6. Role of the Shari'ah Courts. - sThe Shari'ah Courts vested with the judicial power created under existing laws shall have jurisdiction over cases specified therein.

The Shari'ah Courts through the Agama Arbitration Councils within the areas of the Autonomous Region shall take direct role to ensure the following:

44. aA. The protection of women and children against abuses in the practice of polygyny, unwarranted divorces, violence and discrimination;

19

E.b.   The consent of the parties to marriage marrying individuals, especially that of the woman, must be freely given;

8

F.c.   The parties entering into a contract of marriage, regardless of age, shall undergo a pre-marriage counseling; and

d.   The divorcees awarded their support in accordance with the Qur'an and the Code of Muslim Personal Law (P.D. 1083). this Code.

Section 6. Role of the *Shari'ah* Courts. The *Shari'ah* Courts through its *Agama* Arbitration Councils and its *Shari'ah* Registry Office shall take a direct role to ensure that:

47.   The court shall also take a direct part in The The consent of the marrying individuals, especially that of the woman, is freely given;

48.   Subsequent marriages are contracted after the consent of the first wife shall have been obtained; and

Divorcees are awarded their support in accordance with this code.

Sec. 7. Role of the Local Government Units (LGUs). - The Local Government Units (LGUs) in the Autonomous Region shall provide political and institutional support to the promotion of gender and development, and increase the participation and access of women to expression and decision-making. They shall undertake plans and strategies for the advancement in information in information technology in order to facilitate the empowerment and development of women, reduction of the of the continuous negative projection and degrading images of women in media and in some other forms. The LGUs shall, likewise, initiate actions and strategies to involve the media in effecting changes in the bad perception and demeaning projection of women in their respective areas.

The LGUs shall discourage, document and monitor gender issues, and establish data banks on said on said issues such as early marriages, forced and arranged marriages, proxy marriages, abuses in polygyny practices, maternal/child mortality and morbidity, and the detrimental effects of such practices. They shall engage in programs and activities that would diminish the incidence of discrimination to both men and women as well as their children.

Section 7. Role of the Local Government Units GUs. Consistent with the Constitution, Republic Act 7160 known as the Local Government Code and Muslim Mindanao Autonomy Act No. 25 otherwise known as the Local Government Code of the ARMM, the Local Government Units shall provide political and institutional support to the

845 promotion of gender and development, and increase the participation and access of
846 women to expression and decision making, undertake plans and strategies for the
847 advances in information technology in order to facilitate the empowerment and
848 development of women, reduce the continuous projecting of negative and degrading
849 images of women in media electronic, print, visual and audio and shall initiate action so
850 that the media would be part of the change.
851
852 The Local Government Units shall document, monitor and establish data bank on cases of
853 early marriages and its effect. It shall discourage the abuse of women.
854
855 The officials As duty bearers, of the LGUs shall ensure the full implementation of this code in
856 their constituent municipalities. They shall tap the Barangay and Sangguniang Kabataan level to
857 inform the public about the goals and objectives of this code.
858 eExercise their powers, functions and responsibilities, as may be appropriate, for the effective
859 and efficient implementation of the mainstreaming of gender and development in the local plans
860 that shall include, among others, the following: ;

863   1. Agricultural and Agrarian Reform;
864   2. Environment and Natural Resources Management;
865   3. Education;
866   4. Infrastructure;
867   5. Health and Nutrition;
868   6. Information and Communication Technologies;
869   7. Housing and Settlement;
870   51.8. Special Programs in Conflict-Affected Areas
871   9. Justice;
872   10. Enterprise Development Microfinance; and
873   11. Private Sector Development.

875 **Sec. 8. Role of Peoples, Non-Governmental and Civil Society Organizations. -** The
876 Autonomous Regional Government and the Local Government Units (-LGUs) shall promote the
877 establishment of peoples, non-governmental and civil society organizations to serve as active
878 partners for gender- responsive development.

880   Such organizations that may be established shall carry-out the following:

882   1. Mobilization of grassroots communities, poor and marginalized peoples, particularly
883   women, to assert and exercise their rights;
884
885   2. Monitoring of government and donor policies and practices;
886
887   3. Providing of knowledge, research, advocacy and alternative policies;
888

4. Delivery of services and innovative development programming;

5. Building coalitions and networks for greater civil society coordination and impact;

6. Mobilization of financial and human resources in partnership with funding agencies;

7. Building of stable, viable and autonomous organizations;

8. Organization of disadvantaged sectors and committees toward greater self-reliance and empowerment;

9. Providing support functions and professional services;

10. Providing access to resources (organizations, technical, logistic and managerial);

11. Conduct of advocacy campaign against discrimination of women;

12. Delivery of certain basic services;

13. Conduct of capability-building and livelihood services;

14. Development of local enterprises designed to improve productivity and income;

15. Encouragement of industrialization; and

16. Promotion of ecological balance and enhancement of economic and social well-being of the people.

Section 8. Role of Civil Society Organizations (CSOs), Non Governmental Organizations (NGOs) and Peoples Organizations (POs). The participation Consistent with the Local Government Code, the Autonomous regional Government and local government units shall promote the establishment of civil society organizations (CSOs), non governmental organization (NGOs), and public people's organizations (POs) are encouraged to work with government agencies at all levels in the pursuitng client driven gender responsive development plans, programs and projects.

The Civil Society Organizations (CSOs) shall perform but are not limited to do the following roles:

1. Mobilize grassroots communities, poor and marginalized peoples to claim their rights;
2. Monitor government and donor policies and practices: holding national and multilateral development agencies to account through local knowledge, research, advocacy, and alternative policies;

933   3. Deliver services and innovative development programming;
934   4. Build coalitions and networks for greater civil society coordination and impact;
935   5. Mobilize and leveraging financial and human resources in partnerships with funders...
936
937   The non-governmental organizations (NGOs) shall perform but are not limited to do the
938   following roles:
939
940   Build strong, viable and autonomous Peoples Organizations.
941   Help POs organize for self-reliance by providing various support services.
942   Organize disadvantaged sectors and committees toward greater self-reliance and
943   empowerment.
944   Provide support functions and professional services.
945   Provide access to resources (organizations, technical, logistic, and managerial).
946   Establish linkages and advocacy.
947
948   As provided by law, the Autonomous Regional Government shall protect and promote
949   the rights of people's organizations. The people's organizations shall perform but are not
950   limited to do the following roles:
951   Engage in the delivery of certain basic services.
952   Provide capability-building and livelihood projects.
953   Develop local enterprises designed to improve productivity and income.
954   Diversify agriculture.
955   Spur industrialization
956   Promote ecological balance and enhance economic and social well-being of the people
957
958   **Sec. 9. Role of the Private Sector.** – The Autonomous Regional Government and the
959   Local Government Units (-LGUs) in the Region shall create and maintain a favorable business
960   climate in order to reinforce the social benefits of the private sector activities as catalyst for
961   sustainable growth and better living conditions. The participation of the private sector shall be
962   encouraged to drive economic growth, generate income by creating new jobs that may lead to
963   sustained poverty reduction, awareness and advocacy campaigns, widened women's
964   participation in economic activities, and the promotion of religious and culturally-appropriate
965   gender and development programs. with the end-goal of achieving protection and promotion of
966   women's rights and empowerment.
967
968
969
970   **Section 9. Role of the Private Sector and other institutions.** is participate, in regarding
971   advocacies in the region
972   **Sec. 10. The Role of the Educational Institutions.** - The Autonomous Regional
973   Government, through the Department of Education (DepEd), the Commission on Higher
974   Education (CHED) and the Technical and Skills Development Authority (TESDA), the other
975   concerned agencies and proper educational bodies, shall monitor the compliance of the regional
976   educational sub-system with the national policies, standards and regulations. The following
977   shall be guaranteed and adopted:

a) **Preservation and Promotion of Culture, Mores, Customs and Traditions.** The culture, mores, customs and traditions of Muslim, Christian and Indigenous peoples which are not discriminatory to women and children shall be preserved, protected and developed.

b) **Strengthening of the Madaris and Public Schools.** The Madaris and public schools in the Autonomous Region shall be strengthened and developed to become the primary vehicles for the preservation, protection and promotion of non-discriminatory cultures, mores, customs and traditions.

c) **Perpetuation of Filipino and Islamic Values.** The regional educational sub-system shall perpetuate Filipino and Islamic values, ideals, aspirations and orientations. It shall develop the total spiritual, intellectual, social, cultural, scientific, and physical aspects of the inhabitants of the Autonomous Region.

d) **Optional Religious Instruction.** Religious instruction in public schools shall be optional, with the written consent of the parents or guardians, and should be taught by the authorities of the religion to which the students belong. The teaching of religion subject must be in accordance with national policies and shall not involve additional costs to the government.

10

e) **Inculcation of Patriotism and Nationalism.** To develop, promote and enhance unity in diversity, all schools in the Autonomous Region shall inculcate into the minds of their students the values of patriotism and nationalism, appreciation of the role of national and regional heroes in the historical development of the country and the rRegion, foster love of humanity, as well as respect for human rights and women's rights.

f) **Education Centers.** All state colleges and universities in the Autonomous Region shall serve as regional centers for tertiary and post graduate education in the respective areas of competence.

g) **Tribal University System.** The Autonomous Regional Government through the Regionalthe Regional Assembly shall facilitate the establishment and creation of a tribal university system within the Autonomous Region in order to address the higher educational needs of the indigenous cultural communities in the rRegion.

h) **Madrasah Education.** The Department of Education (DepEd) shall supervise accredited Mmadaris in the Autonomous Region. The educational policies shall consider the basic teachings from the Qur'an on the respect for the duly constituted authorities. The DepEd shall conduct a periodic review and supervision of the Mmadaris Eeducational Ssystem. It shall render monthly report to the recipient agencies as provided by law.

i) **Madrasah Educational System** with **Arabic as Medium of Instruction.** The Regional Assembly shall enact legislations for the strengthening and development of the Madrasah Educational System in System in the Autonomous Region. As provided by law, Arabic shall be recognized be recognized as a medium of instruction in existing madaris and madaris ulya (schools and other Islamic institutions) , which) which are parts of the regional educational system.

j) **Science and Technology.** The science and technology shall be recognized as essential to national and regional progress and development.

k) **Alternative Learning System.** The Department of Education (DepEd) shall institutionalize the Alternative Learning System. It shall include literacy, numeracy and intensive skills training of the youth and adults, which shall have due recognition of the educational disparities between men and women as reflected in human development indices, as well as the promotion of strategies for the bridging of the identified gaps.

l) **Scholarship Programs.** The Autonomous Regional Government shall provide scholarships to poor but deserving students in all levels and forms of education. It shall appropriate at least fifteen percent (15%) of its regular budget for education to support the regional scholarship program. It shall also take initiatives and activities that will generate additional funds for the scholarship program. In the implementation of the scholarship program, a, a specific quota shall be provided for the qualified and deserving Moro and Indigenous People (IP marginalized) marginalized women and girls.

Section 10. The Role of the Academe and Educational Institutions. Consistent with Republic Act No. RA 9054, the academe and educational institutions in the autonomous region through the Department of Education, the Commission on Higher Education and the Technical and Skills Development Authority, and other appropriate educational bodies shall monitor compliance by the regional educational subsystem with national policies, standards and regulation and shall adopt and ensure but are not limited to the following roles provided that these are not discriminatory to women and children:

- Preservation of culture, mores customs and traditions of the Muslim people;
- Preservation, enhancement, and development of cultures, mores, customs and traditions;
- Perpetuation of Filipino and Islamic Values;
- Optional religious instruction;
- Inculcation of patriotism and nationalism;
- Education Centers;
- Tribal University System;
- Madrasah Education;
- Madrasah Educational System: Arabic as Medium of Instruction;
- Science and Technology;
- Non-Formal Education;
- Scholarship Programs

25

The scholarship program contemplated herein shall be administered by the Department of Education (DepEd), Commission on Higher Education (CHED) and Technical Education and Skills Development Authority (TESDA).

The educational institutions shall develop gender-sensitive curricula and policies.

Sec. 110. Role of the Media-, - The media shall be responsible for the production of information education campaign (IEC) materials about this code. They shall develop training modules for the purpose of widening and strengthening the women's participation in development activities.

forThe Autonomous Regional Government and Local Government Units (LGUs) shall reaffirm their commitment to undertake plans and strategies for the advancement in information technology in order to facilitate the empowerment and development of women, and reduction of the continuous negative and degrading images of women in electronic, print and broadcast media. It shall initiate programs gearing towards the involvement of media in women empowerment and development.

The role of the media in the promotion of gender and development shall include the following:

25.1. Adoption of mechanisms to increase the participation and access of women to expression and decision-making at all levels including the observance of a gender-balance appointment of women in media's workforce.

26.2. Promotion and portrayal of the various positive role played by women.

27.3. Adoption and development of codes of conduct, professional guidelines and other self-regulatory policies topolicies to remove gender stereotypes and to promote balanced portrayals of women and men.

4. Development of programs that will support women's ability to create access and networking throughnetworking through the use of new information and communication technologies.

5. Establishment of programs and policies on changing stereotypical attitudes and behaviors concerning gender roles and responsibilities with the purpose of promoting gender equality as well as positive attitudes and behaviors.

6. Strengthening of gender-awareness campaigns and gender equality training among women and men, girls and boys, to, to eliminate the persistence of harmful stereotypes.

