

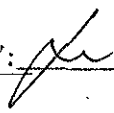
FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

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SENATE
P.S.R. No. 435

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE REPORTED DISCRIMINATORY PRACTICE OF
SOME LAW ENFORCEMENT OFFICERS IN PRESUMING THAT WOMEN CAUGHT FOR
VAGRANCY ARE ENGAGED IN PROSTITUTION IF FOUND CARRYING A CONDOM

WHEREAS, the Constitution, Article 2, Section 11 provides, "The State values the dignity of every human person and guarantees full respect for human rights";

WHEREAS, according to local health officers and several nongovernment health organizations, many law enforcement agents have engaged in the discriminatory practice of presuming that a woman caught for vagrancy is engaged in prostitution if she is found carrying a condom with her;

WHEREAS, according to the same health officers, such practice is prevalent in highly urbanized areas such as Manila, Quezon City, and Davao;

WHEREAS, it is blatant and utter discrimination to say that a condom found upon the female person is prima facie evidence of prostitution;

WHEREAS, this silently implemented rule also violates the Constitutional right of a person to be secure in their persons against unreasonable searches and seizures of whatever nature and for any purpose;

WHEREAS, it also violates the presumption of innocence of a person by automatically imputing the crime of prostitution against the accused just because she carries a condom;

WHEREAS, the negative assumption attached to carrying a condom smacks at the ultra conservative and discriminatory mentality of those law enforcements officers who practice such a rule;

WHEREAS, it is disheartening to know that according to local health officers and nongovernment health organizations, most of these women who are forced to sleep on the streets because of poverty are raped by law enforcement officers who accuse them of vagrancy because these law officers know that these women have nowhere else to go; others are forced to have sex with these law enforcement officers to avoid going to jail;

WHEREAS, heads of law enforcement groups should ascertain whether such a practice is enforced within their jurisdiction, and take the appropriate steps to punish those found guilty, and create measures to ensure that women's rights are respected and implemented;

WHEREAS, the legislature, which is tasked with the noble duty of upholding the rights of each and every individual who form part of their constituency, should create measures that will prevent further discrimination against women;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the proper Senate committee, to conduct an inquiry in aid of legislation, on the reported discriminatory practice of some law enforcement officers in presuming that women caught for vagrancy are engaged in prostitution if found carrying a condom.

Adopted,

/mmt

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO