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WOMEN'S LEGAL BUREAU, Inc.

As the Philippine Shadow Report on the Convention on the Elimination of All Forms of Discrimination Against Women



Philippines

CEDAW
NGO SHADOW REPORT 2006

THE DYNAMICS
of **SHADOW**
REPORTING

and

SELECTED
STORIES
GROUND

from the

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Women's Legal Bureau, Inc.

The Women's Legal Bureau.

In the early 90's, a cursory assessment by three women law student-advocates of the situation of women in the Philippines and the women's movement revealed these disturbing conditions: (1) The law and the legal system were prejudicial to women, and (2) many concerns of women were not being addressed by the law. Flawed in both substance and mechanisms of implementation, laws supposedly passed to address these concerns were, in truth, unresponsive to the real needs and conditions of women.

While there were organizations that specialized in legal services, their concerns were more multi-sectoral. There was no group within the women's movement that responded to the legal needs of women and women's organizations. At the same time, there seemed to be little awareness among women of their rights, and how violations of these rights can be redressed within and outside the legal system.

These realizations led to the founding of a feminist legal non-government organization which eventually took on the name, Women's Legal Bureau. It was registered in 1990 with the Securities and Exchange Commission as a non-stock, non-profit corporation, and started operations in 1991.

Today, the Women's Legal Bureau Inc. (WLB) continues to work for the empowerment of women through the use of and engagement with the law and its institutions. The range of WLB's work includes policy advocacy, information-education campaigns, research and publications, feminist legal services, and institutional support and development.

CEDAW: Philippines NGO Shadow Report 2006

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CEDAW NGO REPORT:

The Dynamics of Shadow Reporting
and Selected Stories from the Ground

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LESSONS from the PROCESS

The Women's Legal Bureau, Inc. (WLB) led in 2006, a national CEDAW training for women NGOs and human rights advocates, in collaboration with the International Women's Rights Action Watch-Asia Pacific (IWRAP-AP). It was primarily from the learnings of this national training, that WLB designed and conducted the NGO Advocacy Campaign for the Philippine Shadow Report. In the succeeding months, an unprecedented number of women's organizations and advocates actively participated in preparing an alternative report to the 5th and 6th government report on CEDAW compliance.

The training-workshop prior to the Shadow Reporting, stressed the importance of spreading the word about the Women's Convention to enjoin more women's groups and organizations to use CEDAW and its Optional Protocol in their advocacy and monitoring work. It also validated the effectiveness of organizing training around island groupings to give more attention to needs and advocacy thrusts distinct to the region.

Another significant realization was the need to modify the training program to include skills training on shadow reporting. These include familiarization on certain guidelines, such as stating the women's issues or problems and how these problems are manifested, the contributing factors, the state's failure in its obligations to women, the CEDAW provisions violated and the actions the state must take to rectify the situation and fulfill its obligation.

Another rich source of insights was the first Philippine shadow reporting led by the WLB in 1997. This effort involved a national coalition of women's groups and organizations called the SIBOL Network. Women NGOs then were not too actively involved in the process of Shadow Reporting, prompting the next effort (on shadow reporting) to do more in this regard. Personal and/or institutional commitments were made to be part of the collaborative efforts in preparing for the 2006 shadow report.

This advocacy campaign on Shadow Report had two components: 1) a Two-day Skills Training on Shadow Reporting; and 2) the preparation and writing of the Shadow Report.

For the first component, the skills training was designed to go hand in hand with a three-day training on the CEDAW framework. Two skills training, one each for Visayas and Mindanao, were conducted immediately after the CEDAW training held in those areas. One follow-up training was also held for Luzon participants who had already completed the basic CEDAW training in 2005. The skills training workshop utilized inputs by resource persons, focus group discussions, plenary sharing and action planning. At least 95 participants (34 for Luzon, 32 Visayas and 30 Mindanao batches) representing women's groups and NGOs from all over the country were targeted.

The second component was doing the advocacy research. This involved both research preparation and writing of the shadow report in preparation for its submission to the UN CEDAW Committee. At the end of the activities, the women NGO participants showed their grasp of the application of CEDAW and in analyzing data concerning local and national women's issues for purposes of shadow reporting. Because of these gains, the activities achieved the third goal of contributing to the collective effort of women's groups to gather data from all over the country to be able to come up with an alternative and independent shadow report.

Formulation of Research Guidelines

The Project Team inspired and intellectually sharpened with the support and assistance of Atty. Eleanor Conda, a WLB founding member and former chairperson of its board, met several times to formulate and draft research guidelines for the Shadow Report. This was done in time for early distribution among the participants to guide them in determining which initial data to bring to the workshop-consultation for processing. They also brought with them research materials which they shared with the other participants and centralized with the project team in preparation for the shadow report writing.



1 SUMMARY of activities



Training Preparations

Since the three-day training already provided the theoretical foundation for the CEDAW Training, the second part of the five-day activity was more appropriately termed by the project team as a consultation-workshop. It was fully dubbed “*Using CEDAW in the Philippines—Claiming our Place, Claiming our Rights: A Consultation-Workshop on Shadow Reporting for Women NGOs and Human Rights Advocates*”. In addition, more emphasis was given to maximizing the two-day session for data gathering from among the participants over more inputs, and doing some initial processing.

The project team eventually designed the discussion flow in a way that efficiently grouped all the preliminary inputs to give more time to the consultation-workshop proper where participants could directly apply their understanding of CEDAW basics.

The choice of resource persons was also an important consideration. For the workshop-consultations on the Shadow Report, Atty. Eleanor C. Conda, women’s human rights advocate and lawyer, took on the role of lead resource person. For the workshop sessions, the team tapped facilitators and documenters from the respective regions (Luzon, Visayas and Mindanao). Having command of the local language, they facilitated the participants’ understanding and encouraged active participation. Previously designated rapporteurs from each workshop group presented highlights of the workshop discussions during plenary.

Short-listing and Invitation of Participants

A well-targeted set of participants was deemed essential to the success of the activity. The project team went by the following criteria for participants’ selection: 1) female; 2) with basic knowledge of gender ideology; 3) with basic knowledge of CEDAW; 4) preferably with research background and has worked with their respective institution for a minimum of three years; and 5) able and willing to contribute to the preparation of the Shadow Report for 2006.