26

Sec. 12. Role of the Religious Sector. - HsThe Autonomous Regional Government and the Local Government Units (LGUs) shall promote the active participation of the Assembly of the Dar-ul Ifta of the Philippines, Jurisconsult and other recognized religious groups in the rendition of Fatwah on contentious issues, as follows:

1. Gender Justice in the Context of Islam
2. Leadership and Political Rights
3. Gender Equity in Relation to Women's Rights to Inheritance and Economic Rights
4. Early and Arranged Marriages of Persons Below Eighteen (18) Years of Age
5. Forced Marriages and Proxy Marriages

31.6. Pre-Marriage Counseling as Requirement for Registration of Marriage Contracts
7. Rights to Alimony and Support to Dependent Wife and Children
8. Women's Rights to Pursue and Practice Profession
9. Determination of Appropriate Marrying Age for Men and Women
10. Abuses in the Practice of Polygyny and Their Impact on Women and Children
11. Violence Against Women and Children
12. Rights and Obligations of Men and Women in Marriage

Personal and Political Rights
Gender Equity and , Women's Inheritance
Early and arranged marriages of persons below eighteen (18) years
Pre-marriage Counseling as requirement for registration of marriage contracts
Rights to Alimony and Support to Dependent Wife/Wives and Children
Women's Rights to Pursue Profession
Determine Marrying Age for Women

Section 11. Role of the Religious Sector . The Muslim communities adheres to the corpus of Qur'anic-inspired legislation just as the state cannot assume to tamper with their Muslim Personal law system without due regard to the establishment of religious freedom clause under the constitution.

Therefore, the active participation of the *Darul Ifta* shall be sought in reconciling contentious gender issues/**giving legal opinion** within the context of Islam. The MRLs shall be tapped for awareness raising and delivery of Khutbas on Gender and RH.

Violence Against Women

CHAPTER IV
NON-DISCRIMINATORY AND NON-DEROGATORY
PORTRAYAL OF WOMEN IN MEDIA AND FILM

Sec. 13. Prohibition of Printing, Publication, Display and Distribution of Pornographic Scenes on Movie/TV Trailers/Shows, Internets, Cellular Phones, Posters, Billboards and Other Similar Literature, -. The Autonomous Regional Government and Local Government Units (LGUs) shall exercise vigilance in the unwarranted printing, publication and display of pornographic and sensationalized scenes offensive to human sensitivities.

Section 13. Prohibition of Printing, Publication, Display and Distribution of Pornographic Scenes on Movie/TV Trailers/Shows, Internets, Cellular phones, Posters, Billboards and other materials and similar literature. Consistent with the Constitution, Qur'anic and Hadith precepts and pertinent laws therein, the Autonomous Regional Government and local government units shall exercise vigilance in the unwarranted printing, publication, display of pornographic and sensationalized scenes beyond human sensitivity.

It shall be unlawful for any person, entity, firm or establishment to reproduce or distribute, or cause its reproduction or distribution, pornographic, pornographic scenes and materials from movies, trailers, trailers, shows, billboards, cellphones, internet, video tapes, Compact Discs (CDs), Digital Video Discs (DVDs) and other electronic devices that treat women as sex objects and commodities including derogatory portrayals considered haram and contrary to public morals.

Nude shows or other provocative gestures which further project and exhibit women as sex objects are considered haram.

Any person, agency or establishment that engages in shows depicting women as sex objects in private or public places or under scandalous circumstances shall be liable for violation of women's rights and shall be penalized in accordance with this Code and other applicable laws. Section 12. Prohibition of Printing, Publication, Display and Distribution of Pornographic Scenes on Movie/TV Trailers/Shows, Poster, Billboards and other materials and similar literature. and materials TV posters that

Section 13. Pornographic and Indecent Shows. Nude shows or other provocative gestures which further project and exhibit women as sex objects are considered indecent.

Any person or agency who engages in shows depicting women as sex objects in private or public places or under scandalous circumstances shall violate women's rights.

Sec. –144. Anti-Voyeurism, – It shall be Itbeconsidered unlawful for any person to commit the act of voyeurism including the useing of all forms of electronic devices which tend to violate the rights of women and men to privacy.

28

Section 15. Local Monitoring Board for Violence in Media. There shall be a creation of a Local Monitoring Board for movie, print, broadcast and multi media to classify, regulate, censor and prohibit the exhibition of materials that degrade women and violate their rights.

Video shops, electronic communication, cable television operating in the region, books and other forms of audio visual channels or instruments distributed in the region shall also be subjected to the classification, regulation, censorship and prohibition by the Board. The Board shall prohibit, seize and confiscate any materials that would violate this law. The Board shall be under the direct supervision of the Office of the Regional Governor (ORG).

CHAPTER V
VIOLENCE AGAINST WOMEN AND THEIR CHILDREN

Sec. 15. Battering, Sexual Harassment, Prostitution and Human Trafficking. – Battering, sexual harassment, prostitution and human trafficking constitute violations of the rights of women and children and shall be considered unlawful or illegal under this Act. Any person, entity or establishment found guilty of committing any of the aforementioned acts shall be prosecuted and penalized in accordance with existing laws.

The Autonomous Regional Government shall provide appropriate services through its concerned agencies to women and children subject of human trafficking. It shall ensure the prosecution and punishment of the traffickers in accordance with applicable existing laws.

The Autonomous Regional Government and the Local Government Units (LGUs) shall undertake intensive and comprehensive policies and programs to counter the prevalence of any violation against women and their children. They shall **Section 15. Battering, Sexual Harassment, Prostitution and Trafficking.** Battering, Sexual Harassment, Prostitution and Trafficking are violations of the rights of women and children. It is exploitative and violation of their rights as human beings when women and children are battered (physical, sexual, psychological, economic), sexually harassed, forced into prostitution and are victims of human trafficking. These forms of violence and other crime shall be dealt with accordingly with the full force of the law. not in any manner cause the legalization of any form of prostitution. All Local Government Units (LGUs) in the Autonomous Region shall not issue any permit to individuals, groups or establishments that will tend to establish entertainment facilities allowing, attracting or enticing prostitution or any act preparatory, connected with, or leading to prostitution.

Sec. 16. **Comprehensive Support to Survivors of Violence.** – All Local Government Units (LGUs) in the Autonomous Region shall provide comprehensive support to survivors of violence irrespective of gender, age, religion, affiliation or ethnicity. Women in Especially Difficult Circumstances (WEDCs) shall be provided with the necessary services and interventions, such as, but not limited, to the following:

1. Temporary and Protective Custody;
2. Medical and Dental Services;
3. Psychological Evaluation;
— Guidance and Counseling;
4.
5. Psychiatric Evaluation;
6. Legal Services;
7. Productivity Skills Capability Building;
8. Livelihood Assistance;
9. Job Placement;
– 10. Financial Assistance.
10.

There shall be organized a local Inter-Agency Committees on Anti-Trafficking and Violence AgainstAgainst Women and their Children (IAC-ATVAWC) in all levels to respond to issues and concerns related to violence against women and their children as well as the issues on trafficking. Supportive interventions shall consist of, but not limited to, the following:

a) Immediate conduct of an intervention by concerned assisting agencies/entities within 24 hours;

13

b) Providing counseling and medical services;

c) Speeding-up evidence-based data for immediate arrest and prosecution of the offenders;

c)d) Providing legal services;

d)e) Engagement of gender-sensitive and culturally-perceptive investigation officers, examining physicians, social workers, lawyers and other service providers to handle survivors of violence;

f) Establishment of temporary shelter or crisisor crisis intervention units A tin appropriate support service under the management of an licensed and competent Social Welfare Officer of the Department of Social Welfare and Development (DSWD);

e) .

g) Providing support services to trafficking and Violence Against Women and their Children (VAWC) survivors which shall be in ——accordance with the performance standards for anti-trafficking and anti-VAWC services as mandated by Department of

Social Welfare and Development (DSWD), Department of Health (DOH), Department of Justice (DOJ), Department of Interior and Local Government (DILG), DSWD, DOH, and Philippine National Police (PNP), and DOJ;

f) h) Conduct of orientations on the pertinent provisions of Republic Acts (RAs) 9262, 9208, 8353, 7877, 7610 and other relevant laws and policies on women and children by government offices, Non-Government Organizations (NGOs), private establishments, educational Institutions and, the religious leaders of all faiths RLs, in coordination with concerned agencies of the government; and; and

i) Conduct of in-depth investigations and researches, in coordination with the academe, research institutions and Non-Government Organizations (NGOs) in the Autonomous Region, on the following:

1) gender issues such as early marriages and its impact on men and women;
2) abuses in the practice of polygyny and its effects on Muslim families;
3) forced and arranged marriages and the detrimental effects of such practices;
4) the halaw phenomenon with respect to trafficking of women and children and human rights violations; and
5) the issue on stateless children of Moro ancestry in Sabah, Malaysia.

The researches shall contribute to the local scholarship program and shall serve as part of the basees in advocacy and policy reforms of the Autonomous Regional Government in its combat against trafficking and human rights violations.

1.

(Spell out acronyms) The facilities providing necessary interventions to survivors of violence as well as programsas programs directly benefiting the clients shall be legally recognized and encouraged by the Autonomous Regional Government. These facilities will include Crisis Intervention Units (CIUs) and Violence Against Women and their Children (VAWC) Centers by Department of Social Welfare and Development/ Local Government Units (DSWD/LGU), the Women and Children's Protection Desks (WCPD) by Philippine National Police (PNP), Legal Assistance Desk (LAD by) by Department of Justice (DOJ) and the Women and Children Protection Units (WCPUs) by Department of Health (DOH).

Facilities and programs shall be established by the Autonomous Government primarily to address the issue of VAW. These programs and facilities include Crisis Intervention Units/VAW Centers (DSWD), the Women and Children's Protection Desks (PNP), and the Women and Children Protection Units (DOH).Relevant programs of partner-agencies which involve the provision of psychosocial services, investigatory services or procedures, medical or hospital-based services, legal prosecution services and other anti-VAW services at the barangay, municipal, city and provincial levels, shall be further enhanced, strengthened and supported.

The concerned Local Government Units (LGUs) shall document, monitor and establish data banks on cases of early marriages and abuses against women and their effects.

Sec. 17. Women and Children's Protection Desks (WCPDs). - The Autonomous Regional Government through the ARMM Regional Police Office shall establish and maintain Women and Children's Protection Desks (WCPDs) to specifically handle concerns of women and children. They shall be manned by gender-sensitive women police officers. There shall be a separate WCPD area in all police stations to safeguard the confidentiality of information divulged by the victims and to ensure the latter's protection from any harm or danger.

14

Sec. 18. Protection of Service Providers in Violence Against Women and their Children (VAWC) and Trafficking Cases. - Service providers assisting Violence Against Women and their Children (VAWC) and trafficking cases shall be accorded protection from imminent threat and danger while in the exercise of their official functions.

Sec. 19177. Community-Based Rehabilitation for Perpetrators of Domestic Violence. - TThere shall be a program using various treatments, approaches and interventions to restore perpetratorss' social functioning as an individual and as members of the family and community. Its, implementationIts implementation details shall contain:

9.a.) Social Preparation;
10.b.) Capability Building;
11.c.) Implementation of Rehabilitation Strategies;
12.d.) Monitoring;
13.e.) Documentation and Reporting; and
a.)f.) Evaluation.

Section 1818. Women and Children's Protection Desks (WCPCDs). The Regional Government through the Philippine National Police Regional Office ARMM shall establish and maintain the Wwomen and Children's Protection Desks (WCPDs) preferably handled by gender sensitive Women Police Officers duly trained by GAD personnel. There shall be All police stations in ARMM shall have WCPDs to specifically handle concerns of women and children. There shall be a All police stations in the region shall have separate WCPD room in all police stations in the region within the police station to safeguard confidentiality of information shared by the client/s and ensure the latter's protection from any harm.

Section 19. Protection of Service Providers in VAWC Cases. Service providers assisting VAWC cases shall be accorded protection from imminent threat and danger in the exercise of their official functions. The services/protection of the police may be called upon to curb such threats and danger.

CHAPTER VI
POLITICAL RIGHTS OF WOMENCONCERNS

Sec. 200. Equal Rights of Women and Men in Political and Public Sphere. - The AutonomousThe Autonomous Regional Government shall undertake special measures to accelerate the participation of women in all spheres of society particularly in the decision-making and policy-making processes in government and in private entities in order for them to satisfy their role as khalifah or vicegerentsvicegerents of God. **Section 19. Equal Rights of Women and Men in Political and Public Sphere.** The Regional Government shall undertake temporary special measures to accelerate the participation of women in all spheres of society particularly in the decision making and policy making processes in government and private entities to fully realize their role as agents and beneficiaries of development.

Sec. 211. Appointment of Mahram of Women Executives. - The women executives of the Autonomous Region shall be ewomen executives of the Autonomous Region shall be entitled to a mahram. whose appointment shall be consistent with the provisions of existing laws on appointments of employees.

Section 20. Appointment of Mahram of Married Women Executives. Muslim women executives shall be allowed the appointment or cause the appointment of any of her qualified relatives within the prohibited degrees of marriage (Mahram) to first level positions within her office or under her immediate supervision, as an exception to the rule on nepotism in the government service.

