

COI QUERY

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Main subject	Separation, adultery, children born out of wedlock
Question(s)	<ol style="list-style-type: none"> 1) Legal framework of divorce in the Philippines, and its implementation/enforcement in practice; 2) Legal framework of adultery in the Philippines, and its implementation/enforcement in practice; 3) Societal consequences of adultery; 4) Separation Agreements in the Philippines and their legal effects; 5) Legal status of children born out of the wedlock and/or as result of adultery; 6) Societal attitude towards a child born out of wedlock and/or as result of adultery
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The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on the 6 March 2020. Any event taking place after this date is not included in this answer.

COI QUERY RESPONSE

1. Legal Framework

1.1. Divorce and annulment

Family issues such as marriage are governed by the Civil Code of 1949¹ and the Family Code of 1987.² These laws contain no provisions for divorce, making the Philippines one of only two UN member states (the other being Vatican) who do not allow divorces.³ Article 1 of the Family Code explicitly states that marriage is 'inviolable'.⁴ Article 15 of the Family Code provides that the legal provisions in family law remain binding for Philippine citizens even when they are living abroad.⁵ The Philippine law hence considers divorces and eventual re-marriages abroad as null and void.⁶ There are two exceptions to the ban on divorces:

- 'Where a marriage between a Filipino citizen and a foreigner is validly celebrated and a divorce is thereafter validly obtained abroad by the alien spouse capacitating him to remarry, the Filipino spouse shall likewise have capacity to remarry under the Philippine law.'⁷
- In marriages between two Muslims or between a Muslim male and a non-Muslim female married according to Muslim law, divorces are allowed.⁸

Marriages can be declared 'void from the beginning' under certain circumstances (Articles 35-41 Family Code), including when spouses are minors and have no consent of their parents; if the act is solemnized by an unauthorized person; if the parties are already married; in incestuous relationships.⁹ Furthermore, marriages may be annulled for causes existing at the time of the marriage (Articles 45-48 Family Code), i.e. proving the marriage was never valid. Reasons for this include:

- No consent by parents or another custodian, if one of the parties is between 18 and 21 years old;
- Either party was of 'unsound mind';
- The consent of either party was obtained by fraud or by force;
- Either party was physically incapable of consummating the marriage;
- Either party suffers from an incurable sexually transmissible disease.¹⁰

¹ Philippines, Civil Code of the Philippines (Republican Act No. 386), 1949, [url](#)

² Philippines, The Family Code (Executive Order No. 209), 1987, [url](#)

³ Norway, Landinfo, Respons Filippinane: Oppløysing av ekteskap [Query response Philippines: Dissolution of marriage], 19 January 2016, [url](#), p. 1; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Philippines, 13 March 2019, [url](#), p. 29

⁴ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#)

⁵ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Article 15

⁶ Pamaos, F.B., Annulment, Divorce and Legal Separation in the Philippines: Questions and Answers, 11 January 2017, [url](#)

⁷ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Article 26

⁸ Philippines, A decree to ordain and promulgate a code recognizing the system of Filipino Muslim laws, Articles 45-57, 4 February 1977, [url](#); Philippine Daily Inquirer, Muslim-Christian couple's divorce upheld, 5 February 2016, [url](#)

⁹ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Articles 35-41

¹⁰ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Articles 45-48

1.2. Separation

The Family Code does not provide for divorce, but for 'legal separation'. According to Article 55, a petition for legal separation may be filed on the following grounds:

- 1) 'Repeated physical violence or grossly abusive conduct directed against the petitioner, a common child, or a child of the petitioner;
- 2) Physical violence or moral pressure to compel the petitioner to change religious or political affiliation;
- 3) Attempt of respondent to corrupt or induce the petitioner, a common child, or a child of the petitioner, to engage in prostitution, or connivance in such corruption or inducement;
- 4) Final judgment sentencing the respondent to imprisonment of more than six years, even if pardoned;
- 5) Drug addiction or habitual alcoholism of the respondent;
- 6) Lesbianism or homosexuality of the respondent;
- 7) Contracting by the respondent of a subsequent bigamous marriage, whether in the Philippines or abroad;
- 8) Sexual infidelity or perversion;
- 9) Attempt by the respondent against the life of the petitioner; or;
- 10) Abandonment of petitioner by respondent without justifiable cause for more than one year.'¹¹

The Family Code specifies grounds to deny legal separation in Article 56:

- 1) 'Where the aggrieved party has condoned the offense or act complained of;
- 2) Where the aggrieved party has consented to the commission of the offense or act complained of;
- 3) Where there is connivance between the parties in the commission of the offense or act constituting the ground for legal separation;
- 4) Where both parties have given ground for legal separation;
- 5) Where there is collusion between the parties to obtain the decree of legal separation; or
- 6) Where the action is barred by prescription.'¹²

A separation petition has to be filed in at a family court. There is a waiting period of six months until the court is allowed to treat the petition, and the court first has to undertake steps for reconciliation.¹³

Legally separated spouses are entitled to live separately. Common property will be divided, the custody of minor children is awarded to the 'innocent' spouse and the 'offending' spouse is disqualified from inheriting from the 'innocent' spouse. The marriage remains valid, a subsequent marriage is not allowed.¹⁴ The legal separation terminates the 'absolute community' of the property.¹⁵

¹¹ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Article 55

¹² Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Article 56

¹³ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Articles 58-59; cf. Norway, Landinfo, Respons Filippinane: Oppløysing av ekteskap [Query response Philippines: Dissolution of marriage], 19 January 2016, [url](#), p. 3

¹⁴ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Article 63; cf. Pamaos, F.B., Annulment, Divorce and Legal Separation in the Philippines: Questions and Answers, 11 January 2017, [url](#)

¹⁵ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Article 99

Legal separation (and annulment) based on mutual agreement between the spouses is not permitted. The prosecutor investigates a potential collusion of the spouses in that matter.¹⁶ Instead, the petitioner must prove the guilt of the accused party.¹⁷ Furthermore, domestic violence and other abusive conduct of one of the spouses is not accepted as grounds for legal separation.¹⁸

1.3. Adultery

Regarding extramarital sexual intercourse, the Philippines' law differentiates between 'adultery' committed by the wife and 'concubinage' committed by the husband, governed by the Revised Penal Code of the Philippines.¹⁹

Article 333 defines 'adultery' as sexual intercourse between the wife and a man who is not her husband, with both of them being 'guilty'.²⁰

Article 334 defines 'concubinage' as a situation in which the husband keeps a mistress in the conjugal dwelling, has sexual intercourse under 'scandalous circumstances' with a woman who is not his wife, or cohabits with her in any other place; the 'guilty' husband shall be imprisoned. The concubine will not be imprisoned, but sentenced to 'destierro' (banishment) for six months to six years.²¹

According to article 344, adultery and concubinage shall not be prosecuted unless a complaint is filed by the offended spouse.²²

According to an AFP article from 2014, adultery and 'concubinage' are punishable with imprisonment of at least six months.²³ The maximum sentence for adultery is reportedly six years, for concubinage at four years and one day.²⁴ Two sources report that it is more difficult for women to prove concubinage by the husband, than for the husband to prove adultery by the wife.²⁵

Article 55 (8) of the Family Code defines 'sexual infidelity' as a ground for legal separation.²⁶ Infidelity is, however, not ground for annulment of the marriage.²⁷

Article 247 of the Revised Penal Code holds that if a married person surprises his or her spouse in the act of committing sexual intercourse with another person and kills any or both of them, he or she will

¹⁶ Manila Times, Collusion probe necessary in petition to nullify marriage, 8 February 2015, [url](#); Norway, Landinfo, Respons Filippinane: Oppløysing av ekteskap [Query response Philippines: Dissolution of marriage], 19 January 2016, [url](#), p. 2

¹⁷ Pamaos, F.B., Annulment, Divorce and Legal Separation in the Philippines: Questions and Answers, 11 January 2017, [url](#)

¹⁸ Manila Bulletin, Imee wants more grounds for legal separation, 22 December 2019, [url](#)

¹⁹ Philippines, The Revised Penal Code of the Philippines (Act No. 3815), 8 December 1930, Title Eleven, Crimes Against Chastity, Chapter One, Adultery and Concubinage, [url](#)

²⁰ Philippines, The Revised Penal Code of the Philippines (Act No. 3815), 8 December 1930, [url](#), Article 333

²¹ Philippines, The Revised Penal Code of the Philippines (Act No. 3815), 8 December 1930, [url](#), Article 334

²² Philippines, The Revised Penal Code of the Philippines (Act No. 3815), 8 December 1930, [url](#), Article 344

²³ AFP, Philippines seeks to block Ashley Madison adultery website, 30 November 2014, [url](#)

²⁴ Philippine Commission on Women, Eliminating Discrimination Against Women in the Revised Penal Code (RPC): Decriminalizing Adultery and Concubinage, 2016, [url](#), p. 1; Jeremy D. Morley International Family Law, Philippines' Law on Adultery, Concubinage and Marriage Nullity, 30 November 2016, [url](#)

²⁵ Philippine Commission on Women, Eliminating Discrimination Against Women in the Revised Penal Code (RPC): Decriminalizing Adultery and Concubinage, 2016, [url](#), p. 1; Jeremy D. Morley International Family Law, Philippines' Law on Adultery, Concubinage and Marriage Nullity, 30 November 2016, [url](#)

²⁶ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Article 55 (8)

²⁷ SIGI (Social Institutions & Gender Index), Philippines, 2019, [url](#), p. 5

not be imprisoned, but be sentenced to ‘destierro’ (banishment). In case of physical harm inflicted in this situation, there will be no punishment at all.²⁸

1.4. Children born out of wedlock and/or as a result of adultery

The legal status of children born out of wedlock is governed by articles 988-994 of the Civil Code²⁹ and articles 175-176 of the Family Code.³⁰

Article 165 of the Family Code defines children ‘conceived and born outside a valid marriage’ as ‘illegitimate’.³¹ Article 175 of the Family Code holds that filiation for ‘illegitimate’ children is established on the same way as for legitimate children.³² According to Article 176 of the Family Code, ‘illegitimate’ children shall use the surname and shall be placed under the parental authority of their mother.³³

An amendment of 2004 enables children to use their father’s surname ‘if their filiation has been expressly recognized by the father through the record of birth appearing in the civil register, or when an admission in a public document or private handwritten instrument is made by the father’.³⁴ ‘Illegitimate’ children born to unwed parents can be legitimated by a subsequent marriage of the parents (Articles 177-182).³⁵

The provisions of the Civil Code concern heritage rights, discriminating ‘illegitimate’ children.³⁶ Recognised ‘illegitimate’ children do have heritage rights like legitimate children, but they can only get the equivalent of half of what a legitimate child can inherit from their parents. Unrecognised ‘illegitimate’ children have no heritage rights.³⁷

Children born out of wedlock to an unwed mother have the right to be supported by their father, provided the father recognises the filiation. If the child’s mother is married, however, there is no such obligation.³⁸

EASO has found no information on specific provisions for children born as a result of adultery.

1.5. Changes of legal situation

In recent years, the parliament undertook several efforts to change the above described legal situation. The House of Representatives has recently proposed bills to legalise divorce in case of ‘irremediably failed marriages’, but met the resistance of President Duterte and of the Catholic

²⁸ Philippines, The Revised Penal Code of the Philippines (Act No. 3815), 8 December 1930, article 247, [url](#)

²⁹ Philippines, Civil Code of the Philippines (Republic Act No. 386), 1949, Articles 988 – 994, [url](#)

³⁰ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Articles 175-176

³¹ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Article 165

³² Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Article 175

³³ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Article 176

³⁴ Philippines, Republic Act No. 9255, 24 February 2004, [url](#)

³⁵ Philippines, The Family Code (Executive Order No. 209), 1987, [url](#), Articles 177-182

³⁶ Philippines, Civil Code of the Philippines (Republic Act No. 386), 1949, [url](#), Articles 988-994

³⁷ Philippines, Civil Code of the Philippines (Republic Act No. 386), 1949, [url](#), Article 888; GMA News Online, Commentary: What are the rights of a child born of an extramarital relationship? 18 July 2015, [url](#)

³⁸ GMA News Online, Commentary: What are the rights of a child born of an extramarital relationship? 18 July 2015, [url](#)

Church.³⁹ Such bills have repeatedly failed to pass.⁴⁰ There are also plans to abolish the distinction between adultery and concubinage and hence also the different punishment for women and men⁴¹, or to decriminalise it altogether.⁴² The public opinion in the Philippines reportedly favors legalising divorce.⁴³

2. Legal Enforcement

2.1. Divorce and annulment

Courts generally recognise divorces abroad if one of the spouses was a foreigner.⁴⁴ Also divorces according to Muslim law are generally recognised. In 2016, the Supreme Court upheld a divorce of a Muslim man and a Catholic woman according to Muslim law, i.e. a practice called *talaq*. The couple had been married according to Muslim rites.⁴⁵