For the Luzon consultation-workshop, the project team prioritized all the Luzon participants who had attended the National CEDAW Training in Manila in 2005. As for the key representatives from Visayas and Mindanao, they joined the Shadow Report Consultation Workshops held in their respective regions.

The Visayas and Mindanao consultation-workshops benefited from the recommendations shared with the team by the key representatives who attended the Manila training, and by other contacts/networks. Thirty-four women representatives of NGOs and people’s organizations from Metro Manila and Luzon provinces participated in the Luzon Consultation-Workshop on Shadow Reporting held at the University Hotel, University of the Philippines-Diliman, Quezon City on 20-21 March 2006.

The Mindanao Consultation-Workshop took place on April 6-7, 2006 at the Grand Men Seng Hotel, Davao City with 30 participants from the region. Just as well-attended as the Mindanao and Luzon gatherings, the Visayas Consultation-Workshop on Shadow Reporting held at Crown Regency Residences, Cebu City from 27-28 April 2006 drew in the participation of 32 representatives.



For the research component, the project team utilized both primary and secondary data. These included participants' insights, perspectives, and first-hand knowledge shared during the workshop sessions.

The team then proceeded to consolidate research materials from the regions in addition to the information and analyses gathered from WLB's own collection of library materials on women's issues.

A challenge to the project team and the participants was that data was mostly anecdotal in form and lacked proper attribution. They also found data and statistics from government agencies wanting in disaggregation for sex and ethnicity. However, by supplementing data from other sources, the report eventually proved comprehensive, encompassing major women's general and sectoral concerns vis-a-vis economic empowerment, sexual and reproductive health, violence against women, the environment and public participation.

Presentation and Critique of Draft Shadow Report

The validation meetings were ideally to take place before the submission of the draft report, supposedly for the CEDAW Committee's January 2007 meeting in New York. However, this was advanced to August 2006, prompting the project team to fast track its own schedule and work within the time constraint.

By way of adjustment, the team, in consultation with the participants, agreed to electronically circulate the draft report for the participants' comments prior to sending the final report to the Committee. It was made clear, however, that feedbacking sessions would be held after the lobbying activity of NGO representatives at the 36th CEDAW Committee session in August 2006.





NGO Reporting In August 2006

The NGO representatives led by Prof. Maureen C. Pagaduan of WLB, Prof. Mary Lou C. Alcid of Kanlungan, Atty. Claire Padilla of Engender Rights, Rosa R. Presno of Pambansang Koalisyon ng Kababaihan sa Kanayunan (PKKK) and Congresswoman Liza Masa of Gabriela left for New York in August 2006.

A couple of meetings prior to departure gave them time to prepare as a team and organize their oral presentations before the Committee. They needed to maximize the very brief time allotment of three minutes per speaker for NGOs (as compared to a whole day reserved for the presentation of government reports on CEDAW compliance). In New York a couple of meetings organized by IWRAW provided the delegates updated information as well as strategies for monitoring activities and presentations during the sessions of the CEDAW Committee.

Five areas of concern were highlighted: rural women, indigenous and Muslim women, migrant women, reproductive health rights, and political killings of women. Some of the CEDAW experts asked clarificatory questions about rural women, Muslim women, migrant women and reproductive health preferences of women in the Philippines.

The following day, the NGO representative individually lobbied the CEDAW experts. The NGO representatives had occasion to meet a couple more times before their presentation. A supplementary paper providing additional contextual information on Filipino women was also submitted following deliberations on the 5th and 6th Report to the CEDAW of the Philippine government. Several CEDAW experts would later approach the Philippine NGO women delegation to

commend them on the quality of the shadow report and the presentations.

Feed Backing Sessions

Feed backing sessions for each island group (Luzon, Visayas and Mindanao) pushed through in October 2006. Participants shared the various ways their involvement in the CEDAW training contributed to their own advocacy work. A majority of organizations made use of inputs from the CEDAW training for their own training activities, particularly with gender sensitivity and gender mainstreaming. CEDAW materials provided more substantive explanations in discussions of specific issues. They also integrated CEDAW in program activities, training modules and even in staff manuals.

The feed backing sessions used an action planning format to track the initial activities planned by the participating organizations to support the next shadow reporting processes. Some groups suggested providing reader and woman-friendly CEDAW materials, meaning that popular forms and local languages should be used.

One feedback on accessing the Optional Protocol (OP) of CEDAW was to carry out another CEDAW orientation and training for all sectors. Information should also be widely dissemination on accessing and applying this mechanism. Meanwhile, participating organizations returning to their regular activities of monitoring and data-gathering





must already have the next shadow report in mind, but this time benefiting from having been involved in the preparation of the 2006 Shadow Report.

Conclusions

The impact of the Shadow Report Project can be gauged in terms of its two major components: 1) the skills training/consultation workshop and 2) the preparation and writing of the Shadow Report.

For the first component, the project resulted in greater awareness of women's rights as human rights enshrined in local and international laws, and a deeper understanding and appreciation of the link between municipal laws (vis-à-vis local situation) and international treaties and conventions.

The participants' own sharing of personal insights and reflections at the culmination of each regional consultation-workshop as well as the depth and sharpness of their analysis of women's issues as reflected in the documentation proceedings attest to this.

For the second component, the project involved a big number of women's groups and advocates from all over the country in the preparation of the shadow report. Compared to previous efforts, significantly more advocates joined the collaborative efforts in shadow reporting.

Insights from the Activities

- There is still much to be done in properly documenting violations of human rights.



- There is marked lack of sex and ethnicity disaggregated data and statistics from government agencies.
- There is need to continue conducting skills training / consultation-workshops on shadow reporting and engage more women's groups in the preparation of the report.
- We can and should widely use shadow reporting as an effective advocacy tool by women's groups.
- There are still many organizations and staff that have yet to learn about the Women's Convention. More inputs as well as basic information-education materials in the local language are needed to popularize CEDAW and facilitate the process of maximizing this international human rights instrument for the advancement and defense of women's rights.
- The greatest impact is yet to be made in the effective use of the Philippine Shadow Report as an advocacy tool for demanding State accountability in protecting and promoting women's human rights. A running message stressed throughout all the activities was that Shadow Reporting is not an end in itself, but a means for women to seek accountability and more importantly, claim their rights.



STORIES

from the

GROUND



The data-gathering for the CEDAW Shadow Report further impressed upon us the relatively deeper vulnerabilities faced by Filipino women in agriculture and fisheries, women in overseas work, and indigenous women. Not all the information generated from data-gathering, however, could have been accommodated by the Shadow Report which was constrained by space limitations. We were advised to keep the length of the report to the barest minimum to have a greater chance of the CEDAW Committee reading it in its entirety.

It is significant that among the Concluding Comments of the CEDAW Committee is an exhortation for the Philippine government to take particular note of the current situation of economically disadvantaged women, among them rural women and women migrant workers. Highlighting their stories here is a step in pushing government's obligations in this regard. Though this section features only a tiny fraction of what women endure, it hopes to contribute to much needed space for underscoring some of the glaring violations of the Women's Convention, especially as experienced by the more marginalized and excluded groups of Filipino women. Admittedly, there is much more to be done in producing case studies that depict more clearly women's conditions and concerns and the wide ranging implications in terms of exacting government accountabilities.

Stories of overseas Filipino women workers coming home physically and emotionally broken, and worse, dead, have become so common over the years that these incidents themselves are no longer news, with only the degree of abuse, the specific method of physical and sexual enslavement differing from one case to another arousing public curiosity. With dollar remittances significantly propping up the Philippine economy, however, the political will to invest in the creation of decent jobs at home just doesn't exist. Government continues to aggressively promote labor migration despite the horrific threats to life and limb to thousands of women.

Conditions are even bleaker and more uncertain for undocumented workers whose many vulnerabilities make them easy prey to international trafficking syndicates. The story of "Maria", as reported by journalist Gemma Luz Corotan of the Philippine Daily Inquirer, is not hers alone, it is also the story of countless others in such desperate straits they are willing to risk everything in unsafe work conditions abroad. An undocumented worker at 17, Maria found herself and a friend in the Cote d'Ivoire in West Africa just before Christmas 2006. But to Maria's knowledge they were in France, having been promised employment as entertainers. They were met at the airport by a Filipino woman, presumably their employer, who took possession of their passports and reminded them of the amount of P13,000 they each owed her, which they would have to immediately pay in full out of their earnings.



WOMEN'S STORIES

trafficking of women



The succeeding months would unfold as a tale of rape, according to Corotan who recounts Maria's story:

"They were brought to a bar in the capital's red-light district, given mini-skirts and instructions on how to entertain patrons. The next day, she was sold to a French soldier. He was the first of some 80 customers she was forced to have sex with in the next three months,...."

Maria was finally rescued along with 25 others in February 2007 by a composite team of Anti-Slavery International, Interpol, the Office of the United Nations High Commissioner for Human Rights and the Visayas Forum Foundation Inc. Maria counts among the 700,000 women trafficked yearly by syndicates.

In Italy, labor migration of Filipino women is increasingly taking the form of into prostitution. According to a report by Marivic Cabrera-Balleza, "girlie bars" are sprouting outside of Italy's urban centers and catering to rural male populations.

"Maria's case highlights how easy it is for the syndicates to move women out of the country...." commented the Philippine Daily Inquirer on Corotan's report, further noting that illegal job recruiters have been able to elude the law "with the collusion of corrupt officials, of course." A Philippine National Police report cited by the Inquirer recognized how "'syndicates pay off vulnerable immigration, customs and police officers to facilitate the victims' departure,'" a payoff list that may further include other offices with airport responsibilities.

The rising numbers in women trafficking begs the question as to how the Anti-Trafficking Law (2003)

is being enforced. This law criminalizes the "recruitment, transportation, transfer or harboring, or receipt of persons," that aims to exploit and promote the same. This includes trafficking using threat or force, deception, abuse of power, and "giving or receiving payments or benefits to achieve the consent of a person having control over another person." As yet, no trafficker or syndicate member or head has been convicted under the Anti-Trafficking Law, while the Inter-agency Council Against Trafficking formed among government agencies has yet to show implementation of its mandate to develop and launch effective preventive, protective and rehabilitative programs vis-à-vis trafficking and its victims.

Source:

Philippine Daily Inquirer, 28 April 2007 posted at

http://opinion.inquirer.net/inquireropinion/editorial/view_article.php?article_id=62941



Photo: Migrant Forum Asia



As many experiences of Overseas Filipino Workers have shown, being a documented worker is no assurance against exploitative conditions by foreign employers. There are many cases of violated terms of employment, which in the end overseas Filipino workers accept if only to cut losses. By then, women hopeful for jobs abroad would have begged and/or borrowed to pay for processing fees, training, travel expenses, and the like. Culled from reports received by the Kanlungan Center Foundation, Inc. is the story below, which documents examples of such rip-offs that government is not only unable to deal with decisively, but is even party to:

The TESDA-JITCO Scam

Government itself through the Technological and Entrepreneurial Skills Development Agency (TESDA) was involved in this training program which resulted in 39 women being scammed by the recruiting companies Green Life and Forest Foundation (GLFF), and the Japanese electronics firm Nitto Denko.

The program provided for Filipinos to train in companies in Japan to learn skills on new technologies. Before they left for Japan in 2003, GLFF required the 39 trainees to prepare and submit various documents, which they did and paid for. These included a Certification of job experience, a Certificate of Training from TESDA (which cost Php 600 although no training was reportedly held), Certification from the Bureau of Immigration (Php1,200), and open checking accounts. They were also asked to issue blank checks as surety bonds.

As per the terms of the contract (copies of which were not provided by Green Life to the recruits), the women were supposed to be trainees for a year, after which they would be qualified to take the government exam in Japan, to qualify as interns for two years. They were also promised an allowance of Y70,000/mo during the first year and Y80,000/mo (1st yr of internship) Y90,000/mo (2nd year of internship). Housing for the first year of their stay was to be provided by Nitto Denko. As trainees, they would not be allowed to work overtime.