1)   **Sec. 2221. Women's Involvement and Representation in Regional and –Local Special Bodies. -** The Autonomous Regional Government shall institute affirmative action mechanisms so that women can participate in the formulation, implementation and evaluation of policies, plans, and programs for regional and local developments, such as theas the following:

2)a)   Development Councils and Planning Bodies. As far as practicable, forty percent (40%) of the membership of all development councils from the regional, provincial, municipal down to barangay levels shall be composed of women;

3)

4)b)   Other Policy and Decision-Making Bodies. —Women's groups shall also be represented in international, national and local decision-making or special bodies, peace negotiating panel; and

a)

c)

5)   PPrivate Sector. The Autonomous Regional Government shall adopt measures to encourage women leadership in the private sector.

33

Sec. 2332. Celebration of Special Events. - The Autonomous Regional Government shall promote the observance of the celebration of special events relative to the promotion and protection of women and children's right's, such as, but not limited to, the following: a) Declaration of the month of March as Women's Month; b) Every March 8 as International Women's Day; c) Every March 18 as Bangsamoro Women's Day; d) October as National Children's Month, de) Last week of September as Family Week; e) Month of October as National Children's Month; and f) November 25-December 12 as 18--Day Campaign on against Violence Against WomenAW. The conduct of critical cConsciousness raising activities relevant to the events by the line agencies of the Autonomous Region in Muslim Mindanao (ARMM) and the LGUsthe Local Government Units (LGUs)- shall also be encouraged.

A report on the implementation of this Act shall be presented during these events. concerned Regional Line Agencies in the region.

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CHAPTER VII
CULTURAL IDENTITY OF WOMEN (muslim and Indigenous People)

Sec. 244. Preservation of Cultural Identity. - The beliefs, customs and traditions of the people in the Autonomous Region and the free exercise of their respective faiths are hereby recognized, protected and guaranteed.

The Regional Assembly shall adopt measures to ensure mutual respect and protection of the cultural identity of the people in the area of autonomy.

The Autonomous Regional Government shall adopt policies and measures to ensure the continued preservation and promotion of, traditionsof traditions, culture and literatures.

Sec. 2553. Wearing of HijabDress Code Among Muslim Women. – The public and private institutions such as schools, hospitals, offices and other institutions within the Autonomous

Region The State shall be encouraged government as well as private institutions and schools and universities to respect and allow Muslim women to wearing hijab.

It shall not, in any manner, be the reason to discriminate them by reason of their physical appearance. Towards this end, the State shall ensure that the personal dignity of Muslim women shall always be respected.

CHAPTER VIII
INDIGENOUS WOMEN AND CHILDREN

Sec. 26. Recognition of Rights. - The Autonomous Regional Government recognizes and promotes the rights of indigenous women and children as embodied in the international laws, United Nation (UN) Declarations, Philippine Constitution and existing special laws.

Sec. 27. Equal Rights and Opportunities. - The indigenous women shall enjoy equal rights and opportunities with men in the social, economic, political and cultural spheres of the society. The participation of indigenous women in the decision-making processes as well as in the development of the society shall be promoted, respected and recognized.

Section 24. Indigenous Women. Indigenous Women refer to a group of people or homogenous societies identified by self-ascription by others, who have continuously lived as organized community on communally bounded and defined territory and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority Filipinos.

Section 265. Recognition of Rights. The Regional Government recognizes and shall promote the rights of the Indigenous women and children s Cultural Communities (ICCs) as defined in, but not limited to the 1987 Constitution, RA 9054 and RA 8371 and the United NationsN Declaration of the Rights of the Indigenous Peoples.

Section 276. Equal Rights and Opportunities. Indigenous Cultural Women/ Indigenous wWomen and children shall enjoy equal rights and opportunities with men, as regards the social, economic, political and cultural spheres of life. The participation of indigenous women in the decision making processes in all levels, as well as in the development of the society shall be given due respect and recognition.

Sec. 288. Access to Basic Services. - The AutonomousThe Autonomous Regional Government shall provide full access to education, maternal and child care, health and nutrition and other basic services to indigenous women and children.

Vocational, Ttechnical, and professional and other forms of training shall be provided to enable the concerned women to fully participate in all aspects of socialof social life.

Sec. 29297. **Youth and Children.** - The Autonomous Regional Government shall recognize the vital role of indigenous youth and children in region-building. It shallIt shall promote and protect their physical, moral, spiritual, intellectual and social well-being by providing programs and projects for the development of indigenous youth and children.

Sec. 300. **Protection of Indigenous Culture, Traditions and Institutions.** - The Autonomous Regional Government shall respect, recognize and protect the rights of the indigenous cultural communities to preserve and protect their culture, traditions and institutions, Provided, this does not discriminate against women and children and provided further, this does not violate existing national laws. It shall also consider these rights in the formulation and application of regional plans and policies.

Sec. 3221. **Promotion and Marketing of Indigenous People (IP) Cultural Products.** - The Autonomous Regional Government shall provide support services in the promotion and marketing of Indigenous People (-IP) cultural products.

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Sec. 3332. **Integration of Indigenous People Culture and Traditions in the ARMM Educational Curriculum.** in ARMM. - The Department of Education (DepEd) and Commission on Higher Education (CHED) in coordination with the -Office for Southern Cultural Communities (OSCC) shall cause the preparation of appropriate monographs and materials for the integration of indigenous people culture and traditions in the Autonomous Region in Muslim Mindanao (ARMM) educational curriculum. in the ARMM.

The DepEd and CHED shall pursue the institutionalization and full implementation of the integration in the areas of indigenous communities.

Section 28. Protection of Indigenous Culture, Traditions and Institutions. The Regional Government shall respect, recognize and protect the rights of the Indigenous Cultural Communities to preserve and protect their culture, traditions and institutions. It shall consider these rights in the formulation and application of regional plans and policies.

CHAPTER IX
MARRIAGE AND FAMILY RELATIONS

Sec. 343. **Marriage and Family Relations.** - Marriages and family relations, including property relations, succession and settlement of estate of deceased person shall be governed by

the Shari'ah, Code of Muslim Personal Laws (PD 1083), New Family Code, in suppletory character, and this Code.

~~**Section 34. Marriage and Family Relations.** Marriage and family relations, including property relations, succession and settlement of estate of deceased person shall be governed where applicable, by the New Family Code, the Code of Muslim Personal Law, and by this Code.~~

Sec. 354. Solemnization of Marriage. - Notwithstanding the applicable provisions of the Code of Muslim Personal Laws of the Philippines, it shall be the duty of the solemnizing officer or wali to obtain and publicly declare the consent of the woman to the marriage. However, should the woman, for valid reason, refuse to give her consent, the solemnizing officer shall not solemnize the marriage.

~~**Section 3529. Solemnization of Marriage.** Notwithstanding the provisions of the Code of Muslim Personal Laws of the Philippines on the essential requisites and legal impediments, the solemnization and registration of marriage, it shall be the duty of the solemnizing officer to obtain and publicly declare the consent of the woman to be married.~~

Sec. 356. Pre-Nuptial Agreement. A pre-nuptial agreement shall be considered part of the marriage settlement of the contracting parties only when it is in accordance with Islamic Law. It must be in writing and attached to the certificate of marriage, and duly registered with the Shari'ah Registry Office.

~~**Section 360. Pre-nuptial agreement.** A pre-nuptial agreement shall form part of the marriage settlement of the contracting parties which shall be reduced into writing and attached to the certificate of marriage, and registered before the Shari'ah Registry Office.~~

Sec. 376. Advocacy Discouraging Child Marriages. - Child or early marriages shall be discouraged. The Autonomous Region in Muslim Mindanao (ARMM) agencies, non-government and civil society organizations shall conduct strong advocacy campaign against child or early marriages.

~~**Section 37. Advocacy Discouraging Child Marriages.** Marriages between parties, both or either of whom are below eighteen years of age, shall be discouraged. Regional government agencies, local government units, non-government and Civil Society Organizations shall conduct strong advocacy campaign against marriages between individuals below the age of eighteen years, and for its restrictions.~~

Sec. 387. Pre-Marriage Counseling. - Individuals seeking to enter into a contract of marriage shall undergo pre-marriage counseling. ~~The DSWD~~The Department of Social Welfare and Development (DSWD) and all Local Government Units (LGUs) shall establish a pre-marriage counseling desk and conduct pre-marriage counseling seminar to would-be couples. They shall also issue a pre-marriage counseling certificate as a requirement for the solemnization of marriage. For this purpose, ~~the~~ the Local Government Units (LGUs) shall employ a competent Muslim religious leader to discuss about marriage in Islamic perspective during the seminar. The

concerned agencies or offices shall develop a pre-marriage counseling module in the context of Islam to serve as one of the references of discussions in the seminar.

Section 31. Advocacy Discouraging Marriage below Eighteen Years Old. Marriages between parties, both or either of whom are below eighteen years of age, shall be discouraged. Regional government agencies, non-government and Civil Society Organizations shall conduct strong advocacy campaign against marriages between individuals below the age of eighteen years, and for its restrictions.

Section 382. Pre-Marriage Counseling. Individuals seeking to enter into a contract of marriage shall undergo pre-marriage counseling. The DSWD,DSWD and all LGUs are mandated to establish a pre-marriage counseling desk and to conduct a periodic counseling.

Section 33. Subsequent Marriages. Notwithstanding the practice permitting a Muslim man to have more than one wife, no muslim man shall be allowed to contract subsequent marriage without, in addition to the conditions provided for by Art. 27, PD1083, having produced a written consent of his wives, duly signed by at least two witnesses of reputable integrity.

Sec. 389394. Divorce. - Divorce shall be valid and effective only after the exhaustion of all possible means of reconciliation as provided in the Holy Qur'an and pursuant to the provisions of PD 1083, and upon judicial confirmation or issuance of decree of divorce, or confirmation by a competent Aleemcompetent Aleem or Imam in case of extra-judicial divorces which confirmation shall be recognized by the Shariah Court.

Sec. 3940. Financial Support. - Any divorced woman shall be entitled to financial support as provided for by the Code of Muslim Personal Laws (PD 1083). The support herein provided shall be based on the means of the divorced husband. Children of divorced parents shall continuously be given support.

Section 4035. Support and Alimony. Any divorced woman on any ground other than those provided under Paragraphs (e), and (f), and g, of Article 45, PD 1083 shall be entitled to support and alimony until she or her divorced husband dies, or until she has remarried. The support herein provided shall be in keeping with the means of the divorced husband and not otherwise in conflict with Muslim Law. Children of divorced wives shall continuously be supported. Sec. 401. Subsequent Marriages. - NotwithstandingNotwithstanding the rule on polygamy, no Muslim man shall be allowed to contract subsequent marriage unless the following requirements are complied with to the satisfaction of the court: a) physical and economic capability of the man; b) capability of the husband to equal treatment; c) the subsequent marriage must be under exceptional circumstances; and d) the contracting parties of the subsequent marriage should have undergone pre-marriage counseling.

Section 421. Protection of Wives in Ssubsequent Mmarriages. No wife shall be deprived of the benefits due her and her children upon death or retirement of her husband.

Section 4<u>3</u>2. Marriages and <u>F</u>family <u>R</u>relations of <u>N</u>non-Muslims. Marriages and family relations of non-Muslims shall be governed by existing laws.

<u>Section 44</u>3. Mixed <u>M</u>marriages. Marriages between Muslims and non-Muslims shall be governed by the law under which the marriage is ~~celebrated~~ celebrated.

CHAPTER X

~~ACCESS TO~~ HEALTH <u>CARE SERVICES</u>

Sec. 4<u>2</u>4. Community-<u>B</u>based Primary Health Care Service. – The Autonomous Regional Government shall provide, at all times, an equitable, accessible and community-based comprehensive primary health care services. These health programs and services shall be culture-sensitive and gender-responsive covering all stages of human's life cycle. The programs shall also address the major causes of mortality and morbidity among men and women of all ages including that of the unborn child. The provision of comprehensive health services must be parallel to the Islamic beliefs and cultural practices which are non-discriminatory to women. The rights of the spouses to establish a family in accordance with their personal convictions and demands of responsible parenthood, as well as the rights of women to protection from hazardous practices, drugs, devices, interventions and substances, shall be thereto respected.

The community-based primary health care services shall consist of, but not limited to, the following:

1. Maternal care to include pre and post natal care and infant health and nutrition;

~~1.~~ 2. Birthing facilities to assure facility-based delivery by a professional and skilled birth attendant;

3. Responsible parenthood education and access to family planning programs and services for couples;

4. Promotion of exclusive breastfeeding to infants from 0 to 6 months and complementary feeding to infants 6 months onwards;

5. Youth sexuality education without prejudice to the primary right and duty of parents to educate their children;

2.6. Prevention and management of Reproductive Tract Infection (RTI), including Ssexually Ttransmitted Iinfections (STIs), Human Immuno-Deficiency Virus (HIV) and Acquired Immune - Deficiency Syndrome (AIDS);

7. Prevention and management of reproductive tract cancers like breast, cervical, and other gynecological disorders;

8. Prevention and management of abortion and its complications;

9. Prevention and management of infertility and sexual dysfunction pursuant to ethical and Islamic norms, and medical standards;

10. Care for elderly women including elderly men and persons with disabilities; and

11. Management and treatment of mental health problems of women, men, boys and girls; and

12. Prevention, treatment and management of contagious and emerging diseases such as dengue fever, AH1N1, flu virus, Severe Acute Respiratory Syndrome (SARS), bird flu, meningococcemia and similar others .

