

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 6879



Introduced by: Kababaihan Kabalikatan para sa Kapakanan at Kaunlaran ng Bayan (4K) Party-list
Representative Iris Marie D. Montes

AN ACT
REPEALING ARTICLE 247 OF THE REVISED PENAL CODE

EXPLANATORY NOTE

Article II, Section 11 of the Philippine Constitution provides that "The State values the dignity of every human person and guarantees full respect for human rights."

Article III, Section 1 guarantees the right to life, liberty, and the equal protection of the laws.

In upholding these fundamental mandates, the Philippines has signed the United Nations Convention on the Rights of the Child (UNCRC), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and enacted Republic Act No. 9710, otherwise known as the "Magna Carta of Women", which provides for the amendment or repeal of laws that are discriminatory to women as well as Republic Act No. 7610, otherwise known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act", which provides that the best interests of children shall be the paramount consideration in all actions concerning them.

Article 247 of the Revised Penal Code strikes at the very heart of these laws.

Article 247 of Act No. 3815, An Act Revising the Penal Code and Other Penal Laws provides for exceptional circumstances under which death or physical injuries may be inflicted.

"Any legally married person who, having surprised his spouse in the act of committing sexual intercourse with another person, shall kill any of them or both of them in the act or immediately thereafter, or shall inflict upon them any serious physical injury, shall suffer the penalty of destierro.

If he shall inflict upon them physical injuries of any other kind, he shall be exempt from punishment.

These rules shall be applicable, under the same circumstances, to parents with respect to their daughters under eighteen years of age, and their seducers, while the daughters are living with their parents.

Any person who shall promote or facilitate the prostitution of his wife or daughter, or shall otherwise have consented to the infidelity of the other spouse shall not be entitled to the benefits of this article.”

These unfair gender-based presumptions clearly legitimizes honor killings, which are no longer morally accepted in this age.

The last paragraph of the provision refers only to daughters and not sons, which suggests that our society allows men to have the liberty to partake in any sexual conduct without consequence while women who do not maintain certain moral standards may be killed. The effect is the perpetuation of unfair double standards prejudicial to women, as well as the antiquated notion that daughters are merely property of their parents.

This bill thus seeks the repeal Article 247 for being patently unconstitutional and in violation of our international commitments.

In view thereof, approval of this bill is earnestly sought.


IRIS MARIE D. MONTES
Kababaihan Kabalikatan para sa Kapakanan
at Kaunlaran ng Bayan (4K) Party-list

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 6879

Introduced by: Kababaihan Kabalikatan para sa Kapakanan at Kaunlaran ng Bayan (4K) Party-list
Representative Iris Marie D. Montes

AN ACT
REPEALING ARTICLE 247 OF THE REVISED PENAL CODE

*Be it enacted by the Senate and the House of Representatives of the Philippines
in Congress assembled:*

SECTION 1. Article 247 of the Revised Penal Code is hereby repealed.

SEC. 2. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,