After three months of drudgery that included performing janitorial services, they were made to do regular electronics work, and at times, even had to work beyond eight hours. The report received by Kanlungan spoke of non-commensurate wages, congested living areas, and hampered mobility. "Despite performing the work similar to that of a regular Japanese worker, the trainees were given an allowance of Y70,000, (less Y5,000 deductions)...In terms of living conditions, 60 trainees are housed in one apartment (a warehouse) which cannot accommodate [of them]. The 'trainees' have to buy their own food during entire stay. Their passports were confiscated and withheld by the employer during their



entire stay." They had to have a permit to leave the premises of the compound. Their contracts were abruptly terminated in September 2004, and they were promptly sent packing by their Japanese employers upon their signing of a waiver or quit-claim.

In the Philippines, TESDA proved to be of no significant help to the trainees. They were finally assisted by the government body Task Force Hunter which raided the offices of Green Life and Forest Foundation in November 2004.

Custodians as Offenders:

VAW Cases in Lebanon

Willie Descalzo, KCFI

Among the most serious handled by Kanlungan was the case of three women who worked in Lebanon as domestic helpers and sought the NGO's assistance in November 2002. Their stories as reported by Willie Descalzo of Kanlungan are reprinted below:

Women constitute at least 73% of all legally deployed land-based Filipino workers abroad. Most of them are in service-related work or jobs that are extensions of their traditional roles at home. The figure mirrors gender stereotyping of women's work abroad, limited to entertainment, care-giving and domestic services. Generally, domestic work remains unregulated, excluded from labor and social legislations, further rendering women vulnerable to abusive, exploitative, and slavery-like working conditions in the receiving countries.

Since 1998 up to 2001, the number of overseas Filipino workers (OFWs) in Lebanon has increased. In July 2002, there were 1,928 land-based migrant workers in Lebanon compared to 1,920 in July 2001. Today, Filipinas comprise the second largest group of domestic workers in Lebanon. According to a report prepared by the Committee on Pastoral Care of Afro-Asian Migrant Workers in Beirut, around 95% of Filipinas in Lebanon are domestic service workers.

Domestic workers in Lebanon have been classified under three categories, based on their various living and working conditions -- "live-in", "freelancer" or "runaway." Cherry, Marivic and Mary Jane have been classified as "runaway" domestic workers. The three escaped their employers due to the following reasons: a) slavery-like working conditions; b) violence (psychological, emotional, physical or sexual) and; c) withholding of payment of salaries.

Cherry Maghanoy, 24

Cherry was initially recruited by the agency, Jaminah Manpower Services, and its foreign principal, Trust Agency, owned by a certain Ali Mohammad. She stayed in Lebanon from August 23, 2002 to September 17, 2002 during which she experienced severe maltreatment and harassment from Mr. Ali. In the Philippines, she signed a contract with Jaminah after being promised a monthly salary of US\$200 as a domestic worker. In Lebanon, Diana Services (Trust Agency's sister company) informed her that she was to receive only US\$150. Trust Agency further reduced the amount to US\$100.





During her almost a month's stay in Lebanon, Cherry had as many as four different employers. Her daily routine started at 5:30 in the morning. She worked long hours but received no salary. Instead, she was locked inside the apartment most of the time, and deprived of food. Occasionally, Cherry received verbal insults from her employers. Ali and his friends also made sexual advances and maltreated her during her stay at the agency. A manager of Diana Services threatened to kill her if she continued to complain. Midway through her third employer, Cherry requested Ali to send her back to the Philippines. Ali, however, told her that Jaminah required the payment of US\$2,000 before she could be sent back home. Already made anxious by her present plight, Cherry said she was willing to pay the amount as long as she was allowed to go home. But, her plea went unheeded. Cherry was then forced to work for a fourth employer.

On September 10, Cherry finally decided to runaway. A local taxi driver helped her escape and even allowed her to sleep in his house. The following day she went to the Philippine Embassy to seek help. At the Philippine Embassy, Consul Marlowe Miranda helped Cherry contact her relatives in the Philippines. He also helped her secure her exit pass despite non-cooperation of her Lebanese employment agencies. Consul Miranda accompanied Cherry to the office of Labor Attaché' Alicia Santos. Prior to this, Cherry met two women at the Embassy named Juvy and Jocelyn who related the deplorable treatment they received from Santos. This knowledge compelled Cherry to decline the Labor Attaché's suggestion to sleep in her office.

On September 17, Cherry got word that she would be placed under the charge of Labor Attaché Santos. She cried and told Consul Miranda she would rather jump off the Embassy building than stay at the Labor Attaché's Office. Consul Miranda allowed her to stay under his custody.

Marivic Garcia, 33

Marivic was recruited as a domestic worker by the employment agency Miss Diamond Star International Manpower Services, which later became Mind Resources Corporation. Her foreign principal was Zalsali Services, owned by a certain Bassam Zalsali. She stayed in Lebanon from July 20 until October 10, 2002. Like Cherry, Marivic worked for four different employers. The first one did not give her food, and locked her inside the house. She was made to work from 6 in the morning to 12 midnight, and suffered repeated physical and verbal abuse from her employer. There was a time when she was forced to undress in front of her employer. Her next employer made her do her chores over and over again. She was hit with a lead pipe and a walking cane every time she refused. At this point, Marivic already made contact with Karen, a fellow domestic worker and sister of one of her companions when she first arrived in Lebanon.

Marivic asked Karen to get in touch with her family in the Philippines and tell them that she desperately wanted to go back home. Learning of her condition, Marivic's family went to Radio Mindanao Network (RMN) where her case was repeatedly aired over the radio. The broadcast





eventually reached Labor Attaché Alicia Santos but did not prompt her to take any action.

Through her family's persistent efforts and the help of RMN, Marivic met with Labor Attaché Santos and a certain Mrs. Peña of the Philippine Embassy. A certain Mr. Tarik of the Zalsali Services employment agency accompanied Marivic to the agency, but threatened her with physical harm and imprisonment if she told embassy officials the truth. At the Embassy, Marivic was taken aback to see that the place looked more like a penitentiary than a sanctuary for distressed OFWs. When she introduced herself, Mrs. Peña turned sullen and asked her what her problem was.

Marivic complained of headaches because of the banging her employer subjected her to. Pena commented that since the banging did not result in any hole in her head, there was absolutely no cause for alarm. The Labor Attaché meanwhile said that working abroad involved certain risks, and merely advised her to accept such things as a matter of consequence. When she made a phone call to her family, embassy officials curiously kept instructing her to state that she was fine and that everything was alright. The Labor Attaché also promptly denied Marivic's request not to let Mr. Tarik take her back to her employer.