Sec. 435. Reproductive Health Services. - The Autonomous Regional Government shall ensure the availability and accessibility of methods, techniques and services that contribute to reproductive health and individual's well-being. The elements of reproductive health care shall include the following:

a) Islam and Reproductive Health;

b) Islam and Birth Spacing;

c) Maternal and Child Health and Nutrition;

d) Prevention of Abortion;

e) Prevention of Violence Against Women and Children (VAWC);

f) Men's Reproductive Health and their Involvement;

g) Adolescent Reproductive Health (ARH);

h) Reproductive Tract Infections (RTIs), Sexually Transmitted Infections(STIs), Human Immuno-Deficiency Virus (HIV) and Acquired Immune Deficiency

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Syndrome (AIDS);

i)   Infertility; and

j)   Post Reproductive Health and Other Reproductive Health Concerns.

Sec. 446. Health Care Financing Mechanisms - The Autonomous Regional Government shall set-up appropriate health care financing mechanisms through health insurance coverage.   It shall enter into agreement with the provincial and municipal governments, Philippine Health Insurance Corporation (PhilHealth) and its Department of Health (DOH for) for the enrollment of indigents especially women and children to any available health care packages such as hospitalization, maternal and child care, TB and other contagious diseases treatment packages.

Sec. 457. Access to Family Planning Management. - The Autonomous Regional Government shall ensure access to responsible, ethical, legal, safe and effective family planning methods that are consistent with Islamic principles.

Sec. 468. Contraceptive Self-Reliance Program. - The Autonomous Regional Government shall guarantee the implementation of the contraceptive self-reliance program by the Local Government Units (LGUs) in their respective areas in order to ensure the availability and affordability of family planning services and methodologies.

Sec. 479. Partnership in Family Planning Services. - The Autonomous Regional Government shall encourage and promote partnership on family planning and reproductive health program implementation with other stakeholders such as the academe, Local Government Units (LGUs), Muslim Religious Leaders (MRLs), Civil Society Organizations (CSOs), Non-Government Organizations (NGOs), Peoples Organizations (POs) and private sector.

Sec. 850. Institutionalization of the Fatwa on Family Planning and Reproductive Health. - The Autonomous Regional Government shall encourage the inclusion of fatwa on family planning and reproductive health issued by the Assembly of the Daru'l Ifta in any Khutba during congregational prayers. in health programs.

Sec. 5149. Mobile Health Care Delivery Services. - There shall be a mobile health care delivery service through a mobile health clinic in the municipalities of the Autonomous Region for their constituents particularly to the indigents. To effectively carry out this program, each municipality in the mainland shall be provided with a van and motorized boat for the island municipality to promptly attend to the needing patients. The operation and maintenance of the mobile health clinics shall be funded under the Priority Development Assistance Fund (PDAF). The Department of health (DOH), in coordination with the Integrated Provincial Health Offices (IPHOs), shall, shall provide the human resource requirement of the program. The concerned LGUsconcerned Local Government Units (LGUs) shall be responsible for the maintenance and sustainability of the program in their respective jurisdictions.

-19-

Sec. 502. Conduct of Maternal and Neonatal Mortality and Morbidity Review. – All Local Government Units (LGUs) shall be enjoined to formulate their respective ordinances for the regular reporting of maternal and neonatal mortality and morbidity indices. Annual maternal and infant death review shall be conducted which shall be attended by the concerned agencies such as Department of Health (DOH), – Population Commission (POPCOM), Department of Social Welfare and Development (DSWD), Department of Interior and Local Government (DILG), National Statistics Office (NSO), National Commission on Indigenous Peoples (NCIP), Barangay Local Government Units (BLGUs), Municipal Local Government Units (MLGUs), and provincial governments with the purpose of formulating plans, programs and projects to immediately decrease maternal and infant mortality and morbidity.

Sec. 513. Leave Benefits. - In addition to those provided under existing laws, any employee who have rendered continuous aggregate employment service of at least six (6) months for the last twelve (12) months shall be entitled to a special leave benefit of fifteen (15) days for the treatment of gynecological problem for women and urological for men. Employees undergoing gynecological, urological or prostatic gland procedures shall be entitled to two (2) months leave with full pay.

Sec. 524. Comprehensive Community-Based Primary Health Care Information and Education Campaign. - The Autonomous Regional Government shall provide women in the Region appropriate, complete, accurate and community-based information and education on all aspects of women's health especially those on the most vulnerable ages giving more emphasis on family planning, reproductive health, maternal and child health, and nutrition.

Sec. 535. Establishment of Women and Children Protection Units in All Hospitals in ARMM. - In cases of violence against women and children, victims, victims and survivors of conflict-afflicted areas shall be provided with comprehensive health services that include psychosocial, medical and legal interventions. There shall be Women and Children Protection Units (WCPUs) in all hospitals in Autonomous Region in Muslim Mindanao (ARMM) to immediately respond to the needs of women and children.

The Autonomous Regional Government of Muslim Mindanao sShall provide at all times an equitable, accessible and community-based Comprehensive Primary Health Care Service. These services shall be culture-sensitive, and gender responsive health services and programs covering all the stages of a women's Life cycle and thatwhich addresses the major causes of women's mortality and morbidity. Provided. , tThat in the provision for the comprehensive hHealth services , due respect shall be accorded to the Islamic religiIslamic beliefs and on and cultural

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1827 practices, ,t The right of the spouses to establish found a family in accordance with their Islamic
1828 conviction and the the demands of the responsible parenthood, and the right of women to
1829 protection from hazardous drugs, devices, interventions, and substances,.
1830
1831 The basic health services shall be culture-sensitive and gender responsive that shall address the
1832 major causes of mortality and morbidity among men and women of all ages.
1833
1834 **Section 41. Community-based Primary Health Care Service**. The regional government shall
1835 ensure an equitable, accessible and community-based Primary Health Care Services of the
1836 following but not limited to:
1837
1838 — Maternal care to include pre and post natal care to address pregnancy and infant
1839 health and nutrition
1840 — Equipped birthing facilities to assured facility-based delivery by a skilled birth
1841 attendant (professional birth attendant means doctor, nurse or midwives)
1842 — Promotion of exclusive breastfeeding, that is from 0 to 6 months, and
1843 supplementary feeding shall be introduce from 6 months onwards;
1844 — The family and the regional government, thru DOH-ARMM and POPCOM, shall
1845 collaborate in Adolescent Health and Youth Development by providing a youth
1846 sexuality education and responsible parenthood without a prejudice to the primary
1847 right and duty of parents to educate their children;
1848 — Prevention and Management of Reproductive tract infection, including Sexually
1849 Transmitted Infections (STIs), HIV, and AIDS;
1850 — Prevention and Management of Reproductive tract cancers like breast, cervical,
1851 and other gynecological disorders;
1852 — Prevention and Management of abortion and its complications.
1853 — Prevention and management of infertility and sexual dysfunction pursuant to
1854 ethical and Islamic norms, and medical standards;
1855 — Care for elderly women beyond their child-bearing years; and
1856 — Management, treatment and intervention of mental health problems of women,
1857 men, boys and girls. Healthy lifestyle activities are encouraged and promoted to
1858 prevent the emergence of lifestyle diseases especially among the elderly
1859 — Prevention, treatment and management of contagious and emerging diseases
1860 dengue fever, AH1N1, flu virus, SARS, Bird flu, meningococcemia.
1861
1862 **Section 42. The Reproductive Health Services**. The Regional Government shall ensured the
1863 availability and accessibility of methods, techniques and services at its full range that contributes
1864 to reproductive and well being by preventing and solving reproductive health-related problems
1865 in order to achieve enhancement of life and personal relations. The elements of reproductive
1866 health care shall include:
1867
1868 — Islam and Reproductive Health
1869 — Islam and Birth Spacing
1870 — Maternal and Child Health and Nutrition
1871 — Prevention of abortion

1872   Prevention of violence against women and children (VAWC)
1873   Men's RH and Male involvement in RH
1874   Adolescent Reproductive Health (ARH)
1875   Reproductive Tract Infections (RTIs) / Sexually Transmitted Diseases (STDs)
1876 / Human Immuno deficiency Virus (HIV) /Acquired Immune Deficiency
1877 Syndrome (AIDS)
1878   Infertility
1879   Post Reproductive Health and Other Reproductive Health Concerns
1880

1881 **Section 43. Setting-up health care financing mechanisms.** The Regional Government shall
1882 set-up of health care financing mechanisms through the health insurance coverage. The Regional
1883 Governor shall enter into agreement with the Provincial Governors, Municipal Mayors,
1884 Philippine Health Insurance Corporation and Department of Health ARMM for the enrollment
1885 of indigents especially women and children in the region and avail other Phil health care
1886 packages(Hospitalization, maternal, TB treatment package and others).
1887

1888 **Section 44. Access to Family Planning Management.** The Regional Government shall ensure
1889 access to responsible, ethical, legal, safe and effective Family Planning methods, that it is
1890 acceptable within the Islamic context.
1891

1892 **Section 45. Contraceptive Self Reliance.** The Regional Government shall ensure that all LGUs
1893 in ARMM shall implement the Contraceptive Self Reliance program to ensure the availability
1894 and affordability of family planning commodities in their respective areas.
1895

1896 **Section 46. Partnership in Family Planning Services.** Encourage Partnership on Family
1897 Planning and Reproductive Health Program implementation with other stakeholders such as the
1898 academe, LGU, MRLs, NGOs and private sectors.
1899

1900 **Section 47. Institutionalization of the FATWA on family planning and reproductive**
1901 **health.** FATWA shall be included in the Kutba during congregational prayers.
1902

1903 **Section 48. Mobile health care delivery services** (especially in island provinces and
1904 inaccessible municipalities). Each Congressional District shall be provided with a van (mainland)
1905 and boat (Island Provinces) to be known as the Mobile Health Clinics to deliver health care
1906 goods and services to its constituents, more particularly to the indigents. The operation and
1907 maintenance of the Mobile Health clinics shall be funded from the Priority Development
1908 Assistance Fund (PDAF). The DOH ARMM in coordination with the IPHOs shall provide the
1909 human resource for health care services and LGUs shall be responsible for the maintenance and
1910 sustainability of the services.
1911

1912 **Section 49. Conduct Maternal and Neonatal Death Review.** In response to Millennium
1913 Development Goals No. 5 - Reduce Maternal and Infant Mortality, all LGUs shall be enjoined to
1914 formulate their respective ordinance for the regular reporting of maternal and neonatal deaths.
1915 Conduct annual maternal and infant death review attended by the DOH ARMM, NSO, NCIP,

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1916 BGUs, MLGUs, and the Provincial Government to come up with immediate response in
1917 decreasing maternal and infant mortality.
1918
1919 **Section 50. Leave Benefits.** In addition to existing Special leave, Maternity leave and Paternity
1920 Leave, an employee having rendered continuous aggregate employment service of at least six (6)
1921 months for the last twelve (12) months shall be entitled to a special leave benefit of 15 days for
1922 the treatment of the gynecological problem (women) and andropause (men). Maximum of two
1923 (2) months leave for those who undergo gynecological and urological for men procedures with
1924 full pay based on the monthly compensation.
1925
1926 **Section 51. Entitlement of Women Government Workers to Partial Permanent Disability**
1927 **Benefits.** Consistent with Republic Act 8291 (Government Service Insurance Act) and Republic
1928 Act 8282 (Social Security System Act), women workers who shall undergo hysterectomy
1929 operations shall be entitled to claim under the Partial Permanent Disability Benefits subject to the
1930 compliance of the requirements for payment prescribed therein. To be deleted
1931
1932 **Section 52. Comprehensive Community-based Primary Health Care Information and**
1933 **Education Campaign.** The ARMM regional Government shall provide all women in the region
1934 in all sectors with appropriate, complete, accurate, and community-based Information and
1935 Education on all above-stated aspects of women's health especially in its most vulnerable age
1936 during its reproductive age (15-49 years old) to give more emphasis on Family planning
1937 reproductive health, maternal and child health and nutrition.
1938
1939 **Section 53. Establishment of Women and Children Protection Units in all Hospitals in**
1940 **ARMM.** In cases of violence against women and children, Women and children victims and
1941 survivor of conflict afflicted areas shall be provided with comprehensive health services that
1942 include psychosocial, therapeutics, medical, legal intervention and assistance towards recovery.
1943 Their privacy shall be ensured by the provision of Women and Children Protection Units in all
1944 Hospital in ARMM to respond to the need of women and children. **Section 36. Community-**
1945 **based Primary Health Care Service.** The regional government shall ensure an equitable,
1946 accessible and community-based Primary Health Care Services such as:
1947
1948 3.   Maternal care to include pre- and post natal care to address pregnancy and infant health
1949 and nutrition
1950 4.   Equipped birthing facilities to assured facility based delivery by a skilled birth attendant
1951 (professional birth attendant means doctor, nurse or midwives)
1952 5.   Promotion of complete breastfeeding, that is from birth to six month, and supplementary
1953 feeding shall be introduce from six month to two years old
1954 6.   The family and the regional government, thru DOH-ARMM and POPCOM, shall
1955 collaborate in Adolescent Health and Youth Development by providing a youth sexuality
1956 education and responsible parenthood without the prejudice to the primary right and duty of
1957 parents to educate their children
1958 7.   Prevention and Management of Reproductive tract infection, including Sexually
1959 Transmitted Disease (STD), HIV, and AIDS:

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8.   Prevention and Management of Reproductive tract cancers like breast and cervical, and other gynecological disorders

9.   Prevention of abortion and Management of pregnancy-related complication

10.   Prevention and management of infertility and sexual dysfunction pursuant to ethical and Islamic norms, and medical standards

11.   Care for elderly women beyond their child-bearing years and Management, treatment and intervention of mental health problems of women and girls; Healthy lifestyle activities are encourages and promoted to prevent the emerging lifestyle disease especially among pre & post and menopausal women.T, prevention significanceeconcernslike flu virus, **Section 37. The Reproductive Health Services**, The Regional Government, shall ensured the availability and accessibility at its full range of methods, techniques and services that contributes to reproductive and well being by preventing and solving reproductive health-related problems in order to achieve enhancement of life and personal relations. The elements of reproductive health care include:

1.   Islam and Reproductive Health
2.   Islam and Birth Spacing
3.   Maternal and Child Health and Nutrition
4.   Prevention of abortion
5.   Prevention of violence against women and children (VAWC)
6.   Men's RH and Male involvement in RH
7.   Adolescent Reproductive Health (ARH)
8.   RTI/STDs/HIV/AIDS
9.   Infertility
10.   Post RH and Other RH Concerns

Section 38. Setting up of health care financing mechanisms. The Regional Government shall set up of health care financing mechanisms through the health insurance coverage. The Regional Governor shall enter into agreement with the Provincial Governors, Municipal Mayors, Philippine Health Insurance Corporation and Department of Health-ARMM for theto enrollment of the indigents especially women and children in the region and avail other Philhealth care package(Hospitalization, maternal, TBtb treatment package and others)

Section 39. Access to Family Planning Management, Access to Responsible, ethical, legal, safe and effective Family Planning, Provided that it is accepted in the Islamic point of view.

Section 40. Contraceptive Self Reliance. The Regional Government shall ensure all LGUs in ARMM shall implement the Contraceptive Self Reliance program to ensure the availability and affordability of family planning commodities in their respective areas

Section 41. Partnership in Family Planning Services. Encourage Partnership on Family Planning and Reproductive Health Program implementation with other stakeholders such as: academe, LGU, MRLs, NGOs and private sectors.

Section 42. Institutionalization of the FATWA on family planning and reproductive health. FATWA shall be included in the Kutba during congregational prayers.

Section 43. Mobile health care delivery services (especially in island provinces and inaccessible municipalities). Each Congressional District shall be provided with a van (mainland) and boat (Island Provinces) to be known as the Mobile Health Clinics to deliver health care goods and services to its constituents, more particularly to the poor and needy. The operation and maintenance of the Mobile Health clinics shall be funded from the Priority Development Assistance Fund (PDAF). The DOH ARMM shall provide the human resource for health care services and LGUs shall be responsible for the maintenance and sustainability of the services.

Section 44. Conduct of Maternal and Neonatal Review. In response to MDG 5 to Reduce Maternal and Infant Mortality a municipal ordinance shall be formulated for the regular reporting of maternal and neonatal death by the Barangay Government Units to Municipal Health Office. Conduct annual maternal and infant death review attended by the DOH ARMM, LGUs, BGUs and the Provincial Government to come up with immediate response in decreasing maternal and infant mortality.

Section 45. Leave Benefits. In addition to existing Special leave, Maternity leave and Paternity Leave, an employee having rendered continuous aggregate employment service of at least six (6) months for the last twelve (12) months shall be entitled to a special leave benefit of, 1-15 days for the treatment of the gynecological problem(women) and andropause(men). Two (2) months leave for those who undergo gynecological procedure with full pay based on the monthly compensation.

Section 46. Comprehensive Community-based Primary Health Care Information and Education Campaign. The ARMM regional Government shall provide all women in the region in its all sectors with appropriate, complete, accurate, and community-based Information and Education on all above-stated aspects of women's health especially in its most vulnerable age during its reproductive age (15-49 years old). (Giving more emphasis on Family planning reproductive health, maternal and child health and nutrition)

Section 47. Establishment of Women and Children Protection Units in all Hospitals in ARMM. In cases of violence against women and children, Women and children victims and survivor of conflict afflicted areas shall be provided with comprehensive health services that include psychosocial, therapeutics, medical, legal intervention and assistances towards recovery. Their privacy shall be ensuring by provision of Women and Children Protection Units in all Hospital in ARMM to respond to the need of women and children.

CHAPTER XI

~~ACCESS TO~~ EDUCATIONAL SERVICES

Sec. 546. Provision of Quality Education. - The Autonomous Regional Government shall establish, maintain and support, as top priority, a complete and integrated system of quality education. It shall adopt an educational framework that is meaningful, relevant and responsive to the needs, ideals and aspirations of the people in the Autonomous Region.

All schools, colleges and universities in the Autonomous Region, including such other schools and institutions that may be established thereat, shall be deemed integral components of the regional educational system. The Autonomous Regional Government shall ensure accessibility of children, adolescents and young adults to quality education.

The Autonomous Regional Government shall ~~adopt, the~~ adopt the following:

(1) Recognition of the participation of private institutions and Madaris in providing quality education to the people in the Autonomous Region;

(2) Adherence to basic national structure of education in accordance with existing governing laws;

(3) Promotion and use of gender sensitive language and removal of sexist words and contexts in school textbooks and materials; and

(4) Incorporation of Islamic values in social studies subjects or their equivalents in appropriate grade levels as well as in the secondary and tertiary levels of education.

Sec. 557. Distance Learning Program. - The Department of Education (DepEd) shall institutionalize and encourage distance learning program both in elementary and secondary levels in the remote communities of the Autonomous Region.

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Sec. 568. Health and Nutrition Development Program in Curriculum. - The educational institutions shall incorporate in their respective curricula offerings and course syllabi the women, adolescent, and youth health and nutrition development program.

Sec. 579. Mechanism for Monitoring Educational Materials. - The Department of Education (DepEd) and Commission on Higher Education (CHED) in partnership with other educational institutions in the Autonomous Region shall develop, formulate and provide effective mechanisms for monitoring and reporting of educational materials that stereotype and discriminate women and men.

Sec. 608. Scholarship Programs. - Educational institutions through their respective extension service programs shall forge partnership with Department of Education (DepEd),

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2094 Commission on Higher Education (CHED), Technical and Skills Development Authority
2095 (TESDA), National Commission on Muslim Filipinos (NCCFMF) and other stakeholders for the
2096 provision of scholarship grants especially for technical education and livelihood skills
2097 development training for women and out of school youths.
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2100 Section 5448. Provision of quality Education. All educational institutions (public & private) in
2101 the region as a component of the Integrated System of education under R.A. 9054 be it formal
2102 and non-formal entities shall ensure the provision and access to quality education of children (5-
2103 12 yrs.), adolescent (13-19 yrs.) youth and young adults (29-53 yrs. Old) especially the women
2104 sector.
2105 These educational institutions shall put up literacy classes through non-formal education and
2106 specialized education and entrepreneurship for OSY, returning OFW, IDPs (children &
2107 women)and illiterates (young adults/adults) under the overall supervision of CHED and DepEd.
2108
2109 To assure the increase in the cohorts survival rate, these institutions through the sponsorhip of
2110 the Regional government shall provide free education to the poor, street children ,IDPs (children
2111 & women) in every primary ,secondary and tertiary levels.
2112 Consistent with the Constitution and Republic Act 9054, the Autonomous Regional Government
2113 shall establish, maintain, and support as top priority a complete and integrated system of quality
2114 education and adopt an educational framework that is meaningful, relevant and responsive to the
2115 needs, ideals and aspirations of the people in the region.
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2117 The schools, colleges and universities existing in the autonomous region as of the date of the
2118 approval of the Organic Act and such other schools and institutions that may be established in
2119 the region shall be deemed integral component of the education system of the regional
2120 government and shall ensure the provision and access to quality education of children,
2121 adolescents, youth and young adults and women.
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2123 Consistent with the state policy, the Autonomous Regional Government and the regional
2124 educational subsystem shall adopt but not limited to the following:
2125
2126 Recognize the participation of private institutions and the *Madaris* (Arabic schools)
2127 in providing quality education to the people in the region.
2128
2129 (2) Basic education structure . The elementary level shall follow the basic national
2130 structure and shall provide basic education, the secondary level will correspond to four
2131 (4) years of high school and the tertiary level shall be one year to three (3) years for a
2132 non-degree courses and four (4) to eight (8) years for degree as the case may be, in
2133 accordance with existing laws.
2134
2135 3) Use of gender sensitive and removal of sexist language in school text and materials in
2136 textbook preparation, writing, revision and printing. In addition to Filipino and Islamic
2137 values, the use of gender sensitive and removal of sexist language shall be encouraged in
2138 social studies subjects or their equivalents in appropriate grade levels and subject to the

2139 agreed norms, academic freedom and legal limitations. These values shall be taught also
2140 as a part of appropriate subjects in the secondary and tertiary levels of education.
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2143 **Section 49. Integration of the Rights of Women and Children in the Curricula. These**
2144 **educational institutions including the Madaris shall integrate in their respective curricula**
2145 **offerings/degree programs the rights of women and children as provided for in the**
2146 **CEDAW and Magna Carta for women and following the minimum requirements and**
2147 **standards prescribed by DepEd and CHED.IP Curriculum in all levels**. The Commission on
2148 Higher Education (CHED) the Department of Education (DepEd) in coordination with office for
2149 Southern Cultural Communities (OSCC) shall cause the preparation of appropriate monographs
2150 and materials for the integration of Indigenous Peoples curriculum in the ARMM.
2151 The CHED and DepEd shall pursue the institutionalization and full implementation of the same
2152 in all areas dominated by Indigenous Communities.
2153 **Section 55. Distance Learning Program.** The Department of Education shall
2154 institutionslizeinstitutionalize and encourage distance learning program both in elementary and
2155 secondary levels in all far flung communities especially with a 3 kilometer distance from a
2156 certain elementary or secondary schools.Integration of the IP curriculum.
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2159 **Section 560. Health & Nutrition Development Program.** The educational institutions shall
2160 incorporate in their respective curricula offerings & course syllabi, the women, adolescent, and
2161 youth, the health & nutrition development program including sex Adolescent Health and Youth
2162 Development education in coordination with the Regional and Municipal Health Offices.
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2164 **Section 571. Mechanism forof Monitoring of the Educational Materials.** The DepEd and
2165 CHED in partnership with the These educational institutions shall, in coordination with DepEd
2166 and CHED, develop, formulate, and provide effective mechanism of for monitoring and
2167 reporting of educational materials in the region that portray s stereotypstereotypedes roles of
2168 women and men.
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2170 **Section 52. Scholarship Programs and Funding. Section 58. Scholarship Programs and**
2171 **Funding.** The Autonomous Regional Government shall grant sufficient annual funds (both
2172 private and public) for more scholarships to IDP's and street children, to be sourced out from the
2173 annual allocations for Education under R.A. 9054. These educational institutions through the
2174 Regional government shall grant sufficient annual funds (both private and public) for more
2175 scholarships for OFW, street children, OSY and IDPs (children) to be sourced from the annual
2176 allocations for Education under R.A. 9054.
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2179 These educational institutions through their respective extension services program shall forge a
2180 strong partnership with TESDA, OMA, and other stakeholders for the provision of scholarship
2181 grants specially intended for technical education and livelihood skills development training and
2182 capability building of women and out of school youths. identify and create a **strong**
2183 **scholarship program** that will provide effective mechanism to source sufficient funds from

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public, political, private, corporations, business entities, foreign financial donors and domestic loans for Out of School Youths, Overseas Filipino Worker, street children and Internally Displaced Persons (IDPs) children & women as provided for under R.A. 9054. These educational institutions through their respective extension servicesshall program shall forge a strong partnership with TESDA, OMA, and other stakeholders for the provision of scholarship grants specially intended for technical education and livelihood skills development training and capability building of women and out of school youths. identify and create a **strong scholarship program** that will provide effective mechanism to source sufficient funds from public, political, private, corporations, business entities, foreign financial donors and domestic loans for OSY, OFW, street children and IDPs (children & women) as provided for under R.A. 9054.

CHAPTER XII
SOCIO-ECONOMIC CONCERNS

Sec. 615959. Equal Access to Employment and Promotion. - The Autonomous Regional Government shall ensure equal employment opportunities and meritorious promotion to all labor force of the Autonomous Region regardless of sex, organization, tribe, religious beliefs or political affiliations.

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Section 53. Equal Access to Employment and Promotion. The The Autonomous Regional government shall ensure equal employment opportunities to all the employable residents of the autonomous region regardless of sex, religion, civil status or organizational affiliations. It shall also formulate strategic and responsive training plans and programs to ensure the efficient skills development of its manpower regardless of sex and afford its proper allocation and utilization to promote employment and accelerate economic and social growth. The regional government shall strictly observe seniority, merit and fitness in the rank promotion of government workers and exhort, as much as practicable, private employers to observe the same policy in the rank promotion of their workers.

