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WOMEN'S LEGAL BUREAU, Inc.

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



philippines



NGO
Shadow Report 2006

CEDAW

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

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

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

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

CEDAW: Philippines NGO Shadow Report 2006

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CEDAW:

Philippines NGO Shadow Report 2006

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN



The NGO CEDAW Shadow Report of 2006 is a consolidation of the results of workshops and consultation that contextualizes the need to engage in the process of policy advocacy such as the CEDAW shadow report.

It aims to substantially capture the truthful plight of Filipino women as well as contextualize their socio-cultural-economic and political conditions. It highlights the Philippine government's accountability and obligation on its commitments to forward women's equality agenda under the Convention of the Elimination of All Forms of Discrimination against Women (CEDAW). More importantly, it gives recognition to the efforts of all women's groups that continually intervene in the struggle to push forward the status of Filipino women and in celebration of its substantial gains for women's equality, to be a reality. Under the treaty, each nation that ratifies the CEDAW place responsibility on itself to comply with its provisions. It is then obliged to submit periodic reports to the Committee to appraise it on the status of its compliance. A "shadow report" to the UN Committee on CEDAW is an alternate report prepared by NGOs parallel but independent of the country report.

This shadow report hopes to verify the contents of the country reports. Generally, shadow reports point to specific women's concerns that receive inadequate attention from the state, if at all. It also calls attention to concerns that are not appropriately addressed by the state, or whose interventions or policies and programs that are meant to remedy the situation have the opposite or a negative impact on women. Shadow reports are also useful in identifying emerging conditions that, in all probability, will make women's circumstances more difficult and needs to be addressed soon if not immediately to prevent them from happening or to lessen their impact.



The Women's Legal Bureau reiterates its gratitude to UNIFEM and CIDA for its resources; and likewise, to all the organizations and women who contributed to this national effort and brought forth their stories and experiences, even with the limited time available. The WLB staff and volunteers, the major writers and researchers and many other individuals, must also be commended for lending assistance in producing this valuable report.

Thank You.

Prof. Maureen Pagaduan
WLB, Managing Trustee

FOR WOMEN'S MESSAGE



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When the Philippine government ratified the CEDAW in 1981, it submitted itself to legally-binding commitments to promote women's human rights and to take national action to ensure that they access and enjoy these rights. Tragically, after more than two decades, no substantial or significant progress has been made and the Convention continues to be flagrantly breached.

The elusiveness of this basket of rights, guaranteed by the CEDAW cannot but lead to an interrogation of the context in which they are supposed to be realized. It is a context of increasing political repression of militant leaders and people's organizations who have charged the current administration with election fraud and corruption, and who protest the general decline in quality-of-life indicators. It is also a context marked by the same export-oriented, market-driven policies, which continue to be implemented despite the poverty-creating impacts on poor women and other marginalized sectors.

These indicators represent grave systemic flaws that impede rather than advance women's human rights. Unless these are confronted, there will be no progress on the CEDAW beyond monitoring gaps and identifying accountabilities.

Only by purposively moving towards resolving structural inequities can discrimination against women, in all its forms, begin to be decisively eliminated.

Women's Economic Empowerment

Women's economic empowerment is one of the areas of concern the Philippine government promised to address as part of efforts to facilitate the implementation of the CEDAW. However, the difference between policy and practice has yawned wider over the years, spelling more disempowering than empowering conditions for millions of Filipino women in the country and abroad.

A wide discrepancy exists between urban and rural human development indicators. Conditions are particularly dismal for rural women, whose work in both production and social reproduction is largely unpaid to begin with. Rural poverty incidence has hardly budged and even worsened in certain areas. Provinces in the island of Mindanao, where the largest concentration of indigenous peoples can also be found, consistently posted the lowest human development outcomes relative to other regions.

Executive Summary



It thus comes as no surprise why both women and men are willing to leave families behind for higher pay abroad. Despite many reports of abuse and unexplained deaths among female Overseas Filipino Workers (OFWs), more and more women are leaving the country to find work abroad. Dependent on OFW remittances and unable to create jobs at home, government encourages this out-migration of human resources through various overseas labor facilitation programs. From a few thousands in the 90s, the number of documented Overseas Filipino Workers, of which women comprise the majority, has been rising to tens of thousands over many years. Some 539,000 women OFWs were documented by the Philippines National Statistics Office as of 2004 or more than half (50.7 percent) of the total 1.063 million migrant workers. This further increased by 5.15 percent in 2005. Their average monthly cash remittance represented only 57 percent of the PhP74,267 average monthly cash remittance of the men.¹ For the last three years, several provinces in Mindanao ranked highest in the number of deployed women, with Saudi Arabia as the top destination.