Marivic's last employer, with whom she stayed the longest (26 days), treated her well enough during the first week. But she was still forbidden from communicating with her family. It was during this time when she was hospitalized for two days and upon return, was forced to work while still recuperating.

On August 26, 2002, Marivic finally ran away and sought refuge at the Daughters of Charity convent in Lebanon. Sr. Amelia Torres then brought her to Consul Miranda to whom she narrated her plight and the dismal treatment given her by the Labor Attaché. After one week, the Consul facilitated her repatriation.

Mary Jane Aticao, 21

Like Marivic, Mary Jane was recruited by Miss Diamond Star as a domestic worker in Lebanon. She stayed in the country from August 4, 2002 to October 17, 2002 working under her foreign principal, Monaco Services.

During her first week, Mary Jane was treated relatively well by her employer. But when she requested for the name of her employment agency in Lebanon, her employer began restraining her movements. She was forbidden to talk with other people, and was locked inside her bedroom during the night and was deprived of food. When Mary Jane requested to be returned to her agency, her employer called the agency and summoned Mr. Hassan, the purported owner of Monaco Services.

At the house, Hassan began mauling Mary Jane in front of her employer. Threatened that she would be raped if she left her employer, Mary Jane was forced to stay. As the violence continued, her employer then unjustly accused her of theft. Unable to endure further torment, Mary Jane ran away on August 26, 2002. An Ethiopian neighbor helped her get in touch with a certain "Ate Nora", a Filipina who introduced Mary Jane to Sr. Amelia of the Daughters of



Charity. Accompanied by Sr. Amelia, Mary Jane went to the Philippine Embassy. She talked with Labor Attaché Santos but was treated with typical indifference. Disconcerted, Sr. Amelia along with Fr. Marco of FAME helped Mary Jane process the papers she needed to return to the Philippines. When she was finally scheduled to go home on September 25, Lebanese immigration authorities arrested her claiming she had an existing police record (theft). Sr. Amelia tried to sort things out with the Labor Attaché. Santos, however, assured her that everything was in order and that Mary Jane would still go home, only the date was changed to October 5. But the appointed date came and Mary Jane remained under the custody of immigration authorities. She was then transferred to a dark underground prison cell where she could not tell whether it was night or day. Sr. Amelia visited Mary Jane in her cell the following day.

It was also during this time when she was able to eat since being arrested. Two days later, Santos visited her and in her presence ostensibly instructed her driver to work on Mary Jane's papers. The Labor Attaché promised Mary Jane she would return to the Philippines either on the 9th or 10th of October. However, both dates passed and Mary Jane remained in prison.

Mary Jane narrated later that many OFWs have developed animosity towards the Labor Attaché for her consistent failure to help distressed Filipinos in Lebanon. Santos was known to persuade women who sought her help to go back to their agencies and employers. It was even said that Santos served as a "go-between" for employers and personally prepared, if not facilitated the signing of, contracts. Amidst the

open knowledge of Philippine Embassy officials in Lebanon, immigration authorities detained Mary Jane for a few more days.

Only on October 17, 2002, with the help of Sr. Amelia and Consul Miranda, was she allowed to return to the Philippines. But not being spared the humiliation, as police escorted her to the airport in handcuffs like a common criminal. Upon her arrival in the Philippines, Sr. Adelina Terrado of the Daughters of Charity welcomed her. The Sisters temporarily housed Mary Jane and helped her file a case against Miss Diamond Star, her employment agency.

Source:

Posted at: Case Update Monitor

<http://www.kanlungan.ngo.ph/Caseupdates.htm>



WOMEN'S STORIES

rural women

CEDAW's stress on the situation of rural women holds much relevance for the Philippines, which acceded to the trade liberalization regime of the World Trade Organization in 1995, and is now subject to more than 60 accords that reach deeply into local economies, covering a broad range of goods as well as services.

The government's pursuit of commitments to the WTO has thus far left a trail of havoc in its wake, especially among rural populations. According to one report, the severe rice crisis experienced immediately after the country's accession to the WTO was not due to low productivity and shortage as touted by government, but "...to justify importation as per the government's commitments to the WTO."

Furthermore, the progressive slashing of tariffs has laid domestic production bare to unfair competition and encouraged the dumping of subsidized goods from industrialized nations. Oliveros, then head of the National Federation of Peasant Women or AMIHAN, related the case of around 50,000 Benguet potato farmers [Kalinga Apayao Province] who had no choice but to sell their produce at half of the price of what it previously fetched, when machine-sliced, ready-to-fry potatoes from the United States flooded the market. (Oliveros 1997)

"For peasant women, these developments limit the options available to augment scarce family income," wrote Oliveros. "Rural women, when not involved in farming activities, are also responsible for vegetable production and poultry/livestock raising..., which are supplementary





sources of food and income for the family. But even these 'fallback' income and food sources will be wiped out with the free entry of potatoes, garlic as well as livestock such as pigs, goats and chickens."

Producing primarily for export and not for needs at home has also fostered the creation of industrial zones where workers' rights are secondary to creating strike-free, tax exempt, practically risk-free business environments. One of these is the so-called Calamba-Batangas-Rizal-Quezon (CALABARZON) growth area in the south. Rural women dislocated from their livelihoods because of CALABARZON ended up with lowly paid jobs and in socially unprotected work conditions. Some of them took on extra work as caddies to businessmen in nearby golf courses and applied as domestic helpers in the town centers.

Out of such desperate conditions arises what might be an alarming direction of rural women going into prostitution because of hunger. The Gabriela Women's Party noted last year the rise in reports of *palit-bigas* (exchange for rice) prostitution from when it was first documented in 1993, following the 1992 eruption of Mt. Pinatubo in Central Luzon.

The stories of Julie Ann and Gina (not their real names), as told in *Bulatlat*, may very well be indicators or this emerging trend. Eighteen-year old Julie Ann works as a "Guest Relations Officer", in other words, a bargirl, in the southern Luzon province of Batangas.

