



**ALLiance for the FAMILY Foundation Philippines, Inc. (ALFI)**

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29 April 2008

The Honorable Representative **NANETTE CASTELO-DAZA**  
Chair, Committee on Women & Gender Equality  
House of Representatives of the Philippines  
3/F Ramon V. Mitra Building  
Batasan Pambansa Complex  
Constitution Hills, Quezon City

Re: TWG Draft Substitute Bill (In Substitution to House Bill Nos. 164, 797 & 2111)

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Dear Representative Castelo-Daza:

Thank you for granting us the opportunity to be represented and to present our views on the draft substitute bill (in substitution to House Bill Nos. 164, 797 & 2111) (the "Bill") during the 5<sup>th</sup> Mother Committee Meeting on 29 April 2008.

We are attaching hereto our Position Paper, in opposition to certain provisions of the Bill. This is also in furtherance of and a supplement to, our Position Paper dated 25 November 2007 submitted to your office on even date.

Very truly yours,

  
**MARIA CONCEPCION S. NOCHE**  
*Director-Committee on Legislative Advocacy*



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### **ALFI STRONGLY OPPOSES CERTAIN PROVISIONS OF THE SUBSTITUTE BILL (MAGNA CARTA OF WOMEN) BECAUSE THEY WILL HARM FILIPINO SOCIETY, FILIPINO FAMILY, INCLUDING FILIPINO WOMEN.**

- 1. ALFI categorically objects to the use of the term “reproductive health,” particularly, in Section [7/HB 164] “6” and Section [10] “12”.**

The term “reproductive health” has been used and referred to by supporters of abortion, over many years, in many countries, and by many means. In fact, the universally-accepted definition of the term includes the right to abortion which, as we all know, is illegal. While we are also committed to uphold, safeguard and protect the dignity of women, we totally reject the reference to “reproductive health” and thus, to abortion, albeit implicitly, as among the services to be extended to women in “crisis situation” or “disaster situation” for their “full protection from sexual exploitation and other sexual and gender-based violence committed against them.” The provision of “reproductive health services”, we believe, is a venomous protection that will inflict incalculable harm to women and wreak irreparable damage and violence to their dignity.

While each one of us is very much aware that abortion is constitutionally outlawed in our jurisdiction, there is a disturbing stubbornness that pervades throughout the Bill, as glaringly manifested in “double-speak” language in the following sections:

**[i] Section 4. Human Rights of Women - All rights recognized under international instruments duly signed and ratified by the Philippines, including rights under the Constitution and other existing laws shall be rights of women under this Act to be enjoyed without discrimination.**

The manner by which this section is drafted gives the impression that the Constitution is subordinate to “international instruments duly signed and ratified by the Philippines”. It must be remembered that our Constitution is the fundamental law of the land, and all other laws, treaties, conventions,

instruments, including those signed and/or ratified by the executive and by the legislature, should be consistent with and not be violative thereof in any manner or in any form. There is absolutely no way out; neither is there any way around it. The Philippine Constitution reigns supreme, and ABORTION IS AND REMAINS ILLEGAL.

[ii] **Section [10] "12"**

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**7. Prevention and management of abortion and its complications;**

If there is indeed a sincere intention to prevent abortion, why is there even a talk to "manage" it? The only way to manage an act that is prohibited and criminal is simply to treat it as such – illegal that merits the corresponding penalty!

**2. ALFI is also concerned about the reference to "family planning."**

Is there such a thing as "[m]odern, safe and effective family planning methods?" What is meant by "fertility awareness?" We already know the consequences of a society that adopts artificial means of contraception. We have already seen what has happened in many countries of the West, and some here in the East. We cannot belabor the point that "people" is the most important resource of any country, and anyone who rejects that fact is disastrously unaware of his incredible worth as an individual and a member of humankind. We trust, with some trepidation, that you, our legislators, will recognize the abyss that lies before us as a nation, and wisely choose the narrow but safe road for our Filipino women and society.

**3. Is this draft substitute bill an attempt to amend or repeal the Family Code?**

We note with grave concern the use of the term "Partners" in lieu of "husband and wife" and "spouses". We reserve our detailed comment on this provision until this term is defined with exquisite clarity. Suffice it to say at the moment that, if this refers to same-sex marriage, this is totally offensive to the dignity of women which the Bill is supposed to espouse.

Moreover, if this is indeed an attempt to amend or repeal the Family Code, then our legislators should know that this covert approach is legally infirm and there is no way that this will pass judicial scrutiny.

April 29, 2008

Position Paper of the ALLiance for the FAMILY Foundation (ALFF)  
Opposing Substitute Bill (Magna Carta of Women)

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The Bill will do a great service to Filipino women and to Filipino society if it becomes a testimonial to Women's greatest gift to mankind – their Womanhood. Humanity owes its very survival to womanhood; thus, it is incumbent upon every member of society to ensure its development to its perfection by upholding, promoting, safeguarding and protecting the dignity of every woman and of every life that she bears and carries. This is our fervent hope – that our legislators be partners of Filipino women in the development of this Gift of Womanhood.