Women and the Environment

Women's knowledge of biodiversity as a source of water, food, medicines and livelihood, is threatened with the aggressive drive to further open up the country's resources to foreign investments and capital. With government's liberalization and recent revitalization of the mining industry more ancestral territories of the indigenous peoples, of whom an estimated 49 percent are women, are being encroached upon for use in large scale extractive activities by foreign firms.

For indigenous women and Muslim women, the environment is linked not only to their economic sustenance; it is also entwined with their cultural, social and spiritual life as a people. This reality, however, is unrecognized by a government disdainful of indigenous and minority women's socio-cultural rights.

Violence Against Women

An estimated 300,000 women and 75,000 children are in prostitution. "Entertainment" is the main channel, but a range of establishments from dirt-floor beer houses and karaoke clubs to beach resorts and expensive health clubs provide prostitution for men of every class. Government policies favor the export of entertainers and domestic helpers putting thousands of women at risk of sexual exploitation. Further, government approval of "R and R" privileges for the US navy sustains a system and infrastructure of military prostitution. As for children, of the 200,000 or so street children in the Philippines, about 60,000 sell their bodies (Asiaweek, February 7, 1997)"²

More recent research findings that prostitution has become a multi-million dollar business, reportedly with the fourth largest contribution to GNP, indicate that the numbers today must be much higher than what is usually quoted by official sources. Push and pull factors persist, widening the net for women and girls' recruitment into the industry, both in the Philippines and abroad.

The 2004 enactment of Republic Act (RA) 9262 or the Anti-Violence against Women and Children (Anti-VAWC) law and the innovation of a 30-day Temporary Protection Order are steps forward. But implementation, thus far, shows





little comprehension of the law, much less understanding of gender-based violence.

The rape of a 22-year old woman reportedly by six US American marines participating in joint military exercises provided for by the US-RP Visiting Forces Agreement gripped the Philippines in late 2005. Foreign policy, in this case, intersects with VAW, and despite existing legal instruments, government unabashedly showed its malleability in the face of a powerful country like the United States.

Sexual and Reproductive Health Rights

Filipino women are still without any national legislation on their reproductive rights. It is obviously *realpolitik* that defines government's operating framework on sexual and reproductive issues, which is to compromise, and even surrender women's enjoyment of their rights in order to accommodate the Roman Catholic Church and other conservative allies. Government's own figures paint an appalling picture of the reproductive health conditions of Filipino women today.

Maternal mortality, though reportedly decreasing, is still unacceptably high compared to the Philippines' Southeast Asian neighbors, at 107 deaths per 100,000 as of 2003. There are high unmet needs for contraception, especially in the Muslim regions where only 11.6 percent of married women of reproductive age use modern contraceptives. Induced abortions of nearly half a million women are estimated to occur each year, with thousands dying from complications. Still, government over-privilege natural family planning (NFP), strengthening religious prejudices

against those who opt to choose to space or limit their children through modern contraceptives.

The heterosexual bias manifested in the invisibility of lesbian rights and health in national government programs predictably trickles down the public health bureaucracy. There is still no anti-discriminatory legislation protecting lesbians, as the Anti-Discrimination Bill, (House Bill 634) and the Anti-Gender Discrimination Bill (Senate Bill No. 1734) meet strong opposition in the Lower House. While these bills are pending, the Family Code of the Philippines perpetuates discrimination against lesbians and exacerbates an already grim picture of violence against women, where the targeting of lesbians is pervasively rampant but rendered invisible. Monitoring and assessing lesbian health conditions and needs remain difficult because of low levels of awareness and the proliferation of misconceptions attached to lesbian identities. Consequently, this impairs access to and availability of appropriate health care services.

Both neglect of, and determined suppression of women's sexual and reproductive health rights are rendered even more deplorable when seen alongside other health issues that women have to endure. Basic health services do not enjoy the top-priority status that government awards to debt payments, and often suffer the biggest cuts in the national budget. Many rural health centers have closed down or are barely operational as health professionals, unable to find decent-paying jobs at home, join the migrant labor force in ever-increasing numbers.





Women's Participation In Public Life

The sharp imbalances in entitlements and access to resources are fertile ground for corruption, which in turn, increases the odds stacked against women's political participation. Recent surveys report that seven out of ten Filipinos see government corruption as growing worse in the last three years, and expect it to further worsen in the future.

Elite control over supposedly democratic processes becomes all the more apparent in Philippine elections. Issues of vote-rigging in the 2004 elections remain unresolved to this day and continue to fuel popular protest. Local elites dominate elections in the country as they routinely capitalize on the economic vulnerabilities of the poor to ensure election outcomes. Predictably, the kind of legislature that these electoral exercises provides the arena for pursuing horse-trading among various interests, the church and big business' included, with little opportunities for the voices of the basic sectors to be heard.

Women's local sectoral representation can best be described as token gestures of government's commitment to gender mainstreaming and gender-responsive governance. In practice, the government arbitrarily exercises its political discretion, such that women who are well-connected or who belong to local influential clans are privileged over grassroots women.

Today, the Filipino people find themselves under increasing pressure to submit to calls for changing the 1987 Constitution. This may have been welcomed under other circumstances,

but the push for Charter change comes suspiciously at a time when the legitimacy of the current Philippine administration is under fire due to unresolved issues of election cheating and corruption charges. Alarming, the proposed amendments invest the "new" parliament with powers unsurpassed since Marcos' time.

Women's groups together with civil society organizations have been staging protests to challenge these moves, and bring attention to greater impoverishment suffered particularly by women in the grassroots. However, with disturbing consistency, government's response has been vicious and punitive. Women and activists and leaders have been among those beaten, harassed, arbitrarily arrested and detained by the police. The frequency of killings and arrests are growing to such a degree that they have caught the attention of international human rights organizations.

All these developments spell the continued narrowing of already limited spaces for women's participation, especially for the most marginalized and excluded sections. They are clearly disabling of women's initiatives to participate more actively in public life.



This Philippine Shadow Report is a synthesis of the experiences and insights generated from a series of consultations held in the early part of 2006, a process which brought together women's organizations from the three major regions of Luzon, Visayas and Mindanao. The three-day training seminar on the CEDAW that preceded all of these consultations allowed participants not only to comprehensively learn about the Convention but also to appreciate how the CEDAW could be relevant in their lives.

All in all, more than a hundred women's organizations from areas across the country participated, the majority representing rural and urban poor women, women workers including migrant women, indigenous and Muslim women and lesbian women. Leaders of different NGOs of women also took part in the consultative process.

From the information exchanged and the sharing of data and critical analyses, participants consolidated knowledge and experience on the large gaps between government's commitments to the CEDAW and what is really happening on the ground. These outputs were documented and subsequently became the primary data source for the writing of the shadow report. This report is thus privileged by the first-hand knowledge of women on the obstacles to the implementation of the CEDAW.

The lead organization that planned and implemented these activities including the final writing of the Shadow Report is the Women's Legal Bureau, Inc. (WLB) a Philippine women's institute with more than a decade's work experience on women's rights, women and the law and the legal system, and legal education and advocacy and research.

With support from UNIFEM and the International Women's Rights Action Watch (IWRAP), WLB was able to conduct the consultations, do further research, undertake the report-writing and prepare it for submission to the 36th session of the Committee on the CEDAW.

Maximizing the rich outputs of the consultations, this Shadow Report has opted not to follow the outline of the Philippine government's 5th and 6th report. It goes instead into more substantial discussions of the interwoven dimensions of dynamically linked issues. Thus, the report is not structured on a per article basis but rather, attempts to be more holistic, in that it defines the general conditions in which the CEDAW is supposed to operate and there from, raises the deep and long-standing challenges to its implementation. It then fleshes these out in thematic discussions of urgent concerns raised by women themselves.

2 Introduction





From the overview of the national situation, the report proceeds into discussions on 1) Women's Economic Empowerment, 2) Women and the Environment, 3) Violence Against Women, 4) Sexual and Reproductive Health Rights, and 5) Women's Participation in Public Life.

The report's concluding sections highlight the major arguments and assertions raised, as well as general and specific recommendations that the Committee of 23 experts on CEDAW can support in its calls on what the Philippine government should undertake, to achieve full compliance to States Party obligations under CEDAW. Women are speaking through this report, pointing out the priorities and directions that must be taken towards realizing the vision and goals of the CEDAW.