"Her family...earns some P200 (\$3.61) for every sack of corn sold. While she could not recall how much they would earn after every corn harvest season, she did say that it was never enough to feed all of them, and she recalls several instances when they would have only one meal for a whole day.

"From her job as a bargirl...she could earn as much as P1,500 (\$27.05) just by letting customers take her out for a night. 'That's certainly more than half of what our family earns by selling sacks of corn,'" she told *Bulatlat*.

Gina, 26, also comes from an agricultural family of rice farmers in Montalban, Rizal province. "Gina recently went back to the job she left seven years ago, that of a dancer at a nightclub in Caloocan City, so she could buy medicines for a daughter sick of urinary tract infection," *Bulatlat* reported.

Her earnings of five kilos of rice per week from working Montalban's upland rice farms, and the additional two kilos from doing laundry just could not compete with the P700 (\$12.62) week she earned from the club.

Source:

Posted at <http://www.bulatlat.com/news/5-37/5-37-prosti.htm> 2005 *Bulatlat*. Alipato Publications September 12, 2006.

Oliveros, Teresita. "Impact of new world trade regime on peasant women in the Philippines." *Forum News* (Vol.10 no.2, July 1997) produced by the Asia-Pacific Forum on Women, Law



WOMEN'S STORIES 6

women and Muslim laws

“My auntie told me that a man from Basilan had come for Magsarahakan and asked for my hands from my father. The man gave 11,000.00 pesos with a hand gun to my father. The 10,000 was for my *ungsud* (dowry) and 1,000 was for the *tampam maru* (to cleanse shame and buy peace). The gun was to kill the man if my father refused... I was crying all night when my father had asked me if I wanted to get married to this man, I repeatedly said ‘no’ as I wished to continue my studies and dreamed to be a school teacher. I also had a boyfriend. How could I marry someone whom I haven’t even seen? What if he was old to be my grandfather? What if he was disabled and could not earn a living? Poor me. Mamah explained to me that if I rejected the man we will have to double their money...but where would my father get 22,000.00 pesos? He would have to sell his *bangka* (small dug-out boat for fishing) and lose our only means to survive. Even if somebody would be merciful enough to buy it, still that wouldn’t be enough, for they wanted the cash right then, we would have to produce it by any means. If we had refused, then the only option would have been to use the gun to kill this man. For sure he would asked to be killed than go home shamed and embarrassed. But that would make our situation even worse....”

“Farida had casually heard of her husband’s infidelity but she had dismissed it as some ‘old-wives’ tale’ but when Harun finally confessed and declared that he was getting married, to not just any woman, but to the nanny of their children, old wounds snapped open and memories





bled like gushing river. She had wanted to strike at him; hurt him the way he had her suffering all these years. Was he trying to inflict more pain by, first, forcing her into an early marriage and, now, forcing her to share her husband with a woman who was almost like a mother to her? She vividly recalled of a scene one fine morning, she was only 14 then, on top of her class in high school with so many ambitions yet to fulfill, when rough male hands ripped all her dreams apart, crashing with it her life, too.

“They had snatched her from her Biology II class and mercilessly dragged her and dumped her inside a parked rusty vehicle that sped past the busy marketplace, uptown heading into the deepest core of the *guimba* (jungle). She had screamed all throughout the rough ride, dug her claws at the men like mad cat, blindly clutched at anybody they would pass by along the dirt road; pleading for help, like a drowning woman, but all to no avail.

“Later that night she realized that she had been kidnapped to be his wife. ‘In our (Tausug) tradition, if your (the woman’s) family will not dispatch a rescue party right after you are

declared missing -- ‘cause, surely, words would be out that a man had kidnapped you, right? -- and they would not catch up with you and your abductor within the remaining daylight, it was as good a sign for the man’s party to conclude that your family has given up and accepted. It would be assumed that you are *kiyakumpitan* (touched woman) and *nakawa na sin usug* (sexually-molested) even if it did not happen that way at all.

“It would have been a dishonor if you returned home with out a husband and a great disappointment when there were no plans of getting married underway. Because they (the woman’s family) would have resigned to the idea that he was your suratan or fated romantic mate; that it was *kiya’dal sin Tuhan* (God’s will). The only one thing to settle then would be the *tampamarubituwanan* or *biyugit* (widowed or divorced). Like a broken mirror, she would not regain back her luster and honor though the family might have avenged and cleansed its name... ”

The narrators are two of 75 indigenous and Islamized women from Sulu and other areas in Mindanao who shared their experiences at a community participatory action research documenting Sexual Violence in Customary Practices among Muslim ethnic women which was conducted from November-December 2003 and April-November 2004 in Zamboanga, Pagadian, Jolo and Lamitan in Region IX, Southern Philippines. The research effort was collectively mounted by the Coalition against Trafficking in Women-Asia Pacific (CATW-AP); Minority Rights Group International-London; OXFAM-Great Britain Philippine Office; PILIPINA Legal Resource Center; and Moro and Lumad women organization-members of the Peace, Solidarity and Social Action Network of Lumad-





Moro Women in Mindanao (PESOSAN-Mindanao).

The research noticed “the commonality in their narratives; in their going through the same process of discernment, acceptance, forgiveness, healing and closure, and concluding in the same bright notes and honest testimony declaring that they do not feel violated anymore.” But it found as “more striking in all its perplexity [was] the chorus of silence in unspoken disappointments and disillusionments that remain to be said. For [there is] a general feeling of betrayal by supposed divinely-inspired institutions and social systems, purporting to establish gender-fairness and equitability in society yet failed to protect them from inflicted violence...In dealing with the religious intellectuals and spiritual and moral authorities and with what they represent, the women are wary and cautious not to offend any religious and moral sensitivities, avoiding most of the questions that would need them to pass judgment. Lest their frank speak-ups back-fire at women with more condemnation and stigmatization, the lesser said about the Sha’ria and of their being Muslims and women victims of violence, the better.”

One of these instruments is Presidential Decree 1083 of 1977, better known as the Code of Muslim Personal Law (CMPL). It is recognized as embodying the tradition of Shar’ia but in truth, says the report, it “betrays a contradiction in what is upheld as religious and moral dogma with what actually prevails in practice and rules the day-to-day realities among Muslims in the Philippines.”

