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NATION

VERA Files



The Right to Vote

Filipinos with Disabilities and the 2013 Elections



VERA Files
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Filipinos with Disabilities and the 2013 Elections

THE RIGHT TO VOTE

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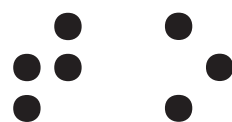
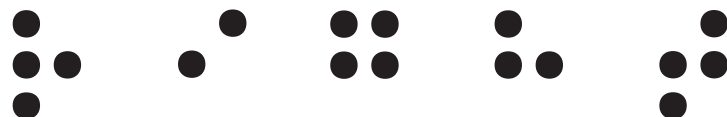
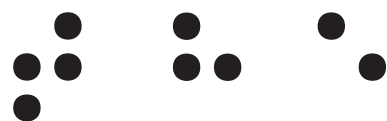
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Foreword

THE Hon Julie Bishop MP, in her official remarks at the 2013 United Nations High Level Meeting on the Millennium Development Goals, said that the post-2015 development agenda must take account of people with disabilities, to ensure that we “leave no one behind.”

Australia, through our aid program, is ensuring that development is benefiting those most in need and most vulnerable, including people with disabilities. It is a grave injustice when a person’s disability determines whether they can get an education, or be able to participate fully in community life.

An estimated 14.5 million Filipinos have a disability, and we cannot afford to let them remain invisible in the social, economic and political agenda in the Philippines.

The Fully Abled Nation initiative is part of a program being supported by Australia to help meet the priorities and needs of people with disabilities toward their full participation in the democratic process. In May 2013, I witnessed how people with disabilities, and their

advocates in the Fully Abled Nation, helped bring the issues of Filipinos with disabilities to national attention during local elections.

That journey is documented in this book, *The Right to Vote*, produced by VERA Files and the Asia Foundation with support from the Australian Government. This book captures the passion and efforts of Filipinos with disabilities, and how advocates increased voter registration of people with disabilities—a critical step toward active and inclusive citizenship.

Australia works with civil society and government partners to promote a disability-inclusive democracy, where not only physical, social and other barriers are removed, but also electoral services are made accessible to people with disabilities. I thank all the partners and the passionate volunteers of Fully Abled Nation and The Asia Foundation for their unparalleled service and dedication.

Our sincere thanks for the support of our government partners, the National Council on Disability Affairs, the Commission on Elections, and the local governments of Bohol, Cebu,

Cotabato, Dumaguete, Ilocos, Iloilo, Legaspi and Zamboanga for taking this important journey with Filipinos with disabilities.

We recognize that much remains to be done before people with disabilities are fully able to exercise their democratic rights. But Australia stands ready to support the Philippines in this effort. We believe that by coming together, our journey toward a fully abled nation will be more meaningful, ensuring that no one is left behind.

This book is as much about the journey of the Philippines in giving more people the chance to exercise citizenship as it is about the journey of people with disabilities in advancing a fully abled nation. We hope you enjoy reading it.

Bill Tweddell
Ambassador
Embassy of Australia

Foreword

THE Asia Foundation is thrilled by the appearance of this book, *The Right to Vote*, about Filipinos with disabilities and the 2013 elections. We are honored to have been associated with the Fully Abled Nation effort as it focused on increasing the participation of persons with disabilities (PWDs) in the general elections. The wide-ranging coalition that formed around this goal demonstrates how commitment to full participation by persons with disabilities can become part of the mainstream political and social life of the Philippines.

We'd like to recognize the leadership of the Commission on Elections, embodied by then Commissioner Rene Sarmiento and currently by Commissioner Grace Padaca, for persistently keeping the vision of a Fully Abled Nation in mind. We are not talking about charity, or optional assistance to particular sectors. We are talking about the rights of individuals, and citizens' rights are grounded in their right to vote to choose their leaders and the policies that the government will follow.

In the months and years leading up to the 2013 elections, the enthusiasm of volunteers, organizers, and the PWDs themselves was infectious—events publicizing Fully Abled Nation

were held throughout the country and were instrumental in mobilizing both the citizenry and local governments to increase participation of PWDs in the elections. Time will tell how much difference this makes in Philippine governance and the lives of PWDs, but certainly a first step has been taken.

The Asia Foundation would like to express its deep gratitude to the Australian Government for its steady support of Fully Abled Nation, from the conceptualization and definition of the problems to be overcome, through the run-up to the elections. Australia's commitment to assistance to PWDs has certainly been demonstrated in this instance.

Finally we must recognize the PWDs themselves, without whose commitment and enthusiasm none of these achievements would have been possible. This publication and our future efforts toward a Fully Abled Nation are dedicated to them.

Dr. Steven Rood
The Asia Foundation

Foreword

THE *Right to Vote: Filipinos with Disabilities and the 2013 Elections* is an outcome of VERA Files' commitment to the Fully Abled Nation (FAN) campaign, which binds disability advocates who all believe that disability-inclusive elections are long overdue in the Philippines.

A partner of FAN since the initiative was unveiled in March 2012, VERA Files has consistently reported initiatives by the government, civil society and the sector itself to champion the right of Filipinos with disabilities to participate in political and public life. The right is guaranteed in both the United Nations Convention on the Rights of Persons with Disabilities (PWDs) and the Magna Carta for PWDs.

With support from The Asia Foundation and the Australian government, VERA Files journalists, including journalism majors and citizen journalists, covered the breadth of the archipelago, from the Ilocos Region to the Autonomous Region in Muslim Mindanao, to probe how the PWDs' right to suffrage was promoted—or thwarted—in three major events: the 2012 special registration, the May 13, 2013

midterm elections and the October 28, 2013 barangay elections.

VERA Files has gone beyond just reporting PWD-related election issues, however. Committed equally to a rights-based reporting approach, it has examined other rights that matter as much to the PWD sector: health, education, employment, situations of risk, access to justice, among others.

All these stories, in various media platforms, are found in VERA Files' special microsite, PWD Files (<http://pwdfiles.verafiles.org>), a 45-minute television documentary it produced for ABS-CBN's *Krusada* in 2012 ("Silang may mga Kapansansan"), and now in the pages of *The Right to Vote: Filipinos with Disabilities and the 2013 Elections*.

As this book shows, the FAN campaign started on a high note. Disabilities advocates aggressively engaged a receptive Commission on Elections (Comelec) in making the May 2013 elections PWD friendly. They fanned out to different areas where special registration was held to convince qualified PWDs to sign up so they can start voting during the midterm elections.

Foreword

But an altogether different story unfolded on election day. Only two of the country's nearly 37,000 polling precincts—both in Cavite—were designated by the Comelec as accessible polling places (APPs). Advocates were disappointed, upset, even angry.

By then, Republic Act 10366 mandating APPs had been signed. And although the law took effect on July 1 that year, there was no stopping the Comelec from making voting precincts accessible during the May elections, advocates say. The Magna Carta for PWDs was, after all, a 20-year-old law. The Marcosian Accessibility Law, Batas Pambansa 344, was even older—by a decade.

By October, the rules and regulations of Republic Act 10366 had been approved. Yet accessible polling places nationwide were hardly the reality during the barangay elections that took place that month. And a Comelec “experiment” with APPs during those elections—creating special precincts in four SM malls—benefited senior citizens more than it did PWDs. Only 10, or only a fifth, of the 205 voters qualified to vote at the mall APPs

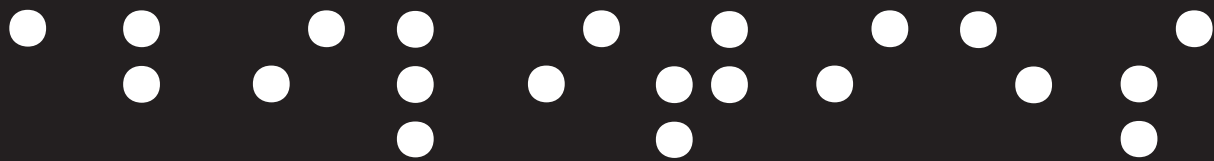
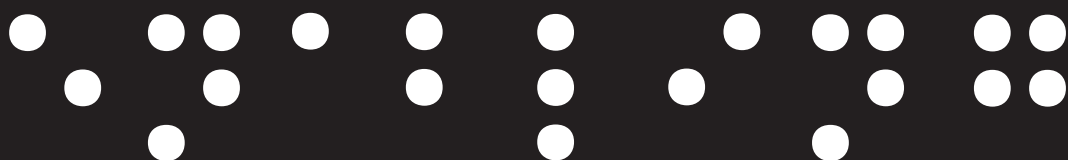
were with disabilities. This, in effect, makes it difficult to gauge the extent of help people with different disabilities would really need when they vote in these special sites.

With the 2016 presidential elections a mere two years away, much can be learned from the gains and losses of disability advocates during the 2013 elections on how to make elections in the Philippines disability inclusive. May *The Right to Vote: Filipinos with Disabilities and the 2013 Elections* help keep these lessons alive.

Yvonne T. Chua
VERA Files

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OVERVIEW

Enabling Filipinos with Disabilities

By Lala Ordenes



LIKE most municipalities in the Philippines, the small town of Mabini in Bohol province in the Visayas has a statue of national hero Dr. Jose Rizal standing robustly in front of the town hall, depicting a scholar with a book in one hand.



The statue of Apolinario Mabini, known in history books as the Sublime Paralytic, sits a few steps away from the Rizal monument. PHOTO BY LALA ORDENES



Apolonia Barrientos, a 42-year-old paraplegic, and her son Chris, a 7-year-old quadriplegic, are two of the 236 PWDs in Mabini, according to the local government's list. PHOTO BY MARIO IGNACIO IV

A few steps away is another concrete sculpture of a man sitting regally on a chair, hands on his lap. He holds neither pen nor book, despite the fact that he is considered the brains of the Philippine Revolution.

As symbols go, his chair is enough for Filipinos to know that this is Apolinario Mabini, known in history books as the Sublime Paralytic, his paralysis immortalized in almost all representations of him in arts and literature. Mabini was a person with disability (PWD), as almost 10 million Filipinos are, according to the World Health Organization (WHO) which places the number of PWDs at 10 percent of the

population for developing countries.

Mabini was not born with paralysis. He was 30 years old when he lost the use of his legs to polio, but it is difficult to think of him as a person without his disability. This is also true for the other PWDs whose life and identity are defined by their impairment.

A fourth-class town named after the Sublime Paralytic and 104 kilometers northeast of Bohol's capital Tagbilaran City, Mabini is home to 236 PWDs, according to the local government's list. Apolonia Barrientos, a 42-year-old paraplegic and single mother to Chris, a 7-year-old quadriplegic, is one of them.



Barrientos lives in a shanty in Barangay San Isidro, accessible from the town center by a 30-minute van ride and a 15-minute walk. As a child, she could walk assisted by a stick, but she gradually lost the use of her legs as she was growing up.

In 2006, Barrientos was raped by an acquaintance who left upon learning that she was with child. It became apparent, as her baby grew up, that not only could he not move his legs like his mother, but he could not move his arms as well.

Modern-day Pieta

It has been said that no one could fathom how it is to live with a disability unless you have one. But a visit to Barrientos' hut one afternoon in May 2013, a day before the country's midterm elections, offered a glimpse of how this marginalized sector survives, if it could be called that, in a country that seems to have forgotten about them.

Barrientos' world is confined to the four

The view from Apolonia's hut, where she stays day in and day out.

PHOTO BY LALA ORDENES

corners of a 10-square-meter hut with no doors and no windows. Instead, one side is open, overlooking a view of endless hills that make up San Isidro. Here, on this rectangular space with bamboo slats for a floor, Barrientos sits, day in and day out, her vantage point only obstructed by a smattering of banana trees. This is the only space that she can navigate on her own without assistance.

She holds Chris, whose frail body looks too small for a child of 7, his arms hanging uselessly at his sides. Looking at them, one is reminded of an emaciated Pieta, a poor man's version of Michelangelo's sculpture of the Virgin Mary cradling the lifeless Christ on her lap.

Barrientos' and her son's conditions were never diagnosed. Social services barely extend to San Isidro, like countless other towns in the country. The nearest public school is 3.5 kilometers away, walking down a narrow dirt path. Barrientos never went to school, her name the only thing she could write.

It is no surprise then that Barrientos has yet to register as a voter in 2013, despite the fact that two years earlier, the nongovernment organization Upholding Life And Nature (ULAN) identified Mabini as one of the pilot areas for a project that was long overdue: making sure that persons with disabilities are accorded their right to vote.

Mabini was chosen together with Tagbilaran City and the towns of Antequera and Ubay because of the relatively high concentration of PWDs in these areas and the willingness of the LGU leadership to give attention to PWD concerns.

Mabini the hero, after whom the town

was named, was also one of the staunchest defenders of voter equality. He was the first defender of women's suffrage: He noted in a draft to the 1899 Malolos Constitution that women should be given the right to vote.

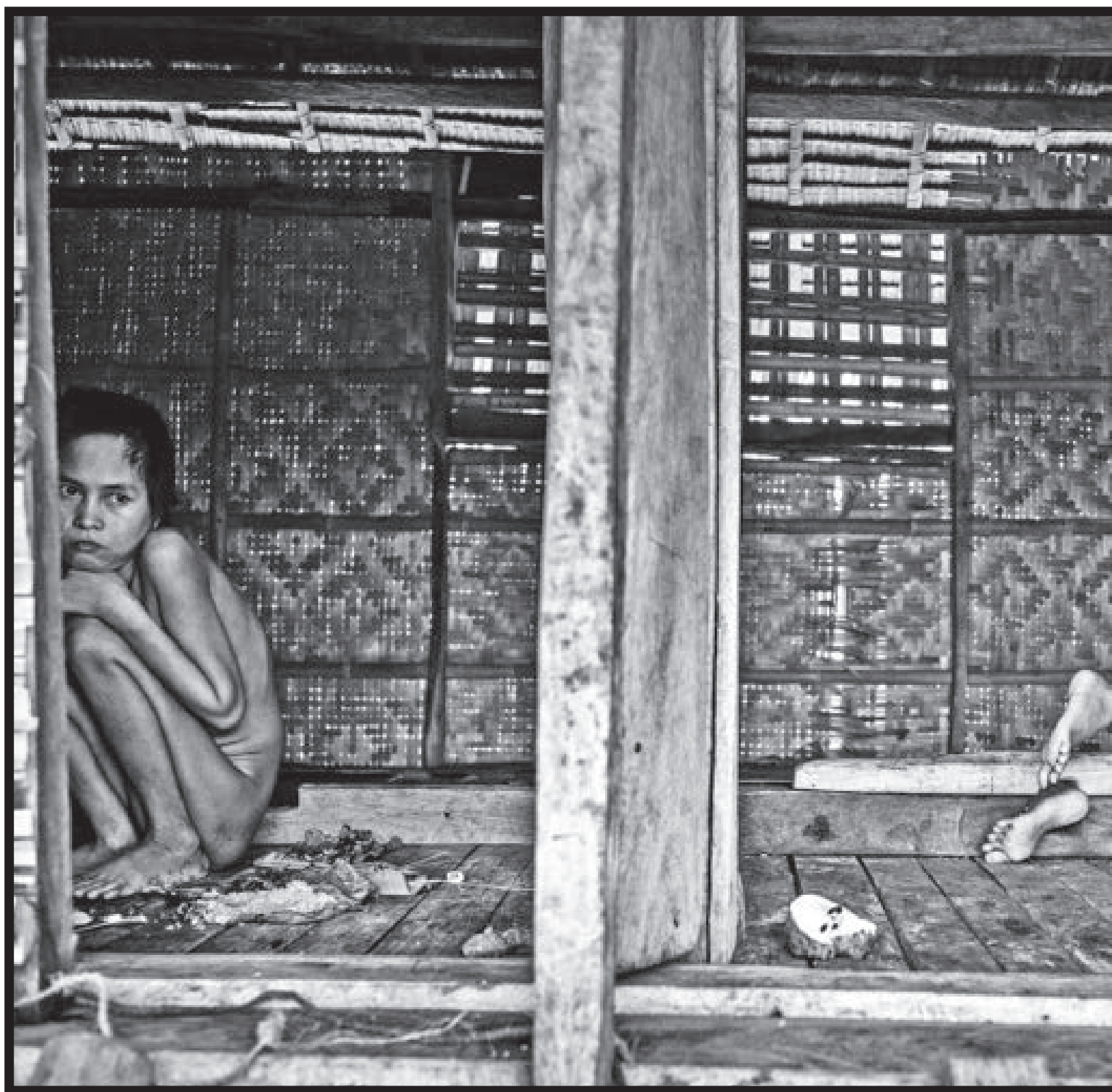
More than a hundred years since Mabini first advocated suffrage for a marginalized sector of Philippine society, Barrientos from Mabini still could not cast her vote not because she is a woman nor because of any hindrance under the law, but because she is one of the roughly 4.5 million Filipinos disenfranchised because of disability.

Because there are no authoritative statistics on the number of PWDs, there is no exact count on the number of PWD voters. The figure 4.5 million disenfranchised Filipinos is retired Commission on Elections (Comelec) Commissioner Rene Sarmiento's estimate based on the WHO estimate of 9.2 million Filipinos with disabilities. Sarmiento approximates that half of that number are of voting age.

Barriers

Republic Act 7277, or the Magna Carta for Persons with Disabilities, defines PWDs as "those suffering from restriction of different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being."

To be a person with disability is to live with barriers. It is a struggle of accessibility, not





Sisters Lolita and Josephine Bayron are corralled like animals in a hut a few steps away from their parents' house.

PHOTO BY MARIO
IGNACIO IV

just in a metaphorical, but also in a literal, gut-wrenching sense. PWDs are separated from the rest of the world because of their disability. In Barrientos' case, the loss of the use of her legs is a barrier, the three steps of the wooden ladder of her house are barriers, the 3.5 kilometers to school is a barrier.

Sometimes, family members themselves create additional barriers. A few minutes away from Barrientos' house, sisters Lolita and Josephine Bayron inhabit a nightmare, except that they are wide awake and living it.

At first glance, there is nothing indistinguishable about the nipa hut located a few steps away from the Bayron residence. Two things will strike the visitor approaching the hut. The first is a haunting voice singing some incomprehensible tune about love. It is Josephine, her mother Luciana said, and sometimes she sings well into the night.

The second is the stench, the fetid smell of human excrement.

This is where Lolita and Josephine live, in a rectangular hut with two 5-square-meter rooms. Lolita, 33, is naked save for a rope that ties her ankles to one of the posts, her ribs jutting out of her thin frame, her food and feces strewn all over the floor.

In the next room, her sister Josephine, 35, lies face down, her left foot shackled to the floor by a pair of makeshift wooden manacles. The foot has been disfigured, twisted and scabbed from trying to break free. She continues to sing, looking out of a hole that she has gouged out of the wall.

This is the world as Josephine knows it, a



peep through a gap that she had to puncture herself, chained to a room that she will never get out of, probably until her family has to transfer her to another box, six feet under the ground.

Lolita and Josephine both have mental disability, of what particular kind their parents are not sure. Like Barrientos, the sisters were never sent to a doctor. They had to be corralled like this, their mother said, because they get violent and hurt each other. Or they attack their mother as she bathes them in this same room. One time, Josephine bit her father when he brought her food.

The hapless parents did what they thought best under the circumstances. Medication was not an option because they had no money for it. A neighbor suggested that they have their daughters committed to a mental institution, but the Bayrons, both farmers, do not know how to go about it.

Josephine Bayron, 35, is shackled to the floor by a pair of makeshift wooden manacles.

PHOTO BY MARIO
IGNACIO IV

Signatory country

In theory, the Bayrons should be able to seek government assistance for their daughters. The Philippines is a signatory to various



Josephine Bayron, 35, sees the world through a hole that she has gouged out of the wall. PHOTO BY MARIO IGNACIO IV

international treaties and commitments regarding the welfare of PWDs. It is the first in Southeast Asia, and the 23rd country in the world, to sign and ratify the United Nations Convention on the Rights of Persons With Disabilities (CRPD).

Twenty-three years before CRPD, even before an international movement to look into the plight of PWDs was formed, the Philippines already had an Accessibility Law. It is also the first to have a Magna Carta for Persons with Disabilities. The fundamental law of the land, the 1987 Philippine Constitution, has four provisions targeted specifically for PWDs.

There are, however, “enormous gaps between policy declarations and actual implementation,” noted a 2009 study on the laws, policies and programs on PWDs in the Philippines by Disability Rights Promotion International (DRPI), a Canada-based international organization that monitors human rights of PWDs all over the world.

“*Madali lang namang pumirma* (It’s easy to sign),” said Carmen Zubiaga, referring to the Philippines’ international commitments. Zubiaga is the executive director of the National Council on Disability Affairs (NCDA), the lead government agency tasked to monitor the



implementation of disability laws in the country.

“Pero hanggang sign lang tayo, wala naman tayong ginagawa. Magaling lang tayong pumirma, walang compliance (We just sign, then we do nothing. We are good at signing, but there is no compliance),” she said, referring to the CRPD.

Even our local laws get the same trigger-happy treatment. The DRPI study noted that in the Philippines, “laws are looked upon not as mandates but as mere suggestions that can be violated at will and with impunity.”

The local government of Mabini illustrates this. Laws mandate local government units to

set aside available local revenues to address the needs of PWDs.

In 2002, President Gloria Arroyo signed Proclamation 240 directing all government officials, including heads of local governments, to implement plans, programs and activities geared toward the development of persons with disabilities based on the National Plan of Action for the Decade.

The funds would be taken out of the concerned agency’s annual appropriation, the amount of which is not supposed to be less than 1 percent of that agency’s total budget for the year.

Josephine’s father stands beside the hut where his two daughters are kept. The small gap on the wall is Josephine’s window to the world outside.

PHOTO BY MARIO
IGNACIO IV

Number of Persons with Disability Affairs Office (as of June 2013)

Region	Provinces		Cities		Municipalities	
	No. of Provinces	With PDAO	No. of Cities	With PDAO	No. of Municipalities	With PDAO
NCR	-	-	16	4	1	0
CAR	6	0	2	2	75	3
I	4	0	9	5	116	7
II	5	1	4	1	89	4
III	7	0	14	4	116	6
IV-A	5	2	17	7	125	7
IV-B	5	0	2	1	71	1
V	6	1	7	6	107	1
VI	6	2	16	4	117	6
VII	4	1	16	5	116	1
VIII	6	0	7	1	136	1
IX	3	0	5	1	67	1
X	5	0	9	4	84	1
XI	4	0	6	0	43	0
XII	4	0	5	2	45	0
CARAGA	5	0	6	2	67	1
ARMM	5	0	2	0	116	0
TOTAL	80	7	143	49	1,491	40

*Sources: List of PDAOs from NCDA, number of LGUs from National Statistical Coordination Board (NSCB)



Then there is Republic Act 10070 of 2010, which mandates the national government through the Department of Social Welfare and Development (DSWD) to allocate funds for programs supporting PWDs. Local governments are likewise required by the law to provide funds for PWD programs.

Mabini Mayor Esther Tabigue said her impoverished agricultural town has yet to comply with these laws, but she tries to allocate a small amount for the sector.

“Even though the local government unit does not apportion 1 percent of the total budget, we still set aside a budget for PWDs,”

Tabigue said. The town is dependent on the Internal Revenue Allotment (IRA), she said, and 1 percent is already a difficult obligation, considering that there are other sectors that compete for their share, like senior citizens, women and children.

Mabini had an IRA of P48,395,565 for 2012. According to the law, it should set aside no less than P483,955.65 for PWDs.

But Mabini set aside only P100,000 for PWDs, Tabigue said. Part of the money was used to buy crutches for those who need them. The town also distributed P500 as Christmas gift to each PWD.

Carmen Zubiaga (on a wheelchair) is the executive director of the National Council on Disability Affairs, the lead government agency tasked to monitor the implementation of disability laws in the country. PHOTO BY MARIO IGNACIO IV



Mabini Mayor Esther Tabigue considers laws to set aside available local revenues for PWDs a burden for a fourth-class municipality like Mabini. PHOTO BY MARIO IGNACIO IV

Barrientos was one of those who received the cash gift along with a livelihood assistance of P8,000. She used the money to buy pigs that she asked her father to raise in a profit-sharing arrangement. The Bayrons were also beneficiaries of financial assistance from the local government of Mabini. They received P2,500 to build a roof for Lolita and Josephine's hut.

This monetary help only came after a television show broadcast the plight of these three PWDs in Mabini. Prior to that, they were invisible even to the local social workers.

Even among the marginalized groups in Mabini, the sector to which belongs people

who could not speak, walk, hear and see are discriminated further.

Rights, not doles

This is the kind of situation that recent disability legislation has been trying to rectify. Historically, government policies treated PWDs as welfare cases. But the vigilance of disabled people's organizations (DPOs) and advocates has resulted in a growing clamor to see disability as a human rights issue and not as a welfare issue.



In the Philippines, Republic Act 10070 is a concrete step toward this goal. Signed in 2010, the law seeks to institutionalize the implementation of programs and services for PWDs down to the local level by establishing a Persons with Disability Affairs Office (PDAO), or in the cases of fourth-, fifth- and sixth-class municipalities, designation of a focal person for PWD concerns.

More popularly known as the PDAO Law, it ensures that PWDs get to participate in local development councils and have a voice in crafting policies that will affect them. But three years into the implementation of the law, only a

few local government units have complied with its requirements: seven out of 80 provinces, 49 out of 143 cities, and 40 out of 1,491 municipalities.

In the National Capital Region (NCR)—the seat of government—only four of the 16 cities have PDAOs. These are Mandaluyong, Manila, Taguig and Quezon City. This is unfortunate because among the 17 regions, NCR has the second highest number of PWDs at 167,000, based on the 2010 Census.

Region XI or the entire Davao region has 71,236 PWDs on record but not a single PDAO. There is also no PDAO to represent the rights of

An amputee volunteers in the Persons with Disability Affairs Office (PDAO) in Cebu City's Social Welfare and Development Office. PHOTO BY MARIO IGNACIO IV



Former Commission on Elections Commissioner Rene Sarmiento, together with representatives from the disability sector, created an inter-agency committee to work on disability-inclusive elections. PHOTO BY MARIO IGNACIO IV

the 34,775 PWDs in the Autonomous Region in Muslim Mindanao (ARMM).

A question of numbers

One of the reasons PWDs have remained invisible is their number. The Philippines has not had a comprehensive system of counting the total number of PWDs. The 2010 Census of Population and Housing pegs the total number of PWDs at 1.44 million. This is a mere 1.57 percent of the total population of 92.1 million. Compared to the WHO estimate that pegs PWDs at 10

percent of the population, there is an apparent undercounting of PWDs by almost 9 million.

Most of these PWDs are uneducated; only 3 to 5 percent of children with disabilities have access to education, according to a 2005 Asian Development Bank (ADB) report. And although there are no available data to show the employment rate of PWDs, it stands to reason that most of them are unemployed.

In an arena of competing interests, 1.57 percent is insignificant. In a marketplace where only those with the loudest voices are heard, those who could not speak are ignored. In a country where citizens have to wrestle for their

rights, those with missing limbs are helpless.

“You cannot just rely on their number to justify any action to improve their life,” ULAN director Ronald Gutierrez said. “It is disappointing that it’s as if you needed a treasured number to take a positive step but that’s not going to happen. There should not be a magic number.”

In Mabini, for example, there are only 32 PWD voters out of the 16,582 registered voters, and they are scattered over 22 barangays or villages, so few and far between that putting up accessible polling places for them becomes impractical.

“When you break it down to voting sectors, the number of PWDs becomes negligible,” Gutierrez added. “That is why the basis for action should be their rights, that they also deserve to vote regardless of their number.”

Toward a fully abled nation

There is no lack of advocates both from the private and the public sectors and civil society who continue to fight for PWD rights. Their efforts have shaped policy and have led to the introduction of various laws, specifically targeting the needs of the sector. Though some may consider these initiatives piecemeal, they have nonetheless helped in addressing issues that PWDs face.

It was not until recently, however, that a concerted effort to rally government support for the PWDs’ right to vote resulted in concrete actions. In 2010, the Comelec created an inter-agency committee to work on what they called

“disability-inclusive elections.”

The group, composed of representatives from the disability sector and headed by Sarmiento, campaigned for a national PWD voter registration. The idea was for PWDs to update their records with the Comelec to reflect their disability so that they could be given the proper assistance and vote in proposed polling places exclusively for PWDs for the May 2013 elections.

In 2012, the core group of the inter-agency committee formalized its advocacy by forming the Fully Abled Nation (FAN) coalition. FAN, with the support of Sarmiento, lobbied for the creation of accessible polling places and the rules and regulations to guide the conduct of the May 2013 elections to make it more PWD-friendly. The group succeeded, and Comelec Resolution 9485 was passed.

The resolution is FAN’s enduring legacy to PWD voters, but it is also its biggest disappointment, as succeeding chapters will explain. It is the precursor to Republic Act 10366, the law that institutionalizes the establishment of accessible polling places exclusively for PWDs and senior citizens. Signed by President Benigno Aquino III in February 2013, its provisions will hopefully make voting accessible for PWDs and encourage them to exercise their right to vote in the future.

The country is a long way away from being a fully abled nation. Recognizing the PWDs’ right to vote is a start. Some may argue that this is just another one of the many starts that may not reach the finish line, but giving a voice to the voiceless is a powerful start.

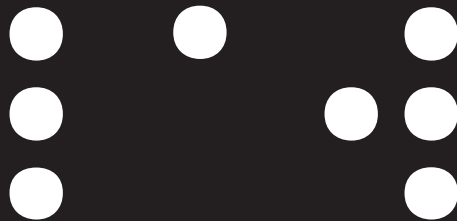
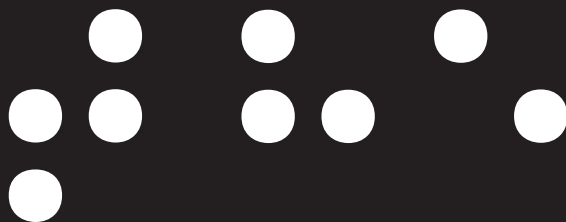
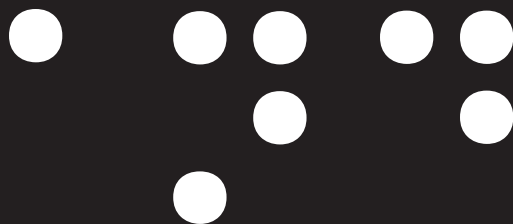
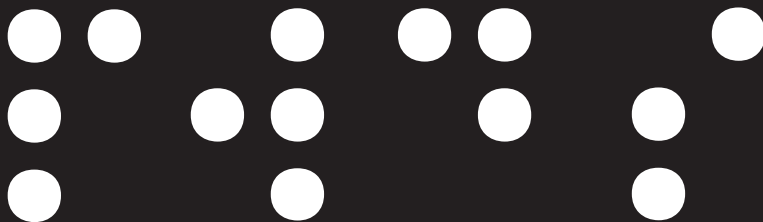
In time, they just might be heard. ■





PWDs, unlike any other sectors, are often denied the opportunity to participate fully in society.

