

On the Pre-Arranged Marriages of Filipino Women in South Korea

In the past years, Filipino women were married to South Korean nationals whom the women have never met. A group called Unification Church, popularly known as "Moonies, " had arranged such marriages in the Philippines in the past. Only recently, as confirmed by Philippine Embassy officials, about 300 Filipino women went to South Korea purportedly to be given gainful jobs but it turned out that said women were married to Korean men whom they never met. There is no assurance that their free and full consent was secured.

The Commission on Human Rights, pursuant to its constitutional mandate to provide legal measures for the protection of human rights of all persons within the Philippines, as well as Filipinos residing abroad, expresses its grave concern on this violation of women's rights.

Article I, Section 1 of the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, entered into force in 1964, provides that:

"No marriage shall be legally entered into without the full and free consent of both parties, such consent to be expressed by them in person after due publicity and in the presence of the authority competent to solemnize the marriage and of witnesses, as prescribed by law."

Likewise, Article 23 (3) of the International Covenant on Civil and Political Rights reads:

"No marriage shall be entered into without the free and full consent of the intending spouses."

Said marriage is also contrary to the concept of marriage as a basic social institution as provided in Article I of the Family Code which reads:

"Marriage is a special contract of permanent union between man and a woman entered into in accordance with law for the establishment of conjugal and family life. It is the foundation of the family and an inviolable social institution whose nature, consequences, and incidents are governed by law and not subject to stipulation, except that marriage settlements may fix the property relations during the marriage within the limits provided by this code."

Article II of the same Code also provides that consent must be freely given by the parties in the presence of the solemnizing officer. All marriages shall also be registered to prevent unlawful marriages.

Article III of the Convention on Consent to Marriage provides:

"All marriages shall be registered in an appropriate official register by the competent authority."

These arrangements are also contrary to Republic Act No. 6955, declaring unlawful the practice of matching of Filipino women for marriage with foreign nationals on a " mail order basis. " The women concerned run the risk of becoming victims of being exploited contrary to the Convention for the Suppression for the Traffic of Persons and of the Exploitation or the Prostitution of Others. The traffic of persons and of the exploitation of persons for prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community.

The Commission on Human Rights renders this Human Rights Advisory to advise all public officials and all concerned on these international human rights instruments for the protection and promotion of human rights of women and the preservation of the family as a social institution as

provided in Article 23 of the International Covenant on Civil and Political Rights.

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