Sec. 6002. Employment of Children. - No child below fifteen (15) years of age shall be employed except when he or she works under the direct supervision of his or her parents or guardian subject to the conditions and requirements prescribed by the Labor Code of the Philippines. *(Subject to the compliance of the requirements and conditions prescribed under the provisions on child labor of the Labor Code of the Philippines). IRR.*

Employment of Children.

Sec. 6113. Salaries, Wages and Financial Benefits. – Salaries, wages or financial benefits of employees shall be given in the form of money or valid check. No employer shall be allowed to pay by means of notes, bonds, vouchers, coupons, tokens, tickets, chits or any similar objects, even when expressly requested by the employee.

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Every employer shall comply with the minimum wage set by the Regional Wages and Productivity Board (RWPB) of the Autonomous Region.

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In the same manner, all employers shall be required to grant benefits to all workers such as, but not limited to, maternity, maternity or paternity leave, sick, sick leave, vacation, vacation leave, medical, medical services and other similar services, subject to the limitations provided under the applicable lawsservices.

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Section 54. Wage and Benefits. No employer shall pay the wages of employee by means of notes, vouchers, coupon, token, ticket, chits or any object other than legal tender even when expressly requested by the employee.

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Every employer shall comply with the minimum wage as stipulated by the Regional Wage Board as provided or passed by the board shall grant benefits to all women employees, such as maternity leave, sick leave ,vacation leave and emergency medical services.

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Sec. 6224. Facilities for Women in Buildings and Other Infrastructures. - The Autonomous Regional Government, shallGovernment shall establish policy standards for health and occupational safety that will ensure the security, safety and health of men or women workers of the private sector in the Autonomous Region. (It shall provide proper seats/places/facilities for women and permit them to use such seats/places/facilities when they are free from work. In the same manner, it shall provide separate decent comfort rooms and lavatories for men and women; establish a nursery or feeding station in a workplace and provide separate prayer rooms for men and women). (IRR)

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Section 55. Facilities and Support System for Women. The ARG shall provide policy guidelines to establish standards that will ensure the safety and health of women employees in ARMM. It shall provide seats proper for women and permit them to use such seats when they are free from work and during working hours, provided they can perform their duties in the position without detriment to efficiency. To provide separate decent comfort rooms and lavatories for men and women and provide at least a dressing room for women.To establish a child minding center or breastfeeding station in a workplace ; andProvide prayer rooms for Islam believers

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Sec. 65336. Insurance of Occupational Safety and Health Standards. - Monitoring System for Labor Standards. The Autonomous Regional Government RG shall set and enforce mandatory occupational safety and health standards to eliminate or reduce occupational safety and health hazards in all workplaces. It shall institute comprehensive programs to ensure safe and healthful working conditions in all places of work.

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Sec. 6446. Technical, Livelihood and Employment Assistance Program. - The Autonomous Regional Government shall formulate strategic and responsive policies and programs that will ensure and facilitate the provisions of technical, livelihood and employment assistance to manpower/women workers.

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2273 **Section 57. Sec. 6557. Human Resource Development Program. -** The Autonomous
2274 Regional Government shall establish a policy for sustainable human resource development
2275 program in order to produce locally and globally competitive manpower.
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2278 **Employment Assistance Program.** The Autonomous Regional Government shall formulate
2279 strategic and responsive policies and program that will ensure and or facilitate the provision of
2280 employment assistance to all its manpower **especially the women sector**

2282   5.   Women in enterprise and Entrepreneurial Development Program
2283   6.   Women with Disability Self Employment Program
2284   7.   **Special Program for the Protection of Women Workers in the Agricultural industry**
2285 Section 66.29 - Maternity Leave Benefits. Every employer shall grant to any pregnant woman
2286 employee Maternity Leave Benefits as provided for under Section 14 - A of Republic Act No.
2287 1161, Otherwise Known as the" Social Security Law of 1997. - delete and transfer to IRR

2288 **Sec. 6866. Prohibition of Discrimination on the Basis of Gender** Terms and
2289 Conditions of Employment. - It shall be unlawful for any employer to discriminate any woman
2290 employee with respect to terms and conditions of employment solely on account of her sex or
2291 gender. **Section 30 - Terms and Conditions of Employment** . It shall be unlawful for any
2292 employer to discriminate against any woman employee with respect to terms and conditions of
2293 employment solely on account of her sex.
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2295   **Sec. 6779.32 - Prohibited Acts.** - It shall be unlawful for any employer to terminate a
2296 woman worker on the account of her pregnancy, or while on leave or in confinement due to her
2297 pregnancy, or to discharge or refuse the admission of a woman worker upon returning to her
2298 work for fear that she may again be pregnant. Any officer, supervisor, head or authorized
2299 employee who commit employee who commits such unlawful act shall be solidarily solidarily
2300 liable for damages with the organization, corporation, establishment, establishment or business
2301 entity where the woman is working.
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2304   **Sec. 70868. Grievance Machinery on Sexual Harassment**. - The Autonomous
2305 Regional Government shall institute stable and functional grievance machinery on sexual
2306 harassment in every government or private establishment for the speedy and proper redress of
2307 sexual harassment cases in workplaces.
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2310 **Section - 35 Grievance Machinery on Sexual Harassment** The Regional Government shall
2311 institute a stable and functional grievance machinery on sexual harassment in every government
2312 and private work places to properly redress on time case/cases of sexual harassment in work
2313 places. **Sec. 716969. Women in Agriculture and Fishery**. - The Autonomous Regional
2314 Government shall formulate strategic and responsive policies and programs that will ameliorate
2315 the general welfare of women in the agricultural and fishery industries and shall ensure the full
2316 protection and promotion of their rights and privileges.
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Sec. 7002. Social Services for Household Service Workers. - The Autonomous Regional Government shall formulate appropriate policies, strategies and programs that will ensure the provision of social services for household service workers to protect and promote their social rights and privileges out of their employment.

Section 36 Women in Agriculture. The Regional Government shall formulate strategic and responsive policies and programs that will ameliorate the general welfare of women in the agricultural industry and ensure the full protection and promotion of their rights and privileges. **Section 37 Social Services for Domestic Workers.** The Regional Government shall formulate appropriate policies, strategies and programs that will ensure the provision of social services for domestic workers to protect and promote their social rights and privileges out of their employment.

CHAPTER XIII
SPECIAL SECTORAL CONCERNS

Sec. 7258. Rights of Differently-Abled Persons to Education. : The Autonomous Regional Government shall establish a special school in every municipality for the differently-abled persons. It shall pursue measures and support services that will promote and protect the rights of the differently-abled persons in the Autonomous Region.

The Department of Social Welfare and Development (DSWD), in coordination with the concerned regional line agencies, shall spearhead the implementation of supportive interventions that will advance the interest of differently-abled persons for them to become productive partners to development. These supportive interventions shall consist of, but not limited to, the following:

a) Special education school for differently-abled persons which shall offer appropriate technology curricula;

b) Creative employment opportunities for differently-abled persons recognizing their differentiated conditions and full potentials as human beings;

c) Creation of committee on differently-abled persons under the provincial, municipal and city development councils to advance their interest;

d) Medical missions and sports development activities for differently-abled persons;

e) Regular monitoring and reporting of cases of harassment committed against differently-abled persons; and

f) Establishment of database as basis for planning and designing programs and projects intended to differently-abled persons.

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Sec. 7324. Advocacy on Differently-Abled Person's Rights. – The Department of Social Welfare and Development (DSWD), in coordination with the Autonomous Region in Muslim Mindanao (ARMM), Local Government Units (LGUs) and Department of Health (DOH), shall, shall conduct active advocacy on the rights of differently-abled persons in the Autonomous Region. Section 59. Advocacy on Differently-Abled Person's Rights. Active advocacy on the rights of differently abled persons shall be conducted by the Department of Social Welfare and Development.

Sec. 753460. Organization of Senior Citizen Associations. - The Autonomous Regional Government shall support the organization and strengthening of senior citizen associations to advance the interests of thisof specialthis special group of citizens.

Sec. 671546. Compliance with the Law on to Senior Citizen's Discount. - The Autonomous Regional Government, through the Local Government Units (LGUs), DSWD shall monitor the compliance of establishments, companies, institutions and business entities within the Autonomous Region to the provisions of the Senior Citizen's Law on the grant of discounts in transportation fares, hospitalization costs, costs, medicines and others to senior citizens.

Sec. 672657. Support Funds for the Senior Citizens. — The Department of Social Welfare and Development (DSWD) Funds shall be allocated funds for livelihood assistance, routine physical check-up, social group work programs and other appropriate socio-economic activities for senior citizens.

Sec. 67768.3. Rights of Women InmatesSupport to Women Inmates. – The rights of women inmates shall be protected. It shall be the responsibility of the Autonomous Regional Government to ensure the following:

a) Speedy dispositiontrial of cases of women inmates;

b) AAppropriate programsshall be designed to respond to women inmates' needs and problems as inmates;

c) Establishment of c) separate structure and space for detention and rehabilitation of women inmatesshall be; and

d) Assignment of women jail guards to women inmates.

Sec. 779. Support to Overseas Filipino Workers (OFWs) and their Families. – The Autonomous Regional Government, through the Overseas Workers Welfare Administration (OWWA), shall conduct a survey of Overseas Filipino Workers (OFWs). The results thereof shallthereof shall serve as basis for the special support to women OFWs and their children. It shall also conduct special courses on overseas filipinoFilipino workers primarily to educate women on the issues and concerns relative to migration. The Overseas Filipino Workers (OFWs) who have undergone such special course shall be issued with a certification by the OWWA-ARMM.

Sec. 80. Support to Solo Parents. - The Autonomous Regional Government shall ensure that the welfares of solo parents are given proper attention. Support interventions, programs and services for solo parents shall be implemented through the Department of Social Welfare and Development (DSWD) and other concerned agencies in Autonomous Region in Muslim Mindanao (ARMM). Solo parents shall have the privilegethe privilege to avail of the solo parent leave subject to Civil Service Rules and Law.

Section 6748. Support to Overseas Filipino Contract Worker's (OFCWs) Support. The Regional Government through the Overseas Workers Welfare Administrationmelioration within the region shall conduct a survey of overseas contract workers, results of which shall serve as basis for special support to women and children. It shall grant support through livelihood programs. It shall also conduct special course, (orientation), on overseas Filipino workers primarily to educate women on the issues and concerns relative to migration which shall be done at the municipal and barangay level.

A special course on overseas contract work primarily to orient women on the issues and concerns relative to migration shall be done especially at the municipal and barangay level.

The OWWA ARMM shall issue a certification that a certain Ooverseas Filipino contract wWorker has attended/undergone on such above mentioned special course.

Section 6759. Support to Solo ParentsSupport to Solo Parent. The Regional Government shall ensure that the welfare of solo parents are given due attention. Support interventions, programs and services for solo parents shall be implemented through the DSWD and other concerned agencies in ARMM.

The solo parents shall avail the solo parent leave as mandated by the Civil Service Commission.

Sec. 81079. Assistance to Individuals in Need of Special Protection-. - The Local Government Units (LGUs) shall provide necessary assistance to individuals in need of special protection such as those mentally ill, substance dependents, alcoholic, rehabilitated hansenites and released prisoners.

Section 66. Women in the military and in uniform. The Regional Government shall pursue appropriate measures to eliminate discrimination of women in military and in uniform. Women

in the military shall be accorded the same promotional privileges and opportunities as men, including pay increases, additional renumeration and benefits, awards based on their competency and quality performance. Towards this end, the Regional Government shall ensure that the personal dignity of women shall always be respected. Recruitment of women in the militaryshall not or less than ten percent (10%) of the total number recruited military for every batch.

CHAPTER XIV
WOMEN AND CHILDREN IN ARMED CONFLICT

Sec. 802. Protection of Women and Children Affected by Armed Conflict. - The Autonomous Regional Government shall ensure the protection and security of women, elderly and children in situations of armed conflict and militarization. It shall provide gender-responsive humanitarian assistance to meet the needs of the affected internally displaced persons.

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The Autonomous Regional Government shall prohibit initiate measures to prevent the recruitment of youth and children in the armed forces, and revolutionary groups and their involvement in the conflict whether as couriers, spies, and others.as child soldiers or combatants.

Sec. 813. Psychosocial Support for Women. - The Autonomous Regional Government shall establish mental health and psychosocial support team that will cater to the needs of women experiencing critical incidents such as armed conflict and natural disasters. Psychosocial sessions shall be initiated and spearheaded by the Department of Health (DOH) and Department of Social Welfare and Development (DSWD) in partnership with trained debriefers coming from Non-Government Organizations (NGOs) within the Autonomous Region in Muslim Mindanao (ARMM).

Early recovery plan shall be implemented in conflict affected communities. The Department of Health (DOH) shall submit on a regular basis a post debriefing report to the Office of the Regional Governor (ORG) to determine indicators of program implementation.

Sec. 824. Post-Conflict Rehabilitation. - The Autonomous Regional Government shall ensure that women's and children's needs are properly addressed and prioritized during post conflict rehabilitation. It shall provide programs, projects and support systems thatsystems that may enable women to speedily recover from debilitating effectsdebilitating effects of theof the conflict.

Section 6780. Protection of women and children affected by armed conflict, Consistent with the provisions of the Indigenous Peoples Rights Act (Sec.22) and the Magna Carta of Women, the Regional Government shall ensure the protection and security and security of women, elderly and children in situations of armed conflict and militarization. It shall provide gender-responsive humanitarian assistance specially to meet the needs of the women internally displaced persons.

It shall observe international standards, particularly the 4th Geneva Convention of 1949 for the protection of civilian populations in circumstances of emergency and armed conflict.

The Regional Government shall likewise ensure the protection and security of childrenof children and youth. It shall discourage the recruitment of children and youth as child soldiers/ child combatants into the armed forces as well as any revolutionary groups.

Section 6881. Psychosocial support for women. The Regional Government shall strengthen the Mental Health and Psychosocial Support Team that will cater to the needs of women experiencing critical incidents such as, but not limitednot limited to armed conflict and natural disasters. Psychosocial sessions shall be initiated and headed by the Department of Health-ARMM, and Department of Social Welfare and Development, in partnership with other trained debriefers from the NGO'sagencies of the ARMM.

An Early Recovery Plan shall be revisited and implemented to the conflict affected communities.

A post debriefing report to determine indicators of program implementation shall be submitted by DOH-ARMM to the Office of the Regional Governor.

Section 82, Post-Conflict Rehabilitation. The Regional Government shall ensure that women's and children's needs are addressed and prioritized during post-conflict rehabilitation. It shall provide programs, projects and support systems that may enable women to speedy recover economically, socially, mentally and emotionally from unwanted phenomenon brought about by the conflict.**Section 69. Post Conflict Rehabilitation.** The Regional Government shall ensure that women's and children's needs are addressed and prioritized during post conflict rehabilitation. It shall provide programs, projects and support systems that may enable women to speedy recover economically, socially, mentally and emotionally brought about by the conflict.

CHAPTER XV
ENVIRONMENTAL CONCERNS

Sec. 8335. Women's Participation in the Implementation of Programs and Projects on Environment and Natural Resources (ENR) Management. – The Autonomous Regional Government shall encourage the participation of women in the implementation of programs and projects pertaining to Environment and Natural Resources (ENR) management. It shall inculcateshall inculcate the principles of Al-Khilafah (stewardship) and Al-Amanah (trust) in the management of the environment and natural resources. , I. ogovernance It shall likewise recognize the The active role of women in the conservation, protection, constructive utilization, management and development of environment and natural resources especially on the following: ENR shall be considered. IRR (Women's Interventions in the case of solid waste management deemed to be implemented are listed below. Women are encourage to take an active part in the initiative towards:

The formation of a Regional Solid Waste Management Council to be composed of the different line agencies and other offices in the ARMM mandated to implement/enforce RA 9003;

The formation of the Provincial, Municipal and Barangay Solid Waste Management Boards/Committees within the ARMM pursuant to RA 9003;

the development of LGUs Solid Waste Management Plans;

the passing of ordinances by the LGUs in support to the effective implementation of RA 9003;

The reflection in the accomplishment reports of the LGUs of all Activities conducted in compliance with RA 9003 ;

The extension of technical and other capability building assistance by DENR-ARMM to LGUs in the development and implementation of their solid waste management plans;

The establishment of networking with the tri media for the continuing information, education and communication campaign on RA 9003 (TV, radio, print media)

The coordination with NGOs, business sector and other stakeholders for possible support to the program;

The conduct regular monitoring of compliance with RA 9003 by the LGUs

a) **Watershed Management.** The women's role in promoting effective watershed management shall be recognized. The Autonomous Regional Government, in partnership with Local Government Units (LGUs) and local communities, shall ensure sustainable and continuous supply of water for domestic, irrigation, power, industrial and commercial use.

Coastal and Marine Resources Conservation. Women shall take part in the multi-sectoral conservation efforts to restore and protect the dwindling status of coastal and marine resources, watershed and forest resources. IRR (In doing so , the following shall be undertaken:

Creation and institutionalization of a body to manage coastal resources and their ecosystems whereby the coastal communities should be mobilized and possibly be the forefront participants in its protection.

Observing the compliance of existing national laws and implementation of coastal resource management plan based on principles of sustainability.

Enforcement of fishery laws duly supported by the local officials and imposes penalties for violations and rewards for compliance.

Regular conduct of information education communication (IEC) activities on good fishery practices in the village, schools/madaris and masjid. Encourage

2586 people to prohibit destructive fishing activities and spread suitable management
2587 ways).
2588
2589
2590 b) **Protection of Environment and Natural Resources (ENR) as Priority**
2591 **Concern.** The protection of Environment and Natural Resources (ENR)
2592 especially in protected areas as enumerated and described under the National
2593 Integrated Protected Areas System (NIPAS) Law (RA No. 7586) and other
2594 pertinent laws shall be given priority concern to ensure moral accountability,
2595 social responsibility, environmental stability, enhanced biodiversity and increased
2596 productivity.
2597
2598
2599 **b.1 Watershed Management.** The women's role in promoting effective
2600 watershed management shall be recognized. The Autonomous Regional
2601 Government, in partnership with LGUs and local communities, shall ensure
2602 sustainable and continuous supply of water for domestic, irrigation, power,
2603 industrial and commercial use.
2604
2605 b.2 **c) Community Based Environment**
2606 **National Resources (ENR) Interventions.** The active participation of women
2607 shall be encouraged in promoting equal rights to access and responsibilities that
2608 are vested upon local communities of the Region to promote sustainable
2609 management and development of natural resources.
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2620 Active reforestation activities shall be undertaken by women's group in
2621 partnership with local governments and communities as a priority concerns which is
2622 consistent with the Shariah concepts of Tahsin Al-Ardh and Ihya Al Mawat, and pursuant
2623 to Section 14, Article 12 of R.A. 9054, reforestation shall be given emphasis in order to
2624 rehabilitate and restore the aesthetic value, usefulness and productivity of denuded and
2625 degraded forestlands to ensure economic productivity and ecological stability of the
2626 region. IRR (The strategies for the implementation of reforestation and related activities
2627 are as follows:
2628 Conduct seminar/workshops relevant to the project among the Municipal
2629 Government Operation Officers and Municipal Planning and Development Officers;

2630
2631
2632
DENR-ARMM shall extend technical assistance to the LGU's in the establishment and maintenance of their forest nurseries and tree parks or communal forests (*DENR-ORG-LGU MOA*);

2633
2634
Targets in seedling production and tree planting must be reflected in the LGUs Annual Work and Financial Plan;

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2638
Students who are candidates for graduation must be required either to propagate seedlings at the forest nursery or plant trees at the tree parks or communal forest of the province, municipality or barangay where the school is located (*DENR-DepED-DILG MOA*)

2639
2640
Implement DENR-DOJ MOA which requires inmates to plant trees before they will be granted parole or probation;

2641
Collaborate with forestry colleges for the advocacy of the program;

2642
2643
Establish networking with the tri-media for a continuing information and education campaign on the program (TV, radio, print media)

2644
2645
Coordinate with water users such as irrigators and local water utilities for possible support to the program;

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2647
Collaborate with DAF in the adoption of agro-forestry farming system (*DENR-DAF MOA*)

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Protection of ENR as a priority concern. Consistent with paragraph (a) above, the protection of ENR, especially protected areas as enumerated and described in the NIPAS Law (R.A. No.7586) and the natural resources therein shall be given priority concern in order to ensure moral accountability, social responsibility, and environmental stability, to enhance biodiversity, to increase productivity and to provide enduring economic benefits.

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Section 70. Women's participation in the advocacies pertaining to Environmental and Natural Resources (ENR) Management. Consistent to the provision of the Constitution and the Organic Act for the Autonomous Region in Muslim Mindanao to promote the general welfare and social justice in all phases of regional development, to protect and advance the rights of the inhabitants of the Autonomous Region to a balance and sustainable ecology in accord with the rhythm and harmony of nature, and to conserve and develop the patrimony of the region, and in conformity with the Shariah principle of legislating on anything of utility for the common welfare, and in further consonance with the traditional values and customary practices of the people of the region, the Autonomous Region in Muslim Mindanao shall recognize the participation of women in its advocacies in ENR management (i.e. forest and forestlands, coastal and marine resources, and urban environment management) within the area of Autonomous Region:

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30.   Environment and natural resources management, as a form of Khilafah (stewardship) and amanah (trust). An Islamic approach strategy on environmental governance shall be promoted in the region. The conservation, protection, constructive utilization, management, and development of ENR shall be considered as a Devine trust and the people involved in those duties and obligations shall be considered as stewards or trustees who are not only responsible to the state, the people and the region but also to the Almighty God.

31.   Community-Based ENR programs and projects- Equal rights to access and responsibilities shall be vested upon local communities of the region to promote Sustainable Management and development of these resources.

32.   Watershed as a basic planning unit- pursuant to paragraph (a) above , and consistent with the concepts of sustainability, constructive multiple use, and biodiversity conservation, watersheds shall be the basic planning unit in forestland management and development by local governments and communities in ensuring sustained and continuous supply of water for domestic, irrigation, power, industrial and commercial use.

33.   Protection of ENR as a priority concern- consistent with paragraph (a) above, the protection of ENR, especially protected areas as enumerated and described in the NIPAS Law (R.A. No.7586) and the natural resources therein shall be given priority concern in order to ensure moral accountability, social responsibility, and environmental stability, to enhance bio-diversity, to increase productivity and to provide enduring economic benefits.

34.   Reforestation as a priority activity- consistent with the Shariah concepts of tahsin al-ardh and ihya al-mawat, and pursuant to section 14, article 12 of R.A. 9054, reforestation shall be given emphasis in order to rehabilitate and restore the aesthetic value, usefulness and productivity of denuded and degraded forestlands to ensure economic productivity and ecological stability of the region.

CHAPTER XVI
GENDER MAINSTREAMING

Sec. 8446. Gender and Development Advocacy. - The Autonomous Regional Government and the Local Government Units (LGUs) shall formulate gender and development advocacy plan toplan to encourage all duty bearers tobearers to affirm the role of women in regionalin regional autonomy. They shall ensure espousal of gender and development principles and objectives, as well as mobilization of advocacy activities to widen the participation and empowerment of indigenous and Muslim women.**Section 71. Gender and Development Advocacy.** Recognizing the socio-cultural, historical and religious background of the Bangsamoro people, all duty bearers shall hereby affirm the role of women in the regional autonomy. The ARG shall ensure active espousal of gender and development principles, objectives and processes which includes support for the empowerment of rural, indigenous and Muslim by giving them access to justice in cases of violence.

 Emphasize role of the RCBW as the Lead agency in GAD Advocacy.

2718 **Sec. 8557. Mainstreaming of Gender and Development (GAD) in Local Government**
2719 **Units.** - All Local Governments Units (LGUs) within the Autonomous Region shall
2720 operationalize the principles and policies provided under this Code.
2721
2722
2723 **Sec. 782668. Gender Sensitivity Orientation and Training.** - All regional line agencies,
2724 offices, educational institutions, and local government units including Barangay officials shall
2725 recognize gender issues affecting Bangsamoro women of different perceptions different social
2726 position. Therefore, Islamic gender sensitivity orientation and training shall be conducted and
2727 sustained.
2728 The Autonomous Regional Government and the Local Governments Units (LGUs) shall cause
2729 the conduct of Islamic gender-sensitivity orientation and training for their employees,
2730 stakeholders and other duty bearers.
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2732
2733 IRR: (All government employees including heads of offices and Local Chief Executives shall be
2734 encouraged to undergo gender sensitivity trainings.)
2735
2736 Institutionalize GAD, provide/formulate GAD manual/module with in the context of Islam with
2737 DSWD and MRLs
2738
2739
2740 **Sec. 873779. Preparation of Annual Annual Gender and Development (GAD) Plan and**
2741 **Budget.** –The The concerned agencies shall prepare the Annual GAD Plan and Budget to
2742 finance the operational costs of the plans, strategies, and campaigns of this code.
2743 Autonomous Regional Government and the Local Governments Units (LGUs) shall annually
2744 formulate their respective Gender and Development (GAD) plans and budget, and shall submit
2745 the same along with their accomplishment reports to the Office of the Regional Governor (ORG)
2746 through the Regional Commission on Bangsamoro Women (RCBW) and concerned recipient
2747 agencies.
2748
2749 **Sec. 9088748. Utilization of the Five (55%) Percent Gender and Development**
2750 **(GAD) Funds and Budget.** – In line with the requirements setPursuant to the annual General
2751 Appropriations Act, all agencies are tasked to formulate their respective GAD plans and to
2752 implement the same by utilizing at least 5% of their total budget appropriations. The five percent
2753 (5%) GAD funds and budget shall be utilized to implement this code.
2754 by RA 7192 for 5% fund allocation to support Gender and Development (GAD)
2755 concerns, the Autonomous Regional Government and the Local Governments Units (LGUs)
2756 shall strictly implement their respective GAD plans and budgets. With said apportionment, they
2757 shall address gender inequality issues and support programs and projects for women.the
2758 Autonomous Regional
2759
2760 The Regional Commission on Bangsamoro Women (RCBW), in partnership with the
2761 Department of the Interior and Local Government (DILG), and Commission on Audit (COA)

and Commission on Human Rights (CHR), shall be tasked to monitor the implementation and utilization of GAD plans and budget in the different Local Governments Units (LGUs).