PHOTO BY MARIO IGNACIO IV



PWDs and the Law

By Lala Ordenes and Avigail M. Olarte



T would have been any ordinary day for commuters in Dasmariñas City in Cavite. But that morning, David Gonzaga pulled off a heart-stopping stunt by wheeling himself onto the middle of a street, bringing a screeching bus to a halt.



Gonzaga is a man with cerebral palsy. That day, he needed to travel to Manila to see his mother who was confined under intensive care. But no bus would take him, not even after he singlehandedly stopped a San Agustin bus, whose conductor even griped: *“Pampasikip lang iyan dito* (He would just take up too much space).”

Despite his pleas, the bus left him by the road but not before he threw a warning to the bus conductor: *“Magkikita tayo* (We’ll see each other again).” He searched for his pen and wrote down the bus’ plate.

They did see each other again the very

next day, right in front of the city hall. Gonzaga, who happened to work for the Office of the Mayor, sought a police officer to witness a most unusual performance. Gonzaga had the bus owner, driver and conductor summoned and hauled off to the police station where he filed a police report, accusing the driver of discrimination and publicly humiliating a person with disability, in violation of the Magna Carta for Persons with Disabilities.

The bus owner decided to remove the conductor, not from the job but from the route he was manning. The conductor could have ended up in jail with a hefty fine of P50,000 to

Dasmariñas Federation president David Gonzaga (left) and Comelec Commissioner Grace Padaca (center) oversee the supervision of the accessible polling place at Sta. Cruz Elementary School in Dasmariñas, Cavite. PHOTO BY VINCENT GO



A voter waits for his turn to vote at the accessible polling place of Sta. Cruz Elementary School in Dasmariñas, Cavite. PHOTO BY VINCENT GO

P100,000, but Gonzaga was already more than satisfied. He had proved to everyone that he was not a man to be trifled with, even if he had no legs strong enough to stand on.

His experience, though out of the ordinary, represents society's attitudes toward persons with disabilities (PWDs). On the one hand are those who belittle them as mere nuisance, and the other, who represent what observers call "a dramatic shift in perspective" regarding PWDs in the Philippines.

In its 2009 "Monitoring the Human Rights of People with Disabilities" report, the Katipunan ng may Kapansanan sa Pilipinas

Inc. (Association of Persons with Disability in the Philippines) or KAMPI noted that in the past two decades, PWDs have no longer been "invisible" but are increasingly being made part of mainstream society. It is a task fraught with challenges, one that the likes of Gonzaga, the sector advocates, and the government are taking on.

"Karapatan namin na maging equal sa lahat ng tao (It is our right to live equal to others)," said Gonzaga, who has been working for the Dasmariñas City government for 12 years now and also heads the PWD Federation there.



But only a few PWDs are optimistic this will ever happen. In a series of focus group discussions and surveys conducted by the Social Weather Stations (SWS), PWD respondents reported being denied the better treatment that the law envisioned for them.

In the July 2013 survey of PWDs by the SWS, 40 percent said their life got worse in the past 12 months. Only 19 percent thought it got better, a much higher number than those surveyed during the administration of former president Gloria Arroyo but not nearly as high as in 1986, when democracy was restored in the country.

The survey also showed a mere 27 percent saw their life improving in 2013; about 16 percent expected it to take a bad turn.

“PWDs are worse off than the average Filipino in their past, future and quality of life trend—they are less optimistic, less satisfied, less happy and less healthy,” the SWS said.

But the sector lauds the government for taking a “rights-based approach” to disability. If PWDs were merely “objects” of aid and programs in the past, KAMPI said they now have better access to employment, education and healthcare, and are able to vote.

Considered the poorest of the poor, PWDs

One of the groundbreaking laws crafted for the sector is to make polling places accessible like in Salawag Elementary School in Dasmariñas, Cavite. PHOTO BY MARIO IGNACIO IV



Under the law, accessible polling places must have ramps for voters with disabilities.

PHOTO BY MARIO
IGNACIO IV

have the least access to these services, with many still unaware of what they are entitled to.

“That’s why we call it an invisible sector, because you see them but they are unable to participate in public life,” said Maribel Buenaobra, Director for Programs of The Asia Foundation (TAF), which spearheaded the Australian Department of Foreign Affairs and Trade’s program on disability-inclusive development.

Constitutional mandate

Although PWD advocates may feel that the sector is still, in large part, invisible to government and society, the Philippine legal system does see and recognize persons with disabilities.

The 1987 Constitution recognizes the role of PWDs in nation building. The first mention of PWDs in the Constitution—Article V, Section 2—acknowledges their basic right to participate in elections and directs Congress to “design a procedure for the disabled and the illiterates to



vote without the assistance of other persons.”

Article XIII, under the Social Justice and Human Rights provision, states that priority should be given to the needs of the “underprivileged, sick, elderly, disabled, women and children” for “essential goods, health and other social services.”

There is also a constitutional provision on education for PWDs. Section 5(5) of Article XIV commands the state to “provide adult citizens, the disabled and out-of-school youth with training in civics, vocational efficiency and other skills.”

Disability advocates are one in saying that the Philippines does not lack disability laws.

“Compared to other countries, in laws, *marami tayo* (we have many). *Ang problema lang sa ‘tin, ‘yung implementation* (Our problem is the implementation),” said National Council on Disability Affairs (NCDA) executive director Carmen Zubiaga.

A long history of laws

Even before the enactment of the 1987 Constitution, several pieces of legislation relating to PWDs were already in place. Based on a paper by the international nongovernment

Polling places in the country are usually cramped and crowded. The Constitution mandates Congress to design a procedure for those with disabilities to vote “without the assistance of other persons.” PHOTO BY MARIO IGNACIO IV

*The Comelec allowed
assistors to help
PWDs register for
the 2013 elections.*
PHOTO BY MARIO IGNACIO IV





organization Disability Rights Promotion International (DRPI), a learning center for the blind had been established in Manila by the country's American colonizers as early as 1907.

The paper also noted the efforts taken by the government and private individuals and organizations to provide education to PWDs from 1935 to 1960. These are:

- ❑ Republic Act 1179 of 1954, creating the rehabilitation and vocational program for the blind and other physically handicapped
- ❑ Republic Act 3562 of 1962, promoting the education of the blind in the Philippines
- ❑ Republic Act 5250 of 1968, specifying the 10-year training program for teachers for the blind. In 1970, the Philippine School for the

Ronnel del Rio, a PWD advocate in Batangas, casts his vote at the special polling place in SM Lipa in Batangas during the barangay elections. PHOTO BY MARIO IGNACIO IV

Deaf and Blind (PSDB) was separated into the Philippine National School for the Blind (PNSB) and the Philippine School for the Deaf (PSD).

Children with disabilities are also given protection under Presidential Decree 603 of 1974, or The Child and Youth Welfare Code. Article 74 provides the legal basis for the creation of special education classes in every province.

In 1998, Republic Act 8425 or The Social Reform and Poverty Alleviation Act created the National Anti-Poverty Commission (NAPC). The NAPC has 14 sectoral councils for marginalized sectors, including one for PWDs.

Provisions that relate to PWDs are also found in special laws like Republic Act 8371, the Indigenous Peoples Rights Act of 1997, which mentions rights of indigenous women with disabilities.

National Council on Disability Affairs

Presidential Decree 1509 of 1978 paved the way for the creation of the National Commission Concerning Disabled Persons (NCCDP), an agency under the Office of the President (OP) tasked to look after PWD concerns.

Following the 1987 Constitution's mandate to "establish a special agency for disabled persons," then President Corazon Aquino signed Executive Order 232 creating the

National Council on the Welfare of Disabled Persons (NCWDP). The order made the NCWDP an attached agency under the Department of Social Welfare and Development (DSWD).

In 2008, Arroyo signed Executive Order 709 transferring the NCWDP back to the OP. The move aimed to better comply with the UN Convention on the Rights of Persons with Disabilities (CRPD) mandate to "give full support to the improvement of the total well-being of disabled persons." It was also a response to criticisms from the sector that the NCWDP was a demotion from the previous NCCDP which was under the OP. The office has since been renamed the National Council on Disability Affairs (NCDA).

On April 5, 2011, President Aquino transferred the NCDA back to the DSWD through Executive Order 33.

Over the years, there have been numerous pieces of legislation that address specific subsectors of the PWD community. Aside from these, the PWD sector has been observing awareness weeks for different disabilities and marking annual events.

Magna Carta for PWDs

The most important piece of legislation for PWDs is Republic Act 7277, or the Magna Carta for Persons with Disabilities of 1992, a landmark legislation that consolidated existing disability laws at the time.

The law defines PWDs and provides for the sector's rights and privileges with respect to

PWD Laws

Law	Short Title	Date Signed
Republic Act 1179	Vocational Rehabilitation Act	June 19, 1954
Republic Act 1373	An Act Authorizing the Philippine Sportswriters Association to Hold One Benefit Boxing Show Every Year, the Net Proceeds of which Shall Constitute a Trust Fund for the Benefit of Disabled Filipino-Boxers	June 18, 1955
Republic Act 3562	An Act to Promote the Education of the Blind in the Philippines	June 21, 1963
Republic Act 4564	An Act Authorizing the Philippine Charity Sweepstakes Office to Hold Annually One Special Sweepstakes Race for the Exclusive Use of the Office of Vocational Rehabilitation, Social Welfare Administration, in its Development And Expansion Program for the Physically Disabled Throughout the Philippines	June 19, 1965
Republic Act 5250	An Act Establishing a Ten-Year Training Program for Teachers of Special and Exceptional Children in the Philippines and Authorizing the Appropriation of Funds thereof	June 15, 1968
Presidential Decree 603	The Child and Youth Welfare Code	December 10, 1974
Presidential Decree 1509	Creating the National Commission Concerning Disabled Persons and for Other Purposes	June 11, 1978
Batas Pambansa 344	Accessibility Law	February 25, 1983
Executive Order 123	Reorganizing the Ministry of Social Services and Development	January 30, 1987
Executive Order 232	Reorganizing the National Council for the Welfare of Disabled Persons	July 22, 1987
Republic Act 7277	Magna Carta for Persons with Disabilities	March 24, 1992
Executive Order 385	Creating a Task Force to Address the Concerns of Persons with Disabilities	December 9, 1996
Republic Act 8371	The Indigenous Peoples' Rights Act of 1997	October 29, 1997
Republic Act 8425	Social Reform and Poverty Alleviation Act	December 11, 1997
Administrative Order 35	Directing all Departments, Bureaus, Government-Owned and/or Controlled Corporations, Government Financial Institutions, Local Government Units, State Universities/Colleges and Schools, and other Government Agencies/Instrumentalities to Promote and Conduct Relevant Activities during the Annual Observance of the National Disability Prevention and Rehabilitation Week	May 3, 2002
Supreme Court Memorandum Order 59-2004	Authorizing the Court Administrator to Act On and Approve Requests of Lower Courts for the Hiring of Sign Language Interpreters	September 10, 2004
Executive Order 417	Implementation of the Economic Independence Program for Persons with Disabilities (PWDs)	March 22, 2005
Executive Order 437	Implementation of the Community-Based Rehabilitation (CBR) for Persons with Disabilities in the Philippines	June 21, 2005
Republic Act 9433	Magna Carta for Public Social Workers	April 11, 2007
Republic Act 9442	An Act Amending the Magna Carta for Persons with Disabilities Granting Additional Privileges and Incentives and Prohibitions on Verbal, Non-Verbal Ridicule and Vilification Against Persons with Disabilities	April 30, 2007
Office of the Court Administrator (OCA) Circular 104-2007	Guidelines on the Payment of the Services of a Hired Sign Language Interpreter	October 18, 2007
Executive Order 676	Transferring the National Council for the Welfare of Disabled Persons (NCWDP) from the Department of Social Welfare and Development (DSWD) to the Office of the President	October 25, 2007

Executive Order 709	Redefining the Functions and Organizational Structure of the National Council for the Welfare of Disabled Persons which is Renamed as the National Council on Disability Affairs and Attached to the Office of the President, and Amending for the Purpose Executive Order 676 (2007) And Executive Order 232 (1987)	February 26, 2008
Department of Interior and Local Government (DILG) Memorandum Circular 2009-37	Support For Community-Based Program For Children with Disabilities	March 20, 2009
DILG Memorandum Circular 2009-129	Compliance to the Issuance of Identification Cards and Purchase Booklets for Persons with Disability (PWDs)	September 9, 2009
Republic Act 10070	Establishing Institutional Mechanism to Ensure the Implementation of Programs and Services for Persons with Disabilities in Every Province, City and Municipality, Amending Republic Act No. 7277, Otherwise Known as the Magna Carta for Persons with Disabilities, as Amended, and for Other Purposes	July 27, 2009
Joint Circular 1, series of 2010	Accessible Website Design Guidelines	June 29, 2010
DILG Memorandum Circular 2010-03	Establishment of Persons with Disability Affairs Office (PDAO) in Every Province, City and Municipality Pursuant to RA 10070	September 23, 2010
Department of Trade (DOT) Memorandum Circular 2011-04	Adopting the Guidelines on the Grant of Special Discounts to Persons with Disabilities Pursuant to the Provisions of Republic Act No. 9442	February 11, 2011
Executive Order 33	Transferring the National Council on Disability Affairs (NCDA) from the Office of the President (OP) to the Department of Social Welfare and Development (DSWD)	April 5, 2011
Department of Transportation and Communications (DOTC) Memorandum Circular 2011-004	Revised Terms and Conditions of Certificate of Public Convenience and Providing Penalties for Violations thereof	May 25, 2011
Executive Order 47	Transferring the Commission on Information and Communications Technology (CICT) and its Attached Agencies to the Department of Science and Technology (DOST)	June 23, 2011
Republic Act 10366	An Act Authorizing the Commission on Elections to Establish Precincts Assigned to Accessible Polling Places Exclusively for Persons with Disabilities and Senior Citizens	July 23, 2012
Republic Act 10372	An Act Amending Certain Provisions of Republic Act No. 8293, Otherwise Known as the "Intellectual Property Code of the Philippines" and for Other Purposes	July 23, 2012
Republic Act No. 10524	An Act Expanding the Positions Reserved for Persons with Disabilities, Amending for the Purpose Republic Act No. 7277, as Amended, Otherwise Known as the Magna Carta for Persons with Disabilities	July 23, 2012
Commission on Elections Resolution 9763	Implementing Rules and Regulations of Republic Act No. 10366, Entitled "An Act Authorizing the Commission on Elections to Establish Precincts Assigned to Accessible Polling Places Exclusively for Persons with Disabilities and Senior Citizens"	August 30, 2013

Important Dates for PWDs

Date	Law	Short Title	Date Signed
Third week of January	Proclamation 711	Declaring the Third Week of January as Autism Consciousness Week	January 4, 1996
February	Proclamation 157	Declaring the Month of February as "National Down Syndrome Consciousness Month"	February 18, 2002
February 14 to 20	Proclamation 1385	Designating the Period from February 14 to 20, 1975, and Every Year after thereafter as "Retarded Children's Week"	February 12, 1975
Fourth week of February	Proclamation 1989	Declaring the Fourth Week of February of Every Year as the "National Rare Disease Week"	February 8, 2010
Last Monday of March	Proclamation 744	Declaring the Last Monday of March of Every Year As Women with Disabilities Day	December 6, 2004
Third week of July	Proclamation 1870	Declaring the Third Week of July Every Year as the National Disability Prevention and Rehabilitation Week	June 22, 1979
Third week of July	Proclamation 361	Declaring the Third Week of July as the National Disability Prevention and Rehabilitation Week which shall Culminate on the Birthdate of the Sublime Paralytic: Apolinario Mabini on July 23 Each Year	August 19, 2000
August 1	Republic Act 6759	An Act Declaring August One of Each Year As White Cane Safety Day in the Philippines and for Other Purposes	September 18, 1989
Third week of August	Proclamation 92	Declaring the Third Week of August of Every Year as Brain Attack Awareness Week	August 28, 2001
First week of September	Proclamation 230	Declaring the First Week of September of Every Year as "National Epilepsy Awareness Week"	August 12, 2002
September 16 to 22	Proclamation 588	Declaring the Period from September 16 to 22, 2004 and Every Year thereafter as Cerebral Palsy Awareness and Protection Week	March 25, 2004
Second week of October	Proclamation 452	Declaring the Second Week of October of Every Year as National Mental Health Week	August 25, 1994
Third week of October	Proclamation 472	Declaring the Third Week of October of Every Year as "National Attention Deficit/Hyperactivity Disorder (AD/HD) Awareness Week"	September 18, 2003
Third week of October	Proclamation 658	Declaring the Third Week of October of Every Year as "Bone And Joint (Musculo-Skeletal) Awareness Week"	July 5, 2004
Second week of November	Proclamation 110	Declaring the Second Week of November of Every Year as "National Skin Disease Detection and Prevention Week"	October 8, 2001
November 10 to 16	Proclamation 829	Declaring the Period from November 10-16 of Every Year as "Deaf Awareness Week"	November 8, 1991
December 3	Proclamation 1157	Declaring December 3, 2006 and Every Year thereafter as "International Day of Persons with Disabilities in the Philippines"	October 16, 2006
1993 to 2002	Proclamation 125	Proclaiming the Nationwide Observance in the Philippines of Asian and Pacific Decade of Disabled Persons, 1993-2002	January 15, 1993
2000 to 2010	Proclamation 657	Declaring the Year 2000-2010 as the "Bone and Joint Decade"	July 5, 2004
2003 to 2012	Proclamation 240	Declaring the period from the year 2003 to the Year 2012 as the Philippine Decade of Persons with Disabilities	August 21, 2002
2013 to 2022	Proclamation 688	Declaring the period from the year 2013 to 2022 as the Philippine Decade of "Make the Right Real" for Persons with Disabilities	December 2, 2013

employment, education, social services, and political and civil rights. Its main purpose is to provide for the “rehabilitation, self-development and self-reliance” of PWDs for their eventual integration into mainstream society. Among its salient provisions are granting PWDs access to quality education and equal employment opportunities.

The law reserves positions in select government agencies for PWDs. Five percent of “all casual, emergency and contractual positions” in the Departments of Social Welfare and Development (DSWD), Department of Health (DOH), Department of Education (DepEd) and other government agencies, offices or corporations engaged in social development must be given to qualified PWDs.

In March 22, 2005, Arroyo issued Executive Order 417 ordering government agencies, including government-owned and -controlled corporations and even local government units, to “employ PWDs whenever applicable.”

President Benigno Aquino III signed into law Republic Act 10524 on April 23, 2013, requiring all government agencies to reserve at least 1 percent of all positions for PWDs as a response perhaps to the criticisms that the positions identified in RA 7277 were “in recent years, being gradually phased out in the bureaucracy,” as DRPI pointed out.

While government agencies are required to reserve positions for PWDs, private corporations are not. The new law only encourages private companies with over 100 employees to set aside at least 1 percent of the workforce for those with disabilities, and

promises incentives to those that do.

A number of companies have hired PWDs and modified their facilities to accommodate PWD workers. But the process of availing of the incentives is quite tedious, one employer who hires PWDs said. To avail of the incentive, the employer must obtain a certification from the Department of Labor and Employment (DOLE) and DOH stating the disability, skills and qualifications of the PWD employee.

Also notable of the Magna Carta is the provision for special education classes in public schools and mandatory special vocational and technical training program for PWDs in government-owned vocational and technical schools in every province. The law ensures that PWDs will have access to quality education, making it unlawful to discriminate against PWDs by reason of their disabilities.

On April 30, 2007, Arroyo signed into law Republic Act 9442, which amended the Magna Carta for PWDs and introduced additional privileges and incentives like 20 percent discount in hotels, restaurants, recreation centers, theaters, cinema houses, concert halls, circuses, carnivals and other similar places of culture, leisure and amusement. Fare discounts for domestic air and sea travel, public railways, skyways and bus fare are also provided in the amendment. A 20 percent discount is also extended for the purchase of basic commodities.

PWDs are also accorded 20 percent discount for medicines in all drugstores, medical and dental services, diagnostic and laboratory fees, and professional fees of



attending doctors in both government and private hospitals and medical facilities.

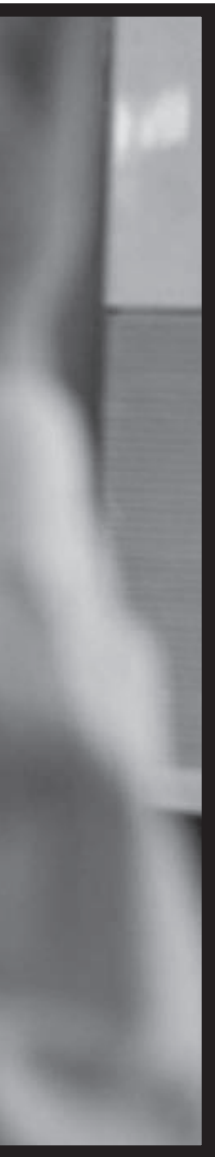
Most of the time, however, PWDs and their advocates must fight tooth and nail to be able to enjoy these benefits. In the case of the medicine discount, for example, a major drug corporation, Southern Luzon Drug Corporation, filed a case seeking to invalidate the discount on the ground

that it constitutes taking of private property for public use without payment to them of just compensation. The petition was dismissed by the Court of Appeals, but this illustrates the kind of opposition that PWDs face just so they could enjoy their rights under the law.

Gonzaga's unpleasant experience could have been avoided had the government

With several laws in place, PWDs are no longer seen as part of an "invisible" sector but are increasingly being made part of mainstream society.

PHOTO BY MARIO IGNACIO IV



been more vigilant in enforcing the laws. The implementing rules and regulations of the Accessibility Law require regular buses to have at least five designated seats near the entrance and exit doors for PWDs while air-conditioned buses are required to allot at least four seats.

There are instances when there is a law that addresses a particular need, but there is no infrastructure in place to implement it. EO 417, for example, also mandates that government agencies must procure at least 10 percent of their required goods and services from PWD organizations and cooperatives “where possible and applicable.”

This doesn’t get done, according to Emerito Rojas, PWD sector representative in the NAPC, the agency that has oversight functions in the implementation of the EO.

“Bakit hindi nagagawa (Why isn’t this getting done)?” Rojas said. *“Kasi hindi prepared ang PWDs sa ipo-provide nila. Walang concerted effort, walang management team (Because PWDs are not prepared to provide the needs. There is no concerted effort, no management team),”* he said.

A PDAO in every town

On April 6, 2010, Republic Act 10070, another amendment to the Magna Carta, was enacted, this time to provide for the establishment of a Persons With Disability Affairs Office (PDAO) in local government units. It says, “A PDAO shall be created in every province, city and municipality.”

The law mandates that qualified PWDs be given priority to head and staff the PDAO. But three years into the implementation of the PDAO law, only a few local governments have complied with its requirements: seven out of 80 provinces, 49 out of 143 cities, and 40 out of 1,491 municipalities.

The Magna Carta for PWDs and its subsequent amendments are steps to even the playing field for PWDs. But for these laws to achieve their potential of significantly improving the lives of the disability sector, they must be consistently implemented, and their benefits felt by the members of the sector.

In another survey of PWDs conducted by the SWS in December 2011, majority (55 percent) of them said they have “almost no knowledge” about the Magna Carta. Those who said they do are divided into those with “a little knowledge,” 26 percent; those with “partial but sufficient knowledge,” 12 percent; and those with “extensive knowledge,” 7 percent.

In a focus group discussion also facilitated by the SWS and attended by PWDs, Danny, one of the PWD participants, had this to say about the Magna Carta: *“Sa totoo lang po, ginawa lang po yung Magna Carta na batas para lang masabing may batas para sa amin (In truth, the Magna Carta was made just so they could say that there is a law for us).”*

Danny, like most PWDs, does not feel the significance of the Magna Carta. *“Ultimo gobyerno nangunguna para hindi tumupad sa ginawa nilang batas. So sila rin ang violator (Even the government does not follow and is even the first to violate its own law),”* he added.

Communicating the Magna Carta

The reality is, very few PWDs are aware of the Magna Carta and the menu of rights and privileges it offers.

The SWS “Post-Election Survey of PWDs and Filipino Adults on the Participation of PWDs in the 2013 Midterm Elections” showed that the level of awareness of the Magna Carta was the same as it was in 2011.

Only 7 percent in 2011 and 2013 had extensive knowledge of the law and over 50 percent of PWDs remained largely unaware of its existence. Non-PWDs were slightly more aware of the law, with 13 percent saying so in 2013.

“The law has no teeth. They made the law just for the sake of creating one. In reality, we are still discriminated against. If someone calls out ‘*Pilay! Pilay! Pilay!*’ (You cripple),’ I ask them, Where are your parents? Are they not teaching you?” said a PWD in Quezon City.

Mau, a voter with disability in Makati, complained: “We’re no different from the rest. They tell us, ‘*Kasi special ka eh, huwag ka nang magtrabaho, aabutan ka na lang namin ng isang kanin at ulam, kumain ka na lang dyan*’ (Because you’re special, you don’t have to work. We’ll just give you rice and food. All you have to do is eat).’ It should not be like that.”

Another participant from Quezon City accused the government of being the worst violator of the law. In the yearly budget, the government must allocate funds to make

establishments accessible, “but no one seems to be doing that,” the participant said. “They don’t give priority to those with disabilities even if we have the law.”

But few are as brave and assertive as Gonzaga who sent a letter to Mayor Elpidio Barzaga Jr. in 2011, asking what the Dasmariñas City government could do for a PWD like him. He was then hired as clerk in the office of the mayor. Gonzaga was well aware of the law requiring government agencies to set aside a percentage of the slots in their workforce for PWDs.

The first step to rectify matters, suggested a PWD during a SWS focus group discussion in Iloilo, should be an information dissemination campaign, starting with the Magna Carta.

“If groups are organized, it’s easier to communicate with them,” the participant said. This prompted another participant, who is visually impaired, to ask: “But what is the Magna Carta? What are the government’s programs for us because we have not been properly receiving them.”

Rojas believes three things must be done to uplift the lives of the PWD sector: review of PWD laws, economic empowerment and establishment of a PDAO in every local government unit. These are also the sector’s agenda in the NAPC.

“We believe that the reason the laws are not implemented is because they might be flawed,” Rojas said. “*Maraming problema na kailangang i-assess* (There are lots of problems that we need to assess).”

He said, however, the PWD sector in the

NAPC has yet to review the laws.

Rojas said the sector hopes to achieve its goal of economic empowerment in 2014 by aggressively pushing for the implementation of the employment provisions in Executive Order 417 and Republic Act 10524.

The establishment of PDAOs, Rojas said, is important to move away from the welfare mentality of the past. “*Hindi na ‘Ibigay mo sa akin kung anong kailangan ko’* (It’s no longer ‘Give me what I need’),” he said.

Having a PDAO will make PWD governance participatory. “*Hindi ka na aasa sa national government. Ang pangangailangan mo, localized na* (You will no longer just rely on the national government. Your needs are localized),” Rojas said.

The only way to address needs locally, according to Rojas, is by having a voice in the local government. “And (to have a voice) in the local government, you need an office,” he said.

International commitments

Apart from local laws, the Philippines is a partner to various international commitments relating to PWDs. The most important of these is the United Nations Convention on the Rights of Persons with Disabilities (CRPD) the country signed on September 25, 2007 and ratified on April 15, 2008.

The United Nations website describes the convention as the “first comprehensive human

rights treaty of the 21st century.” The purpose of the convention, as stated in its Article 1, is to “promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.”

The convention is important because it recognizes that there is a need to change the world’s attitude toward PWDs from “viewing them as ‘objects’ of charity, medical treatment and social protection” and changing that to “viewing persons with disabilities as ‘subjects’ with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society.”

The CRPD guarantees PWDs’ participation in the political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for PWDs to vote and be elected. In addition, the convention ensures that voting procedures, facilities and materials are appropriate, accessible and easy to understand.

As a signatory to the convention, the Philippines is bound to observe the general obligations laid out in Article 4. The more important provisions include the undertaking “to adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present convention” and “to take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities.”

While the Philippines has signed and ratified the convention, it has yet to sign its Optional Protocol, a side agreement where parties agree that they recognize the competence of the Committee on the Rights of Persons with Disabilities, an international grievance committee under the United Nations, to receive complaints of violation of the convention.

Under Philippine laws, treaties entered into by the country form part of the law of the land.

A footnote to the country's international advocacy of PWD rights and welfare: The efforts of government and advocates in making the Philippines disability inclusive were lauded during the first-ever High Level Meeting of the United Nations General Assembly on Disability and Development in September 2013.

The Philippines led the initiative at the UN to mainstream disability in the Millennium Development Goals (MDGs) and other internationally agreed upon development goals toward 2015, showing its commitment in promoting the welfare of PWDs.

Philippine Permanent Representative to the United Nations Libran Cabactulan described the meeting as a “tremendous achievement of the international community to promote equal opportunities for persons with disabilities and ensure an inclusive development agenda.” ■

International Commitments

Initiative	Date
Convention on Cluster Munitions	Signed December 3, 2008
Convention on the Rights of Persons with Disabilities (CRPD)	Signed September 25, 2007 Ratified April 15, 2008
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction	Signed December 3, 1997 Ratified February 15, 2000
International Labour Organization Vocational Rehabilitation and Employment (Disabled Persons) Convention 159	Ratified August 23, 1991
Manila Declaration on Accessible Information and Communication Technologies (ICT) and Persons with Disabilities	Adopted March 7, 2003
Manila Design Recommendations on Accessible Information and Communications Technologies (ICT)	Adopted March 7, 2003
Biwako Millennium Framework for Action Towards An Inclusive, Barrier-Free and Rights-Based Society for Persons with Disabilities in Asia and the Pacific	Adopted October 2002
Biwako Plus Five: Further Efforts Toward an Inclusive, Barrier-Free and Rights-Based Society for Persons with Disabilities in Asia and the Pacific	Adopted September 21, 2007
United Nations Millennium Declaration (Millenium Development Goals or MDGs)	Adopted September 8, 2000



Sticker Power



Vichard Aliño, a person with orthopedic impairment, sells stickers during the day on a mission to empower PWDs.

PHOTO BY KARLOS
MANLUPIG

THE passing jeepneys barely notice the man standing under the shade of a tree along Magallanes Street in Davao City, even if he uses his crutch to grab their attention.

But he is not trying to get a ride. He is merely offering jeepney drivers stickers to remind them and other passengers of the rights of commuters with disabilities.

Meet 23-year-old Vichard Aliño, a person with orthopedic impairment who prowls the streets of Davao during the day on a mission to empower persons with disabilities (PWDs).

Aliño, whose disability was the result of poliomyelitis, is a member of Davao City's Association of Differently Abled Persons (ADAP), which is tasked to offer PWD rights stickers to jeepney drivers. The stickers remind drivers of the 20 percent fare discount PWD passengers are entitled to under Republic Act 7442, the Magna Carta for Persons with Disabilities.