The research cites as fundamental gaps, CMPL’s failure to address violent and outrightly “offensive customary practices.” In fact, the CMPL is silent in this respect, offering no protection for the rights of Muslim women and Muslims in general who generally seem to believe in the capacity of the

CMPL to do otherwise. As Farida’s story above shows, the practice of forcibly contracting marriage is still very much observed among Muslims, and the CMPL offers no preventive provision at all to address this.

“Customary offenses in the A’dat that put tag-prices on woman’s sexuality and which token of penalties virtually buy-out and subvert justice are condoned and indirectly endorsed, because CMPL continues to be ambiguous in its stipulations on marriage thereby opening it to narrow interpretations. The value of marriage is reduced into mere commercial transaction between parties...,” the report said. This is no longer in keeping with the spirit of the Sha’ria, it stresses, which recognizes the elevated status of all human-kind, woman or man, and lays great store by the values of social justice.



Source:

From Women Living Under Muslim Laws. An international network that provides information, solidarity and support for all women whose lives are shaped, conditioned or governed by laws and customs said to derive from Islam. “Philippines: Moro ethnic women speak-out on sexual violence in customary practices and traditions.” 17 February 2005. Posted at <http://www.wluml.org/english/newsfulltxt.shtml?cmd%5B157%5D=x-157-119981>



GENDERED IMPACTS OF SEAWEEDS FARMING

Calatagan, a peninsula that is part of Batangas Province and about 110 kms south of Manila, is the site of a shift from fishing to seaweed farming. In 2004, Calatagan's population was pegged at 49,385 of which 68 percent was dependent on the coastal resources and the fishing industry for their livelihood. The number of women at 26,858 exceeded the men at 22,527. (National Statistics Office)

The Calatagan fisherfolks are among the 1,781,057 million municipal fisherfolk nationwide, of which only 810,175 or 45.5 per cent have small fishing boats. (NSO) This is identified as a major problem, along with the lack of other fishing implements. Fishers are unable to go farther into the sea to procure larger harvests or more expensive types of seafood. Further exerting pressure on the resource and impacting negatively on fisherfolks' livelihoods is the increasing competition from big local and international commercial trawlers that manage to bend laws and encroach upon municipal waters. Other factors include climate disturbances and the water-polluting wastes of local industries.

These have had grave implications on the food security of fishing communities, prompting some of them such as those in Calatagan to shift to other livelihoods. Seaweed farming, in particular, has been promoted through various incentives from the national government, since seaweeds is one of the country's top export products. Representatives of the local office of the Bureau of Fisheries and Aquatic Resources came to Calatagan in the 1990s with free seaweed seeds. The number of small seaweed cultivators has since grown to 1,200 in the municipality. Interestingly, no woman has applied or been granted a seaweed production permit, although they are free to participate in this enterprise.



WOMEN'S STORIES
women in fisheries



“Policy-wise, there are no impediments towards women in participating in seaweed cultivation. User rights are given to both men and women as long as they reside in Calatagan. And yet no woman has applied for a seaweed production permit,” wrote Tanchuling and Durano in their research *Food Insecurity and Gender Inequality in Property Rights: The Case of Market Access for Philippine Seaweeds*.

The intra-household dynamics in fishing communities merit a harder look, to surface how women see themselves and how they are seen in their own communities. The researchers found that --

“Task allocation within households still involves a division of labour between males and females. The result is that women consider their involvement in fish production as part of their household tasks despite the fact that these women play major roles in the fishing activities. Women are usually working on fish preservation, processing and marketing. There are also those who actually go into the sea with their husbands and haul the fishes themselves. It is common for these women not to attribute their contribution to the family’s trade as a form of employment, albeit unpaid. The thinking that these duties are extensions of their role as careers of the home and their family still persists in the fishing communities. And during times of scant capital, their participation in fishing is even more frequent to save on paid labor.

Women also do not count their contribution as gatherers of non-fish marine food near the seashore as having any monetary value. Shellfish gathering is undertaken when food is scarce, either due to low fish catch by their husbands

or when their food budget is already depleted as in the case of seaweed farming households.

Women do not usually enjoy the same usufruct rights as their husbands. This is because when the permit system was implemented, only the men applied for permits. “[T]he result is that women are not in a position to benefit from seaweed production except through her relationship with her husband who has the usufruct rights.” (Tanchuling and Durano)

Since women are not considered integral to fishery production in the general sense, it is easy to see how these gender-biased constructions of their identities and roles filter down to specific production activities such as seaweed cultivation. “Women do not consider themselves engaged in productive activities when undertaking tasks required of seaweed production. Rather, women consider their labor in the trade as extensions of their household work. They only provide supplemental labor,” the researchers pointed out. “By virtue of this viewpoint that women’s work is tied to household work, it is not surprising that women have not applied for a seaweed production permit. These women think that permits for seaweed production are in a realm outside of their socially designated authority.”

Yet women are very much into almost all phases of seaweed cultivation, from planting preparations to regular tending of seaweed farms. They have been known to prepare as much as 25 kilos of seedlings for planting. From the respondents’ accounts, hardly any time is left for rest.

The researchers talked to one Aling Tinding, who told them that even her weekends went to tending their seaweed farm. They remained as time-poor as before when they were still into fishing as a





livelihood, spending as much time today in production and social reproduction work. Aside from seaweed farming, gathering seashells and other marine products along the shore remain part of women's tasks.

Women manage only that portion of the budget set aside for household consumption. But as for the management of seaweed production that includes the financial aspects, decisions remain with the men who invariably keep part of the family income for individual, non-productive ends such as the purchase of cigarettes and alcohol.

Incomes did increase with seaweed farming compared to when they were into fishing as their main source of livelihood. They were able to buy and store grocery items and sustain their children's education. But as before, women's burdens did not change.

Said Tanchuling and Durano: "Women act as default providers of food when lean season arrives. Although these women feel a sense that their well-being has improved because of higher incomes, their work responsibilities remain the same. The apparent contradiction is resolved by the socially-imposed altruism that women have as they perform the roles expected of them by society....

"Perhaps the most important lesson from the case study is how the shift from fishing over a common resource area, such as the coastal area, towards seaweed farming is that men gained property rights while the women did not. Before the shift, both genders shared property rights of the common areas with the rest of the community. The permit system imposed by the local government unit was meant to manage conflicts over the use of common community resources. Instead, the unintended

consequence was to increase gender inequality in property rights."