The annulment process may take up to 10 years in the overburdened court system, and the costs are high. Poor citizens often cannot afford the fees, making the option more accessible to more affluent citizens. Furthermore, judges and the solicitor general often oppose annulments.⁴⁶ In 2010 and 2011, 6 % of the annulment petitions were dismissed or denied.⁴⁷ The legal procedure of an annulment involves the questioning of the petitioner in court, which is often perceived as inhumane.⁴⁸ Nevertheless, the number of annulments has increased from 4 250 in 2001 to 11 135 in 2014.⁴⁹ According to a news report from 2018, there are about 10 000 annulments per year, half of them filed in by women.⁵⁰

³⁹ ABC News, The Philippines is one of two countries where divorce is illegal, trapping women in marriages, 9 October 2018, [url](#); NPR, Divorce Is Prohibited In The Philippines, But Moves Are Underway To Legalize It, 23 May 2018, [url](#); Inquirer, House approves divorce bill on 3rd and final reading, 19 March 2018, [url](#); Abalos, Jeofrey B., Divorce and separation in the Philippines: Trends and correlates, 9 May 2017, [url](#), p. 1524-1525; News Deeply, In Philippines, Where Divorce Is Illegal, Women Pay the Price, 22 February 2018, [url](#)

⁴⁰ SIGI (Social Institutions & Gender Index), Philippines, 2019, [url](#), p. 6

⁴¹ United Nations, Committee on the Elimination of Discrimination against Women, Consideration of reports submitted by State parties under article 18 of the Convention, Philippines, 16 January 2015, [url](#), para. 17

⁴² Philippines, House of Representatives, 17th Congress, House Bill No. 101, 30 June 2016, [url](#); Philippine Commission on Women, Eliminating Discrimination Against Women in the Revised Penal Code (RPC): Decriminalizing Adultery and Concubinage, 2016, [url](#), p. 1

⁴³ Atlantic (The), Ending a Marriage in the Only Country That Bans Divorce, 25 June 2015, [url](#); Jacob, Jihan A., Reintroduction of Divorce into Philippine Law, Master Thesis, University of Toronto, 2013, [url](#), pp. 59-60; Xinhua, 53 percent of Filipinos favor legalization of divorce: poll, 9 March 2018, [url](#); Abalos, Jeofrey, The rise of divorce, separation, and cohabitation in the Philippines, 10 July 2017, [url](#)

⁴⁴ United States, USDOS, Country Reports on Human Rights Practices for 2018 – Philippines, 13 March 2019, [url](#), p. 29

⁴⁵ Philippine Daily Inquirer, Muslim-Christian couple's divorce upheld, 5 February 2016, [url](#)

⁴⁶ United States, USDOS, Country Reports on Human Rights Practices for 2018 – Philippines, 13 March 2019, [url](#), p. 29; ABC News, The Philippines is one of two countries where divorce is illegal, trapping women in marriages, 9 October 2018, [url](#); NPR, Divorce Is Prohibited In The Philippines, But Moves Are Underway To Legalize It, 23 May 2018, [url](#); Abalos, Jeofrey B., Divorce and separation in the Philippines: Trends and correlates, 9 May 2017, [url](#), pp. 1524-1525; Atlantic (The), Ending a Marriage in the Only Country That Bans Divorce, 25 June 2015, [url](#)

⁴⁷ Atlantic, The, Ending a Marriage in the Only Country That Bans Divorce, 25 June 2015, [url](#)

⁴⁸ Atlantic, The, Ending a Marriage in the Only Country That Bans Divorce, 25 June 2015, [url](#)

⁴⁹ Abalos, Jeofrey B., Divorce and separation in the Philippines: Trends and correlates, 9 May 2017, [url](#), pp. 1524-1526

⁵⁰ News Deeply, In Philippines, Where Divorce Is Illegal, Women Pay the Price, 22 February 2018, [url](#)

Since a marriage can only be annulled on the assumption that it has been invalid from the beginning, claims such as ‘irreconcilable differences’ are not accepted. Lawyers therefore often counsel couples willing to annul their marriage to claim that they were psychologically incapacitated. However, this involves psychological tests and, in some cases, witnesses. Moreover, being declared psychologically incapacitated may have consequences beyond the annulment of the marriage, e.g. regarding custody of children.⁵¹ Prosecutors may conduct ‘collusion investigations’ to ascertain that the parties did not fabricate the grounds alleged in the petition, e.g. in case they agree on the dissolution of their marriage.⁵²