The stickers also aim to inform other passengers to vacate the front seat for PWD commuters as required by Batas Pambansa 344, the Accessibility Law.

Jeepneys' sticker culture

ADAP thought of using stickers for its advocacy, given how these have been part of the history of the public jeepneys in the country.

From sexist images and quotes, religious sayings and wittily crafted reminders, these colorful stickers adorn every possible section inside the jeepney.

But for ADAP, these stickers are not just decorative items but are weapons of mass education as well as a source of funds.

Section 2 of BP 344 states that the "prominent display of posters or stickers shall be used to generate public awareness of the rights of PWDs and foster understanding of their special needs" in public conveyances and devices.

The law penalizes discrimination against PWDs "in the carriage or transportation of passengers." The law's implementing rules and regulations require jeepneys to designate at least two seats for PWDs, preferably in front. Other commuters may use the front seats but have to yield them to incoming PWD passengers.

The fare discount also applies

to public railways such as the Light Rail Transit, Metro Rail Transit, Philippine National Railways and other similar infrastructure that will be built, established and operated by public or private entities.

These laws contribute to helping the PWD sector gain access to transportation, said Aliño.

“The fare discount, even though it is just 20 percent, is already significant for us, most especially during long distance travels,” he said.

Income-generating project

Aliño said the PWD sector in Davao feels glad whenever passengers offer help and vacate the front seats for them.

“We have already experienced the changes in the attitude of the people toward PWDs. It is now relatively easier to take a ride in a public jeepney here in the city,” he said.

With BP 344 mandating public transportation drivers and operators to display posters and stickers promoting the rights of PWDs, ADAP

has realized an opportunity by selling the stickers, which it produced through funding from the City Social Services and Development Office and donations from allies, for P30 each.

“It’s like hitting two birds with one stone. We get to educate the public about their role in empowering our sector and at the same time gain financial resources for the operation of our organization,” ADAP President Redondo Martinez said.

His group needs to generate funds because of the meager financial support it is receiving from the local government and other donors, Martinez said.

For every P30 sticker, P20 goes to the organization’s coffers while the remaining P10 goes to the seller. Aliño usually sells more than five a day.

Violations and penalties

Despite the gradual changes in the attitude of the drivers and other commuters toward PWDs, there are still those who ignore PWDs’ accessibility rights. “There are still some, most especially the

passengers who are seated at the front seat, who are too arrogant to yield the seat to us,” Aliño said.

He said before they were educated about their rights, PWDs would just choose to be submissive. “But after the trainings, we can now tell them with confidence that the seat is reserved for PWDs as declared by law,” Aliño said.

When drivers refuse to give fare discounts, Aliño’s group takes note of the jeepney’s plate and, if possible, the driver’s name, and reports him to the Land Transportation Office (LTO).

Persons caught violating BP 344 and RA 7442 face a fine of P50,000 to P100,000, imprisonment of up to two years, or both for a first offense. Fines on subsequent violations may reach up to P200,000 and imprisonment for up to six years, or both. A foreigner who violates the law faces deportation.

For Aliño, enduring the glaring heat and fumes on the streets is a small price to pay for the changes in society’s attitude toward PWDs and the improvement of the quality of life of the PWD sector.

It is, indeed, a campaign to change the world one sticker at a time.—*Karlos Manlupig*

Take One for PWD Animators

EVER wondered about the artists responsible for such popular animés as Dragon Ball, Sailor Moon and Slam Dunk?

Those artists are not only Filipinos but persons with disabilities (PWDs).

Filipino PWDs are taking Asia by storm at Take One Animation Studio, which prefers to hire PWDs as artists. Take One is a subcontractor of Toei Animation, a Japanese animation company, which makes popular animé series.

“At first, I had a hard time. But eventually, I got used to it,” said Charles Rodriguez, 28, who draws not with his hands but with his feet on a small computer tablet that lays on the floor.

Take One President and CEO Eric Tansingco has committed to hiring PWDs over non-PWDs. “I noticed that when PWDs apply for a job in other companies, they already do not stand a chance when the companies see their disability. So I said, ‘If they do

not want you, come to me,’” he said.

In 2008 the studio was invited to participate in a job fair by SM Malls and the National Council on Disability Affairs (NCDA). On the spot, Tansingco gave PWDs a hands-on trial.

PWDs who want to be a part of Tansingco’s team do not have to qualify based on a specific set of requirements. In fact, Tansingco prefers to train and hire people who are in need. When accepted, these people undergo months of training and will then be absorbed by the company.

Take One’s staff is composed of 20 non-PWDs and six PWDs, majority of whom are deaf. As much as Tansingco wants to hire more PWDs, his resources are limited.

The training period for a PWD is at least six months, thrice the time needed by a non-PWD to learn the craft. Also, with all the special equipment that they need,

training for each PWD costs roughly P35,000 to P40,000.

Tansingco trains them himself, but it’s not easy since he had no prior experience dealing with PWDs.

“I told myself to be strong and be more confident. I did not know even a single hand gesture in sign language. So what we did was, we wrote everything down. Then, I appealed to them: Teach me how to do sign language and I’ll teach you how to do animation,” he said.

From there, he was able to develop signs that are particular to the technicalities of animation.

Tansingco does not ask for training fees. Using money earned from its projects, the studio covers all the expenses needed for the training. But to continue with the training and hiring of PWDs, the sacrifice is sometimes greater than this.

“The mother company does not approve of this. But I want to do this. So I fought for the right to borrow



Take One President and CEO Eric Tansingco assists an animator with mobility disability.

PHOTO BY MARIO IGNACIO IV



facilities. After their training, they will not be passed on to the mother company. They will work here under my supervision,” Tansingco said.

Unfortunately, to most companies, hiring a PWD is not a first — if it is even — an option. PWDs struggle with job-hunting because they are still discriminated in the workforce.

But this should not be the case. According to Republic Act 7277, or the Magna Carta for Persons with Disabilities, “no person with disability shall be denied access to opportunities for suitable employment.”

To most PWDs, who need to jostle for work with people without disability in a country with almost three million unemployed, this seems more like a pipedream than a reality.

The law mandates all government offices and agencies engaged in social development to reserve 5 percent of all “casual emergency and contractual positions” for PWDs. The Departments of Social Welfare and Development (DSWD), Health (DOH), Education (DepEd), and those engaged in social development are required to allot positions for PWDs.

But DepEd and DSWD do not keep track of the number of their PWD employees, making it difficult

to see if the 5 percent rule is being followed.

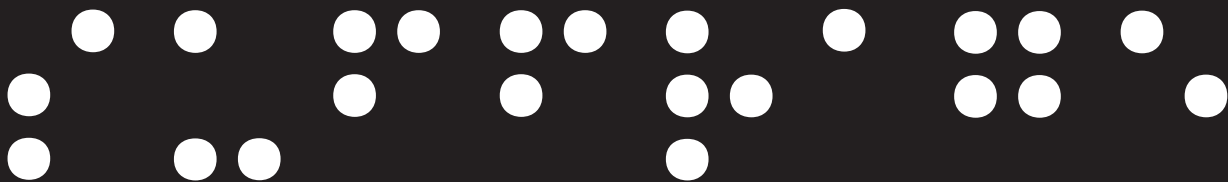
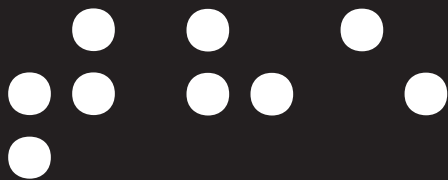
To date, there is no count of PWDs employed in government offices. The NCDA’s 2006 data put them at 4,033.

The private sector is not required to reserve positions for PWDs, but businesses get tax incentives for hiring PWDs and improving or modifying their physical facilities to accommodate them.

Although his company is qualified, Tansingco does not avail of the incentive because he finds the process tedious. “I have read about that before. I will avail of that when the number of my PWD employees increases so that it’s a one-time processing of requirements for me,” he said.

NCDA Project Evaluation Officer Myrla Sedenio admitted it would be hard to track all PWD employees in private companies. But she said she has noticed a difference over the years.

“There are more companies that employ PWDs now because they are more aware (of the rights of PWDs). In fact, there are those who call us up, asking help for the hiring of PWDs,” she said.—*Iza Darlene Cay*



The Campaign for PWD Suffrage

By Maribel Buenaobra



GIVEN the laws upholding the rights of persons with disabilities (PWDs) enshrined in Philippine statute books and some headway being made to get people aware of the rights of PWDs, advocates from nongovernment organizations thought the time was ripe for a nationwide campaign for PWDs' right to suffrage.



There was much to be hopeful for. The Commission on Elections (Comelec), the government agency that draws up policies governing voting and elections, was giving special attention to marginalized sectors such as women, the elderly and PWDs. In the Comelec, it was Commissioner Rene Sarmiento, formerly a human rights lawyer, who championed the marginalized sectors and became civil society's main advocate for PWD-inclusive elections. The target was to implement this in the 2013 midterm elections when voters would be selecting a new set of members of congress and local government officials.

The commission, through Sarmiento, created the Inter-Agency and NGO Network on the Empowerment of PWDs and issued resolutions toward disability-inclusive elections. As chair of that committee, he had formal and informal meetings and consultations with the disability sector, particularly members of the Alyansa ng may Kapansanang Pinoy (AKAP-Pinoy), an association of PWDs, to gather ideas and support for disability-inclusive elections.

At the time, nongovernment organizations active in PWD advocacy had formed themselves into the NGO Network on Empowering Persons with Disabilities. The inter-agency and NGO

More than a thousand fans, 200 of them PWDs, attend the Rock for a Fully Abled Nation concert. PHOTO BY DANIEL ABUNALES



The late Interior and Local Government Secretary Jesse Robredo, keynote speaker at the launching of FAN, signed a memorandum circular in 2010 for the establishment of PDAO in every province, city and town. PHOTO BY VINCENT GO

network was composed of the Comelec, concerned government agencies such as the Department of Education (DepEd) and the Department of Public Works and Highways (DPWH), disabled people's organizations (DPOs) and elections watchdogs.

Members of the inter-agency and NGO network put their heads together to formulate resolutions that were designed to eliminate PWDs' negative voting experience.

On May 12, 2011, the Comelec issued Resolution 9220, which dealt primarily with PWD registration. "On that day, we honor our PWD voters as we highlight our shared efforts

to ensure that no PWD gets left behind when it comes to their right to suffrage," Sarmiento said.

Resolution 9220 classified the different types of disabilities and gave options on the form of assistance that PWDs can avail themselves of. Different DPOs engaged in a variety of campaign strategies to encourage voting and these included road shows, voters education and more active media presence by creating awareness of registration schedules through the tri-media.

The Comelec also issued Minute Resolution 11-0623, declaring July 18 to 23, 2011 as



National Persons with Disabilities Registration Week, coinciding with the National Disability Prevention and Rehabilitation (NDPR) Week. The resolution also directed all Comelec offices to give priority to PWDs during the PWD Registration Week.

Sarmiento had called on all qualified PWDs nationwide to make use of the occasion and troop to the Comelec offices nearest them or to designated registration sites in their area to register or update their records so they could vote via accessible polling places come the May 13, 2013 national and local elections.

By April 2012, civil society groups had

formed and launched Fully Able Nation (FAN), a program implemented by The Asia Foundation (TAF) and funded by the Australian Department of Foreign Affairs and Trade.

The Fully Able Nation campaign was launched in Makati, with the late Interior and Local Government Secretary Jesse Robredo calling the program a “truly revolutionary event” in his keynote address.

“Most people assume that disability is only a social welfare concern; it is, in fact, a human rights issue,” said Robredo, who also noted his affinity to the issue. His father became totally blind when Robredo was only 5 years old, and

*FAN Help Desk
at the Labangon
Bliss Elementary
School in Cebu
City on election
day. PHOTO BY MARIO
IGNACIO IV*



The Cerebral Palsied Association of the Philippines headed by Charito Manglapus (center) is among the most active DPO partners in the FAN program.

PHOTO BY MARIO
IGNACIO IV

yet he continued repairing boats and building furniture.

Aside from the PWDs' need for greater accessibility, Robredo said, one equally important need of PWDs is their right to vote.

"Our friends here know how difficult it is for PWDs to exercise their right to suffrage," he said, citing that even his two brothers inherited the ailment that left their father blind.

He then encouraged the sector to register and vote because "*ang pinakikinggan 'yung sumusulat sa balota* (only those who vote have a voice)."

The FAN initiative, which started in mid-

2011, had three objectives:

❑ *Increase voter awareness among PWDs.*

Through the use of surveys, the coalition would determine PWDs' awareness of their electoral rights and participation, and use this as a baseline from which to measure increased awareness of these rights as a result of program activities. The coalition would also conduct a media campaign to increase public awareness of PWD voters' rights and the importance of voter registration in collaboration with the Comelec and DPOs.



❑ *Promote partnerships to enhance support and awareness of PWD participatory needs.* TAF would organize roundtable discussions and dialogues among PWDs, DPOs, the Comelec, election-focused NGOs and policy makers to promote PWD participation in electoral processes. It would also hold discussions with the Comelec on possible assistance to PWDs on election day, and assist in drafting recommendations for local government units such as voter registration, establishment of voters' assistance desks for PWDs, special polling centers for PWDs, and the like, to be adopted by the Comelec to increase

PWD participation in the elections.

❑ *Strengthen the capabilities of DPOs and NGOs supporting PWD advocacies.* To complement and achieve the second objective, TAF and the Australian Department of Foreign Affairs and Trade would provide technical assistance on advocacy strategies, financial management, volunteer management and media training for DPOs and NGOs working with PWDs to enhance their participation in the elections and develop PWD-responsive election materials.

FAN volunteers assist senior citizens and PWD voters at the City Central Elementary School in Cebu City. PHOTO COURTESY OF VSO



Cebu board member Arleigh Sitoy who became a PWD after a stroke signs the city's FAN commitment. The campaign was launched in Cebu on March 28, 2012. PHOTO BY KARLON RAMA

With the advent of the FAN project, Sarmiento rallied and supported it, and joined the road shows and campaigns that brought the campaign to different parts of the country. He served as resource or guest speaker to mobilize public support for PWD registration and participation in the 2013 elections.

On June 29, 2012, the Comelec issued Resolution 9485, "Rules and Regulations for Voting of Persons with Disabilities and the Establishment of Accessible Polling Places in Connection with the May 13, 2013 National and Local Elections," the first policy to spell out how PWD voting would actually be implemented.

Resolution 9485 created the Committee on PWD voting and introduced several new concepts and terminologies such as:

- ☐ Accessible polling place (APP), a barrier-free polling place where PWDs would cast their votes
- ☐ Special Board of Election Inspectors for PWDs (SBEI-PWD) composed of three Comelec-appointed public school teachers who would be tasked with facilitating the voting of PWDs in APPs
- ☐ Election Day Computerized Voters List for PWDs (EDCVL-PWD) or the final list of registered PWDs voting in APPs
- ☐ Posted Computerized Voters List for PWDs (PCVL-PWD) or the final list of PWD voters in each APP



Retired Navy Captain Oscar Taleon, considered by most as the “father” of the PWD sector, shows support in both the Manila and Cebu launch of the FAN initiative. PHOTO BY KARLON RAMA



Children with disabilities dance with a mascot during a road show in Tagudin, Ilocos Sur, that also became a venue for a special registration and medical mission.

PHOTO BY VINCENT GO

Unlike in developed countries which rely heavily on technological or engineering solutions to make the voting process more accessible, Comelec Resolution 9485 was a bare-knuckle yet ingenious approach. Its core strategy was anchored on ensuring that PWDs would not have to take the stairs and vote at the higher floors. Instead, PWDs who registered themselves as such would simply vote at designated polling centers strategically located at the ground floor where other PWD-specific forms of assistance, such as sign language interpreters, would be concentrated.

And instead of creating new PWD precincts,

Comelec Resolution 9485 devised a way for the ballots of PWDs to be pulled out from their respective precincts ahead of time, filled up during voting hours by PWDs or by their assistants at these accessible polling places, then brought back by BEI assistants at the close of voting hours to their respective precincts for them to be fed into the Precinct Count Optical Scan (PCOS) machine by the regular BEI members.

Presumably, this approach was merely a stopgap measure given the proximity of the 2013 midterm elections and the limited budget of the Comelec. At the time, there were also

at least a couple of bills pending in Congress aimed at improving PWD voting accessibility.

But most evident of all, if Comelec Resolution 9485 was to work, a significant level of coordination on the ground was needed. This is because the number of PWD voters per voting center needed to be determined, ground-floor classrooms that would be best suited as accessible polling places needed to be identified, local government units qualified to have SBEI-PWD needed to be selected, among many other local concerns.

For these reasons, much of the responsibility for the accessible polling places for PWDs rested on the local election officers in each and every municipality of the country. Under Resolution 9485, the APPs for PWDs were to be constituted by maintaining the existing precinct assignment of the PWD, but the polling place was to be assigned at the ground floor of the voting center. The accessible polling place was to be established in an area spacious enough to accommodate more than 10 PWD voters at a given time and consider the mobility requirements of PWDs particularly those who are wheelchair users.

In addition, the election officers shall determine the voting centers where an APP shall be established subject to the approval of the Education and Barangay Affairs Department (EBAD). The number of accessible polling places to be established per voting center was to be based on the number of registered PWD voters assigned in a particular voting center.

In determining which voting centers would have an APP, the election officer was to first

designate regular polling places that have PWD voters at the ground floor. In case the regular polling places with PWD voters could not be assigned at the ground floor, the election officer was to recommend that an APP be established in the voting center.

It was the high hopes of Comelec Resolution 9485 that motivated DPOs, election-focused NGOs, NGOs supporting PWDs and partner organizations of Fully Abled Nation in conducting nationwide campaigns to mobilize PWDs to register and vote in the May 2013 elections.

Organizations such as the Cerebral Palsied Association of the Philippines (CPAP), Link Center for the Deaf, VSO Bahaginan, Philippine Alliance of Patient Organizations (PAPO) in collaboration with the Union of Local Authorities of the Philippines (ULAP), Upholding Life and Nature (ULAN), Dakila, and the Foundation for Communications Initiative (FOCI) organized marathons, rock concerts, caravans, radio interviews and TV guestings, satellite registrations, and voter education campaigns to raise public awareness in support of PWDs' right to suffrage.

Different DPOs in the program partnered with the Comelec to conduct PWD voter awareness campaigns, capacity-building trainings and seminars. Members of CPAP who are wheelchair users were seen conducting such activities in Rizal province and Marikina City.

ULAN and VSO Bahaginan conducted accessibility audits in the provinces of Bohol and Cebu, respectively. The former used a checklist for its audit that evaluated a polling

Comelec Resolutions on Voters with Disabilities

Resolutions	Date
Resolution 9220 (Guidelines for Registration of Persons with Disabilities)	May 12, 2011
Minute Resolution 11-0623 (In the matter of the request of AKAP-Pinoy and PPCRV that the National Disability Prevention and Rehabilitation (NDPR) week also be utilized or declared as a weeklong registration for persons with disabilities)	June 7, 2011
Minute Resolution 11-0708 (In the matter of the modified certification/ attestation by assistor with supplemental data for the PWDs in connection with the National PWD Registration Week on July 18-23, 2011)	July 5, 2011
Resolution 9261 (Supplemental Guidelines for Registration of Persons with Disabilities in the National Capital Region in Celebration of the National Disability Prevention and Rehabilitation Week)	July 12, 2011
Resolution 9485 (Rules and Regulations for Voting of Persons with Disabilities and for the Establishment of the Accessible Polling Places in Connection with the May 13, 2013 National and Local Elections)	June 29, 2012
Minute Resolution 13-0035 (In the Matter of the Developments on the Implementations of Comelec Resolution No. 9485)	January 8, 2013
Minute Resolution 13-0077 (In the Matter of the Developments on the Implementations of Comelec Resolution No. 9485)	January 17, 2013
General Instructions for the Board of Election Inspectors (BEI) on the testing and sealing; voting, counting and transmission of the results in connection with the May 13, 2013 national and local elections	February 15, 2013
Minute Resolution 13-0447 (In the matter of the request for the creation of one Special Board of Election Inspectors (SBEI) each with two support staff in voting centers that will serve as pilot areas for the establishment of accessible polling place for persons with disability in the May 13, 2013 National and Local Elections)	March 27, 2013

precinct's accessibility based on 13 criteria, such as whether a voting center has smooth and level pavement from the street to the main entrance of the facility, whether ramps have rails on each side, and whether the voting precinct has designated parking space for PWDs.

ULAN also built a database on the number of PWDs in Tagbilaran City and the towns of Antequera, Mabini and Ubay where it was able to compare the LGUs' list of PWDs and the registered PWD voters.

FAN members held other activities and partnered with local government units (LGUs) and PWD organizations and federations in target areas nationwide. ULAP, in partnership with PAPO, held PWD Health and Election Roadshows in Ilocos Sur and Mindoro Oriental.

The municipal health office of Tagudin, ULAP's LGU partner in Ilocos Sur, made use of the PWD Personal Information Sheet to determine the names, location and number of PWDs in all its 43 barangays. This has enabled the LGU and the local Comelec to closely monitor the registration of PWDs in each barangay.

Through the program's advocacy arm, the FOCl, there was also information dissemination through the official website fullyablednation.com and through radio and television shows.

Armed with Resolution 9485, FAN partners worked with local Comelec officials to undertake satellite registrations to complement the public awareness campaigns and to explain the resolution to audiences, both PWDs and non-PWDs.

The nationwide scope of Comelec Resolution 9485 can be gleaned from the fact that Comelec Resolution 9640 or the General Instructions for the 2013 Elections which applied to all voting centers all over the country reiterated the concept and strategy of accessible polling places in Comelec Resolution 9485.

The promise of disability-inclusive elections was felt most in Cebu province, the foremost vote-rich province in the country. Under the FAN project, VSO Bahaginan piloted a "Volunteerism for Disability-Inclusive 2013 Elections."

Working in the cities of Cebu, Mandaue, Lapu-Lapu, Talisay, Carcar, Danao, Toledo and Bogu, and the municipalities of Bantayan and Cordova, it advocated for the establishment of PWD-friendly sites and precincts, and mobilized volunteers to increase PWD electoral participation through strengthening DPOs and integration of PWD-inclusive Volunteer Management Systems.

To effectively implement its project, VSO Bahaginan partnered with 10 local Comelec offices as well as the poll body's provincial office, eight City Social Welfare and Development Offices (CSWD), two Municipal Social Welfare and Development Offices (MSWD), 79 DPOs, 12 PWD federations, one Persons with Disability Affairs Office (PDAO), the Gualandi Volunteer Service Program (GVSP), International Citizenship Service, Best Buddies and Cebu Citizen's Involvement and Maturation in People's Empowerment and Liberation (C-CIMPEL).

In March 2012, prior to the conduct

of special registration days for PWDs and promulgation of Comelec Resolution 9485, there were 511 registered voters in Cebu province. By February 2013, there were 12,608 registered and updated PWD voters, 38 percent of which came from VSO Bahaginan's pilot sites.

FAN was not the only initiative for Filipinos with disabilities who are of voting age. As early as 2008, the International Foundation for Electoral Systems (IFES), "guided by a human rights approach," started PWD initiatives, its website said.

It also supported the formation of the Inter-Agency and NGO Network on Empowering PWDs on February 17, 2011 and participated and observed in the advocacy for the passage of laws pushing for the PWDs' right to suffrage. The projects of nongovernment organizations Citizens Coalition for ARMM Electoral Reforms (C-CARE) and the Legal Network for Truthful Elections (LENTE) to monitor PWDs during the registration and conduct of midterm elections also received IFES' support.

The IFES also supported in the development of education, information and communication materials that included the Comelec's guidebook on PWD resolutions, a video on registration procedure and print materials for the special registrations from 2011 to 2012. It also assisted the Comelec in 2012 in its effort to make its website compliant with the accessibility standards.

—With inputs from Artha Kira Paredes, Gian Geronimo and ULAN

FAN volunteers in Cebu make up for the lack of ramps in voting precincts.

PHOTO COURTESY OF VSO





Making Schools Accessible

IN the 2013 midterm polls, Fully Abled Nation (FAN) partners used a checklist to monitor the elections, especially how friendly the whole process was to persons with disabilities (PWDs).

The three-page sheet was to evaluate the conduct of elections before the opening of polls to the counting process, the environment and voting by PWDs.

In the section on the voting of PWDs, the checklist stressed the importance of the presence of smooth and level pavements, ramps and rails and available parking spaces.

VERA Files correspondents who monitored their areas came up with varied observations that include the PWD-readiness of some precincts as well as challenges that include observations that the shorter pavements to PWD precincts were less accessible than the longer routes and the civil society taking the lead in aiding PWDs who voted.

“Polling places should be made accessible to PWDs during elections,” according to Chapter 7 of the Magna Carta for PWDs. Comelec Resolution 9485 requires that APPs should be “free of physical barriers.”

While the Magna Carta and Comelec resolution do not elaborate on the meaning of “accessible” and “free of physical barrier,” the 2008 original and amended implementing rules and regulations (IRR) of Batas Pambansa 344 state that the basic physical planning requirements of establishments are accessibility, reachability, usability, orientation, safety and workability and efficiency.

BP 344 is otherwise known as an act to enhance the mobility of PWDs by requiring certain buildings, institutions, establishments and public utilities to install facilities and other devices.

Under the law, educational institutions, which comprise majority of the polling precincts, are required to have stairs, walkways, corridors, doors and entrances, washrooms and toilets, ramps, parking areas, handrails, thresholds, floor finishes, drinking fountains, public telephones and seating accommodations. (The IRR illustrates and further specifies the minimum accessibility requirements of these architectural facilities and features in at least 50 its 102 pages.)

For convenient wheelchair maneuvering, it provides

FAN Election Monitoring Checklist

Observation Form for Observers of the Philippine Midterm Elections 2013

Observer's Name:

Organization:

City/M

Instructions

Read the questions carefully. Put an "x" in the appropriate box. If you cannot answer the question, or it is not relevant, leave it blank. If violations or irregularities occurred, please briefly explain them in the comment section on the back of the form.

Provin

	Precinct No.		Precinct No.	
	Yes	No	Yes	No
Environment				
Are there roadblocks or people on the roads or near villages blocking access to the center?				
Are there individuals inside or near the polling center trying to influence the way people vote?				
Is anyone near the center recording the names of voters?				
Is the center in a neutral location?				
Is polling held in public, and in the place designated by COMELEC?				
Were security officials or other unauthorized people inside the polling place?				
Voting of Persons with Disabilities (PWDs)				
Does the polling place have a smooth and level pavement from the street to the main entrance of the facility?				
Is the polling place elevated?				
<ul style="list-style-type: none"> If elevated, is there a ramp for wheelchair users to reach the ground level? 				
<ul style="list-style-type: none"> Does the ramp have rails on each side? 				
<ul style="list-style-type: none"> Is the ramp sturdy and non-slippery? 				
If without a ramp, what provisions are there for wheelchair users? (Use comment section)				
Are the corridors and doors sufficiently wide (at least 0.75 m) for wheelchair users to pass through?				
For voting centers with PWDs, are the polling places of precincts located at the ground floor?				
For clustered precincts with PWDs whose polling place is not on the ground floor, was there an accessible polling place provided in accordance with COMELEC Res. 9485?				
For clustered precincts with PWDs, is there a waiting area established specifically for PWDs?				
**For voting centers with PWDs, is there a Special Board of Election Inspectors (SBEI-PWD) and support staff assigned to the polling center? (Only for polling centers with SBEI-PWD)				
Is there an express lane dedicated to PWDs?				
<ul style="list-style-type: none"> Is there a sign inside the polling place indicating the location of this express lane and who could avail of it? 				
For large polling places, are there parking spaces specifically designated for PWDs?				
<ul style="list-style-type: none"> Are these parking spaces sufficiently labeled/reserved? 				
<ul style="list-style-type: none"> Are these parking spaces near the PWD's place of destination? 				
Do the tables and desks to be used for voting have sufficient leg-space for wheelchair users?				
Are the toilet facilities suitable for wheelchair users in terms of adequacy of turning spaces?				
Are there sufficient signages for PWDs from point of entry to connecting destination?				
Are there sufficient communication devices for deaf PWDs such as paper and pen, interpreters, large prints and guides?				

<p>City/Municipality(s) visited:</p>

Province:

[illegible]

anthropometric data based on wheelchair length (1.10 m. to 1.30 m.), width (0.60 m. to 0.75 m.), turning space (1.50 m.), comfortable reach of wheelchair users (0.70 m. to 1.20 m. above the floor and not less than 0.40 m. from room corners) and the ideal knee and leg space under tables (0.70 m.).

Batas Pambansa 344 was signed into law in 1983, three decades before APPs were established.

“Panahon pa ni (President Ferdinand) Marcos napirmahan, ilang dekada na yan at hanggang ngayon ang mga eskwelahan, ‘di pa accessible. Kasalanan ba ng Comelec yun (Schools remain inaccessible despite the signing of the law many decades ago during the time of President Ferdinand Marcos. Is inaccessibility then the fault of Comelec)?” Emerito Rojas, PWD sectoral representative at the National Anti-Poverty Commission (NAPC), said.

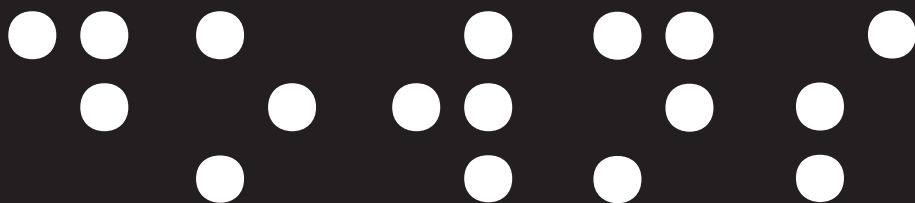
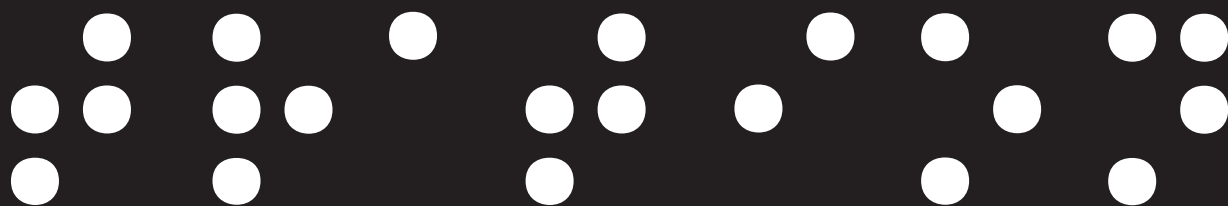
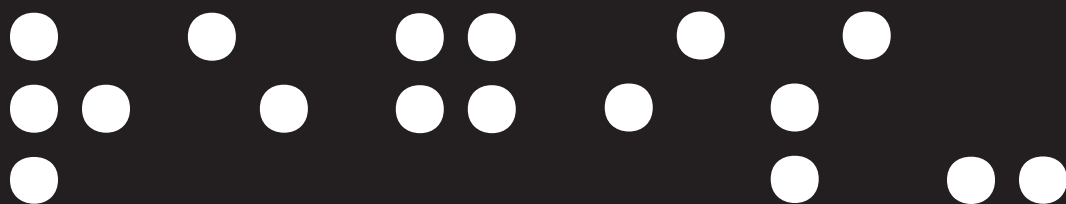
The FAN Election Monitoring Checklist was developed by Mark Lester Guevarra, TAF Program Officer, as part of his Re-Entry Action Plan as an Australia Award scholar.

Rojas, who is also a part of the Commission on Elections Inter-Agency and NGO Network on the Empowerment of PWDs, added, *"Kung sinusunod lang yung batas, walang problema ang Comelec. Walang idadahilan ang PWD. Kasi kahit na third floor pa yan, kung may rampa yan, makakaakyat siya* (If the law had been carried out, the Comelec wouldn't have any problem and PWDs won't have any alibi because even the third floor would be accessible if there was a ramp)."

The Department of Public Works and Highways (DPWH) and the Department of Education (DepEd) are in charge of building elementary public schools.

Rojas, a cancer survivor who also heads the anti-tobacco New Vois Association of the Philippines, does have a point and he is not alone in his opinion. In a May 25 press statement, the Legal Network for Truthful Elections (LENTE) and Katipunan ng may Kapansanan sa Pilipinas Inc. (KAMPI) called on the DPWH and DepEd to make sure that every school building that will be used as a polling precinct conform to standards of accessibility.

Some of the schools the groups visited did not have ramps and parking space for PWDs, the groups said.—*Artha Kira Paredes*



Registration Ups and Downs

By Artha Kira Paredes

SATURDAY, May 26, 2012, was an ordinary day for visually impaired Ana Owayet who worked as a masseuse at the Magic Mall in Urdaneta City in Pangasinan. She tended to customers the whole day, oblivious to the fact that just two floors below, the Commission on Elections (Comelec) was conducting a voter registration effort for persons with disabilities (PWDs).



“Nobody came to us and informed us about the registration,” Owayet said. She only found out about it when she was interviewed an hour after the Comelec had packed up.

Owayet said she and her fellow blind masseuses and masseurs would have made time to register had they known a special registration was going on. “The problem is lack of communication,” she said.

As for the Comelec, it closed its special registration booth at 3 p.m. with zero turnout. Election assistant Rosalie Ramos surmised this was because PWDs were “shy to register because of their disabilities.”

The Urdaneta City experience stands in stark contrast to that of Umingan, a small farming town also in Pangasinan, where a special registration of PWD voters was held three months later.

In all, 188 PWDs signed up as voters although only 99 were expected to appear. And to think that the registration had been reset because of heavy monsoon rains the week before.

The high turnout has been attributed to the coordination among the election officer, municipal government, barangay captains and the town's PWD group, the Association of

The PWD registration in Mindanao kicked off in Davao City. PHOTO BY KARLOS MANLUPIG



*Comelec
Commissioner
Rene Sarmiento
(center) during his
Ilocos Norte visit to
encourage PWDs
to register. PHOTO BY
LEILANIE ADRIANO*

Persons with Disability Inc.

Village chiefs had campaigned from house to house. “We located the listed (PWDs) and found others who were not listed,” Umingan election officer Jinky Tabag said.

On registration day, barangay captains with service vehicles transported constituents to the municipal gymnasium where the registration was held. PWDs from other villages made it to the registration site with the help of the municipal government.

Special listup

The special registration held from May 3, 2011 to October 31, 2012 was supposed to be the prelude to the May 13, 2013 elections, when the country was to test whether the campaign for a voting system friendly to PWDs being pushed by Fully Abled Nation (FAN) and other groups would materialize. To see whether the midterm elections would indeed be PWD-friendly, PWDs had to be encouraged to go out and register, or have their records updated at the Comelec.



Cedric Aguilar, 18, a person with Down Syndrome, registered during the PWD special registration in San Mateo, Rizal in March 2012. PHOTO BY MARIO IGNACIO IV



The special registration in Pasig City in May 2012. PHOTO BY MARIO IGNACIO IV

PWDs could register anytime during the special registration, but the Comelec also arranged the registration of PWDs in accessible venues in selected towns and cities nationwide on certain dates.

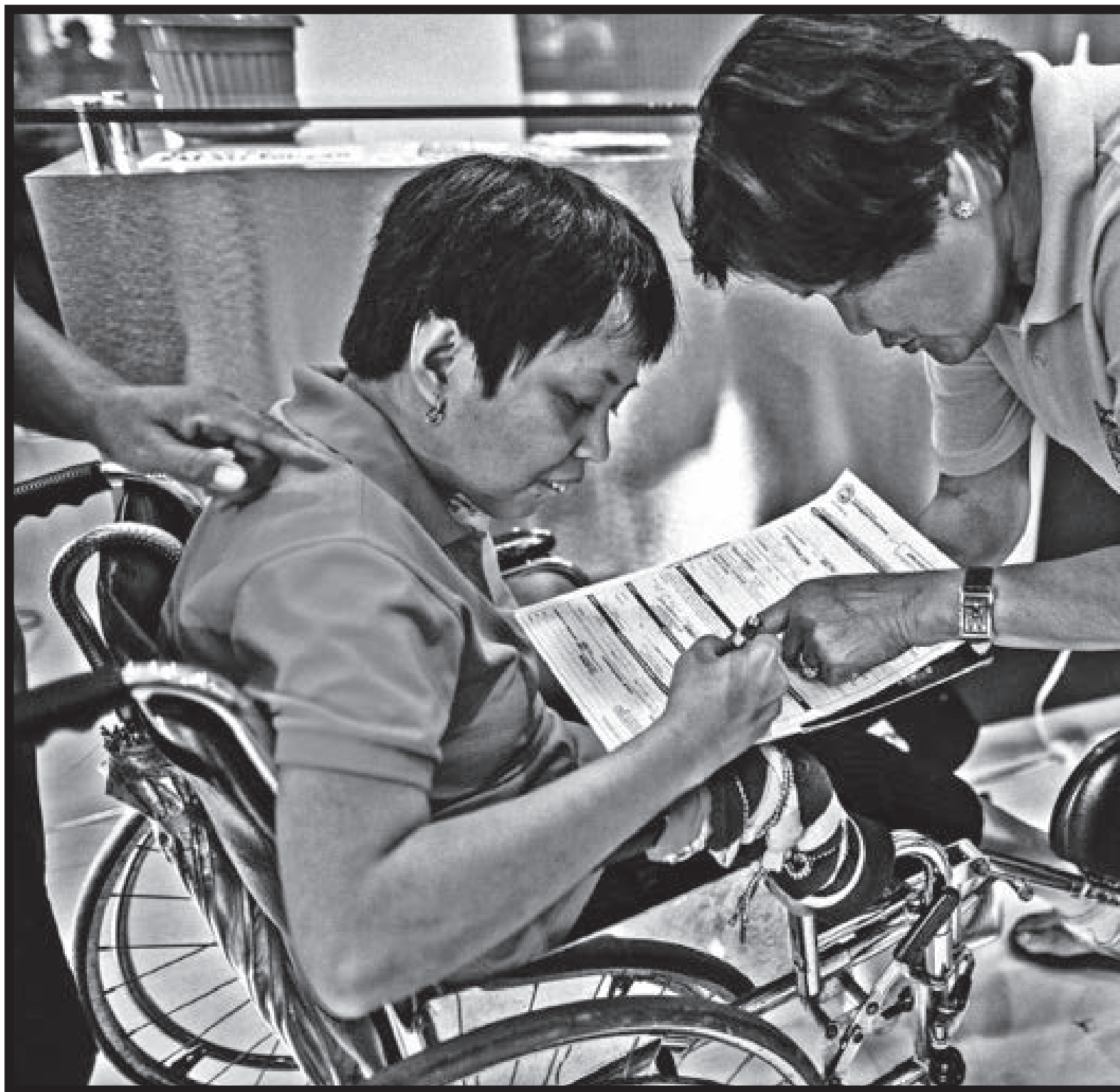
In the Autonomous Region in Muslim Mindanao (ARMM), a general voter registration was scheduled for July 9 to 18, 2012, when the Comelec wiped clean the voter records and came up with a new one. For the entire ARMM region, PWDs and non-PWDs alike had only 10 days to register and update their records.

There was no uniform outcome in the series of special registrations for PWDs

nationwide. But the turnout in towns and cities like Umingan where coordination among the local Comelec, local government unit (LGU) and a PWD organization was strong was better than in places where LGUs were indifferent and disabled people's organizations (DPOs) were yet to be organized.

And then there was the ARMM experience, where the registration yielded no PWDs at all, even if the likes of Diong Pagabangan, who has polio and is a resident of Rajah Buayan town in Maguindanao, actually registered.

This is because the Comelec failed to provide supplemental forms for PWDs during





Gladys Dumlao, a person with cerebral palsy, signs her application form during the May 2012 special registration in Marikina City.

PHOTO BY MARIO
IGNACIO IV

the registration. As a result, the commission's records show that there are no registered PWD voters not only in Maguindanao but also in Lanao del Sur, Basilan, Sulu and Tawi-Tawi even if these provinces do have PWD registrants.

When Pagabangan, an appliance repairman, was interviewed at his home in Barangay Poblacion a few weeks before the midterm elections, he said he was not asked to fill out a supplemental form that was supposed to come alongside the usual registration form.

Supplemental forms were crucial. These would have identified a PWD voter's disability and the kind of assistance he or she would need on election day. Assistance could come in the form of sign language interpreters for the hearing impaired, or assistants for those with difficulty moving.

ARMM Comelec Director Ray Sumalipao said the central office failed to provide the supplemental forms for PWDs in the region.

Registration guidelines

On May 12, 2011, just days after the start of the special registration period, Comelec promulgated Resolution 9220 or Guidelines for Registration of Persons with Disabilities.

It defined PWDs as those who “have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.”

The resolution directed all election officers



to instruct PWDs to indicate their disability and the assistance they would need.

Aside from providing guidelines for first-time PWD registrants, the resolution was aimed at updating the records of PWD voters and those who may have just acquired or developed a disability.

According to the resolution, the Technical Working Group in charge of formulating policies for “greater access to the electoral processes, including the registration process, has recommended the identification of the type of disability of registrants to enable the commission to amply prepare for the kinds of

assistance that may be extended to PWDs on election day.”

Registration would give PWDs the “chance to update their records by filling up the appropriate forms so that they can be accurately identified by the commission on election day.”

The first registration was held in July 2011. The following year, the Comelec scheduled special registrations in Visayas in March, Mindanao in April, and Luzon in May.

Valenzuela provided transportation to some of the PWDs during the city's April 2012 registration. PHOTO BY MARIO IGNACIO IV

Comelec Classification of Disabilities and Forms of Assistance

Code	Type of Disability	Code	Form of Assistance
1	Physical	A	Assistor
2	Hearing	B	Communication assistance
3	Speech	C	Accessible precinct
4	Visual	D	Visual Assistance
5	Non-Manifest (e.g., Autism, Attention Deficit/Hyperactivity Disorder [ADHD])		

Source: Comelec Resolution 9220

Especially for PWDs

The Comelec has made attempts to make polls more inclusive in the past, albeit the effort was not as great as the measures undertaken for the 2013 midterm elections.

Since 2009, according to the Comelec website, the poll body has been conducting special registrations for PWDs.

It was not a nationwide effort, though, and only took place in the cities of Cagayan de Oro, Davao, Cabanatuan, Zamboanga, Iloilo and San Fernando in Pampanga.

The Comelec website said special arrangements were also to be made for PWDs who cannot walk and whose voting precincts were on the second floor, “so they may be able to vote without having to be carried up.”

A year before that, in late 2008, Comelec Chairman Jose Melo released a directive providing express lanes and giving “preferential treatment”

to PWDs (then also called differently-abled), senior citizens and pregnant registrants.

The Comelec approved the first-ever nationwide special registration for PWDs in a minute resolution on June 7, 2011. The commission en banc declared July 18 to 13, that year’s National Disability Prevention and Rehabilitation (NDPR) Week, as National PWD Registration Week based on the recommendation of Commissioner Rene Sarmiento, the Comelec’s point person for marginalized sectors. Sarmiento was also the focal person of the Inter-Agency and NGO Network on Empowering PWDs.

Sarmiento’s recommendations were based on the requests of Alyansa ng may Kapansanang Pinoy (AKAP-Pinoy) chairman Manuel Agcaoili and Parish Pastoral Council for Responsible Voting (PPCRV) National chairperson Henrietta de Villa.

The minute resolution also recommended that election officers prioritize PWDs that week,

authorize satellite registrations for PWDs in “accessible venues” such as the SM malls and in villages with many PWDs. The resolution also mandated the launching of a “massive campaign using tri-media facilities encouraging PWDs to register” as well as the creation of an ad hoc committee for the activities.

The Philippines has celebrated NDPR Week every third week of July since President Ferdinand Marcos signed Proclamation 1870 in 1979. All activities that week are aimed at highlighting “the nation’s efforts toward disability prevention and rehabilitation leading to the effective integration of the disabled into the mainstream of society.”

In 2002, President Gloria Arroyo issued Order 35 that mandated all government agencies and institutions and LGUs to “promote and conduct relevant activities during the annual observance.”

In his letter to the Comelec, Agcaoili requested that NDPR Week be declared a PWD registration week because AKAP-Pinoy “deemed it appropriate not just to draw attention to the prevention of disability, but just as importantly, to encourage PWDs to be proactive and exercise their right to vote.”

AKAP-Pinoy is a national federation of 456 DPOs and is advocating for “inclusive, barrier-free and rights-based society.”

Agcaoili requested accessible registration venues nationwide and satellite registration at specific SM Malls, “the facilities of which are disabled friendly and easy to reach.”

De Villa in her solidarity letter suggested that NPDR Week be declared a weeklong

registration for PWDs, the establishment of satellite registration centers that week and a tri-media campaign “to get PWDs to register, and imbue in them the importance of responsible voting.”

In another minute resolution on July 5, 2011, the commission introduced the certification or attestation by assistor that an assistor could fill out the form if disability or illiteracy prevents a PWD from accomplishing it on his or her own.

Before the NDPR Week, the Comelec came up with Resolution 9261 or the Supplemental Guidelines for Registration of PWDs in the National Capital Region in celebration of NDPR Week. It included the seven SM Malls—Southmall, Manila, San Lazaro, Marikina, Fairview, North and Valenzuela—as special registration venues as well as satellite registration sites.

The resolution, promulgated on July 12, 2011, included the designation of a Special Registration Team (SRT) composed of an acting election officer/interviewer, preferably a lawyer, verifier of the National List of Registered Voters and a Voter Registration Machine operator for every satellite registration venue.

With careful planning, the first NDPR Week-cum-Special Registration week resulted in the registration of 5,552 PWDs, 41 percent of whom were new registrants. The rest transferred voting precincts, validated and updated their records, changed or corrected their names and reactivated their registration.

Successful pilot

In his August 24, 2011 presentation about the NDPR Week, Sarmiento identified four major factors that spelled success for the special registration: laws and resolutions, the venue, manpower and information dissemination.

He cited the four Comelec resolutions that served as guidelines for the preparation of the event.

All together, there were 73 barrier-free registration venues that included barangay and city halls, plazas, basketball courts and the SM Malls.

Aside from the SRTs, the strategy in increasing voter turnout was the local Comelec representatives' close coordination with barangay and city officials, nongovernment organizations, and citizens arms such as the PPCRV, local offices of national agencies such as the Department of Social Welfare and Development (DSWD) and the Department of Interior and Local Government (DILG) and the PWD sector representatives.

The information dissemination included publication of posters in daily broadsheets, and Internet announcements, TV ads, innovative posters in Comelec field offices as well as tarpaulins in public transport sites and stations initiated by the International Foundation for Electoral Systems (IFES).

Registration dates were also announced in churches nationwide and the League of Cities of the Philippines issued a memorandum to its member cities to support PWD Week.

The 2011 NDPR Week had all the necessary ingredients of a successful special registration. This success, however, was not sustained and many succeeding registrations yielded disappointing results.

Registration challenges

With a successful pilot, it seemed the Comelec would be more prepared for the special registrations scheduled the following year. But this was not the case in special registrations that VERA Files monitored.

The monthlong Mindanao special registrations in Malaybalay, Bukidnon and Tampakan, South Cotabato held in April 2012 yielded a low turnout.

In the April 17 special registration in Malaybalay City, only seven PWDs were able to register at the Barangay 9 covered court in the morning. In the afternoon, about 10 PWDs who had hearing impairment were turned away because of the power outages that affected the Comelec equipment used for registration. The City Social Welfare and Development Office said at least 200 PWDs were expected to register that day.

As the first special registration for PWDs in the city, the event should have lasted at least a week, said Rudy Jimeno, president of the Malaybalay City United Persons with Disabilities Association.

Jimeno, a retired policeman who lost his eyesight after he was shot in 2007, said hundreds of PWDs from remote villages could

not make it to the registration because they had no money for transportation.

It was also because information was not disseminated to them, he said.

Jimeno also stressed the need for barangay officials to get involved because “the most in need PWDs are in the villages.”

The March 21 meeting of PWD associations in Northern Mindanao, which would have tackled the special registrations, was also called off.

On April 25, no PWDs were seen and no Comelec desk was set up at the Tampakan municipal gymnasium.

While local Comelec assistant officer Isabelita Hermosisima attributed the absence of PWDs to “shame factor,” or PWDs being too embarrassed to go out and register, Aileen Buday, president of the municipal PWD association, said they were not informed of the special registration.

“Had I been made aware, I would disseminate the information to our members,” Buday said.

Coordination between the Comelec and the Tampakan local government was obviously weak. Hermosisima said she had asked the Municipal Social Welfare and Development (MSWD) Office to inform the PWDs about the special activity. But MSWD Officer Criselda Pacano said she “could have informed the public through the flag ceremony every Monday had I known there would be a special registration.”

In both Malaybalay and Tampakan, the PWD organizations were not involved. The four

major factors that Sarmiento said made the pilot registration week successful were sorely missing.

But like Umingan, Pasig District I and II has its own success story to tell. A total of 277 PWDs registered during the half-day special registration at the Sports Complex on May 16.

Learning from the July 2011 registration that yielded only two registrants in the first district and 10 in the second, the local Comelec engaged in a more rigorous campaign for the 2012 leg. Ma. Anne Gonzales, the district’s election officer, said tarpaulins announcing the special registration were put up in prominent places and orientations conducted in barangays.

For the 2012 Pasig special registrations, the Abot-Kamay ng mga may Kapansanang Pasigueño ang Tagumpay (AKKAPP) also tied up with barangays to provide transportation for PWDs.

National registration gone wrong

For all the good and bad experiences of PWDs in the special registrations, perhaps the most unforgettable is the postponement of the 2012 National Special Registration for PWDs scheduled on July 21. The date fell on the 34th NDPR Week slated from July 17 to 23.

Through Resolution 9443 promulgated on June 8, the Comelec suspended all ongoing registrations in non-ARMM areas from June 25 to July 31. This was to give way to the general registration of voters in the ARMM from July 9 to 18.

Voter Registration Supplemental Form

SUPPLEMENTARY DATA																											
(Persons with disabilities/Senior Citizens with disabilities)																											
<p>Please Check the box indicating the disability</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">DISABILITY</th> <th style="text-align: center;"></th> </tr> </thead> <tbody> <tr><td>Physical</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Hearing</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Speech</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Visual</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Non—Manifest</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Multiple Disabilities</td><td style="text-align: center;"><input type="checkbox"/></td></tr> </tbody> </table>	DISABILITY		Physical	<input type="checkbox"/>	Hearing	<input type="checkbox"/>	Speech	<input type="checkbox"/>	Visual	<input type="checkbox"/>	Non—Manifest	<input type="checkbox"/>	Multiple Disabilities	<input type="checkbox"/>	<p>Please check what type(s) of assistance needed on election day</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">TYPE OF ASSISTANCE</th> <th style="text-align: center;"></th> </tr> </thead> <tbody> <tr><td>Assistor</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Communication Assistance</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Accessible Precinct</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Visual Assistance</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>None</td><td style="text-align: center;"><input type="checkbox"/></td></tr> </tbody> </table> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <div style="border: 1px solid black; width: 100px; height: 80px; margin: 0 auto;"></div> <p>Left Thumbmark</p> </div> <div style="text-align: center;"> <div style="border: 1px solid black; width: 100px; height: 80px; margin: 0 auto;"></div> <p>Right Thumbmark</p> </div> </div>	TYPE OF ASSISTANCE		Assistor	<input type="checkbox"/>	Communication Assistance	<input type="checkbox"/>	Accessible Precinct	<input type="checkbox"/>	Visual Assistance	<input type="checkbox"/>	None	<input type="checkbox"/>
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It was necessary to suspend all ongoing registrations because voter registration machines for demographics and data capturing as well as all personnel were to be deployed to Muslim Mindanao provinces. On July 11, Congress signed Joint Resolution 3 that provided funds for the immediate conduct of ARMM registration and nullified the region's existing book of voters, which was thought to be padded with fictitious names and flying voters.

"The anomaly in the ARMM has national ramifications because these 'ghosts,' fictitious and double (some are triple) registrants constitute the so-called 'command votes' or 'controlled votes' wielded by political warlords that could decide the winner not only in local

but most importantly the national elections," the joint resolution read.

Granted that ARMM votes have a big impact on the national political scene, especially with the role of Maguindanao in the controversial win of Arroyo in the 2004 presidential elections, PWD leaders could not help but wonder how government values their sector.

When he learned of the postponement, AKAP-Pinoy's Agcaoili said there was nothing that could be done except re-program." Other PWD leaders in Mindanao, however, were more vocal about their disappointment.

"Our sector was not given importance," Milagros Maquiling, president of the Cagayan

de Oro Federation of PWD Association (Cafedpa) and a wheelchair user, said.

Maquiling's disappointment was exacerbated by the fact that her city's Comelec office did not hold special PWD registrations in April when other Mindanao towns and cities did. The special registration was held three months later at the SM Mall.

Dominador Libayao, Bukidnon's focal person for PWDs at the Provincial Social Welfare and Development Office, meanwhile, said the cancellation "add(ed) to hindrances for local PWDs to exercise their right to vote."

Marjorie Jimeno, president of the Parents Mobilization Action Group of the Malaybalay City United Persons with Disabilities Association, called the cancellation of PWD registration in favor of the ARMM registrations "not fair," especially with the very low turnout of the April 17 registration in her city and the shortened registration time due to power interruptions that day.

July, known as a month for PWDs, would hit the sector with a double whammy that year.

Aside from the suspension of the intended series of special registrations for PWDs outside ARMM, the Comelec also forgot the supplemental forms for PWD voters in the region.

At the upper right side corner of every application for registration are boxes where a registrant can check if he is "illiterate" or "disabled." But only by filling in the supplemental form—whether accomplished by an assistor or by the PWD concerned—can the PWD voter indicate his or her specific type of

disability and the type of assistance needed.

A tally of reports of Comelec records on PWD voters at the central office even indicates ARMM is the only region with "no report submitted."

The registration centers in ARMM are not the only ones that had problems with the supplemental form.

Abner Manlapaz, spokesperson of the Philippine Coalition on the United Nations Convention on the Rights of Persons with Disabilities (CRPD), also had the same experience when he updated his records at the SM Mall in Valenzuela.

"Hindi alam ng mga taga-Comelec yung form na yun (The Comelec staff did not know about the supplemental form)," he said.

Manlapaz had gone to the venue with the sole purpose of updating his records so that he could be identified as a PWD.

"So sabi ko meron, kailangan yun...hinanap nila, di nila makita (I insisted that there was a form and it was needed, they tried to look for it but could not find it)," said Manlapaz, who is also president of Life Haven Independent Living Center and AKAP-Pinoy director.

Manlapaz said it was only when someone from IFES arrived and talked to the election officer that the forms were brought out.

"So imagine from morning up to the afternoon, kung meron mang (PWD) gustong mag-update, 'di naka-update yun (if there was a PWD who wanted to update, he or she was not able to do so)," he said.

Unlike in ARMM, Manlapaz said the Comelec did not forget about the form. *"Hindi*

nila alam na meron (They just did not know the form existed),” he said.

For its part, the Comelec tried to make up for the lost momentum in the July 2012 registrations by setting another National PWD Voter Registration Day on August 11, but the monsoon rains in the days leading to the registration caused flooding in Metro Manila and in nearby provinces.

Once again, registration was canceled in cities like Marikina, Valenzuela, San Juan and Pasig where some roads became impassable and registration venues were flooded.

Additional work, hard work

The uneven results and different strategies the Comelec employed may have to do with the internal communication within the commission.

Comelec’s resolution on the supplemental registration form may not have reached other areas, Sarmiento said.

He added it was possible that the resolution did not reach some election officers. Communication within the agency is passed on to regional directors, who in turn pass it on to provincial election supervisors who would then inform all election officers.

He said his staff went to Upi, Maguindanao during the ARMM registration to deliver the supplemental forms, but these were never distributed.

From his experience, Sarmiento has

learned that the success of fresh initiatives such as a more inclusive and PWD-friendly elections depends much on how passionate the election officer is.

“Itong mga new initiatives na ito dagdag trabaho...PWD, dagdag trabaho yan eh. Dami naming trabaho, tapos dadagdagan pa, nandun yung mentality na ganyan (New initiatives are considered additional work, PWDs are additional work. The mentality is that election officers already have so much to do and you keep on piling up additional tasks),” he said.

Sarmiento said he took the initiative to befriend the regional directors for “alliance building.”

“If you touch their hearts, that’s the time they do the work,” he said. “There is a need to inspire people from the ground so that they will help in the advocacy. Such are the realities of bureaucracy that one has to contend with.”

In Quezon City, the advocacy has seeped into Neri Bejar who has been with the Comelec for 20 years and has been manning the PWD desk since special registrations started in 2011.

When she was interviewed at the Immaculate Conception Cathedral on August 11, 2012, she said assisting and understanding PWDs was necessary “so that we do not discriminate on their right as Filipinos.”

Geographical distance has made it more difficult to lobby for PWDs’ right to suffrage in Mindanao and Visayas. Provinces such as the ones in ARMM are difficult to reach not only because of the absence of good roads. The area is also known as a conflict area because it is the base of several local and international armed groups.

As well, two years—the duration of Sarmiento’s stint as focal person—was also not enough to bring the campaign to the whole country.

“Given more years, maybe we can reach other parts of the country,” Sarmiento said. “Of course it’s not just me, it’s always a group effort, collective effort.”

For all its shortcomings, the special registration saw 362,113 PWDs signing up, an improvement from the previous election years.

Taking the lead

The special registration was actually a “formidable task,” Emerito Rojas, the PWD sector representative in National Anti-Poverty Commission (NAPC), said.

“*Kasi unang-una, yung mobility (First and foremost is the mobility). Whenever you mobilize PWDs, it entails costs,*” said Rojas, who is also president of the New Vois Association of the Philippines that also assisted PWDs during the registration. “*Hindi mo naman pwedeng hatakin lang, ‘punta tayo doon,’ naka-wheelchair yan. Kailangan mo nang i-taxi yan o kunin sa barangay (You cannot just ask them to come with you, you need to get them a cab or fetch them from their villages).*”

If the village vehicle breaks down, ferrying PWDs to registration areas becomes a challenge, he said.

There was also an apparent lack of information dissemination which, Rojas said, should not have been the sole responsibility of

the commission but the PWD sector as well.

And there were only a handful of PWD organizations that were very much involved. Registration went well in places such as Las Piñas and Quezon City where PWD groups were active and organized, Rojas said.

Ronnel del Rio, the governor’s advocate on disability concerns in Batangas, said PWD organizations should, indeed, show more involvement. He also believes that the sector should take the lead.

“We should know that the world won’t stop for us,” he said, emphasizing that PWDs have to be assertive and make agencies aware that they need the services. “Then you partner with non-PWDs, let them understand your cause, your perspective.”

“*Totoong may kasalanan yung Comelec... pero mas maraming malalaking issues kaysa sa iyo (While it’s true that the Comelec is at fault, it also deals with other bigger issues),*” Del Rio said.

Filling up registration forms is a voter’s responsibility and one cannot and should not blame only the Comelec if one was not able to do so. “*Hindi lahat idudulog sa amin, may part din kami dapat (we should do our part),*” Del Rio said.

Del Rio recalled his experience in Geneva falling in line to get an access card. When he asked if there was a PWD lane, he was told, “You are fighting for equality, not asking for it.”

“*Hangga’t hindi pagtatrabahuhan ng sector yung karapatan namin, aasa na lang kami sa pag-oorganisa ng gobyerno (Unless the sector works to advance its rights, then we will just be dependent on government),*” he said.

Where to go from here

In its evaluation of the 2013 elections, poll watchdog PPCRV, which undertook the PWeDeng PWeDe project to encourage PWDs to exercise their right to suffrage, said, “The reality exists that making rights of PWDs real can be ‘*pwedeng pwede*’ (achievable), but it is, as they say, a long hard climb to freedom.”

PPCRV also said Comelec *en banc* resolutions were not immediately relayed to field personnel.

It also observed, “While PWD associations, movements, even government agencies assisting them may be strong in the NCR, in the provinces, especially in those areas with high poverty incidence and conflict, sadly, this strength was hardly felt nor visible.”

—*With inputs from Marc Jayson Cayabyab, Yolanda Sotelo-Fuertes, Walter Balane, Bong Sarmiento, Lloyd Reyes, Cong Corrales and Unlimited Productions*

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Election Day: Trail of Unmet Expectations

By Artha Kira Paredes



S executive director of the National Council on Disability Affairs (NCDA), Carmen Zubiaga was among those at the forefront of a campaign to make the 2013 midterm elections friendly to persons with disabilities (PWD). Hand in hand with the Commission on Elections (Comelec), she and civil society advocates helped craft policies that would make voting less difficult for those with mobility and sensory impairments.



And so on election day, Zubiaga expected to be taken to a ground-floor classroom in the school in Taytay town in Rizal where she votes, along with other PWDs who had expected accessible polling places for their sector.

But much to her shock and disappointment, poll watchers had to carry Zubiaga, a wheelchair user, up and down flights of stairs to and from her voting precinct.

Her experience was ironic considering her involvement as one of the active members of Comelec's Inter-Agency and NGO Network on Empowering PWDs that helped draft most of the PWD-related resolutions for the 2013 midterm elections.

Other PWDs reported having difficulty finding their designated precincts. Reports from different news organizations also showed wheelchair users and others with orthopedic disability struggling their way through cobbled pavements, finding ways to climb flights of stairs and pass through door entrances too narrow for wheelchairs just so they could cast their votes.

These PWDs had reason to be disappointed. The Comelec promised them, at least two years earlier through various plans and resolutions, that the 2013 elections would be a better experience for PWDs than elections past. The plans and resolutions promised accessibility and assistance in voting in such forms as having sign language interpreters. All these were meant to encourage PWDs to come out and exercise their right to suffrage.

NCDAs Carmen Zubiaga had to be carried up the stairs to vote at the Dolores Elementary School in Taytay, Rizal. PHOTO BY DENNIS ZUBIAGA

Election day disappointment

On May 13, election day, only two out of the country's 36,778 voting precincts were officially designated accessible polling places (APPs), contrary to Resolution 9485 that envisioned a nationwide implementation of APPs. These APPs were both located in Dasmariñas City, Cavite.

Communication assistance in the form of sign language interpreters (SLIs) was also limited to 17 polling precincts that the Comelec said had high number of voters with hearing disability.

To make matters worse, rain fell all over the country, delaying the delivery of ballots in some precincts and causing floods in some areas, which posed an extra challenge to the mobility of PWDs.

The restricted implementation of Resolution 9485 confused not only PWDs who were looking forward to a PWD-friendly vote casting but even election staff who thought there would be APPs.

In most voting precincts all over the country, there were fast lanes for PWDs, senior citizens and pregnant women, but these were not all that was needed to make an election PWD-responsive.

As of September 18, 2013, months after the elections, the Comelec still had no official report on the turnout of voters with disabilities or an evaluation of the PWD voting. It is the nongovernment organization Katipunan ng mga





*Elections
Commissioner
Grace Padaca
visits the
two APPs in
Dasmariñas,
Cavite on
election day.*

PHOTO COURTESY OF
PADACA'S OFFICE

may Kapansanan sa Pilipinas (KAMPI) that released the data that 82,000 or 23 percent of the 362,113 registered PWDs voted. It was also KAMPI that reported that many PWDs grappled their way through throngs of voters just to be able to vote.

This was despite the February 15, 2013 General Instructions for Board of Election Inspectors or Resolution 9640. Section 42 of that resolution specified that PWDs, senior citizens and detainees “shall be afforded their right to an express lane and made to vote as soon as they arrive.”

The Dasmariñas APPs

For the PWDs who voted at the Salawag Elementary School and Sta. Cruz Elementary School in Area E in Dasmariñas City where the two APPs were located, the voting experience was relatively smoother. Salawag had a turnout of 183 PWD voters, Sta. Cruz, 187.

Someone immediately came to assist David Gonzaga, Dasmariñas PWD Federation head, when he arrived at Sta. Cruz. The polling place was housed in a covered court, properly ventilated and spacious enough for PWDs on wheels like him. The polling place also had newly installed ramps and renovated toilets for PWDs. And even if it was located away from the main road, the APP proved to be safe from the ankle-deep floods brought about by the heavy rains that day. The open space also assured voters of better lighting despite the power outage.





Dolores Fernandez, who has visual impairment, is assisted by neighbor Rollie Ann Arriola at Salawag Elementary School, one of the APPs. PHOTO BY VINCENT GO

It took 50-year-old Ricardo Zamora, a wheelchair user assigned to the Sta. Cruz APP, only an hour to fall in line and cast his vote. Aside from the speed, he said the wider space made it easier for him to maneuver his wheelchair around compared to the packed classrooms where he voted in previous elections. Zamora lost one of his legs to diabetes 13 years ago.

At the Salawag Elementary School, PWDs were given the room closest to the main gate, which was also accessible by a ramp. The APP had a waiting area, and the school watchman made sure the way was cleared for voters in wheelchairs.

As instructed in Resolution 9485, the PWD voters' ballots were retrieved from their respective precincts. After the ballots were shaded, they were placed inside special envelopes, sealed and then fed to their original precinct's Precinct Count Optical Scan (PCOS) machines.

While Salawag complied with some of the APP requirements, the Legal Network for Truthful Elections (LENTE), a coalition of 25 partner organizations, lawyers associations and student councils, said the room failed to provide adequate space for PWD voters.

Kimberly Anne Lorenzo, LENTE's project director for PWD monitoring, said the APP was not fit for PWDs because of the lack of proper ventilation. As with most of the 17 precincts that were supposed to have SLIs, there were also no sign language interpreters in the APPs.

What Happened to the Sign Language Interpreters

School	Location	Sign Language Interpreter
Andres Fernando Elementary School	Malanday, Valenzuela City	No show
Juan Sumulong Elementary School	M. Dela Cruz Street, Pasay City	No show
Legarda Elementary School	S.H. Loyola Street, Sampaloc, Manila	No show
Minien-Tebag Elementary School	Sta. Barbara, Pangasinan	No show
Tuliao Elementary School	Sta. Barbara, Pangasinan	No show
Isabela State University, Cauayan Campus	San Fermin, Cauayan City, Isabela	Unconfirmed
Gov. Manuel Baretto MNHS	Maloma, Zambales	No show
Bay Central School	Barangay Dita, Bay, Laguna	Unconfirmed
Salawag Elementary School	Salawag, Dasmariñas City	No show
Area E. Elementary School	Sta. Cruz I, Dasmariñas City	No show
San Isidro Elementary School	Sierra Bullones, Bohol	Unconfirmed
Malabuyoc Central School	Poblacion Dos, Malabuyoc, Cebu	No show
Canbanting Elementary School	Barangay Cabanting, Merida, Leyte	Unconfirmed
Caibiran Central School	Caibiran, Biliran	Unconfirmed
Rio Hondo Elementary School	Barangay Rio Hondo, Zamboanga City	No show
Balugo Elementary School	Barangay Malabog, Davao City	Unconfirmed (area is inaccessible)
Manobo Elementary School	Manobo, Magpet, Cotabato	No show

Difficult voting

Elsewhere, the story was different from what happened in Dasmariñas. At the Andres Fernando Elementary School in Malanday, Valenzuela City, a Red Cross volunteer assisted Geronimo del Rosario, 77, as he made his way up two flights of stairs without handrails to his second-floor voting precinct.

Still, he considered it an improvement from the 2010 elections when his precinct was on the third floor.

“Minsan lang sa ilang taon ko maipapahayag yung boto ko. Pagkatapos naman nito, balewala ka na (I can only make my vote matter once in every few years. After this, I won’t make any difference),” he said.

Valenzuela PWD Federation president Kenny de la Peña said, “We had a special lane,

but it was far from the gate. Then it rained, we got wet. And our situation was delicate because we cannot use our crutches if it's slippery."

De la Peña added, "We've been deprived of this, the right to live a normal life. *Kumbaga, nabawasan lang yung paa mo, kailangan laging special (treatment), hindi naman. Kung ibinigay lang nila yung tamang accessibility sa amin, wala na kayong maririning na ganito sa amin* (It's not because you lost a leg you demand special treatment. If they only gave the proper accessibility then you won't hear us griping)."

In the Visayas, there were no express lanes at the Bliss Elementary School in Cebu City and Punta Engaño Elementary School in Punta Engaño in Cebu. PWDs queued for three hours with non-PWD voters at the Guadalupe Elementary School, also in Cebu City.

PWD advocates talk about an incident involving a voter with visual impairment. In trying to get to the voting center, the man fell into a canal. He was lucky to have sustained no injury; the waterway was muddy from all the raining. Then he still had to climb up a few steps to reach his precinct.

At the Manobo Elementary School in North Cotabato, Mindanao, Department of Public Works and Highways (DPWH) personnel arrived days before the election and measured the walking area where they were to install ramps. But election day came and still no renovation took place.

In Maguindanao province, the Citizens Coalition for ARMM Electoral Reforms (C-CARE) observed that the simultaneous arrival of voters made precincts overcrowded, and compromised ballot secrecy.

PWDs are still perceived as a small group and were not given enough attention, C-CARE members said.

In one extreme case, one of the election officers at the Rio Honda Elementary School in Zamboanga City, identified as one of the schools where two SLIs should have been assigned, did not even know what "PWD" meant.

During its post-election assessment press conference, LENTE said the polls were unfriendly to PWDs primarily because of the lack of "substantial compliance" with the law.

In Metro Manila, Cavite, Iloilo and Zamboanga, LENTE and KAMPI volunteers observed that facilities unfriendly to PWDs led to disenfranchisement. Civil society groups also called on the Department of Education (DepEd) and the Comelec to intensify the election preparedness of Boards of Election Inspectors (BEIs) as a response to the poll inspectors' unfamiliarity with the latest provisions for PWDs. They also asked that BEIs undergo sensitivity training in order to avoid discriminating against PWD voters.

Turning point

In trying to determine how and why the Comelec failed PWD expectations, advocates agree that a turning point in the campaign for PWD-inclusive elections came when Comelec Commissioner Rene Sarmiento retired in February 2013. Sarmiento had been the focal person on marginalized sectors, the main



advocate in the Comelec for PWD rights and welfare, and for two years a supporter of the Fully Abled Nation (FAN) campaign.

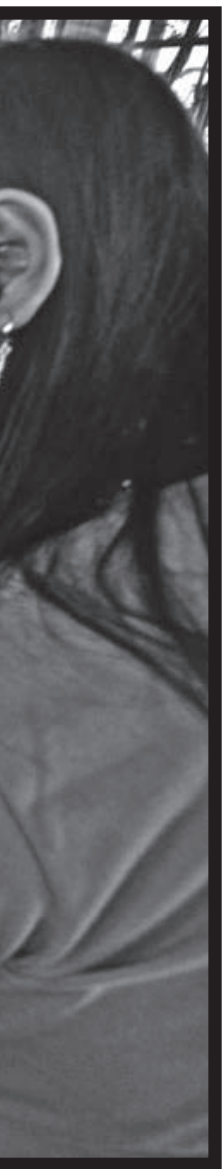
When Sarmiento left, former Isabela Governor Grace Padaca took over his responsibilities. Padaca, a PWD herself, was appointed to the Comelec in October 2012.

Having a PWD commissioner in the

Comelec was a wish come true for the sector, which had rued government's apparent reluctance to push PWDs' right to suffrage. With a PWD in the Comelec, the sector was assured someone would see things its way and sympathize with PWDs' difficulties.

But it seemed that bureaucratic problems stood in the way of a PWD-inclusive election.

The APP at the Sta. Cruz Elementary School on election day.
PHOTO BY VINCENT GO



In early January 2013, Sarmiento issued a memorandum informing the Comelec of a proposal from the Dasmariñas City election officer to set up APPs in his area. In Sarmiento's memorandum, the two polling places were identified as "pilot APPs for the coming 2013 elections."

The matter was discussed in an en banc meeting on January 8 to tackle the implementation of Resolution 9485. Also discussed in that meeting was the willingness of some organizations to provide SLIs in 17 areas.

The result was Comelec Minute Resolution 13-0035 which mentions the two voting centers in Dasmariñas Cavite. Comelec Minute Resolution 13-0447, meanwhile, approved the request to create Special Boards of Election Inspectors for PWDs (SBEI-PWDs) in Dasmariñas.

Still, nothing in Comelec Minute Resolution 13-0035 could be interpreted to mean that the APPs would be limited only to the two pilot sites in Dasmariñas. Similarly, Comelec Minute Resolution 13-0447 could not be interpreted to mean that the nationwide scope of Resolution 9485 had been restricted to the two voting centers.

The proposal for the APPs in Cavite, the creation of SBEI-PWD and honoraria for the SLIs were approved in principle during a meeting of the Comelec en banc on January 17. The minutes of the meeting showed that the commission only acted when a request was submitted. Only the Dasmariñas election officer requested an APP. That explains why other cities such as Cebu and Quezon City that also had a high population of PWD voters had no APPs.

The minutes also showed that the Comelec solely depended on the availability of volunteers who expressed their interest in helping out in selecting the 17 voting precincts where there would be sign language interpreters.

Sarmiento was still PWD focal person at the time. Excerpts from the January 22 en banc meeting would later on show that Padaca accepted stewardship of the Inter-Agency and NGO Network to Empower PWDs in mid-January.

The Comelec en banc approved the creation and composition of the Dasmariñas SBEI-PWD in its March 27 meeting. Sarmiento had retired by then.

Kept in the dark

All the while, from the time the poll commissioners started discussing the pilot APPs up to the time it was approved, PWD stakeholders were never informed that only two APPs were chosen in the end.

Sarmiento said this was a huge drawback. "You should let them know so that it can be discussed and accepted," he said.

Bringing it up in an inter-agency meeting would have given members the opportunity to critique the decision, he said.

Sarmiento is also aware that his compulsory retirement was an ill-timed departure that impacted the work he started. "*Bakit dalawa lang? Bakit napakakonti naman? Siguro dahil umalis na rin ako, yung team ko umalis na rin* (Why were there just two? Maybe because I left and my team left)," he said.



Noli Pestado (right) and Jun Macasieb who are both PWDs assist each other to reach their voting precinct on the second floor of Maybunga Elementary School in Pasig. PHOTO BY MYLAH REYES-ROQUE

NCDA's Zubiaga said Sarmiento's retirement meant a total change but it does not let the rest of the Comelec staff off the hook. The Comelec's inability to make the elections an easier experience means there was a failure "to emphasize the importance of providing the priority lanes and the polling places for PWDs," she said.

Comelec promulgated Resolution 9640 on February 15. The resolution contained general instructions for BEIs on testing, sealing; voting, counting and transmission of results in the midterm elections and this reiterated the mandate to provide priority lanes for PWDs and senior citizens. It also specified that polling precincts for PWDs should be located on the ground floor and "for this purpose, the EOs shall coordinate with the proper school or building officials."

On April 22, 2013, Padaca, who was also chairperson of the Comelec Committee on PWD Voting, issued a memorandum to all regional election supervisors informing them that there would be only two APP pilot areas and that both of them would be located in Dasmariñas City in Cavite.

In a May 8 phone interview, Padaca said the decision to pilot the APPs in the Dasmariñas schools was because of the big number of PWD voters in the city.

Available Comelec records at the time showed there were 4,553 registered PWDs in the city, not far from Cebu City's 4,153 PWD voters. But compared to Dasmariñas, Cebu City PWD voters were dispersed and it was "not practical" to set up APPs, Padaca said.

'If Comelec can't provide, who can?'

On May 3, when PWD advocates learned that Resolution 9485 could not be fully implemented, VSO Bahaginan's Cebu-based project coordinator wrote the Comelec a letter requesting it to reconsider the decision to not implement special polling places for PWDs in Cebu province.

"Fully Abled Nation (FAN) Project in Cebu has done a lot of work to increase the participation of Persons with Disabilities come May 13 midterm elections," wrote Kenneth Sotto of the nongovernmental VSO Bahaginan. "We were able to register and update 12,608 PWD voters in the province of Cebu and 38 percent of which come from the pilot eight cities and two municipalities of Fully Abled Nation-VSO Bahaginan."

Sotto pointed out that his group conducted several trainings on values formation for voters, gender-inclusive workshops, volunteer management systems for PWD leaders, roundtable discussions with candidates, and volunteers preparedness training, to mention a few. All these were part of the campaign for a PWD-inclusive election.

"If Comelec cannot provide for an enabling environment so they (PWDs) can enjoy real equality in society through the establishment of special polling places in accordance with Resolution 9485, then who can?" Sotto asked.

In response to Sotto's letter, Jana Vicente

from Padaca's office said the Comelec did not receive any reports from Cebu, particularly on the concentration of PWD voters, and that Cebu Comelec officials were not able to submit reports to the national office.

To that, Sotto responded that Cebu's election officers had been very much involved in the FAN campaign and that they had sent their reports on the number of PWD voters and possible APPs as early as December 2012.

The election-day experiences of voters with disabilities led Zubiaga to vent her reactions in an open letter to PWDs and advocates. She said she received "heartbreaking" texts and calls such as wheelchair users who had to be carried to their polling precincts and assistants of blind voters whose integrity was questioned.

Assistors are permitted under Chapter 7, Section 29 of the Magna Carta for PWDs. PWDs, it said, "shall be allowed to be assisted by a person of his choice in voting in the national or local elections." The assistor prepares the ballot inside the voting booth "strictly in accordance with the instructions of the voter and not to reveal the contents of the ballot."

Zubiaga said she was writing not as a government official but as a PWD, and pointed out the Comelec's shortcomings, especially in its decision about the APPs.

"Without any consultation with the sector or even its representative government agency, they quickly throw all our efforts to waste by declaring only two accessible polling places," she wrote. "It's a slap on our dignity as voters."

Had the Comelec only informed disabled

people's organizations (DPOs) earlier that there would only be two APPs, Zubiaga said, the sector would have had time to mobilize more people and lobby local government units for assistance.

Zubiaga then said the Comelec did not believe that "PWDs regardless of numbers must be assured that they can exercise their rights to vote without agony, sufferings and indignation."

But Padaca believes negative incidents concerning PWDs in the last elections were "one in a million." In her May 26 column in the tabloid *Abante*, she said paying attention to the needs of PWD voters was still something new.

Padaca also defended the Comelec, saying, "*Dahil ang mga unang hakbang ay nitong mga nakalipas na ilang taon lamang nagawa, sana naman ay huwag akalaing wala nang PWD na mahihirapan* (Because these initial steps have been taken just these last few years, let us not think that there will be no PWD who will experience difficulties when voting)."

She likewise stood up for the PWD sector, saying that placing emphasis on the disability of PWDs' does not show true concern. What they (PWDs) need is "respect, not pity," she said. What PWDs need is to be made aware of the processes to help them live to the fullest in the present and in the future, she said.

It is worth noting that although Republic Act 10366 was passed on February 15, 2013, after Sarmiento retired from the Comelec, it only took effect on July 1. In other words, the system of creating new precincts for PWDs and senior citizens (different from Comelec Resolution 9485) was designed to be implemented after

the May 2013 elections.

As of October 2013, the implementing rules and regulations of Republic Act 10366 have been completed.

PWD advocates and FAN members were invited to the consultation meetings organized by the Comelec to review and finalize the rules. Once these are in place, the next round of registration and elections will hopefully be a breeze for PWDs.

Community spirit

Despite the disappointments, election day was not without tales of little heroic deeds that highlighted the Filipino's propensity for helpfulness.

At the Lopez Jaena Elementary School in Bacolod City, 21-year-old John Michael Serenio, a wheelchair user who has growth hormone deficiency, was among the volunteers of election watchdog Parish Pastoral Council for Responsible Voting (PPCRV) volunteers that assisted voters that day.

The *Philippine Daily Inquirer* reported that Serenio, who is 37 inches tall, served as a poll watcher, assisted a paralyzed voter and a senior citizen in locating their precincts.

In Pasig City, PWDs Jun Macasieb and Noli Prestado stationed themselves at the Maybunga Elementary School to respond to the needs of about 30 fellow voters with disabilities.

"If they need help to be carried up the stairs, we ask for the help of PPCRV. The

volunteers carried two PWDs up the second floor and two more to the third floor so they can vote," said Macasieb, who is a wheelchair user himself.

Both of them cast their vote only when the line of voters thinned in the afternoon.

In 10 pilot areas in Cebu composed of the cities of Lapu-Lapu, Mandaue, Carcar, Danao, Toledo, Bogo, Cebu and Talisay and the towns of Cordova and Bantayan, 1,108 FAN volunteers assisted 9,797 PWDs who cast their votes on election day. The FAN volunteers filled the gap left by the Comelec's decision not to put up APPs.

—With inputs from Maribel Buenaobra, Jonathan de Santos, Melissa Luz Lopez, Yen Blanco-Delgado, Mylah Reyes-Roque, Iza Darlene Cay, Mechelle Florita and Emmanuel Cagayan





Maria Antiporda, 24, a person with cerebral palsy, votes for the first time at the Cordova Central School in Poblacion, Cordova, Cebu. She was assisted by her sister Rosemarie Antiporda. PHOTO BY MARIO IGNACIO IV

Polling the PWD Voters

WHEN the dust settled in the afternoon of May 13, 2013, blame was passed, fingers pointed and frustrations vented over how the midterm elections appeared to have been no different from elections past for persons with disabilities (PWDs).

But notwithstanding the problems they ran into, which included inaccessible precincts, many PWDs who got to vote that day believe that voting was easier compared to 2010, when elections were first automated nationwide. As well, PWDs were satisfied with how the Commission on Elections (Comelec) did its job.

What PWDs had to say about the elections and their own participation were captured in a nationwide survey conducted by the Social Weather Stations (SWS) of 1,200 voters with disabilities from June 28 to July 4, or six weeks after the elections. A partner of the Fully Able Nation (FAN) campaign, the SWS re-interviewed PWD voters who were first included in its survey of PWD voters, the country's first ever.

The survey found PWD voters to be no different from the rest of the citizenry. Nine of

The Right to Vote



TEST STATEMENT: "PWDs have the right to vote just like any other person"

Don't Know and Refused responses are not shown.

Q. Test statement: "Ang mga taong may kapansanan o PWDs ay may karapatan ding bumoto tulad ng ibang tao"

10 believe that they, too, have the right to vote "just like any other person." Four in five believe their vote can shape the kind of government the country will have and in making government pay attention to what people think.

The SWS, however, found that nearly a fourth of PWDs of voting age remained unregistered. This despite the special registrations held by the Comelec in 2011 and 2012 and the nationwide campaign of PWD advocates to encourage PWDs to sign up as voters.

Thus, on election day, as in the 2010 elections, only 54 percent of PWDs of voting age exercised their right of suffrage, with 21 percent who registered still failing to vote.

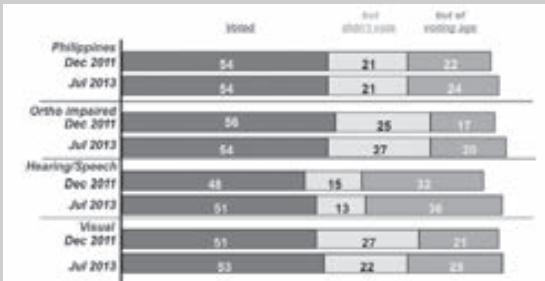
The top three reasons cited by PWDs who did not vote were mobility (26 percent), absence of a companion (16 percent),

and sickness, including being bedridden (11 percent). The number of voters with orthopedic impairment who did not vote slightly increased, from 25 percent in the 2010 elections to 27 in the 2013 polls.

Family remains an important factor for getting PWDs to exercise their right to vote. Six of 10 PWDs were accompanied to the voting precincts by relatives, including their siblings (19 percent) and parents (7 percent). It was also mostly relatives (72 percent) who helped PWDs shade the ballot. In the 2010 elections, only 37 percent of PWDs said their relatives accompanied them to the precinct.

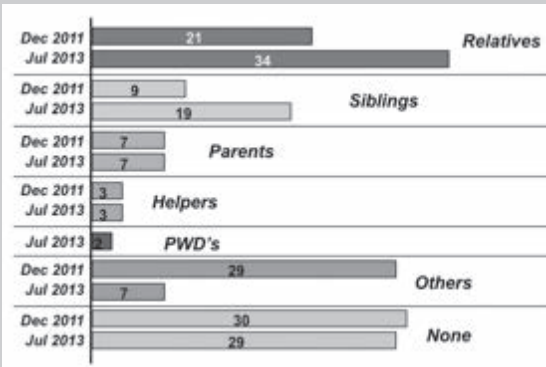
The readiness and eagerness of PWDs to vote could be gleaned from the SWS findings that three-fourths of them already knew their precinct

PwDs' Voting Record in the 2010 and 2013 Elections



Q. Noong halalan ng Mayo 2010/ Mayo 2013, kayo po ba ay... bumoto, naka-rehistro pero hindi bumoto, hindi naka-rehistro pero nasa edad na maaari nang bumoto wala pa sa edad na kwalipikadong bumoto?

Who Accompanied PwD to the Precinct in order to Vote

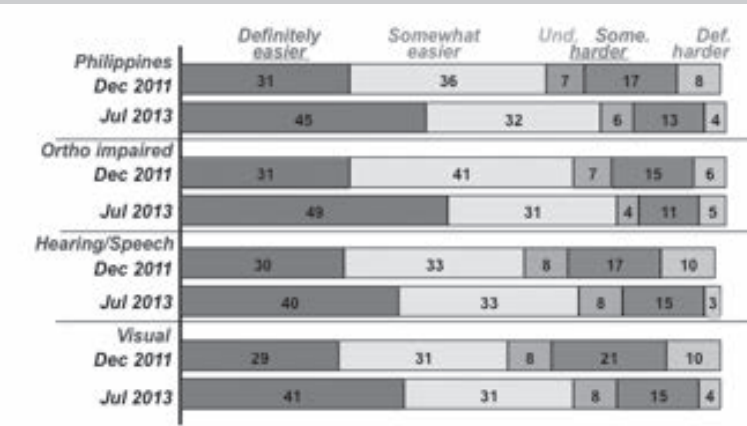


Base: Among PwDs who voted in the last election

before going to the polling place and 43 percent of them, especially the hearing impaired, brought list of candidates to vote for. Many voted in the morning, at around 10 a.m.

At the polling places, sign language interpreters were hardly visible: Only 6 percent said they saw one. More visible were posters or signs indicating “express lanes” (34 percent) and the voter assistance desk of the Parish Pastoral Council for Responsible Voting or PPCRV (57 percent). It took 86 percent of PwD voters from 1 to 30 minutes to look for their precinct. But once they were there, two in five did not have to fall in line, though. More than half, on the other hand, said they got help to go ahead in line to vote immediately. Most said they waited in line for half an hour.

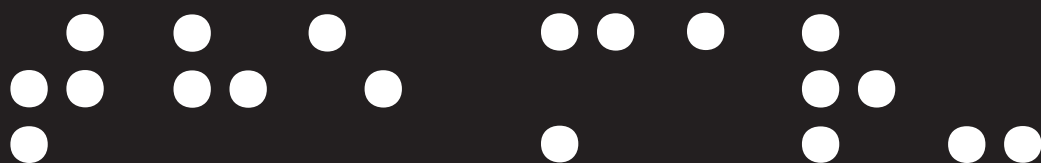
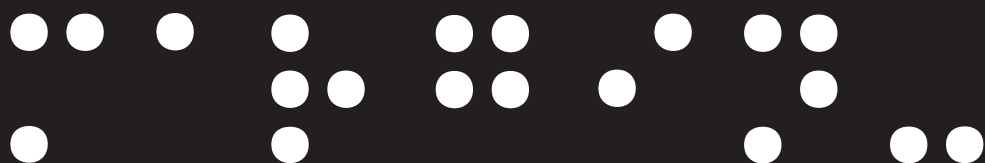
Was Voting Easier or Harder for PwD?



Base: Among PwDs who voted and received help in shading the ballot in the last election

This voting experience led 77 percent of PwD voters to declare that it was easier to vote in 2013 than in 2010 (67 percent said it was easier at the time). The proportion of PwD voters satisfied with the Comelec’s overall

performance also rose from 72 percent in the 2011 survey to 82 percent in the 2013 survey, pushing its trust rating among voters with disabilities to +55 at the end of the midterm elections. —Yvonne T. Chua



Marginalizing the Marginalized

By Avigail M. Olarte



It is said the Philippines does not lack laws protecting the rights and welfare of persons with disabilities (PWDs). But what it does lack, everyone agrees, are lawmakers to see things from PWDs' perspective.

Since 1998, no PWD representative has sat in Congress, despite the existence of the party-list system that supposedly provides for legislative representation of the country's marginalized sectors, PWDs included, in the House of Representatives.

Based on their numbers, PWDs should have had at least one member in the House. In the May 2013 elections, all they needed were around 200,000 votes to gain one party-list seat. There were 360,000 registered voters with disabilities. So what happened? Where did the votes go?

The party-list group Pilipinos With Disability has its own assessment of what caused its electoral defeat. Its nominees Michael Barredo and Manuel Agcaoili—the people who would have sat in Congress had the group won—thought they had it in the bag.

But the PWD party-list failed to secure at least 2 percent of all votes cast for the party-list groups, which at that time totaled 26.7 million. It could only muster 0.32 percent or 72,816 votes.

Running under the campaign banner, “The voice of the most marginalized and underrepresented disability sector,” the group brought its campaign efforts to social media and radio, and used television and print ads. Their main message: To empower the PWD sector by uplifting existing economic and social conditions for its betterment.

But despite the media barrage, Barredo said, many PWDs were apparently still not aware of their right to vote.

“(And) some just don’t bother to vote. There’s just got to be that earnest commitment and desire and want to support our own sector to have representation. That I think is good enough,” he said. “Although we have organizations, people fighting for it, people campaigning for it, there’s still I think a lot who are yet to be motivated or encouraged to go out and vote for our sector.”

The Fully Abled Nation (FAN) campaign of The Asia Foundation (TAF) sought to encourage PWDs to exercise their right to suffrage and participate in democratic processes. It partnered with nongovernment organizations, civil society organizations, disabled people’s organizations (DPOs), PWD federations and other groups in 2011 to raise awareness among PWDs and the public in general.





*For Manuel Agcaoili,
the country's party-
list system has
allowed the rich
and the powerful
to further entrench
themselves in
power. PHOTO BY MARIO
IGNACIO IV*

But Barredo said while non-PWDs also voted for them, “there were those who could not understand what ‘PWD’ is. So maybe if we have spent more money, perhaps in advertising, it would have helped.”

Members of DPOs and federations in Cavite and Cebu said they did campaign and encourage PWDs to vote for the party-list group, but they, too, admitted that their efforts fell short.

“What we were expecting did not happen. We had volunteers, majority of them PWDs who are very poor. *Bulag o bingi na nga wala pang pera. Paano sila iikot* (They have visual and hearing impairment and they have no money. How will they campaign for us)?” Agcaoili said.

In a series of focus group discussions held by the Social Weather Stations (SWS) after the 2013 midterm elections, PWDs told stories about voters whose parents barred them from going to the polling centers. Some were asked to look after the house while others were told to stay behind because getting them to the voting areas was difficult and costly. In other words, there were those whose own relatives prevented them from exercising their right to suffrage.

But there were also those who saw a deeper reason for the PWDs’ electoral defeat: The PWDs were simply no match for the traditional politicians who have taken over the party-list system meant for the marginalized groups like PWDs.

A source who requested anonymity said there were reports from the sector that in certain Northern Luzon towns, vote-buying was

massive in favor of party-list nominees with strong political backing. The source revealed that even some PWDs and their families sold their votes to these politicians, rather than give to those who would have represented them in Congress.

Agcaoili, the party’s second nominee, said the party tried to address such reports by reaching out to the parents of voters with disabilities, but there were those who preferred quick cash over long-term perceived benefits.

For Barredo, the first nominee, it is always a question of who has the most money.

The PWD party-list was aiming to raise P20 million. In the end, it did not even come close to 10 percent of that. Some of that amount, those given in cash and in kind combined, even came from his own funds as a businessman.

Barredo said the time to raise money was extremely limited. The group had only six months to campaign and raise funds because it was only on November 29, 2012 that the Commission on Elections (Comelec) gave it and 78 others the go signal to take part in the elections.

“So it was very difficult already to raise money. How can you raise money if you’re not sure you’ll be accredited?” he said.

Barredo said the party-list was hoping to get big amounts from business groups but was turned down.

“They said they did want to get involved in politics,” he said. “We’re the PWD sector. We have 10 million or 10 percent of the population. But what can we do in terms of ‘reciprocating’? In other words, if you’re a businessman and you want to invest by supporting a candidate,

*Michael Barredo
says for the sector
to win a seat in
Congress, PWDs
themselves need
to be aware of
their right to
suffrage. PHOTO BY
MARIO IGNACIO IV*





perhaps they can count on our one vote in Congress. But in terms of constituency, we don't have enough. If it is Bayan Muna, for example, that's a big number."

Barredo theorized that even candidates themselves, especially the senators, would tend to approach party-list groups with a huge following.

"Many of those who won this elections have been there for more than two terms. They have overwhelming resources," he said.

No command votes

Both Barredo and Agcaoili said the sector has yet to establish a strong base to get the so-called command votes.

And as these groups become more entrenched, Barredo said their sectors get more empowered. "And that's a problem for us. We can't empower ourselves because we haven't made it to Congress yet," he said.

As a result, underrepresented groups like the PWDs are further marginalized.

But Barredo agreed that the party-list

For the May elections, a total of 362,113 PWDs registered to vote, including those from those from San Mateo, Rizal.

PHOTO BY MARIO
IGNACIO IV



Leslie Lomongo, 40, a voter with cerebral palsy, is assisted by his mother Elenita to register for the May elections. PHOTO BY MARIO IGNACIO IV

groups who won this election have actually been aiding the PWD sector in many ways.

“They are touching and helping our constituents too,” he said, adding that any project directed to the poor or women, for example, covers PWDs in communities.

But in more than a decade that the PWD sector has had no representation in Congress, many laws have been passed and none of which, the sector members said, “have been properly complied with nor implemented effectively.”

History of ‘nonrepresentation’

When Congress reopened in 1987 after the fall of the Ferdinand Marcos dictatorship, then President Corazon Aquino appointed Estelita Juco as representative for both the PWD and women sectors.

Juco was succeeded by lawyer Arturo Borjal, who was her fellow commissioner at the National Commission Concerning Disabled Persons (NCCDP), the precursor of today’s



National Council on Disability Affairs (NCDA).

Borjal would be known as the father of the Magna Carta for Persons with Disabilities for co-authoring and pushing for it to become a law in 1992. Republic Act 7277 is the “first attempt to mainstream the sector in major government agencies’ programs and services.”

In 1995, Congress passed the Party-List System Act or Republic Act 7941. The law allowed representatives from the most underrepresented and marginalized sectors to have a seat in Congress no longer by presidential appointment but by election.

Congress allocated 20 percent of the

total number of the members of the House of Representatives to party-list representatives.

Six elections after the party-list system was first implemented, however, the PWD sector has yet to win a seat in Congress. It has participated six times since 1998, and each time it failed to garner at least 2 percent of all the votes cast in the party-list election.

In 1998, the sector fielded Alyansa ng may Kapansanang Pinoy or AKAP-Pinoy and May-K party-list organizations. The two groups were banking on the 200,000 votes from the sector, but due to divisiveness, both failed to reach the 2 percent threshold.

The Tahanang Walang Hagdan has been empowering persons with orthopedic impairment for over 40 years. PHOTO BY MARIO IGNACIO IV

The sector again failed to secure enough votes for the 2001, 2004 and 2007 elections. And in 2010, the Comelec denied the Disabled Pinoy Party's (DPP) accreditation to represent 9 million Filipinos with disabilities. The electoral body said the party had no proven track record.

Many called the Comelec's move a "blatant bastardization" of the law, as it then accredited Ang Galing Pinoy, a group representing security guards whose first nominee was then Representative Mikey Arroyo, son of former President Gloria Arroyo. The Comelec also accredited party-list groups with dubious nominees who enjoyed close ties with the President.

"They said they were trying to trim down the party lists to 120, but look, now they're 187 and the Comelec reasoned out that according to their findings, we have no constituency down the local level," said Barredo in an article written in 2010.

In the April 8, 2010 issue of the *Philippine Daily Inquirer*, former University of the Philippines Law dean Raul Pangalangan wrote a column titled "Excluding the disabled party-list group," in which he said, "By whatever measure, by whatever yardstick, Persons with Disabilities are marginalized and underrepresented in our country."

The 1987 Constitution, he argued, entitles PWDs to political participation, and the government must allow a political minority such as PWDs to have a voice.

He also raised that "the Borjal precedent and the resulting Magna Carta should remind us: One, that the disabled were historically one

of the sectors singled out for the party-list seats in Congress; and two, that since Borjal, there has been no specific PWD representative in Congress."

The sector was further marginalized with the April 2013 ruling of the Supreme Court allowing political parties and groups not representing the underrepresented sectors to participate in the party-list arena, revising rules it set 12 years ago.

In their decision, voting 10-2, the justices ruled that the Party-List System Act of 1995 "does not require national and regional parties or organizations to represent the marginalized and underrepresented sectors." Doing so would exclude ideology-based and cause-oriented parties from the system, they said.

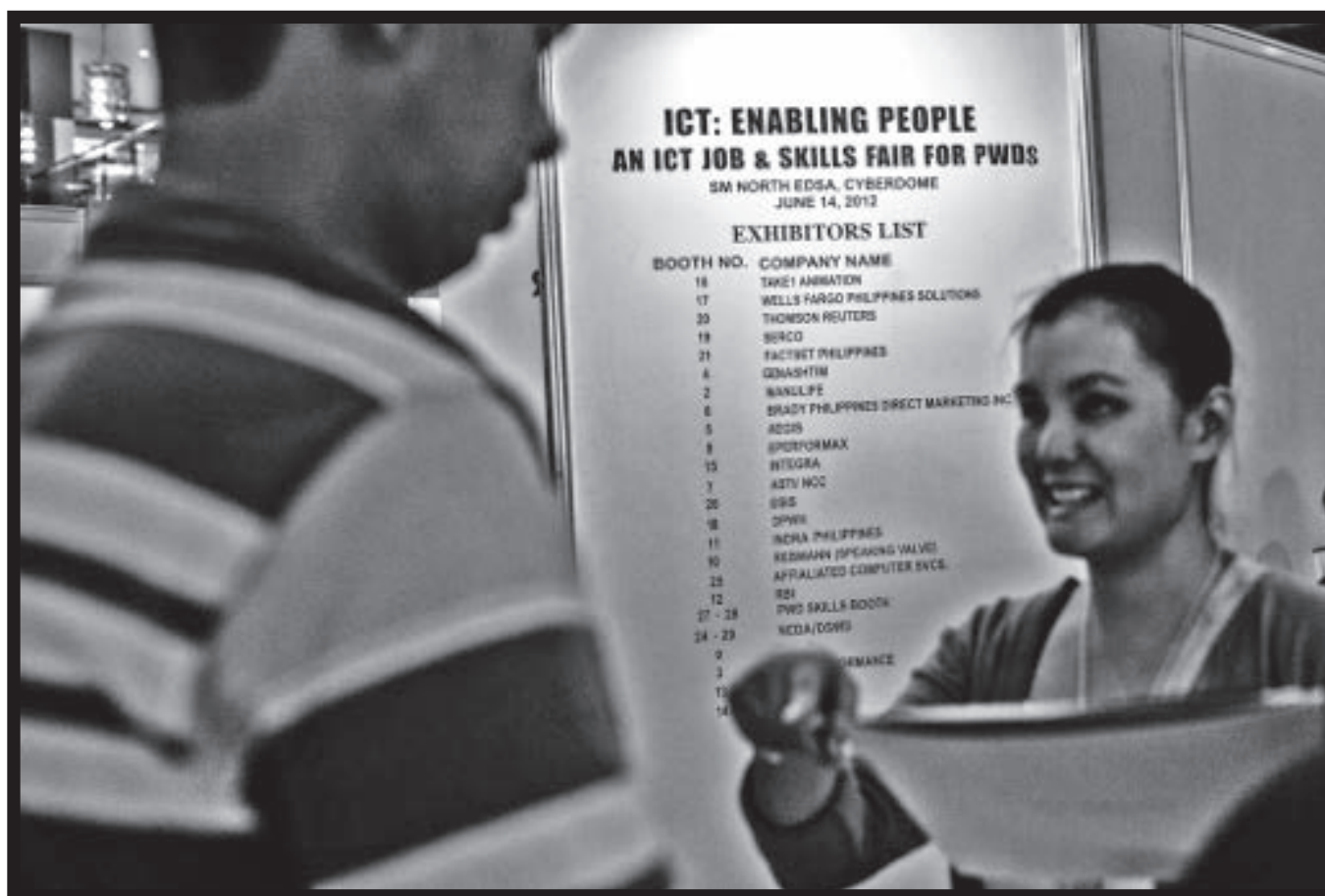
Reeling from a loss that was quite unexpected, Agcaoili wrote in a position paper: "What is so disappointing is the latest Supreme Court ruling that has opened wide the floodgates for anyone with money to get to Congress. It has allowed rich and powerful business proponents, political families and special interest groups to barge their way and further entrench themselves in power."

A 2012 study on the party-list representation by University of the Philippines journalism students Marc Jason Cayabyab and Mikhail Franz Flores, "From Alternative to Traditional: An Investigative Study on Party-list Representation in the 15th Congress," showed that with entry of the highly entrenched political elite, the party-list system has been further subjected to "trapoization." In Philippine political parlance, trapo is an abbreviation of





While no longer seen as the “invisible” sector, PWDs need representation in Congress so they can push for laws that could benefit them. PHOTO BY MARIO IGNACIO IV



“traditional politician,” a lawmaker or local government official used to cutting deals to get themselves elected.

Majority of its representative are well-off and not at all marginalized and sectors are not as diverse as they should be, it stated.

Worse, laws filed by the party-list representatives do not cater to the needs of their constituents. Fifteen of 57 legislators, the study revealed, filed more than half of their bills that do not cater to the interests of their sectors.

Some like Robert Estrella and Francisco Ortega of Abono Partylist, a group

representing farmers, even failed to file a single bill in Congress. Both are members of political families in Pangasinan and La Union in the north.

“Political dynasties and the rich have circumvented the law to gain entry to Congress,” it said, relying on their bailiwicks to win a seat, robbing other marginalized sectors of representation.

Plans, platform

Winning a seat in Congress would have allowed Barredo and Agcaoili to work for the

An event supported by the Alyansa ng may Kapansanang-Pinoy (AKAP-Pinoy), employers at a job fair offer around 650 computer-related jobs to applicants with different types of disabilities. PHOTO BY MARIO IGNACIO IV

full implementation of existing laws such as the Magna Carta for PWDs and to harmonize them with the provisions of the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The party will also oversee the establishment of Persons with Disability Affairs Office (PDAO) in every town and city, as mandated under Republic Act 10070, to ensure that PWDs will have access to services and enjoy the full benefits of the law, and introduce new laws.

The group also planned on pushing for the establishment of a national registry for PWDs, a requirement under the Magna Carta. A database will allow a more efficient implementation of programs and for the government to know which areas need more funding.

Their platform also included the implementation of Executive Order 417 or the Economic Independence Program for PWDs, urging all government agencies, even local government units to emulate compliance started by the Department of Education (DepEd) to grant possible organizations of PWDs “the privilege to supply 10 percent of the agency’s annual requirements for manpower services.”

It also includes urging the Technical Education and Skills Development Authority (TESDA) to set aside a budget to provide PWDs with technical education and training in information communication and technology and help them find good jobs and livelihood opportunities.

The PWD party-list also would like to urge

the national government to provide a package of benefits and better social protection through enrollment with PhilHealth and membership with Social Security System and Pag-Ibig.

Barredo illustrated it this way:

“At the age of 30, a person with disability must have finished college. To plan his entire life, go back. What does he need at an early age? Then in high school? If he’s with visual impairment, make sure he knows Braille; if he’s in a wheelchair, make sure the school is accessible. From there what opportunities are out there after college? What kind of work?” For him, good policies can be crafted around the needs of one person with disability.

“In many developed countries, they have more money and resources to help everyone. And in the case of developing countries like ours, there are priorities. There are more people that need to be helped, and we just need to wait for our time to come. However, I am an advocate of the John F. Kennedy statement that ‘the nation’s strength can only be measured by the way it treats the weakest of its people.

“If you use the sector of PWDs as your parameter or your guide as to where your country has gone, and how you are delivering services to your people, then you should see an empowered, contributing, productive sector of society, especially the sector of PWDs. Then you can say that a country is doing right.”

Instead of PWDs being mere recipients of social welfare, they should be trained, educated, empowered. “They contribute to nation-building. That’s what we want,” Barredo said.

Barredo, who was awarded the Paralympic



Order on November 23, 2013 in Athens—the highest tribute for anyone involved with the paralympic movement in the world—also would like to amend Republic Act 9064 or the Sports Benefits and Incentives Act of 2001.

“Our national athletes are not receiving the same benefits and incentives as other athletes in the region. The amendment is simple: To include and recognize national athletes with disabilities,” he offered.

Barredo added that better cash incentives and benefits should be given to differently abled athletes, their coaches and trainers.

In receiving the award, Barredo told the

media that his crusade is in keeping with the CRPD provision that “all persons with disabilities have the inherent right to full participation in cultural life, recreation, leisure and sport.”

A matter of choice

Barredo, who lost his sight in an accident in 1979, started working for the sector in 1982, when he was asked to help with a project called Operation Blind Parents Committee.

“I started helping orphans. I collected

PWD athletes battle it out at the annual Palarong Pambansa special games held in Dagupan, Pangasinan in 2012. PHOTO BY VINCENT GO

books for them,” he said. He got involved in the sector until in 1988, Corazon Aquino appointed him to sit as member of the board of the National Council for the Welfare of Disabled Persons (NCWDP), which is now the National Council on Disability Affairs (NCDA).

Barredo is also a founding member of AKAP-Pinoy, Federation of Disabled Persons of the Philippines or Katipunan ng mga may Kapansanan sa Pilipinas Inc. (KAMPI) and the Philippine Blind Union (PBU), which he now chairs.

A broadcaster, he holds a weekly radio program on Radyo Ng Bayan 738, a show where he talks about disability issues.

“I’m a businessman...but I chose to help the sector because it’s important to me. To my mind, what is good for the sector is good for me. If I can help the sector, then I can help people with disabilities. In the process, I’m helping myself because I’m part of the sector,” he said.

Agcaoili had a different journey. Born in Tacloban, Leyte, he contracted a severe case of polio at the age of 2.

“I’m not from a well-off family. I went to school riding jeepneys and buses in crutches and I went to school by myself,” he said. “When I was young everybody called me *pilay* (a cripple) but ignored it. My motivation was my will to make something of myself.”

Like Barredo, Agcaoili worked in the business sector as an advertising and marketing executive, and was awarded the first and highest ranking Filipino executive with General Motors Overseas Operations.

He sits as chair and board member of several companies in advertising, power

development and property management.

He is the chairman of AKAP-Pinoy, the national federation of 456 PWD organizations. He is also the president and CEO of Tahanang Walang Hagdanan, president of Philippine Foundation for the Rehabilitation of the Disabled Inc., director of Impact Foundation Philippines, and board member of the NCDA.

“I am where I am now because of what I have done for myself. ‘I am the captain of my soul,’” he said. “Whether you are with disability or not, who you will be is your own doing.”

But of course, he said, society, especially the government, has a crucial role to play.

“A number of the laws for the sector have already been overrun and need to be revisited and amended to adapt to current needs and demands. This is why the disabled sector needs a seat in Congress so they can work on the necessary legislative changes,” he wrote in his position paper.

But Agcaoili does not count their losing the 2013 elections to be a monumental loss.

“What is so disappointing is the latest Supreme Court ruling that has opened wide the floodgates for anyone with money to get to Congress. It has allowed rich and powerful business proponents, political families and special interest groups to barge their way and further entrench themselves in power,” he said.

He said the party will be filing a petition to convince the Supreme Court to rethink its position.

“The party-list system is a social justice tool designed to give more laws to the great masses of people who have less in life,” Agcaoili said. ■



*In the Philippines, winning an election
would require access to enormous
resources, which candidates
advocating for PWDs do not usually
have. PHOTO BY MARIO IGNACIO IV*



Had This Advocate Won



PHOTOS FROM ANALOU SUAN'S FACEBOOK

THE founder and executive director of The Great Physician Rehabilitation Foundation (GPRehab) in Dumaguete City, Analou Suan, at first struggled with the idea of

running for public office. The foundation, which Suan set up in 2000, had long been supporting persons with disabilities (PWDs) in their struggle for inclusion in society



and was helping the sector by providing low-cost, high-quality rehabilitation services.

But her son's words had kept hounding her: "You run, Mama, run for the children with disabilities."

He and the rest of the family believe that running for public office would help the sector more and wanted Suan to give it a shot.

And so, in the May 2013 midterm elections, Suan and her fellow candidates of the Liberal Party (LP) in this Central Visayas city ran on a platform that included support for PWDs.

The LP had completed its sectoral slate: Running as councilors were a youth organizer, young lawyer, young nurse, jeepney driver, environmentalist and a people's

advocate. Suan represented the PWD and children sectors, making these part of her main platform.

“During the rallies, I talked about the rights of PWDs. I campaigned for the establishment of community-based rehabilitation program, education for children with disabilities, and inclusion of PWDs (in the mainstream),” Suan said.

But come election day, the party suffered a massive defeat: Only two of its councilors won a slot, and both its mayoral and vice mayoral candidates were defeated. Their opponent, the Nationalist People’s Coalition (NPC), won the top posts.

Suan said there were reports of irregularities, and that some ballots had been pre-shaded. But her party decided to no longer file a protest.

Alan Cordova, the former vice mayor who ran for mayor, is a PWD advocate. With him at the helm, along with a council that supported him, Cordova would have made a big difference.

Being an advocate who has worked with local governments, Suan knows all too well the power a mayor wields. She recalls that a few years back, Dumaguete’s mayor at the time asked if her foundation needed help. Suan told him they needed to have children with disabilities accepted in day care centers and where possible regular schools.

The City Social Welfare and

Development (CSWD) Office, however, had been refusing their request. But it took only one meeting with the mayor to get the social welfare and development officer to grant the foundation its request.

After that mayor stepped down, things seemed to go downhill for the campaign. In 2012, Vice Mayor Cordova filed an ordinance for the establishment of an office for PWDs under Republic Act 10070, the law that requires provinces, cities and towns to set up a PWD office.

“But for some reason they did not want that. They wanted a desk under the CSWD,” she said.

Suan, along with parents of PWDs, would continue attending the sessions to lobby for an office. After almost a year, the city passed Ordinance No. 38-2012 establishing a PDAO office but the LGU failed to set aside a budget to set it up.

“I even said GPREhab is willing to volunteer, to set up the system and programs and services for the office. We also have PWD friends who are willing to do volunteer work. (Our contention is) when the PWDs hear that they have an office, maybe they will think they can ask for assistance, for the delivery of services,” she recounted. “But the response was very slow.”

It was partly out of this frustration that Suan decided to give running for a council seat a

try. Suan promised to continue advocating for the sector, to not give up until they are integrated into mainstream society.

“This is how I look at it—the needs of the PWDs are not really that different from the needs of other sectors, there are just some accommodations you have to make. If the person can’t walk, make certain accommodations like providing ramps. If you have someone with intellectual disability you give them jobs that are suited to their ability,” she advised.

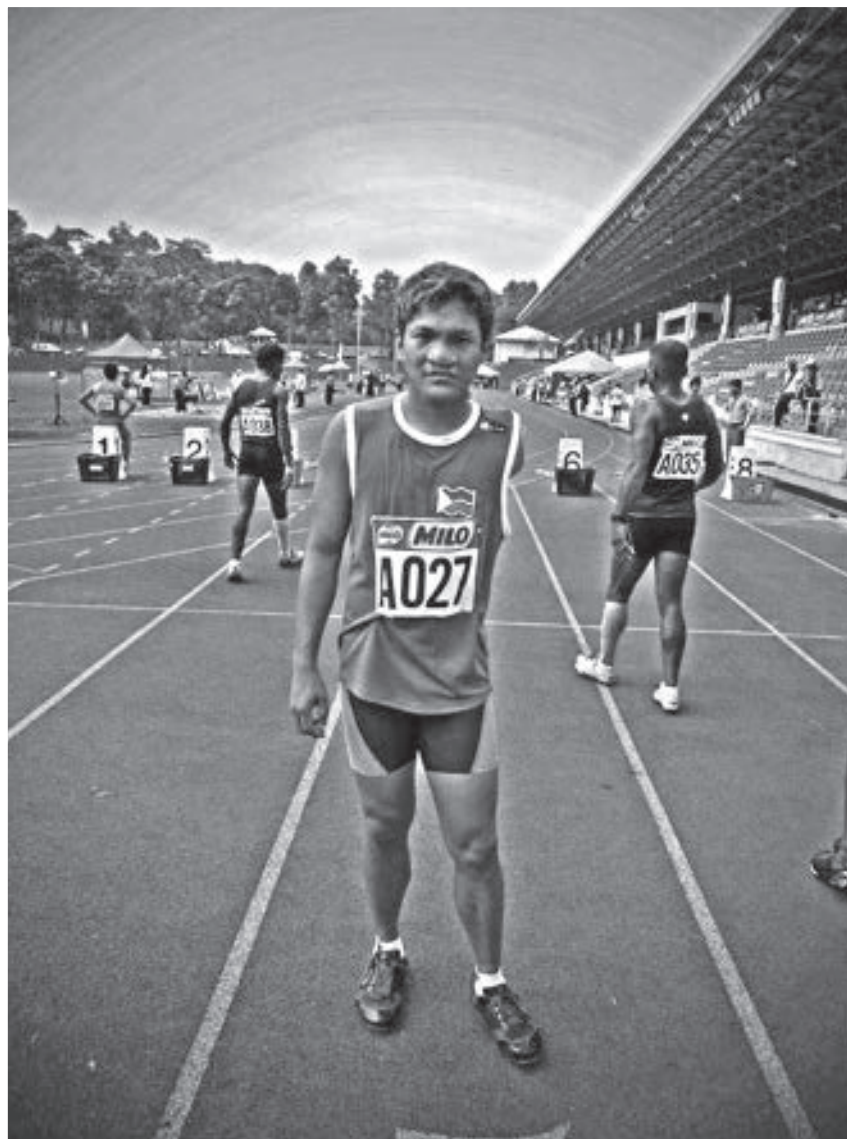
Awareness is crucial. If there is early intervention, Suan said, “you can really see the difference in the children’s ability to function. For instance, one child who cannot walk at all, we provide an intervention and so after that he’s able to walk. So that when he grows up, his needs are not that much.”

Suan believes in a world where PWDs will be accepted and not discriminated against.

In 2004 in Oroquieta, Suan narrated an instance where she wheeled her patient into church to attend a mass. “My patient, who was 65 years old, cried because she had not gone to church for a long time. I wanted people to see that (PWDs) have a right to go out; they can go to church,” she said.—*Avigail M. Olarte*

Athletes with Disabilities Out on a Limb

By Lysa Marie Angeli P. Britanico and Lloyd Edgar G. Reyes



Roger Tapia represented the Philippines in the 200-meter, one-arm amputee category at the 2012 Paralympic Games in London.

PHOTO FROM ROGER
TAPIA'S FACEBOOK

WHENEVER he wears his favorite sports jacket, Roger Tapia looks

no different from most young men his age. But as soon as he takes it off, laces up his running shoes and heads for the race track, one beholds an accomplished sprinter swaying only his right arm to the cadence of movement.

The Pagudpud, Ilocos Norte native was born without a left arm. During his elementary school days, he watched his older brother race mile after mile before deciding that he wanted to give track and field a shot too.

The 23-year-old Tapia is now a multi-awarded athlete with disability (AWD), having won a bronze medal in the 2010 Asian Games, as well as four silver medals and a gold in the Asean Para Games in 2009 and 2011.

Whenever athletes represent the Philippines in international competitions, they stand to earn corresponding cash incentives for every medal they bring home. This is a key provision

of Republic Act 9064 or the National Athletes, Coaches and Trainers Benefits and Incentives Act of 2001.

According to the 12-year-old law, Tapia would have been entitled to P400,000 in incentives for his outstanding performance in individual sports events. But he did not and cannot receive a single centavo because AWDs like himself are not included in the law's definition of a "national athlete."

International and local policies are in place to uphold the rights of persons with disabilities (PWDs) to equal opportunities in all aspects of life, but AWDs continue to experience structural discrimination due to the lack of laws safeguarding their welfare as sportsmen.

As a result, they are not consistently given their dues in the allocation of funds and resources by the Philippine Sports Commission (PSC) and are unable to enjoy the same incentives, intensity of training, allowances and opportunities accorded to athletes without disabilities who represent the

country abroad.

Ruth Maragrag Opeña, a wheelchair racer who has been with Philippine Sports Association for the Differently-abled (Philspada) since 1997, shares the same case as Tapia. In 2006, she won a bronze medal in the 400-meter dash of the Asian Para Games. She also brought home a silver medal during the 2009 Asean Para Games. During the Asean Para Games in 2011, she returned to the Philippines with two silvers and a bronze under her belt.

According to RA 9064, Opeña would have received P260,000 in cash incentives: P100,000 for her Asian Para Games bronze, P50,000 each for her three silvers and P10,000 for her bronze in the Asean Para Games.

In reality, the PSC granted the racer a cash incentive of P25,000 for her bronze finish in the 2006 Asian Para Games, while her silver medal in the 2009 Asean Para Games earned her P10,000.

By the time she won two silvers and a bronze in the 2011 Asean Para Games, the incentive equivalent for each



silver medal had gone up to P15,000 apiece while the bronze medal was now worth P10,000, the equivalent of Opeña's silver medal in 2009.

The totalled P90,000 incentives she was given for her performance in the Asean Para Games, however, only equates to about a third of what a national athlete without disability would have received.

According to PSC

chairman Richard Garcia, the inconsistency in AWD cash rewards was not a matter of choice in the part of the commission.

In the absence of a law or directive recognizing AWDs as national athletes, the PSC can only do so much to standardize the amount of incentives they receive, much less equalize it with incentives for athletes without disabilities.

"If we give them the same amount, we can be charged with administrative charges for using funds that is not intended for their purpose. So there is no discrimination, it's just (that) there is no provision. That provision is now being inserted in the law," he said.

Because AWDs are not provided for in RA 9064, Garcia said the funds for their incentives are not included

Forty-year-old Achelle Guion has been joining powerlifting competitions for over 10 years, earning her awards in several Paralympic Games in Asia. PHOTO BY MARIO IGNACIO IV

in the yearly appropriations budget of the PSC as approved by Congress. As a result, granting incentives and benefits to AWDs—if at all—remains the prerogative of the top brass in the PSC.

“In my term, I give incentives, although not the same as the regular athletes because there is no funding. The incentives we give to these athletes are from our own funds that were supposed to be given to the regular athletes,” Garcia said.

Under the law

RA 9064 defines a national athlete as a member of the national training pool accredited by the PSC and the Philippine Olympic Committee (POC) to represent the country in international competitions.

International competitions, as far as the law is concerned, refer to those accredited by the International Olympic Committee (IOC) or held every four years, including qualifying championships in

team sports where only one or two countries may qualify for the Olympics or World Championships.

Section 8 of RA 9064 outlines the cash incentives for athletes who finish third, second or first in specific international sports competitions.

An athlete who brings home a gold medal in the Olympics, for instance, is rewarded a P5 million incentive. P2.5 million and P1 million await winners of the silver and bronze medals, respectively.

Champions in the Asian Games stand to receive P1 million for a gold medal. Silver medalists are accorded P500,000 while P100,000 is allocated for bronze medalists.

Stellar performance in the Southeast Asian Games entitles athletes to incentives of P100,000 for gold, P50,000 for silver and P10,000 for bronze.

The equivalent of the Olympics for AWDs is the Paralympics. The Asian Para Games and the Asean Para Games, meanwhile, are the

counterparts of the Asian Games and Southeast Asian Games for athletes without disabilities.

Athletes without disabilities who are members of the national team also receive an allowance of at least P15,000 monthly from the PSC.

AWDs, meanwhile, receive training allowance of P5,000 per month and a meal allowance of P300 per day—amounting to only P10,500 per month when combined—only if they are preparing for an upcoming sports competition.

Unlike their legally recognized counterparts, AWDs do not get to train all year round because they need to earn their keep through other means for the rest of the year. As much as he would like his athletes to train more often, Opena’s coach Joel Deriada empathizes with their situation.

“Hindi mo naman sila mapag-ensayo din. Hindi mo naman sila masisisi kasi kailangan talaga ng budget mag-ensayo (You can’t force them to train anyhow. But



you can't blame them either because they do need a budget for training)," he said.

He added that AWDs tend to incur higher transportation costs than athletes without disabilities. The latter could easily commute via jeepney or train, Deriada pointed out, but the former usually need to take a cab or wheel their way from their homes just to be able to train at Ultra.

Deriada said it was not

uncommon for AWDs to miss practice because they had used their training allowance for settling utility bills and other household expenses.

"Sana makita naman namin yung kahalagahan namin bilang isang atleta na nagbibigay ng karangalan sa bansa natin (I hope that we are able to realize our worth as athletes who bring honor to the country)," Opeña said.

Garcia, however,

maintained that the PSC does not discriminate athletes based on disabilities. The differences in the support both kinds of athletes receive from the PSC is something he chalks up to a simple technicality: providing for the needs of AWDs is not specified in the commission's charter.

The charter entitled Vital Documents for Philippine Sports was ratified in 1990

Agustin Kitan, an athlete who has polio, is a silver medalist at the 2011 Asian Paralympic Games.

PHOTO BY MARIO
IGNACIO IV

after then President Corazon Aquino signed into law RA 6847, creating the PSC. From then on, the PSC was mandated to be the “prime catalyst and advocate” of Philippine sports through assisting in policy-making. The charter lists among the PSC’s mission the creation of “equitable opportunities for the participation in sports by all sectors.”

He said AWDs were not included in the charter because of the absence of sports competitions for them at the time of its creation.

Lack of protection

Philspada founder Michael Barredo attributed the lack of laws protecting AWDs to the lack of awareness on disability affairs among those in government.

Had those behind RA 9064 been aware of what was already a strong AWD sector, Barredo said, they would have included AWDs in the definition of a national

athlete, or at least included tournaments for AWDs in the definition of a national competition.

Either way, awarding incentives for both types of athletes would have been guaranteed. The Sports Benefits and Incentives Act was authored by then Rizal Representative Gilberto Duavit and signed into law by former president Gloria Arroyo in 2001.

The disparity between athletes with and without disabilities did not escape the notice of lawmakers in latter years. As early as 2007, attempts were made in the Senate to amend RA 9064 to include athletes with disabilities among national athletes.