A month before the Women's Convention entered into force in September 1981, the Philippine government had already ratified the treaty, in effect submitting itself to legally-binding and far-reaching commitments to promote women's human rights and take national action against all forms of discrimination that prevent them from accessing and enjoying these rights. Tragically, after more than two decades, *de facto* discrimination remains the rule rather than the exception, and despite the strides in *de jure* recognition of women's rights, substantive equality still lies beyond the grasp of the majority of Filipino women.

Laws and policies promoting women's rights are important, but they are only as good as the social and political conditions that allow their full implementation. Unaddressed, or worse, deliberately left unchallenged, systemic problems will always pose obstacles to the exercise of women's rights, as is the case in Philippine society today.

Constricting Democratic Spaces

Widespread reports of vote-rigging and other forms of election fraud that included the diversion of public money and resources tainted the 2004 presidential polls from the outset. These were confirmed for many Filipinos with the exposé on wiretapped phone conversations between no less than President Gloria Macapagal Arroyo and Atty. Virgilio Garcillano, Commission on Elections chair. The legitimacy of government has since been hanging by a thread, hounded by reports of corruption scandals and rocked by unabated protest.

Up to PhP780 million of a PhP35 billion agricultural support package for poor farmers, cannot be accounted for and the key government official responsible for the fund is nowhere to be found. Billions of pesos have also inexplicably disappeared from partially recovered assets of the Marcos dictatorship.³ Other issues of corruption may never come to light with the issuance of Executive Order 464, which bans government officials from testifying in congressional hearings without the President's approval.

The strong-arm responses of government to public dissent, particularly to popular calls for the president's resignation, have all the more invited heightened criticism and opposition across sectors. For instance, the "Maximum Tolerance" policy in handling of protest demonstrations was supplanted by the "Calibrated Pre-Emptive

3 NATIONAL SITUATION A Context Hostile to the CEDAW



Response” which, by prior restraint, impinges on the exercise of core democratic rights to free speech and peaceful assembly. In February 2006, reports of an alleged coup plot were met by government’s declaration of a State of National Emergency (Presidential Proclamation 1017⁴) that for many Filipinos resembled too closely Ferdinand Marcos’ declaration of martial law in 1972.

An alarming spate of arbitrary arrests, illegal detention, killings of local leaders and violent dispersals of mass mobilizations unfolded in the succeeding months and continue to this day. A total of 601 killings have been documented from the time Gloria Macapagal-Arroyo assumed the Philippine presidency in 2001 up to May 20, 2006 according to Karapatan (Alliance for the Advancement of People’s Rights). Of this number, 258 persons belonged to cause-oriented organizations; the rest were civilians who had been accused of being active in or supporting the people’s democratic movement. Also summarily executed were 35 women, mostly member of the militant women’s alliance GABRIELA.⁵ The threat of “warrant-less arrests”⁶ also hangs heavily, curtailing the movements of leaders of militant organizations suspected of involvement in “terrorist” activities or plots to overthrow the government. Several women activists have, at

one time or another, been invited for questioning and arbitrarily detained. Recently, another journalist was killed, bringing to 42 the number of media people slain since 2001.⁷

The crisis of credibility has spread to other government institutions and processes and further deepens public distrust of many years’ duration in their capacity to keep faith with their mandates. Electoral processes and the Commission on Elections, long perceived as controlled by moneyed elites, have become more suspect than ever to the average Filipino. So too, is Congress, since the majority of the members of the House of Representative are known allies of the current administration. A key agency in the implementation of laws, the Department of Justice (DOJ) has, for its part, vigorously supported punitive police actions against protest demonstrators, and unabashedly hampered and confused the execution of justice, as in the prosecution of the Subic rape case.⁸

Just when the Presidency needed a way out of its political crisis, the Lower House and local authorities escalated moves to amend the 1987 Constitution. Along with the proposed amendments for shifting from a bicameral to a parliamentary form of government, are proposed constitutional changes that pave the way for term extensions of public officials, including the President. Also incorporated are commander-in-chief powers unprecedented since Marcos’ time, from signing loan contracts to allowing the presence of foreign military forces, with little or no restriction. Even the Party List system - the only mechanism that has granted some degree of opportunity for representatives of marginalized sectors, women included, to participate in drafting legislation is in danger of being co-opted or watered down.