Sec. 878591. Establishment of Gender-Sensitive Management Information Database. Any violation of gender rights stipulated in this code shall be collated and documented. A gender-sensitive database shall be established.

The Autonomous Regional Government and the Local Governments Units (LGUs) shall institutionalize the establishment of gender-sensitive management information database which will serve as repository of data. The data that may be gathered shall be accessible to local planners in pursuit of development.

1. **Sec. 920076. Mainstreaming of Gender and Development (GAD) Programs in the Local Development Plans.** - The Autonomous Regional Government shall formulate policies and programs directing the Local Governments Units (LGUs) to strategically incorporate Gender and Development (GAD) programs in their year-round local development plans and activities.

Mainstreaming of GAD in local development plans. "Gender Mainstreaming" refers to the strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all political, economic, and societal spheres so that women and men benefit equally and inequality is not perpetuated. It is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs in all areas and at all levels.

Therefore, there is a need to address the multiplicity of plans formulated by Local Government Units; strengthen the interface between national government agencies and LGUs; and harmonize national, regional and local policies, goals and strategies and reduce marginalization of women and men.

53The Local Governments Units (LGUs) IRR: (shall exercise such powers, functions and responsibilities that are appropriate for the effective and efficient implementation of GADof Gender and Development (GAD) mainstreaming plan and budget.

The mainstreaming of GAD in the local plans shall include the following:

1. Agriculture and Agrarian Reform;
2. Environment and Natural Resources Management;
3. Education;
4. Infrastructure;
5. Health;
6. Information and Communication Technologies;
7. Housing and Settlement;
8. Women in Conflict Affected & Conflict Vulnerable Areas;
9. Justice;
10. Enterprise DevelopmentMicrofinance; and

11. Private Sector Development.

~~Section 77. Monitoring. The Regional Commission on Bangsamoro Women (RCBW) shall perform its technical function to monitor the implementation of the use of GAD funds.25Commission onC~~ Sec. 9311. **Regional Commission on Bangsamoro Women (RCBW).** – The Regional ~~Commission on~~Commission on Bangsamoro ~~Women~~ (Women (RCBW) shall be ~~the , primary~~the primary policy making and coordinating body for women and gender equality concerns in the Autonomous Region in Muslim Mindanao (ARMM). It shall facilitate the monitoring of the effective implementation of this Code, collect and consolidate reports and make recommendations thereon.

In addition to its existing duties and functions, the Regional Commission on Bangsamoro Women (RCBW ~~shall~~) shall also perform the following:

1. Coordinate with law enforcement agencies to:

a. Prohibit, seize and confiscate all materials that violate existing laws and moral precepts including materials used or produced out of voyeurism;

b. Prohibit the printing, publication or distribution or pornographic scenes and materials from movies, trailers, shows, posters, billboards, tarpaulin, literature and other visual materials that treat women as sex objects which are considered haram and contrary to public morals; and

c. Prohibit the exhibition of materials, movies, print, broadcast and multimedia that degrade women and violate their rights.

2. Coordinate with concerned agencies for the provision of free legal assistance, security and protection of Violence Against Women and Children (VAWC) survivors, trafficking and other forms of violence, and recommend actions thereof.

3. Serve as the repository of data on gender and development for public use.

~~The RCBW shall, in addition to its existing duties and functions pursuant to MMA No. 53, also perform the following:~~

~~a). Regulate, censor and prohibit the exhibition of materials, movies, print, broadcast and multimedia that degrade women and violate their rights within their locality.~~

b). Regulate, censor, prohibit the printing, publication or distribution or pornographic scenes and materials on movies/trailers, shows, posters, billboards, tarpaulin, literature and other visual materials that treat women as sex objects, commodities that are contrary to public morals and considered *haram*;

c) Regulate the operations of video shops, internet café, electronic communication, and cable television subject to the classification regulation, censorship and prohibition provided by law;

d) Direct the law enforcement agencies to prohibit seize and confiscate all other materials that violate existing laws and moral precepts;

e) Direct the law enforcement agencies to prohibit seize and confiscate materials produced out of voyeurism;

f). Direct the prosecution and enforcement of penalties for any person caught in the act of voyeurism including the use of all forms of electronic device which violate the rights of women and men to privacy or any person or establishment that engages in nude shows that depict women as sex objects for profit in private or public places subject to the laws provided therein.

Coordinate with to concern agencies regarding free legal assistance, security and protection for victims of VAWC, trafficking and other forms of violence and recommend actions thereon.

h. Serves as the repository of holistic and reliable data on Gender and Development for public and private sectors use.

To effectively and efficiently perform its functions, the Regional Commission on Bangsamoro Women (RCBW) may revise its existing structure and staffing pattern.

CHAPTER XVII
PENAL PROVISIONS

Sec. 9224. Penalties. - Any violation of this Code shall be dealt with in accordance with existing laws, rules and regulations.

Section 78. Violation/Penalties/sanctions. The Regional Government through the RSCGAD shall initiate the filing of cases for investigation and imposition of sanctions and penalties for any violation or non-compliance of pertinent provisions of this Code.

CHAPTER XVIII

FINAL PROVISIONS

Sec. 9533 79. **Implementing Rules and Regulations.** - Within One Hundred Eighty (180) days following the effectivity of this Code, the Regional Sub-Committee on Gender and Development (RSCGAD) and in consultation with the concerned regional line agencies and LGUs shall have completed the formulation of the implementing rules and regulations necessary for the effective implementation of this Code. The Regional Sub Committee on Gender and Development in consultation with the concerned regional line agencies, LGUs shall formulate the Implementing Rules and Regulations necessary to carry out the provisions of this Code.

Sec. 9644 80. **Compliance Report.** - Within six (6) months from the effectivity effectivity of this Code and every six (6) months thereafter, the the Regional Commission on Bangsamoro Women (RCBW), in coordination with regional line agencies, shall submit to the Office of the Regional Governor (ORG) through the Regional Sub-Committee on Gender and Development (RSCGAD) regular reports on the progress of the implementation of this Code highlighting thereof the impact on the status of women. The report shall include an assessment of the effectiveness of this Code.

Sec. 891 557. —**Appropriations.** - The Autonomous Regional Government shall appropriate necessary funds for the effective implementation of this Code. The regional line agencies shall allocate at least five percent (5%) of their total budget to GAD and for the implementation of the provisions of this Code.

Sec. 982 668. **Suppletory Clause.** - On matters not provided for in this Code, any existing applicable laws, executive orders, rules and regulations shall apply in supplemental manner.

Sec. 983 779. **Separability Clause.** - Should any section, provision, part or portion of this Code be declared unconstitutional or invalid by competent court, the other sections, provisions, parts or portions not affected thereby shall remain valid and in full force and effect.

Sec. 1008 8948. **Repealing Clause**. - All laws, proclamations, executive orders, rules and regulations inconsistent with this Code are hereby repealed, amended or modified accordingly.

Sec. 1019 9085. **Effectivity Clause**. - This Code shall take effect after five (5) days following the completion of its publication in any newspaper of regional circulation.

APPROVED.

(SGD) **DATU ROONIE Q. SINSUAT**

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2938   Speaker

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2941 This Act was passed by the Regional Assembly on December 6, 2010.

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2946   **(SGD) DATU MAMA M. AMPATUAN, Al Haj**

2947   Secretary-General

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2950

2951 **APPROVED:**

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2955   **(SGD) ANSARUDDIN A. ADIONG**

2956   Acting Regional Governor

2957   Date: _____

2958

Republic of the Philippines
Autonomous Region in Muslim Mindanao
REGIONAL ASSEMBLY
Cotabato City

December 6, 2010

HON. ANSARUDDIN A. ADIONG
Acting Regional Governor
Autonomous Region in Muslim Mindanao
Cotabato City

Sir:

Pursuant to Article VI, Section 17 of Republic Act No. 9054, I have the honor to forward the herewith attached copy of **RLA Bill No. 55**, which was passed by the Regional Assembly, Autonomous Region in Muslim Mindanao during its regular session on December 6, 2010, entitled:

"**AN ACT PROVIDING FOR THE GENDER AND DEVELOPMENT CODE OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO AND FOR OTHER PURPOSES(ARMM).**"

for His Honor's appropriate action.

Thank you.

Sincerely yours,

- **DATU MAMA M. AMPATUAN, Al Haj**

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2998 _____ _____   _____Secretary-
2999 General

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3005 **EXPLANATORY NOTE**
3006 **RLA BILL NO.**

3008   This bill is seeking to enact the Gender and Development Code of the Autonomous
3009 Region in Muslim Mindanao.

3011   For almost two decades, the Autonomous Regional Government has envisioned to pass
3012 laws embodying the distinct customs, beliefs, traditions and aspirations of its diversed people as
3013 recognized by the fundamental law of the land and fostered by the ARMM Organic Act. This
3014 attempt serves as a contribution to such noble vision for it will not only highlight the cultures of
3015 the people of the Autonomous Region but utmostly it will exhibit a Shari'ah inspired piece of
3016 legislation where significant provisions are wringed from the teachings of the Qur'an and
3017 traditions of the Prophet Muhammad (S.A.W.).

3019   This legislative proposal endeavors to establish mechanisms strengthening existing
3020 societal structures that promote equity and equality among men and women. It aims to address
3021 the pressing issues on gender imbalance, reproductive health, population, discrimination,
3022 marginalization, violence, exploitation and trafficking, in the Autonomous Region, specifically
3023 on the following:

3025 1) Early and Arranged Marriages;
3026   2) Polygamous Marriages;
3027   3) Increasing Incidence of Violence Against Women;
3028   4) Lesser Budget for Reproductive Health;
3029   5) Poor Utilization of 5% Gender and Development (GAD) Budget;
3030   6) Increasing Number of Minors Going Abroad;
3031   7) Popularization of Fatwa on Family Planning and Gender in the Context of Islam;
3032   8) Lack of Gender Related Documentation and Research; and
3033   9) Similar Others.

3035 The goal is not simply to give flesh to the Philippines' commitment to international agreements
3036 on the rights of women and children but more importantly, to introduce policy reforms that will

bring about good governance. One that will significantly strengthen the push for youth and women's agenda such as access to economic resources, participation and leadership in decision-making, respect for human rights and increased capacity to tackle gender inequalities and structural violence.

If approved into law, this proposed Act shall underwrite in no small measure the clamor of ARMM communities towards women empowerment, gender equality and child protection parallel to regional progress and development.

With these at stake, the immediate passage of this bill into law is therefore earnestly sought.

PRINCIPAL AUTHOR:

HON. ABDULRADZAK D. TOMAWIS

Assemblyman

First District, Maguindanao

CO AUTHORS:

HON. DATU ROONIE Q. SINSUAT   **HON. ZIAUR RAHMAN A. ADIONG**

Assemblyman   Assemblyman

First District, Maguindanao   First District, Lanao del Sur

HON. CAHAR P. IBAY   **HON. RAJAM M. AKBAR**

Assemblyman   Assemblywoman

First District, Maguindanao   Lone District, Basilan

Guiding   The Autonomous Regional Government of Muslim Mindanao adheres to the Islamic way of life and endeavors to establish and implement Shari'ah inspired legislations.

To achieve these ends, the Autonomous Regional Government shall formulate and develop mechanisms to oandstrengthen existing structures promoting equity and equality, and to address issues on discrimination, marginalization and inequality in the economic, political, social or cultural life of women and men, as well as boys and girls in the Autonomous Region. The autonomous region as a predominantly Muslim community in the Philippines with men, women and children leading and living an Islamic way of life adheres to the Quranic teachings and

inspired legislations and support the declared policy of the Autonomous Regional Government to uphold and protect the fundamental rights of women, men and children regardless of religious pervasion including the right of women to engage in lawful employment, and for them to be protected from exploitation, abuse, or discrimination. Recognizing that the economic, political, and socio-cultural realities affect women and children's current condition, the State affirms the role of women in nation building and ensures the substantive equality of women and men, boys and girls. It shall promote empowerment of women and pursue equal opportunities for women and men, boys and girls and ensure equal access to resources and to development results and outcomes. Further, the State realizes that equality of men and women, boys and girls entails the abolition of the unequal structures and practices that perpetuate discrimination and inequality.

To carry out the above declared policies, the Autonomous Regional Government shall endeavor to develop plans, policies, programs, budgets, measures and mechanisms to promote equity and address discrimination and inequality in the economic, political, social and cultural life of women and men, boys and girls in the region.

Guiding Principles

The following guiding principles shall serve as directional indicators in the interpretation and implementation of this Code:

A. Glorious

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B.Relevant Principles in the Hadith and Sunnah of the Holy Prophet Muhammad.

C. Principles under various International Agreements, Treaties and UN Declarations particularly, The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Millennium Development Goals, UN Resolution No. 1325, UN Declaration on the Elimination of Violence Against Women (1993) and Beijing +5 Platform for Women.

D. Principles embodied in the applicable provisions of the Philippine Constitution and Special Laws, such as: The Magna Carta of Women (RA 9710), Women in Development and Nation Building Act (RA 7192), Anti Rape Law of 1997 (RA 8353), Anti Trafficking in Persons Act of 2003 (RA 9208), Anti Violence Against Women and Children Act of 2004 (RA 9262) and Sustainable Forest Management Act (MMA Act 161).

Draft ARMM Gender and Development Code

Draft as of June 15, March 01, 2010 2009

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