Reportedly, lawyers offer annulment packages which include all paperwork and fees including a guarantee of a favorable decision from the judge for fees between 2 000 and 10 000 USD.⁵³

2.2. Separation

The number of Filipinos divorced or separated has grown considerably, trebling between 1990 and 2010.⁵⁴ Legal separation and annulments are particularly frequent among overseas Filipino workers.⁵⁵

Little information is available regarding the enforcement of the legal provisions on legal separation in practice. Generally, courts set the hurdles high to allow legal separation. For example, the continued cohabitation of the couple is regarded by many judges as prove of condonation or consent regarding the grounds for separation, as provided by Article 56 of the Family Code (see above), and are hence deemed a ground to deny separation.⁵⁶ As with annulment, the legal separation procedure is expensive and takes long time, starting with a mandatory six months waiting time which is meant for reconciliation efforts.⁵⁷

Given the high legal hurdles, the lengthy procedures and the costs, informal separation instead of legal separation is common, especially among the poor.⁵⁸

2.3. Prosecution of adultery

Adultery is only prosecuted if a complaint is filed by the offended spouse.⁵⁹ Therefore, media reports that the law is rarely enforced.⁶⁰ The Norwegian COI unit Landinfo found in 2016 no evidence of court sentences on adultery or ‘concubinage’.⁶¹ Nevertheless, Philippine media occasionally report on

⁵¹ Atlantic (The), Ending a Marriage in the Only Country That Bans Divorce, 25 June 2015, [url](#); News Deeply, In Philippines, Where Divorce Is Illegal, Women Pay the Price, 22 February 2018, [url](#)

⁵² Manila Times, Collusion probe necessary in petition to nullify marriage, 8 February 2015, [url](#)

⁵³ Atlantic (The), Ending a Marriage in the Only Country That Bans Divorce, 25 June 2015, [url](#); News Deeply, In Philippines, Where Divorce Is Illegal, Women Pay the Price, 22 February 2018, [url](#)

⁵⁴ Abalos, Jeofrey B., Divorce and separation in the Philippines: Trends and correlates, 9 May 2017, [url](#), pp. 1524-1526

⁵⁵ Sun Star, 75% of OFW couples separate or annul marriage, 21 October 2019, [url](#)

⁵⁶ Lawyers in the Philippines, Legal separation in the Philippines, 3 April 2017, [url](#)

⁵⁷ Lawyers in the Philippines, Legal separation in the Philippines, 3 April 2017, [url](#); Abalos, Jeofrey, The rise of divorce, separation, and cohabitation in the Philippines, 10 July 2017, [url](#)

⁵⁸ United States, USDOS, Country Reports on Human Rights Practices for 2018 – Philippines, 13 March 2019, [url](#), p. 29; Abalos, Jeofrey, The rise of divorce, separation, and cohabitation in the Philippines, 10 July 2017, [url](#)

⁵⁹ Philippines, The Revised Penal Code of the Philippines (Act No. 3815), 8 December 1930, article 344, [url](#)

⁶⁰ AFP, Philippines seeks to block Ashley Madison adultery website, 30 November 2014, [url](#); Straits Times (The), Extramarital affairs no longer illegal in South Korea: Other places where adultery is still a crime, 15 February 2015, [url](#)

⁶¹ Norway, Landinfo, Respons Filippinane: Oppløysing av ekteskap [Query response Philippines: Dissolution of marriage], 19 January 2016, [url](#), p. 5

adultery arrests or trials.⁶² In June 2019, the extramarital sexual partner of an Evangelical church worker was arrested in Cebu.⁶³ In April 2019, a couple was arrested after being caught having extramarital sex in a hotel room in San Jose City.⁶⁴

It is easier for men to prove adultery of their wife than for women to prove 'concubinage' by their husband. For proving the wife's adultery, circumstantial evidence is sufficient. A law firm in Manila mentions in this regard even 'testimonies from witnesses who saw them wearing sleeping apparel and sleeping together'.⁶⁵

Men who abandoned their wives often accuse them of adultery in order to force them to agree to their husband's petition to annul the marriage.⁶⁶ The Philippine Commission on Women reports that women in this situation are often forced to give up their custodial claims of their children or claims over conjugal properties and assets.⁶⁷

