

Honorable RISA HONTIVEROS

Chairperson
Committee on Women, Children, Family Relations & Gender Equality
Senate of the Philippines
Pasay City

Dear **Senator Hontiveros**:

The Department of Social Welfare and Development (DSWD) **supports** Senate Bill No. 162 entitled: An Act Protecting Children by Prohibiting and **Declaring Child Marriage as Illegal**, and Imposing Penalties Thereof, introduced by the Chairperson, which seeks to address the serious impacts of child, early and forced marriages (CEFM) to women and girls' health and development, prevent and respond to violence against women and girls, and lower its severe social and economic outcomes, fulfil the Philippine's commitment to International Agreements, and strengthen implementation of national laws that safeguard the rights of women and girls.

To contribute to the bill's enhancement, we are recommending the following:

1. Sec. 5 – Legal Effect of Child Marriage


- 1.1 To **validate the relevance of Art. 55 of the Family Code** to this Section since it deals with grounds for legal separation.
- 1.2 To **validate the applicability of Art. 39 of the Family Code** to this Section since it does not provide for an action for annulment. Instead, it provides for an action for the declaration of absolute nullity of marriage.
- 1.3 To **revisit this Section in relation to Chapter Two of Presidential Decree (PD) No. 1083 or the Code of Muslim Personal Law or the Philippine Shari'a Law** relative to the criminalization of Solemnizing Officers and parents or guardians who solemnized, facilitated and consented to a child marriage.

2. Other Comments:

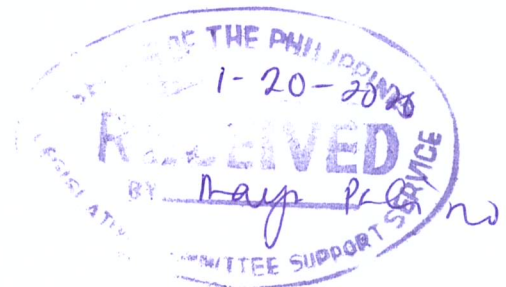
- 2.1 To **consult with champions from the Muslim community, and organizations advocating to end child marriage** who recommend raising the Muslim marrying age to 18 years old; and
- 2.2 To **add a Section on Penalties for Violators.**


For the Committee's consideration.

Very truly yours,



ROLANDO JOSELITO D. BAUTISTA
Secretary
Date: January 16, 2020



Received by: 
Faustina Godoy
JAN-20
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