During the 13th Congress, Senator Manuel “Lito” Lapid filed Senate Bill 2575, proposing amendments to the definition of international competitions, national athletes and trainers. The bill accorded AWDs only one-fourth to one-half of the incentives accorded to athletes without disabilities.

In July 2007, Senator

Pia Cayetano filed SB 1408 to amend the contentious definitions and provisions of RA 9064. It was referred to the same committees as SB 2575 on September 17, but like the previous bill, nothing else became of it.

In 2012, Cayetano and five other senators consolidated four bills into SB 3313, an act amending RA 9064 to expand and strengthen benefits for national athletes.

It was presented before the plenary in October that year but no further actions could be taken, however, because the 14th Congress came to a close.

In the House of Representatives, lawmakers are also working on equalizing treatment among athletes regardless of disability.

In July 2010, Pwersa ng Bayaning Atleta (PBA) representative Mark Sambar filed House Bill 939, which sought to grant cash and non-monetary benefits and incentives to national athletes, including AWDs and their trainers.

Sambar’s bill recognizes





Andy Avellana, athlete for high jump, was one of the delegates to the London 2012 Olympic and Paralympic Games. PHOTO BY MARIO IGNACIO IV

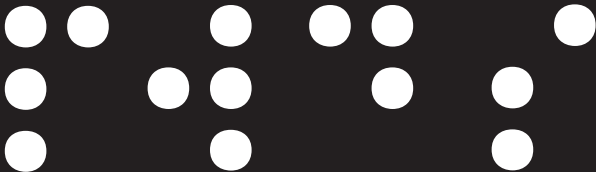
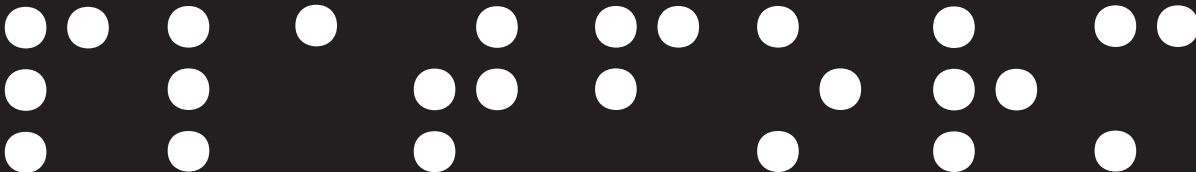
as national athletes those who have been accredited by the National Paralympic Committee and the PSC. For the incentives, HB 939 increases only those for the Southeast Asian Games, from P100,000 to P200,00 for gold medalists, P50,000 to P10,000 for silver and P10,000 to P25,000 for bronze.

“I’m not saying the government is not doing enough to remedy the situation, but it’s not yet one of the priorities that we have,” said the party-list representative.

For his own part, former baller and wheelchair racer Joel Balatucan believes passage of bills further supporting AWDs will change not only people’s paradigms about AWDs but also the lives of the athletes themselves.

“Kung mabago yun, equal ang pagsusuporta, sabay-sabay aangat yung mga atletang Pilipino. Ang gusto kong baguhin... sa sports sa mga may kapansanan ay yung tingin ng gobyerno sa amin. Hindi kami charity. Bagkus, kami ay kasama sa bansa, at kasama kaming lumalaban para sa karangalan (If the law changes and support is equalized, Filipino athletes will rise as one. What I wish to change about...sports for PWDs is the government’s perception of us. We are not charity. Rather, we are one with the nation, and we are one with its struggle for glory),” said Balatucan.

(This article is an abridged version of the authors’ thesis, which was done under the supervision of University of the Philippines journalism professor and VERA Files trustee Yvonne Chua.)



A Platform for PWDs

By Avigail M. Olate

SHIRLYN Macasarte was a young provincial board member in 2008 when she was ambushed by 50 armed members of the secessionist Moro Islamic Liberation Front (MILF). The rebels strafed her car, pumped 29 gunshots all over her body, and left her with a bullet in her spine, a crushed foot and damaged leg nerves.



Suddenly a cripple, Macasarte struggled to understand why such a tragedy happened to her.

The answer came to her years later, when she realized that her new mission in life was to help persons with disabilities (PWDs) like herself.

Politics seems to have always been Macasarte's calling. She was only 17 when she was elected Municipal Federation President of the Sangguniang Kabataan (Youth Council) in 1992, earning her a seat in the provincial council. Six years later, she was elected as the province's youngest board member.

A three-term board member, Macasarte was reelected yet again in May 2013, mainly on a platform upholding the rights and welfare of PWDs, among other constituents.

"During the campaign, people kept asking me, 'Ano pa ang puwede mong gawin kasi PWD ka na (What else can you do now that you're with disability)?" she said. "I always tell them lawmaking does not require me to run or punch anyone. I just need a heart that understands the people, what they need."

Macasarte's approach during campaigns somehow raised the people's level of awareness on the sector. "It's the first time that

Shirlyn Macasarte has lobbied for the passage of the North Cotabato PWD Code, the first of its kind in the country.

PHOTO BY LUIS
LIWANAG



Lester John Bandiez, 20, fills out his application for registraion at the May 19 special voters registration of Marikina City at the Barangay Hall of Parang.

a PWD ran and got elected in the province,” she said.

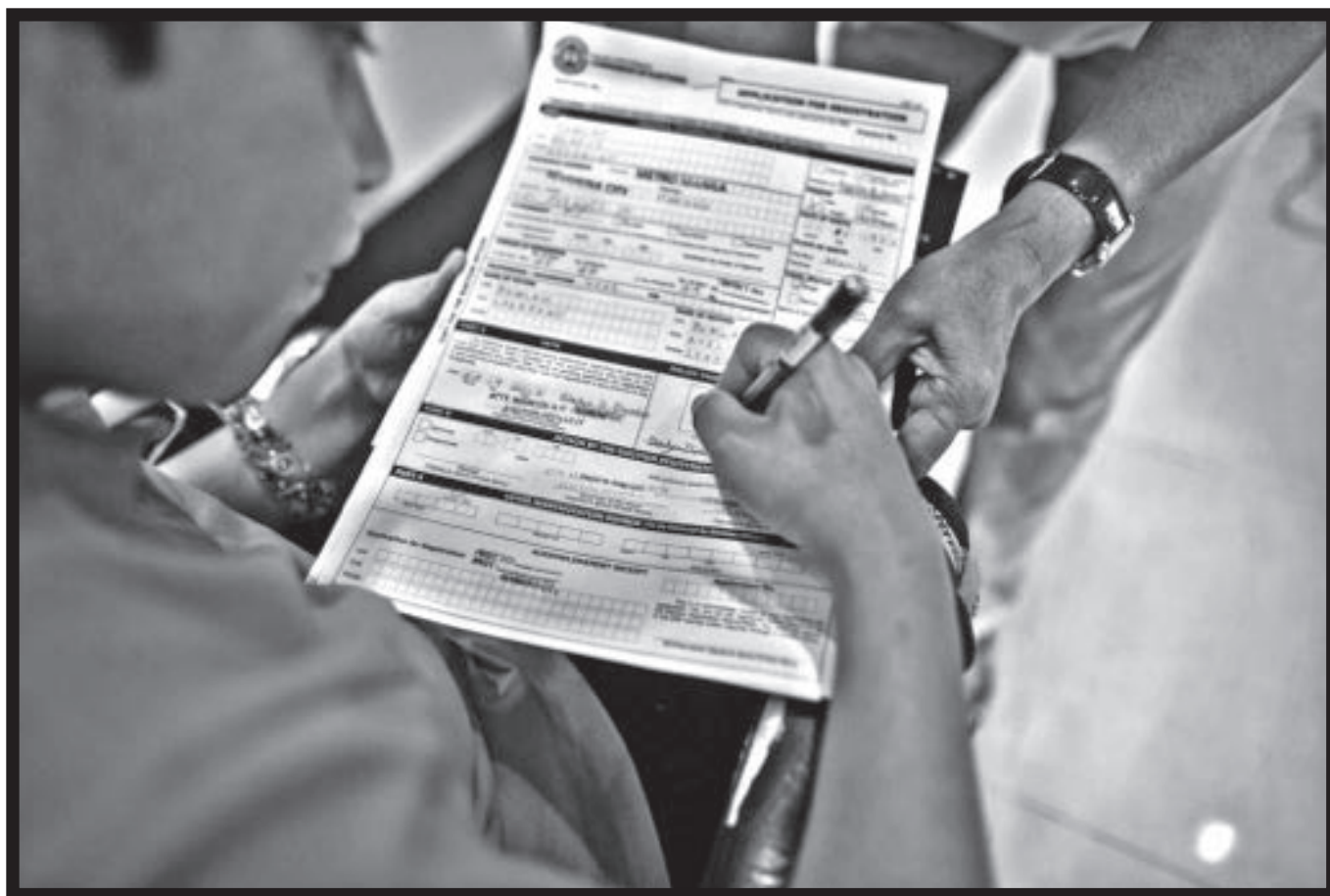
Macasarte’s experience is proof that PWDs have broken the barrier of “invisibility.” Not only are there candidates with disability who run and win, they have found allies among local officials who undertake projects that promote equal rights and opportunities for PWDs.

After the ambush, which turned out to be a case of mistaken identity, Macasarte set up Saklay (crutches), an organization aimed at helping PWDs gain mobility to access opportunities and participate in nation building. Launched in 2010, Saklay provides free

wheelchairs and crutches to PWD indigents in the province and conducts training to health workers to do proper rehabilitation.

Saklay has helped countless PWDs, including Evelyn Penas, a 50-year-old woman who had been walking on all fours using her hands and legs all her life. She lived in a house up in the mountains and earned her income by doing her neighbors’ manicure.

“We documented how giving her a wheelchair can help her life. It was then that I realized that this is the direction I’m supposed to take, this is where the ambush brought me to—to find my purpose in life,” she said in an



interview for a VERA Files documentary aired over the ABS-CBN's public affairs program *Krusada*.

Macasarte and Saklay have been pushing for legislation to promote the rights of PWDs in the province. She said the province is expected to pass the PWD Welfare and Development Code soon.

Macasarte also continues to advocate for local government units (LGUs) to allot the mandated 1 percent budget for PWDs and senior citizens. There are mayors, she said, who still refuse to allocate funds because the sector is small.

She is also calling on all municipalities to build their database on PWDs in order for the sector to be more organized.

"We PWDs really have to 'jump higher' than (others) to be seen, recognized, respected and be given dignity," she said. "That is our struggle. I also call upon the community to be sensitive to the needs of the PWDs. We don't ask to be pitied, what we ask is the right for every person with disability (to be recognized)."

Gladys Dumlao, 39, a person with multiple disabilities, signs her application for registration at the May 19 special registration in Baranggay Parang, Marikina City.



Sonia Lorenzo, former mayor of San Isidro, sought the advice of experts to design programs for PWDs in Nueva Ecija. PHOTO BY VINCENT GO

Nueva Ecija

Up north in Nueva Ecija province, Sonia Lorenzo, like Macasarte, was initially not an advocate of the sector and was even a reluctant politician.

She first entered politics in 1998, when her husband's political party asked her to run for mayor of San Isidro town as a last-minute substitute candidate. Her husband had been a congressman of the fourth district of Nueva Ecija.

When she ran for mayor of San Isidro, her platform focused on health and farming. "I had nothing on PWDs," she admitted.

Right after clinching an unexpected victory,

Lorenzo met a nongovernment organization worker who pointed out the need for children to have special education in regular schools.

"So I was convinced to invest in the sector," Lorenzo said. "I told them, I do not know how to take care of them, how to make a plan for the PWD sector; they helped me do that."

The first step was sending teachers to Laguna to undergo training on sign language and on special education (SPED). "All I had to do was sit down with them and discuss the plan. I was so happy because I was able to address something in an area where I had zero skills," she said.



News of her program became known and soon children from other towns came to San Isidro to study. They then proceeded to set up a high school for PWD children. To make sure that they had jobs after, Lorenzo set up another facility for vocational training.

“If we did not address the need of the children who were deaf, they won’t have the proper training to go to college and get a job. They get employed, they pay taxes. That’s how important PWDs are in the community,” she pointed out.

One of the most popular programs for PWDs in towns and cities is the purchase and distribution of wheelchairs. PHOTO

BY MARIO IGNACIO IV



PWDs need the assistance of sign language interpreters to be able to register and vote. PHOTO BY

MARIO IGNACIO IV



When Lorenzo ran for Congress in May 2013, the PWD sector was part of her platform. Had she won, Lorenzo said, she would have lobbied for the creation of Persons with Disability Affairs Office (PDAO) in local governments and to include PWDs in all health programs.

During her term in San Isidro, it being a fifth-class municipality then, she assigned a focal person to handle PWD affairs, which was all her office could afford to do, given its income. San Isidro has 400 PWDs in a population of 200,000.

The executive director of the Union of Local Authorities of the Philippines (ULAP) since 2010, Lorenzo knows that programs must be institutionalized to make sure that they

continue even after an official's term. To do that not only requires funding but some political maneuvering as well.

"The mayor who succeeded me, his priority is not health. We belong to different parties. I don't know if the special education program is running as planned," she said.

For PWD programs to succeed, the local chief executive must be convinced to put up a PDAO. It is the job of the mayor to make services accessible to all, she said.

During her term, for example, Lorenzo made sure all patients and PWDs were covered by PhilHealth, the government's health insurance provider, subsidized by the local government, and had access to other health services.





The best local government programs for children with disabilities have a holistic approach to child development.

PHOTO BY MARIO
IGNACIO IV

When ULAP and the Philippine Alliance of Patient Organizations (PAPO) in 2012 conducted roadshows in Oriental Mindoro, Ilocos Sur, North Cotabato and Nueva Ecija to encourage PWDs to register to vote, the usual feedback from the sector was that the mayor usually does not prioritize them.

The roadshows, a project of The Asia Foundation (TAF), were directed toward that—to help communities organize themselves and to push for the creation of PDAO. ULAP also drafted a PDAO handbook designed to assist local government officials in creating such offices and in implementing the Magna Carta for PWDs. With an office, the sector stands a better chance at creating laws for the welfare of PWDs.

In the post-election survey of PWDs and Filipino adults on the participation of PWDs in the 2013 midterm elections by the Social Weather Stations (SWS), the trust rating of PDAOs dropped from 46 percent in 2011 to 44 percent in 2013. The rest were either undecided or had little trust in the office.

The survey also showed that in both years, more than half of the PWDs almost had no knowledge on what a PDAO is.

“The reality is mayors want to win, they court votes. That’s why the sector has to be organized. Then united, as one voice, demand for your needs,” Lorenzo said.



Batangas

In Batangas, Governor Vilma Santos-Recto makes sure that PWDs, or BWDs (Batangueños With Disabilities), have access to services.

During the May 2013 elections, Batangas-based PWD advocate Ronnel del Rio said the governor ordered her partymates to make sure voters with disabilities get to vote. Del Rio said it did not matter that this involved providing vehicles to PWD voters.

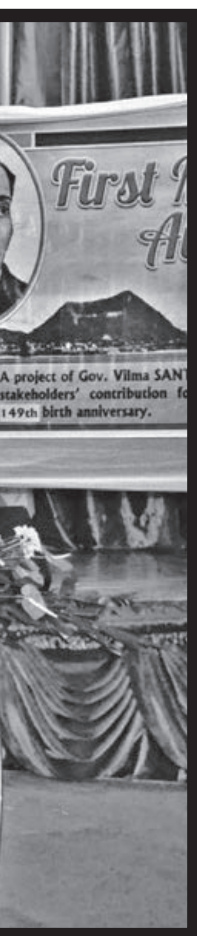
“Three days before the elections the

governor told me, ‘I want all members of the sector to be able to vote; even if they don’t vote for me,’” he said.

The undefeated three-term mayor and now as governor on her third term, Santos-Recto has in fact as early as 2009 directed all local governments in Batangas to make sure that all voters with disabilities are registered and are able to vote in the country’s first automated elections in 2010.

Del Rio said the governor has always been supportive of the sector. “She listens to them and plans what can be done to address their

Governor Vilma Santos-Recto holds the annual Apolinario Mabini Awards to honor PWDs with exemplary achievements. PHOTO COURTESY OF RONNEL DEL RIO



needs,” he said.

Batangas’ program to help the sector runs under the banner, “Pusong May K ni Governor Vi.” Launched in March 2012, the initiative started with data gathering, identifying services for BWDs, and then partnering with stakeholders. The program also ensures that all 31 mayors in Batangas prioritize the needs of the PWD sector.

It was also in 2012 that the province passed the ordinance creating the Provincial Council for PWDs. The council is composed of representatives from the sector, one for each type of disability, together with their parents, and members from national agencies and local officials.

The council was designed to assess current programs and plan future plans for PWDs in Batangas, and to make sure that the sector is included in the Annual Investment Plan.

In April 2012, Santos-Recto also led the First Synergy Conference for the economic empowerment of BWDs. For the first time, both local and national agencies gathered to tackle the issue of providing livelihood to PWDs.

Because of this meeting, the Technical Education and Skills Development Authority promised P400,000 worth of scholarship for PWDs and committed to develop competitors for Abilympics in the next three years.

The Department of Labor and Employment (DOLE) also allocated P400,000 worth of projects and all four congressmen adopted 75 scholars each, along with funding programs for trainings and purchase of computer units for PWD organizations.

The Provincial School Board has also

started providing monthly travel allowance for children in special education (SPED), and has enrolled 5,000 poorest PWDs in the province in the PhilHealth program.

It was also that year that Del Rio, known as the governor’s advocate for PWDs, was awarded by the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) as the lone Filipino promoter for the next decade for PWDs. He helped draft the final strategy paper on “Making the Right Real for PWDs,” which was approved by 44 countries during the intergovernmental meeting in Incheon, South Korea.

Del Rio, who is also a broadcaster, said having a local government leader supporting the sector pushes the advocacy forward. “An LGU becomes PWD-friendly when it is open to ideas, and it starts to allocate funds, and where there’s full involvement,” he said.

Perhaps the governor has had some help from her husband, Senator Ralph Recto, who has been in politics since 1992. Recto in 2006 filed a bill creating a PDAO in every province, city and municipality.

His bill, revised and refiled in 2009, would later be known as Republic Act 10070, the law directing provinces, towns and cities to set up a PDAO.

In January 2013, Recto filed Senate Bill 2855, or the “Additional Benefit to Families Act,” which seeks to require “more cash in the take-home envelopes of income earners by expanding the number of qualified dependents to include parents and disabled persons.” It also seeks tax relief for families taking care of aging members and PWDs.



Taguig City

Taguig City Mayor Laarni Cayetano and Senator Alan Cayetano, together as a couple, also advocate for PWDs.

A senator since 2007, Alan Cayetano co-authored the 2009 amendment to the Magna Carta for PWDs, the bill that eventually became Republic Act 10070. His sister, Senator Pia Cayetano, was the principal sponsor of the bill, being the chairperson of the Senate Committee on Social Justice, Welfare and Rural Development.

“Sometimes the more controversial or the sexier issues make the front pages, but that doesn’t mean that they are the more important issues,” said Cayetano during his 2013 reelection campaign, referring to PWD issues.

At the time he said the problem lies not with the legislation of pro-PWD measures but with their implementation.

A year after she won as mayor in Taguig in 2010, Laarni made sure the city enforced laws that benefit PWDs.

In March 2011, the mayor set up a PDAO office through a city ordinance. The office’s programs range from providing livelihood, education and health services to making sure IDs are issued, information is properly disseminated and counseling services readily available.

To do this, the mayor had to launch the Taguig City Integrated Survey System, a tool to identify the needs of each household. Taguig has 2,000 PWDs.

“The city learned who and how many

of the residents need assistive devices like wheelchairs, crutches and canes. This resulted in a targeted delivery of these services to the PWDs right at their doorsteps,” she said.

With education as her flagship program, the mayor also set up the LANI (Lifeline Assistance for Neighbours In-need) scholarship program that includes PWDs applying for college scholarships.

The city also expanded its SPED classes program and provides 400 pupils in 10 SPED centers free uniforms and school supplies.

The PDAO is mandated to come up with its own Development Plan and Work and Financial Plan, implement its community-based program, implement school feeding programs to SPED pupils, develop summer programs for PWD children, and even to provide regular in-house tutorials for children with special needs who are not enrolled in schools.

The office is also to coordinate with City Health Officer to provide medical and dental services to PWDs and coordinate with private colleges and universities to invite Physical and occupational therapist students to spend their on-the-job training in different SPED centers and unschooled children.

Parents and caregivers are also looked after with free medical examinations provided for them.

To make sure they are delivering the best services, the PDAO is directed to conduct research by updating the PWD database, partner with research centers and to publish news, journals, newsletters, books and education materials for the sector.

Taguig Mayor Laarni Cayetano set up the city's PDAO office in 2011 and has one of the best programs for PWDs. PHOTO COURTESY OF TAGUIG CITY GOVERNMENT



“We believe that through these, our PWDs will be able to get over their disability and be more productive citizens of Taguig, participate regularly in elections, and support the right leaders,” Mayor Cayetano said.

Mandaluyong City

Of all elected local officials, Mandaluyong City Mayor Benjamin Abalos Jr. is perhaps the most awarded when it comes to helping PWDs and

making them visible in society.

His first brush with PWDs happened way before he entered politics, an encounter with a 15-year-old boy stripped down to nothing, huddled in a fetal position, hiding under a sofa in the teenager’s home.

Then a lawyer with a private practice, Abalos recalled that the child’s father could only say, “My son grew up like that.”

A week later, Abalos heard the news that another child with autism graduated first in class.

Mandaluyong Mayor Benjamin Abalos Jr. has won several awards for Project TEACH, a program for children with special needs.
PHOTO COURTESY OF
MANDALUYONG CITY
GOVERNMENT

The two incidents convinced him to do something for the sector.

So the first time he was elected mayor of Mandaluyong in 1998, he pushed for the drafting of the ordinance to set up an office for PWDs, following his father's plan to do so before Abalos Sr. ended his term as three-time mayor.

By October that year, Mandaluyong would be known as the first LGU in the country to have a permanent office that caters to the needs of PWDs, whose population could not by any measure bring a politician like Abalos any substantial amount of votes come election year.

"The PWD sector is just 15 percent of our entire population. But I wanted a program that will aid the children even without their parents looking after them. What if their mother or father dies? Most of the children here are looked after by their grandparents. What if they die too?" he said.

So when Mandaluyong created the Disabled Persons Affairs Division, it promoted the rights of PWDs with the campaign banner: "*Lahat ng tao may K—may kamag-anak, kapatid, kaibigan, kaeskwela na puwedeng tumulong sa may kapansanan. Puwedeng magtulong-tulong* (Everyone has a relative, a sibling, a friend, a classmate who can help a person with disability. We can all help each other)," said Wennah Marquez, head of the division.

This earned the city the Apolinario Mabini Award in 1998 for being "the best local government unit with the best programs and projects for disabled persons."

Mandaluyong would also be among the

first LGUs to build a database of PWDs. Each house was visited and PWDs were registered and given an ID to make sure that they enjoy the 20 percent discount on food, medicine, hospitalization and 5 percent discount on commodities like canned goods and bakery items, as mandated by law. The city has on its record more than 1,700 PWDs.

With PWDs being Abalos' priority, which has always been part of his anti-poverty platform, the office receives sufficient budget. Under the law, local governments must allocate 1 percent from their Internal Revenue Allotment to senior citizens and PWDs.

For 2013, the office received a total budget of P4 million, which was spent for salaries, activities and for what Abalos calls as one of his "monumental projects": Project Teach (Therapy, Education and Assimilation of Children with Handicap).

Launched in 2007 as part of the community-based rehabilitation program, Project Teach provides medical, rehabilitation and educational services to children with intellectual and learning disability, cerebral palsy, autism, Down syndrome and developmental delay.

Project Teach won the Galing Pook Award in 2012, cited as an outstanding local governance program.

"The daily reality for most children with a disability is that they are often condemned to a poor start in life and deprived of opportunities to develop to their full potential and to participate in society. In communities where people are uninformed, children with special



To exercise their right to vote for leaders of their choice, PWDs must be able to get to registration areas and polling precincts. PHOTO BY MARIO IGNACIO IV

needs are ridiculed. It is for this reason that we partnered with the REACH Foundation to conceptualize a community-based program that directly benefits youth with disabilities residing in depressed areas,” Abalos declared in his February 4, 2013 State of the City Address. Reach Foundation’s project was funded by the Philippines-Australia Community Assistance Program (PACAP).

In 2011, the city won the Presidential Award for Most Child Friendly City in the Philippines and was a finalist in 2012.

Mandaluyong is perhaps the local government with the most comprehensive set of programs for the sector.

Marquez and her staff constantly write letters to establishments, attaching copies of the Magna Carta for PWDs, to remind them of the benefits PWDs are supposed to have, especially when the PDAO receives complaints.

Every year, the city receives donations for wheelchairs. It also assigns certified wheelchair technicians who can evaluate and fit PWDs needing customized wheelchairs. In 2012, it distributed 66 wheelchairs, walkers, crutches and prosthesis worth nearly half a million pesos.

The city has started training the police, social workers and court personnel to represent people with hearing impairment during court proceedings. Barangay PWD coordinators took classes to do basic sign language and visual gestural communication.

Abalos also instituted programs for children with cleft palate and adults with cataract, providing them free operation.

For employment, the city seeks out companies and establishments willing to hire PWDs. Last year, 26 PWDs from Mandaluyong were able to get jobs. PWDs can also opt to avail of the DOLE livelihood program, allowing them to have a seed money of P5,000 for small business ventures like *sari-sari* or neighborhood stores.

And perhaps the program Abalos is happiest with is the Children with Disabilities drum and lyre, which is composed of nine children with autism, hearing impairment and attention deficit hyperactivity disorder.

Formed in 2011, the band is the first of its kind in the Philippines. It was created for children with disabilities to develop concentration and compliance. The band plays during the city’s major celebrations.

Abalos said, “I believe in ‘*Gawa, hindi salita*’ (show it in deed not words).’At the end of the day, people will judge you for what you did, not on what you promised.” ■

PDAO Creation an Uphill Task



IN 2010, then President Gloria Arroyo signed into law Republic Act 10070, the law directing provinces, towns and cities to set up a Persons with Disability Affairs Office (PDAO).

As an amendment to Republic Act 7277 or the Magna Carta for Persons with Disabilities, it requires local government units to

institutionalize programs for PWDs, including ensuring that the Accessibility Law, Batas Pambansa Bilang 344, is properly followed and data on people with disabilities are gathered.

The office, the law says, must be headed by a PWD, or in cases where there is not enough budget to set up one, chief executives in fourth-, fifth- and

sixth-class municipalities can instead appoint a focal person to manage PWD affairs.

The law also calls for the creation of organizations for PWDs, monitor fundraising activities conducted for PWDs, see to it that programs are properly funded by both the national and local governments, and seek donations in cash or in kind from local or foreign donors.

Local government officials who are PWD advocates design and implement programs that cater to all types of disabilities.

PHOTO BY MARIO
IGNACIO IV

But three years into implementing the law, a mere 6 percent of the total number of provinces, cities and municipalities have PDAO officers and focal persons, or 96 officers in more than 1,700 LGUs.

Observers said with no implementing rules and regulations to guide local governments, the number is unlikely to pick up. Advocates and PWDs themselves, however, say the dismal performance is because of the lack of political will, as expected of local governments who would rather spend their money on infrastructure.

“Dahil nandoon ang ‘bahin’ (That’s where the cut or SOP is),” a PWD federation president in Cebu said.

Almost all of the PWD leaders interviewed by VERA Files in Cebu agreed that the sector, which is by far more empowered now than in the 1980s, is still struggling to get local executives to prioritize programs for PWDs.

“In reality, sa mata ng tao ang PWD wala kami (we are the invisible sector),” said, Ronald Resurreccion, president of the

federation in Carcar City.

In most towns in the province, PDAOs have not been set up and in areas where there are focal persons, they are employed either under the office of the mayor or office of the social welfare and development office.

They are hired as contractuels on a no-work, no-pay basis P250 to P280 a day, or just within or lower than the minimum wage range. Many of them had stayed that way since the law was passed in 2010.

“In my town, the wife of the mayor is even the head of the committee on social services. I’ve asked them many times for a budget to set up a PDAO office since 2010, but the mayor always tells me his priority is infrastructure,” a Cebu PWD federation president said.

He added that the chief executive refused to budge even with a resolution from the Cebu provincial government mandating all LGUs to set up an office for PWDs.

Cordova’s PWD focal person and federation head Corazon Clarin agreed that lobbying with the local government is a tough challenge. She had to volunteer

for two years, and diligently submitted laws and related documents to the council to convince them to appoint a PWD officer.

Even the appointment of focal persons and PDAO officers is often not spared from being politicized. With no plantilla positions and with the office lodged under the mayor, PDAO officers can easily be let go, especially if the next mayor, for example, decides to remove the position.

The PWD leaders said having an office or a focal person can make a whole lot of difference.

“If you implement the PDAO, persons with disabilities will know that there’s an office and that there are programs for them. *Lalabas sila kung may rason* (They will come out of their houses if there’s a reason),” said Nelberto Lasquites, federation president of Talisay City.

They all agreed that in the past three years, PWDs have been aggressively demanding for services. “The issue for PWDs is no longer acceptance. They now want to know what is due them,” Nelberto said.

Talisay is one of the six cities

in Cebu with a PDAO officer. And like in most LGUs, advocates like Nelberto had to assist elected officials in convincing them to set up an office. An office would for one ensure that PWDs are aware of opportunities for employment and for the delivery of services for better healthcare.

With no implementing rules and regulations, the only guidance they have is the Department of Interior and Local Government's (DILG) Memorandum Circular 2010-103, which sets the procedure for the establishment of PDAOs.

And as part of The Asia Foundation's (TAF) disability-inclusive elections program, the Philippine Alliance of Patient Organizations (PAPO) and the Union of Local Authorities of the Philippines (ULAP) recently drafted a handbook designed to guide and assist LGUs in setting up PDAOs.

The handbook, once published, will be distributed to local governments with Oriental Mindoro, Tagudin in Ilocos Sur, Midsayap in North Cotabato and Gapan in Nueva Ecija as pilot areas.

In the handbook, an ideal PDAO should be created through

an ordinance or executive order to ensure that the office can have its own budget and for its programs to be sustainable.

The ordinance, among others, must guarantee positions for PDAO officers or focal persons who must be a member of a duly accredited PWD organization with a track record of working for the sector for at least three years.

The provincial board or local council must choose three nominees, chosen by PWD organizations in a general assembly, and let the governor or mayor decide who to appoint. The officer will be under the office of the chief executive, who will closely supervise the PDAO operations and activities.

The PDAO shall serve for three years to be reappointed after three years by the board or council. For its staff, the office must have two community relations officers and a clerk.

The PDAO, under the DILG memo, should have an allotment from the annual budget. Under national laws, including the Magna Carta for PWDs, local government units are to allocate 1 percent of its total appropriations for senior citizens

and PWDs.