3. Societal attitudes

3.1. Adultery

Extramarital relationships are fairly widespread in the Philippines. According to the 2003 National Demographic and Health Survey (NDHS), 21.6 % of Filipino men have experienced extramarital sex. Surveys show that a majority of Filipinos (83 % in 2008) consider extramarital relations 'wrong'.⁶⁸

In 2017, President Rodrigo Duterte defended adultery committed by House of Representative Speaker Pantaleon Alvarez, who had fathered six children with other women than his wife. Duterte called adultery a 'non-issue' and implied it was normal to have extramarital sexual partners, since divorce was not allowed. Duterte's defense of Alvarez was met with criticism, particularly by politicians advocating for women's rights and gender equality.⁶⁹

3.2. Towards children born out of wedlock and/or as result of adultery

A large number of children in the Philippines is born out of wedlock. In 2011, this concerned four out of ten babies born.⁷⁰ In 2017, it concerned 53 % of the newborn children.⁷¹ Several public figures are

⁶² Canada, Immigration and Refugee Board of Canada, Philippines: Information on adultery laws, including enforcement (2014-June 2017), 30 June 2017, [url](#)

⁶³ Manila Standard, Ex-INC officer's 'partner' nabbed in Cebu over adultery complaint, 27 June 2019, [url](#)

⁶⁴ Philippines News, Unfaithful Wife & Brgy. Captain Lover Nabbed Inside Hotel in Nueva Ecija, 10 April 2019, [url](#)

⁶⁵ Nicolas & de Vega Law Offices, How To Sue Your Wife For Adultery In The Philippines, n.d., [url](#); SIGI, Philippines, 2019, [url](#), p. 5

⁶⁶ Jeremy D. Morley International Family Law, Philippines' Law on Adultery, Concubinage and Marriage Nullity, 30 November 2016, [url](#); Philippine Commission on Women, Eliminating Discrimination Against Women in the Revised Penal Code (RPC): Decriminalizing Adultery and Concubinage, 2016, [url](#), p. 1; Canada, Immigration and Refugee Board of Canada, Philippines: Information on adultery laws, including enforcement (2014-June 2017), 30 June 2017, [url](#)

⁶⁷ Philippine Commission on Women, Eliminating Discrimination Against Women in the Revised Penal Code (RPC): Decriminalizing Adultery and Concubinage, 2016, [url](#), p. 1;

⁶⁸ Abalos, Jeofrey, Determinants of men's extramarital sexual experience in the Philippines, in: Philippine Population Review, December 2011, [url](#), pp. 52-54

⁶⁹ Star (The), Duterte defends adultery because it's a 'non-issue' in Philippines where divorce is outlawed, 6 April 2017, [url](#)

⁷⁰ Manila Standard, Rights of illegitimate children, 13 February 2017, [url](#)

⁷¹ Business World, Children born out of wedlock outnumber legitimate ones, 3 September 2019, [url](#)



known to have extramarital children.⁷² Nevertheless, a social stigma is still attached to children born out of wedlock⁷³, apart from having less rights than 'legitimate' children (see [above](#)). Children born out of wedlock are referred to as *anak an labas* [child from the outside].⁷⁴ Reportedly, some schools and teachers discriminate such children. There are private schools which require the parents' marriage certificate for enrolment. No government measures are in place to address the specific needs of children born out of wedlock.⁷⁵

No specific information regarding the societal attitude towards children born as a result of adultery has been found.

⁷² Star (The), Duterte defends adultery because it's a 'non-issue' in Philippines where divorce is outlawed, 6 April 2017, [url](#); Manila Standard, Rights of illegitimate children, 13 February 2017, [url](#)

⁷³ Jacob, Jihan A., Reintroduction of Divorce into Philippine Law, Master Thesis, University of Toronto, 2013, [url](#), pp. 46-47; Manila Standard, Rights of illegitimate children, 13 February 2017, [url](#)

⁷⁴ Jacob, Jihan A., Reintroduction of Divorce into Philippine Law, Master Thesis, University of Toronto, 2013, [url](#), pp. 46-47

⁷⁵ Canada, Immigration and Refugee Board of Canada, Philippines: Treatment of unwed and single mothers and their children, including treatment of unwed and single mothers when their children are outside the country (2015-February 2017), 3 February 2017, [url](#)

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