Source:

Tanchuling, Hazel Arandez and Marina Fe B. Durano. "Food Insecurity and Gender Inequality in Property Rights: The Case of Market Access for Philippine Seaweeds." *Lundayan Journal*, Vol.13 No.1, 1st Half 2006 (A Publication of the Tambuyog Development Center, Inc.)



WOMEN'S STORIES

women in detention

Women from different walks of life languish at the Correctional Institution for Women and many other prisons nationwide. Some of them are already in their 70s and 80s, but still hopeful of one day being reunited with their families. Others are serving prison terms for ending abusive relationships—acts that may have very well been committed in self-defense in the face of physical and emotional battering. Justice moves at snail's pace, if at all, for these women, who are in the majority profiled as hailing from poor and deprived families and communities.

While confined in the harsh conditions of Philippine jails, without certainty as to the development of their cases, they are easy targets for gender-based discrimination and violence, not to mention infectious diseases, and other forms of bodily harm. At one time, 700 women were reported detained at the Correctional Institute for Women (CIW), which was meant only to house 250. Latest figures now reach more than a thousand. Water is always hard to come by. Meals were reported as budgeted at P30 per person. Some local jails lump all inmates in common quarters, putting women at risk of sexual molestation, harassment and assault.

The majority of Filipino women in prison are breadwinners and mothers, reported Soriano. For economically disadvantaged families, the loss of a provider can already prove devastating. The burden is multiplied further for those who are mothers as well. "Women detainees who are mothers are especially vulnerable to emotional and financial strains," wrote Soriano. They shared such concerns as "who will take care of their children while they spend years behind bars, who will support them financially, who will guide them as they grow up."

Some of their stories are documented below by Kathleen Palasi in *Portraits of Sadness and Survival: Women in Prison*:





Gloria, 29 years old, is in prison because she killed her husband. Gloria started experiencing abuse from her taxi-driver husband soon after they married. She endured this for the sake of her three children. One day, however, her husband came home drunk and high from a shabu (crack cocaine) session. He forced her to have sex. When it was over, she grabbed a knife and killed him.

Gloria has been in detention for three years now. She misses her children, who now stay with her mother in Mindanao. Her eldest son writes her every month. Though she is hopeful that prison life will not be forever, she is grateful that she has passed her computer literacy course and has made friends with all of the inmates. “Kaibigan ko silang lahat.” (All of them are my friends.)

Aling Berta, that’s what we will call her, is accused of kidnapping her daughter-in-law who was later found dead in a province in the north. She is 77 years old, and has been an inmate for three years now. Her co-accused, her husband and son, are both at the Muntinlupa Prison. Her accused son is also lame—he doesn’t have use for both legs. She often asks, “Why are we in prison when we couldn’t possibly do this crime!” When asked what she expects in the near future, she replied “I don’t know much about the legal aspect of things. We have been duped by people who claimed they wanted to help us. I think I will just pray for God’s mercy and wait for the kindness of other people.”

Aling Precy is 73 years old and originally from Masbate in the Visayas, central Philippines. She is accused of possession of marijuana, and has been in prison for nine years. She used to be a laundrywoman living in a small hut somewhere in the chaos of Caloocan, Manila. A few years ago, she would still take in clothes for washing while inside the Correctional. Recently, however, she has slowed down considerably.

According to Fanny, the lone social worker taking care of more than a thousand inmates at the Correctional, that Aling Precy still tries to take in washing because she needs the money. She gives this to her son’s kids who visit her, although irregularly. “My husband died while he was in the hospital because no one took care of him. Now, I just worry about my children and my grandchildren. I just want to take care of them.”

Norma, 51 years old, was a policewoman stationed in a province north of Manila. She is in prison because she killed her husband. Their seven-year union had resulted in one child.

“I married late. I was 33. He was a soldier stationed for a long time in Mindanao. Three months after we got married, he started hitting me. He would hit me with anything—wood, plastic, etc. Then he would hurt me before we have sex. I didn’t say anything to my family because I was ashamed. I have ten siblings and we are very close to each other, but they didn’t know how much suffering I endured until he was already dead.” Her daughter is now





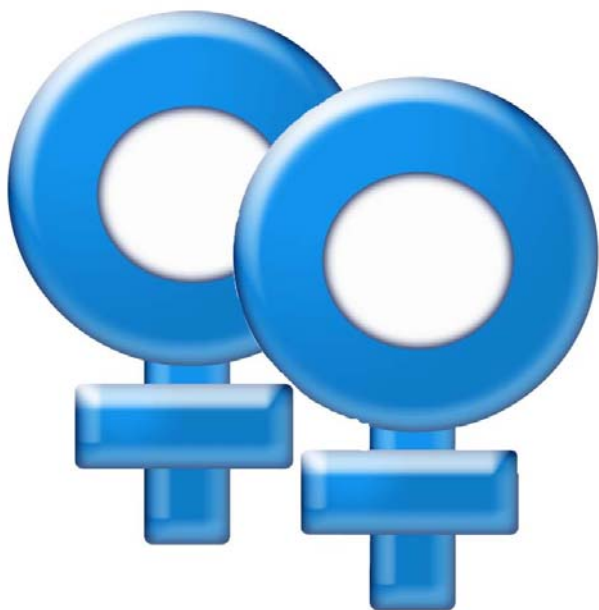
17 years old. She was seven when her mother was imprisoned...(Norma was pardoned but only after serving 10 years in jail.)

Lola Gabriela is 82 years old. Also accused of possession of marijuana, she has been in prison for 12 years. Someone asked her to help with a bag of what appeared to be clothes, but which turned out to be marijuana leaves. When they reached the town centre, someone grabbed her and brought her to prison. The man who asked for her help then disappeared. She is optimistic that she will still return to her family and her home....

Source:

Palasi, Kathleen. *Portraits of Sadness and Survival: Women in Prison*. Posted at <http://www.isiswomen.org/wia/wia303/kat.htm>.)

Soriano, Zelda DT. "Girls in a Playground Called Prison." Posted at <http://www.isiswomen.org/wia/wia303/kat.htm>)



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