The office of senior citizens and PWDs split the 1 percent into half, leaving the sector with even less budget for its programs.

"Mayors in general support senior citizens because they are bigger in number," Resurreccion said.

To properly allocate the funds for programs, PDAOs must be able to gather data on PWDs and assess their needs by relying on existing data of the social welfare and health offices, conduct household surveys and hold PWD assemblies and events.

Once completing the database, PDAOs are encouraged to share the data with the local health office, which will issue a certification in order for the social welfare office to issue IDs. Having IDs will allow PWDs to access services such as discounts from drugstores and supermarkets.

The leaders said apart from the lack of funds, building a database could be difficult. For one, not too many parents are open to admitting that their child has a disability. For others, parents simply do not want to go

Responsibilities of PDAO Officer

- ☐ Formulate and implement policies, plans and programs to promote the welfare of the PWDs in coordination with national and local government agencies
- ☐ Coordinate the implementation of the provisions of Republic Act 10070, Batas Pambansa 344, otherwise known as the Accessibility Law, and other relevant laws at the local level
- ☐ Represent PWDs in meetings of the local development councils and other special bodies
- ☐ Recommend and enjoin the participation of nongovernment organizations and people's organizations in implementing all disability-related laws and policies
- ☐ Gather and compile relevant data on PWDs in their localities
- ☐ Disseminate information including, but not limited to, programs and activities for PWDs, statistics on PWDs, including children with disabilities, and training and employment opportunities for PWDs
- ☐ Submit reports to the office of the local chief executive on the implementation of program and services for the promotion of the welfare of PWDs in their respective areas of jurisdiction
- ☐ Ensure that policies, plans and programs for the promotion of the welfare of PWDs are funded by the national and local governments
- ☐ Monitor fundraising activities being conducted for PWDs
- ☐ Seek donations in cash or in kind from local or foreign donors to implement an approved work plan for PWDs, in accordance with existing laws and regulations; and perform such other functions as may be necessary for the promotion and protection of the welfare of the PWDs

Source: DILG Memorandum Circular 2010-103

through the trouble of bringing their children to clinics or to gatherings.

That is why, they said, having a budget for PWD leaders to conduct surveys and for them

to talk to parents is crucial.

"We need to train the next generation of PWD leaders.

And thankfully, the Fully Abled Nation campaign increased the awareness and participation of

PWDs during elections. That's a big impact, getting them to go out and vote," Clarin said.

—Avigail M. Olarte

PDAO Officers Nationwide (As of June 2013)

CAR (CORDILLERA ADMINISTRATIVE REGION)
1. Baguio City
2. Flora, Apayao
3. Pudtol, Apayao
4. Conner, Apayao
5. Tabuk City

Region I (ILOCOS REGION)
1. Asingan, Pangasinan
2. Alaminos City
3. Dagupan City
4. Bauang, La Union
5. Sudipen, La Union
6. Santol, La Union
7. San Fernando City
8. Santa, Ilocos Sur
9. Magsingal, Ilocos Sur
10. Candon City
11. Laoag City
12. Burgos, Ilocos Norte

Region II (CAGAYAN VALLEY)
1. Baggao, Cagayan
2. Lal-lo, Cagayan
3. Kayapa, Nueva Vizcaya
4. Aritao, Nueva Vizcaya
5. Santiago City
6.Cagayan Province

Region III (CENTRAL LUZON)
1. San Jose del Monte City
2. San Fernando City
3. Guagua, Pampanga
4. Angeles City
5. Olongapo City
6. Gerona, Tarlac
7. Mariveles, Bataan
8. Abucay, Bataan
9. Pantabangan, Nueva Ecija
10. San Antonio, Nueva Ecija

Region IV-A (CALABARZON)
1.Cavite Province
2. Cavite City
3. Dasmariñas City
4. Tagaytay City
5. Bacoor City
6. Carmona, Cavite
7. Alfonso, Cavite
8. Lemery, Batangas
9. San Juan, Batangas
10. San Jose, Batangas
11. Antipolo City
12. Cainta, Rizal
13. Lucena City
14. Quezon Province
15. Tanauan City
16. Sta. Rosa City

Region IV-B MIMAROPA
1. Puerto Princesa City
2. Banton, Romblon

Region V (BICOL REGION)
1. Albay Province
2. Ligao City
3. Tabaco City
4. Masbate City
5. Sorsogon City
6. Iriga City
7. Naga City
8. Pili, Albay

Region VI (WESTERN VISAYAS)
1. Bacolod City
2. Kabankalan City
3. Iloilo City
4. Concepcion, Iloilo
5. Oton, Iloilo
6. Miagao, Iloilo
7. Bugasong, Antique
8. Antique, Province
9. Roxas City
10. Capiz Province
11. Tangalan, Aklan
12. Banga, Aklan

Region VII (CENTRAL VISAYAS)
1. Talisay City
2. Candon City
3. Mandaue City
4. Cebu City
5. Cordova City
6. Dalaguete, Cebu Province
7. Bohol Province

Region VIII (EASTERN VISAYAS)
1. Borongan City
2. Hilongos, Leyte
Region IX (ZAMBOANGA PENINSULA)
1. Zamboanga City
2. Ipil, Sibugay

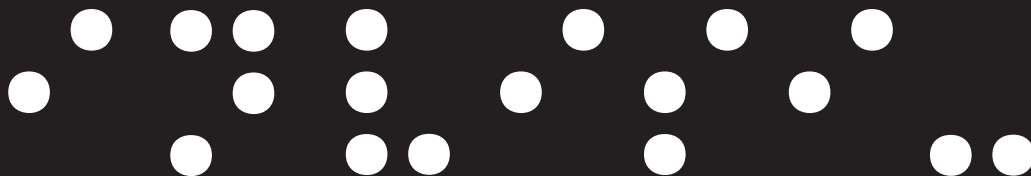
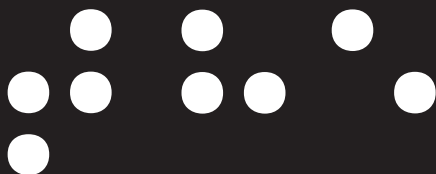
Region X (NORTHERN MINDANAO)
1. Gingoog City, Misamis Oriental
2. Opol, Misamis Oriental
3. Malaybalay City, Bukidnon
4. Iligan City
5. Valencia City, Bukidnon

Region XII (SOCCSKSARGEN)
1. Cotabato City
2. Koronadal City

CARAGA Region (NORTHERN MINDANAO)
1. San Francisco, Agusan del Sur
2. Bayugan City, Agusan del Sur
3. Bislig City, Surigao del Sur

NATIONAL CAPITAL REGION
1. Mandaluyong City
2. Taguig City
3. Quezon City
4. Manila
TOTAL: 96 PDAOs

Source: National Council on Disability Affairs



The Invisibles

By Luz Rimban

IN his fourth State of the Nation Address (SONA) delivered before members of Congress in July 2013, President Benigno Aquino III said the signs of change in Philippine society encourage him to pursue the straight and narrow path, known in Filipino as “*tuwid na daan*.” He then cited as an example Niño Aguirre, a person with no legs and who moves around riding a skateboard.



“How can I not be encouraged, when even the likes of Mr. Niño Aguirre are helping shape our future?” the President asked.

“Just think,” he added, “though unable to walk, he climbed all the way to his fourth-floor precinct, just so that he could vote and contribute to true social transformation.”

The President then thanked Aguirre for the inspiration.

While probably done with the best of intentions, the President’s gratitude was, at the very least, ill advised. If anything, Aguirre’s experience actually raises a basic question: What kind of government will subject a person who could not walk to the agony of climbing four flights of stairs, even if it was to exercise the right of suffrage?

Stereotyping PWDs

Reporting on Aguirre’s election day experience, one of the country’s major broadsheets said journalists covering the Pembo Elementary School in Makati City that day had offered to help Aguirre, who declined the assistance. On his own, he reached the fourth floor using his skateboard, a feat that television news crews even filmed.

Here, for everyone to see, was a herculean PWD, stronger than people who could walk, and able to climb stairs with a single skateboard. Without feet and hands, he somehow pedaled his way to the top floor.

Unwittingly, President Aquino helped reinforce the stereotype of PWDs as hero.

President Benigno Aquino III praises Niño Aguirre in his July 22, 2013 State of the Nation Address.

“The successful ‘handicapped’ person is superhuman, triumphing over adversity in a way which serves as an example to others; the impairment gives disabled persons a chance to exhibit virtues they didn’t know they had, and teach the rest of us patience and courage,” wrote Laurie Block in an essay called “Stereotypes About Persons with Disabilities.”

A stereotype similar to that looks at PWDs as “holy innocents endowed with special grace...inspiring others to value life.” On the other extreme, society sometimes sees PWDs as a menace, and disability as sickness, “something to be fixed, an abnormality to be corrected or cured.”

These images and ideas people usually have of PWDs are just like myth and folklore, said Block, and only partly true. Some are the product of “popular image and fictional narratives,” and are labels that PWDs have either resisted or used.

People without disabilities may have personal encounters with PWDs which would tend to reinforce such images, wrote Block. But somehow using them in the realm of public policy would limit PWDs, result in failure both to fully appreciate their situation and to prescribe the proper measures to address their plight.

True enough, the President had a simple response to Aguirre’s situation. “We’ll get him a wheelchair,” he said when the reporter asked him what he intended to do about Aguirre. But then again, a wheelchair will actually make it more difficult for Aguirre to climb to the fourth floor on his own, in the 2016 elections.

Paying lip service

The Niño Aguirre story, as it played out in the media and in the halls of Congress, betrays a sad reality, beyond stereotyping PWDs. A government official—the highest one at that—and the media that are supposed to inform readers, seemed clueless about PWDs and the issues they face.

Had the President’s speechwriters and the reporters only done their homework, they would have remembered that he had then just recently signed into law Republic Act 10366, which mandated accessible polling places for voters with disabilities. Although not yet a law during the elections, it was nevertheless in force as Commission on Elections (Comelec) Resolution 9485 came into effect in June 2012. That resolution required that polling places for PWDs be located on the ground floor of every voting area.

To PWD advocates, the part of the President’s speech citing Aguirre was just one more proof of how the Philippine government has been paying lip service to the rights of PWDs, in this case the exercise of their right of suffrage.

Three decades before Resolution 9485 and Republic Act 10366, the Philippine government enacted Batas Pambansa 344 to provide a barrier-free environment to PWDs. Known as the Accessibility Law, it required buildings for public use to have architectural facilities or structural features to enhance the mobility of persons. These architectural facilities include sidewalks, ramps and railings.

An express lane in Cordova Central School,
Poblacion, Cordova, Cebu. Under the law,
the government must provide for a barrier-
free environment to PWDs when voting.

PHOTO BY MARIO IGNACIO JV

CLUSTER 2
Poblacion
Cordova

EXPRESS LANE
for
Pregnant women, PWD, DV,
and Senior Citizens

Regular
Voters







*PWDs strive to
defy stereotypes
by proving that
their impairment
is not a barrier
to living a full,
functional life.*

PHOTO BY MARIO
IGNACIO IV

Resolution 9485 should have been in existence long ago, not just because of the Accessibility Law but also because the Philippines signed the United Nations Convention on the Rights of Disabled Persons (CRDP), which was ratified in 2006.

Yet, despite the commitments the Philippine government made, it took an aggressive three-year campaign for disability-inclusive elections launched by civil society groups for the Comelec to come up with the resolution mandating accessible polling places (APPs).

But then again, getting the resolution approved and having it enforced are two different things. PWD advocates who expected to see the nationwide implementation of Resolution 9485 were dismayed to find that Comelec “pilot tested” the APPs in only two voting areas in a single city in Cavite province during the May 2013 midterm elections.

The non-implementation of Resolution 9485 left PWDs in other areas like Aguirre to fend for themselves and find their own means of reaching their polling precincts.



Mainstreaming PWDs

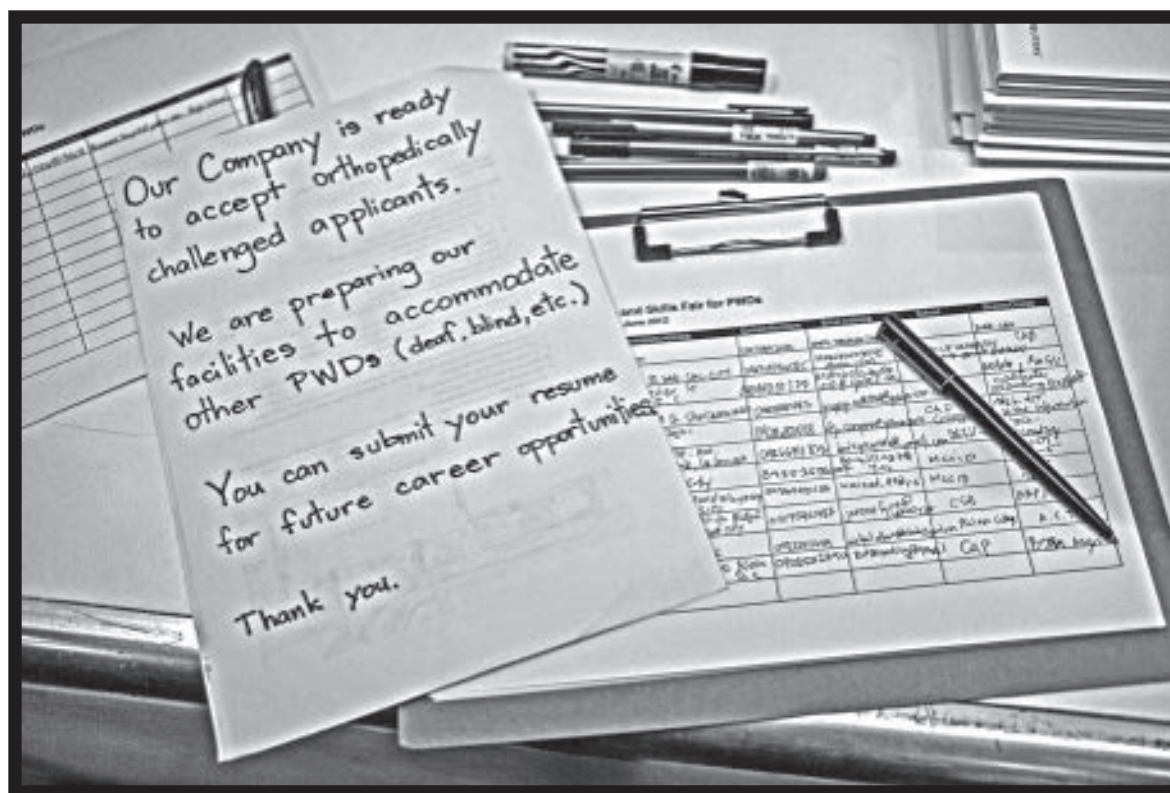
If Filipinos were to find something good for PWDs in the President's speech, it was that it helped bring their issues to the national consciousness. PWDs are considered a marginalized group, dismissed and denied

attention and care not just by society but also by their own families, as stories in the earlier chapters have shown.

The plight of 42-year-old paraplegic Apolonia Barrientos and the sisters Lolita and Josephine Bayron who have debilitating mental and physical illnesses illustrate the extremes that families can go to in dealing with

Nelia de Jesus of the NCDA says job fairs are for companies to hire PWDs not out of pity but because members of the sector possess the skills for the job. PHOTOS BY MARIO

IGNACTIO IV



PWD members. Because they bring shame to the family, they are locked up in their virtual prisons and treated inhumanly. And they waste away because their families lack the means to provide them medical attention. The town and cities in which PWDs live are supposed to set aside funds for PWD programs but these provisions are rarely followed.

The World Health Organization (WHO) estimates that 10 percent of the world's population or around 1 billion people live with some form of disability. The Philippines' National Statistics Office (NSO) pegs the number of PWDs at 1.443 million PWDs out of the population of 92.1 million based on the 2010 census, but advocates say the figure is inaccurate, considering that not every PWD

would report his or her disability.

Despite the size of the PWD sector, its members remain invisible. PWDs are "often denied chances to work, go to school and participate fully in society—which creates barriers for their prosperity and well being," the WHO said. "People with disabilities have poorer health outcomes, lower education achievements, less economic participation and higher rates of poverty than people without disabilities."

Not surprisingly in the Philippines, some PWDs consider themselves worse off than the average person. "They are less optimistic, less satisfied, less happy and less healthy," the Social Weather Stations (SWS) found in a survey completed in July 2013.



In that survey, the SWS found that 40 percent of PWD respondents said their life got worse in the past year, and only 19 percent thought it got better. Only about one in four respondents saw life improving in 2013.

The UN Convention

The way forward for PWDs is the United Nations Convention on the Rights of Persons with Disability. It helps governments and societies understand disability as a human rights issue, rather than a medical or charitable one.

Rodelio M. Palcat, a PWD voter from Barangay Nituan in Parang, Maguindanao, says poll officers prioritized PWDs in his polling precinct during the barangay elections. PHOTO BY ARTHA KIRA PAREDES



“The Convention on the Rights of Persons with Disabilities is important because it is a tool for ensuring that people with disabilities have access to the same rights and opportunities as everybody else,” the WHO said.

The convention aims “to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.” Those rights and freedoms include political rights, encompassing the right to vote and be elected to public office.

But for PWDs to enjoy those rights, the UN convention says, States must make sure that “voting procedures, facilities and materials are appropriate, accessible and easy to understand and use,” and that it help ensure the presence of assistive and new technologies.

As the May 2013 elections show, however, the barriers to PWDs’ exercise of political rights remained, despite the strong civil society lobby that became known as the Fully Abled Nation (FAN) campaign. While it is true that election volunteers and advocates went out of their way in many parts of the country to assist voters with disabilities, the government imprimatur that would have made accessible polling places a widespread reality did not materialize.

Months after the elections, PWD advocates sought an explanation from the Comelec on the non-implementation of accessible polling places. Commissioner Grace Padaca, herself a PWD, explained that the Comelec had made up its mind as far back as three months before the election to pilot-test only two areas for the

accessible precincts. Padaca even asked the group what was the basis of their expectations that APPs would be established during the May 2013 elections, to which the group could only reply, “Resolution 9485?”

‘When will this veil be lifted?’

Actually, some human rights groups say PWDs are more marginalized than other groups in the same situation, among them women, youth, gays and lesbians and indigenous peoples. Sometimes, even human rights group are blind to PWD issues.

“Throughout the years, persons with disabilities have remained largely invisible because of discrimination,” said The Coalition on the UN Convention on the Rights of Persons with Disabilities (PhilCoalitionCRPD) in its 2012 report submitted to the United Nations Human Rights Council (UNHRC).

The findings formed part of a joint civil society report that was submitted for the UNHRC’s Universal Periodic Review (UPR) to look at the human rights situations of the UN member countries.

“When will this veil be lifted?” asked Liza Martinez, director of the Philippine Deaf Resource Center (PDRC), referring to the lack of attention given to PWD issues even within international discussions on human rights. “The fact that there is no mention of any disability rights, nor any participation by the sector in

the first UPR is clearly evidence of this,” the coalition’s statement added.

The report said that some Philippine policies actually do not recognize PWDs as legally competent. These include several articles of the Civil Code, in the Rules of Court, and policies concerning guardianship, and the appropriation for programs and activities for PWDs.

To be fair, the coalition also acknowledged that the PWD sector has made some headway when it comes to social protection mechanisms: Disability benefits, PhilHealth insurance, and a 20 percent discount on medicine, transportation and medical services. But the coalition said these benefits are insufficient and not all PWDs get to enjoy them. Since a majority of them are unemployed, these benefits do not trickle down to them.

“Since many of them are also poor, they would not even have the minimum capacity to purchase medicine, medical services, etc. in the first place so that they can avail of the 20 percent discount. This 20 percent discount is not available in areas where there are no establishments mandated to provide such discounts. Also, labor market programs for persons with disabilities have not been systematic enough to have a significant impact,” the report said.

No data

Another problem when it comes to PWDs is the absence of updated data that provides basic information to include statistics that ideally should help government managers and planners respond to PWD concerns. “There is a dire lack of documentation for even the most fundamental information about Filipinos with disabilities,” the report said.

The last available report made by the NSO in 2005 was based on the national census conducted five years earlier in 2000. Based on the results of that census, there were more than 942,000 people with disabilities or about 1.23 percent of the country’s total population at that time. (In 2013 the NSO released the results of its 2010 census placing the number of PWDs in the country at 1.443 million or 1.57 percent of the population.)

Blindness, deafness, paralysis and mental retardation or mental illnesses were the four most common impairments. This lack of recent statistics poses a challenge as policymakers rely on these numbers to justify appropriations for programs and services for what is considered a vulnerable sector.

In the area of elections and political rights, government functionaries did not seem to put much importance on collecting data from and about voters with disabilities. In the Autonomous Region in Muslim Mindanao (ARMM), for example, the Comelec registration data yielded zero PWDs simply because the Comelec failed to provide supplemental forms

for PWDs during the registration.

Those supplemental forms would have generated information on the kind of disability each voter has, and what kind of assistance he or she needed. Yet Comelec officials failed to bring those forms along when they marshaled the full force of the Comelec for the general registration in Muslim Mindanao, most likely because they considered it an additional burden.

“Kasi ang experience ko sa Comelec, itong mga new initiatives na ito dagdag trabaho... PWD, dagdag trabaho yan eh. Dami naming trabaho, tapos dadagdagan pa, nandun yung mentaliting ganyan (Based on Comelec experience, new initiatives are considered additional work, PWDs are additional work. The mentality is that they already have so much to do and you keep on piling up additional tasks),” said retired Comelec Commissioner and PWD advocate Rene Sarmiento.

Diversity in disability

PWD advocacy may be in its infancy in the country, unlike in developed countries that have the resources to make accessibility a reality. Still, the advocacy begins with a mindset of inclusiveness, which Filipinos have yet to embrace. This could be why expecting a disability-inclusive elections would be like putting the cart before the horse.

Perhaps one source of ambivalence toward PWDs is the simple fact that they are a diverse group that differs in age, gender, social class

and other traits. They have different disabilities and respond to them in their own unique way. Indeed, some disabilities are obvious while others are not; some would like to be treated like everyone else, while others demand special attention.

Emerito Rojas, a PWD who lost his voicebox to throat cancer, said during the 2013 May elections that he did not fill in the supplemental form because he had no problem with mobility and did not need assistance.

Candidate Manuel Agcaoili, who chairs the Alyansa ng may Kapansanang Pinoy (AKAP Pinoy) coalition of PWD groups, said, “I am where I am now because of what I have done for myself...Whether you are with disability or not, who you will be is your own doing.”

Not many PWD would share Rojas’ and Agcaoili’s attitudes, and indeed many of them need all the assistance and support they could get. The point is to have government part of that support system, something that may take a while to happen.

—With inputs from Lala Ordenes, Avigail Olarte, Carlo Figueroa and Maribel Buenaobra

The Mall Experiment

By Yvonne T. Chua



IN the same way it piloted accessible polling places (APPs) in two Cavite public schools in the May 2013 midterm elections, the Commission on Elections (Comelec) carried out yet another “experiment” in the

October 28 barangay polls that year.

This time, APPs were set up in four SM malls—in Manila, Lipa, Cebu and General Santos cities—to see if the setup would work for persons with disabilities

(PWDs) and senior citizens come 2016 elections, when the Comelec is set to fully implement Republic Act 10366, or the poll accessibility law, nationwide.

It was not the first tie-up between the Comelec and

Only three PWDs voted at the accessible polling place in SM Lipa in Batangas. PHOTO

BY MARIO IGNACIO IV

SM. The mall had lent some of its malls as venues for the satellite registration for PWDs in 2012.

On October 28, when polling at the four malls closed at 1 p.m., voter turnout had reached a high 91 percent. High marks were given to the malls' comfortable environment and wheelchairs on standby, leading Comelec to say other malls and gyms would likely be considered as APPs in 2016.

Reymundo Chica and his wife Melanie, both with visual impairment, were among the three PWDs who voted at SM Lipa. "*Nakakatuwa na para kaming artista kahit isang araw lang* (We enjoy being treated like a celebrity even for just a day)," the 37-year-old Reymundo said in jest.

Melanie said for the first time she did not have to force her way through a crowd to vote.

The positive reviews notwithstanding, the October 2013 experiment appears to be an imprecise gauge of exactly how accessible malls would be to PWDs because

of one major setback: Of the 205 voters qualified to vote at the mall APPs, only 10 were PWDs.

Comelec Resolution 9797, which paved the way of the creation of the four APPs, required senior citizens and PWDs to consent to their transfer from their regular precincts to the malls. In all four cities, however, only 10 PWDs gave their consent—four in Cebu, three in General Santos, three in Lipa and none in Manila.

There were at least two reasons for the small number of PWDs.

Election officials in Manila, for one, had trouble locating who on the list of registered voters in Barangay 659, the targeted barangay, were PWDs. The registration records had no checkmarks if the voter is with disability, said election officer Narciso Rabe.

"If we look at the records, only few PWDs are registered," said Comelec Commissioner Grace Padaca who is in charge of the APPs. "We really need to strengthen our campaign for the PWDs

to update their registration, to tell the commission that they have disabilities. Otherwise, we will not know where to put accessible polling places."

Comelec records show there were 79,233 new PWD voters as of August 12. They are the ones who updated their records when Comelec started using the supplemental forms where PWDs indicate their disability and assistance needed.

The second reason for the small number of voters with disabilities: The PWDs themselves said their regular polling places, including public schools, were still more accessible because they were nearer their homes.

In Lipa, four of the seven PWD voters in Barangay Sabang targeted by Comelec refused to transfer to the special precinct in SM Lipa. "Their regular precinct, G.B Lontok Elementary School, was nearer to their area than SM Lipa so they chose to go to the school," said election officer Candy Orense.

In a September 25 roundtable discussion



Couple Reymundo and Melanie Chica, both with visual impairment, are assisted by Comelec officers as they choose candidates to vote for during the 2013 barangay elections in SM Lipa in Batangas. PHOTO BY MARIO IGNACIO IV



organized by the Fully Abled Nation coalition with DPO representatives, Jana Vicente of the office of Commissioner Grace Padaca consulted with DPO representatives on the feasibility of the plan to utilize SM malls as APPs in the barangay elections. In response, DPO representatives cited this very reason for their apprehension over the creation of APPs in malls.

Instead of creating special polling places that PWDs cannot go to, it would be better for the Comelec to make the regular polling places accessible, they said.

Batangas PWD advocate Ronnel del Rio said putting up APPs in “isolated areas” like malls is unnecessary if regular polling precincts were more accessible. “Schools must be more PWD-friendly. After all, these facilities are also used not just during elections but during emergencies,” he said.

Del Rio also said moving from one voting location to another endangers the sanctity of the ballots.

Republic Act 10366 requires the Comelec to let

PWDs and senior citizens vote in ground-floor precincts and provide them convenience facilities such as ramps.

But in the October barangay elections, as in the May midterm polls, 90-year-old Haide Solidum, who uses a wheelchair, had to be carried to her third-floor precinct at the Araullo High School in Manila.

“Dito nga kami assigned parati sa third floor. Sabi ko baka puwedeng sa baba na lang kami (We were always assigned at the third floor. I asked if we could stay at the ground floor),” she said.

In Dasmariñas, Cavite, the pilot APP area last May elections, voting areas for PWDs were still located on school grounds. A ramp was built leading to the main building of Salawag Elementary School. On election day, however, the ramp was defective and slippery.

Beyond malls and schools

For sure, establishment of APPs, as required by Republic Act 10366, is a major step to ensuring PWDs and senior citizens get to vote with little or no barriers. But advocates believe there is more government can do.

Del Rio suggested absentee voting for voters with disabilities or to let them vote a day ahead of election day.

The proposal will give PWDs the same voting privileges enjoyed by policemen, soldiers and other government officers and employees performing election duties. The Comelec in October 2012 in a resolution also allowed media practitioners to be included under the country’s absentee voting.

“If PWDs can vote on a separate day, along with senior citizens, then politicians might allow it,” he said.

Del Rio said that like in the 2013 barangay elections,



having the two sectors—PWDs and senior citizens—voting together was a good move because it meant more votes.

Manuel Barredo, the first nominee of the PWD party-list, said the sector is also looking into other possibilities like online voting or voting through text.

“What if, for example, you can vote through text or other means? That way the problem of transportation will be removed. So we have to study all of these things,” he said.

In Palawan, a participant who joined the Social Weather Stations’ pre-election focus group discussion on the Participation of PWDs in

the 2013 Midterm Elections said the Comelec should also explore the option of voting by mail.

“The PWD voters live in far-flung areas and it’s difficult for them to go to the voting precinct,” the participant said who cited the absentee voting system in other countries.

Not one PWD was able to vote in SM Manila for the barangay elections. Poll officers said they had difficulty locating PWDs in Barangay 659 because they had no record of registered PWD voters. PHOTO BY LUIS LIWANAG

Other countries show the way

A number of proposals from Filipino voters with disabilities have, indeed, worked in elections in other countries.

Telephone voting was made available to voters who are blind or have low vision in Australia's federal elections in 2010. An official guide, produced in several accessible formats, including audio, Braille, large print formats and e-text, provided information on accessible polling places and how a voter could cast an early vote.

Spain made arrangements for postal votes. It also delivered 1,458 voting kits to polling precincts for blind and visually impaired persons, made accessible voting coordinators available on election day and had in place a procedure to accommodate requests of voters with hearing disability who wish to have sign-language interpreters serve as electoral officers on election day.

During elections, Sweden permits election officers in inaccessible premises to receive voting envelopes outside of the polling stations if this can take place in a secure manner. Voters unable to get to the stations because of illness, disability or age may vote by proxy.

PWDs in some countries even receive special visits from election officers to see to it they vote.

Voters in Austria who cannot walk or be transported may be visited by a "flying election commission." Separate polling stations are also established in large medical institutions and nursing homes. Austrian PWDs are automatically sent a voting card before every election and given the option of postal vote.

In Hungary, PWDs may request to vote with a "mobile urn" carried out at their residence.

South Korean voters who have to stay long in hospitals or rest homes because of, among other reasons, severe disabilities are permitted to vote at these facilities. PWDs

who go to polling stations, meanwhile, have voting booths exclusively for them and have voting assistive technology devices, including special ballot paper for those with visual impairment, and convenience facilities at their disposal.

South Korea allows family members or two designated assistants to accompany voters with visual or physical disabilities. It also deploys two to four voting assistants per polling station according to the type of disability.

Nearer the Philippines, Hong Kong's PWDs may arrange to vote at a polling station specially designated for them or for transportation arrangements. Days before elections, sample Braille templates are given voters with visual impairment so they can practice marking their own ballots.—*With inputs from Iza Darlene Cay, Dexter Cabalza, Melissa Luz Lopez, Mark Pere Madrona and Avigail M. Olarte*



Sector advocates
believe recognizing the
PWDs' right to vote is a
powerful start. PHOTO BY
MARIO IGNACIO IV