Warped Development Priorities

The Philippine government made commitments once more to alleviating poverty, this time to halving the number of poor and hungry people in 1990 by 2015 under the UN Millennium Development Goals, but this does not seem to be the direction it is going. The same export-oriented, market-driven structural adjustment policies are being implemented despite their utter failure at substantively improving human development indicators for the Filipino people in over two decades. Cash-strapped and indebted, government is more than willing to acquiesce to loan conditionalities of financial institutions, which include policies of trade liberalization, deregulation and privatization. Large numbers of poor, marginalized women, along with other vulnerable groups are collateral damage in government's pursuit of this "development" track.

Economic growth was reportedly sustained from years 2000 through 2003 but it turns out that growth was far from pro-poor. Initial findings of the 2003 Family Income and Expenditure Survey show a 10-percent drop in real average family incomes. For the bottom 30 percent of the population real average income contracted by around six percent for the period.⁹



The much-vaunted GNP growth of 6.2 percent in 2004 hinged largely on income earnings from abroad, it rose more significantly from 8.5 percent to 13.8 percent due to the deployment of 8.3 percent more OFWs in 2004.¹⁰ OFW remittances have continuously been rising from US\$3.9 billion in 1994 to US\$7.6 billion in 2003.¹¹ Despite increasing reports of abuse, it has been business as usual for the government which persists in promoting the overseas employment program it started way back in the '70s.

Bleak poverty indicators and trends are inevitable when the needs defined by the United Nations as key to people's development - education, health, food and nutrition, access to clean water, among others - are not primary concerns. Other mechanisms meant to uplift women's conditions are similarly deprioritized. For example, the Gender and Development Budget, the mechanism meant to drive gender mainstreaming forward, gets only five percent of the budgets of line agencies and local government units; actual allocations may be much smaller considering prevalent reports of misappropriation and misuse.¹² Health has never attained the World Health Organization recommended allocation of five percent of the total national budget.

Debt service, however, remains an unshakeable priority. The Philippines stands out from other borrowers for its Automatic Appropriations policy which allots revenues for debt service, before any other public expenditures. For 2006, as much as 32 percent of the annual budget was set aside for interest payments. Little is left as capital outlay for productive public investments and services.





The Philippines' Accession to the WTO: Greater Threats of Gender Discrimination

In the light of the crippling impacts of trade liberalization, the 2nd APEC Ministerial Meeting on Women recommended in 2002 a policy review to ensure women are protected and their rights promoted. With government however, admitting a huge failing in general monitoring systems, it is unlikely that significant changes have been made in this respect.

If anything, the noose has further tightened on women's rights with the country's accession in 1995 to the World Trade Organization (WTO) whose many accords push for the unhampered movement of capital, goods, investments and services. These agreements have one thing in common: they give private corporations as much or even greater rights and privileges as governments and their citizens. National laws that do not conform to WTO rules can be shot down as obstacles to markets and free trade. Policies for instance that protect women against gender discrimination in the workplace or set strict safeguards against environmental degradation may be stricken down.

Many of these laws and regulations, hard won by women's organizations, trade unions, environmental groups and other civil society formations, are at risk under WTO disciplines, of being amended or totally repealed. The liberalization of the Philippine mining, agriculture and fisheries sectors is already a clear beginning in this direction, and will have tremendous impacts, particularly on women in rural areas, indigenous and minority women, and on labor migration.

A Culture Disabling to the CEDAW

All these are taking place in a context where elite politics is kept alive through patronage and political accommodations among the influential and powerful few. It breeds the kind of politics and governance the country has today, inured to corruption and driven by economic and political self-aggrandizement. It sustains a situation where only a handful of male-dominated elite circles actually make the critical decisions on the country's present and future. Alongside these traditional politicians, only upper class, elite women have been installed in important positions from the national down to the local levels of government, to the exclusion of grassroots women representation and participation.

The clout of the powerful Catholic Church is unavoidably sought by members of local clans who seek public office or politicians who want to keep their hold on power. The Church, in turn, plays politics with those who support its conservative agenda. Thus, even with the separation of the Church and State in the Constitution, the divisions are in reality blurred and highly malleable. Filipino women's well-being are inevitably sacrificed in this *quid pro quo* arrangement that swings votes for one, and preserves the gender-insensitive doctrines of the Catholic Church for the other. Currying favor from the Catholic Church, for instance, has meant laggardly action by Congress on a proposed Sexual and Reproductive Health Rights bill and a consistent refusal to endorse the use of modern contraceptives.

A sexist religiosity that projects women as ideally submissive and home-bound goes largely unchallenged in Philippines, infecting





and constituting other culturally-influential institutions like education and media. The socialization begins early in life, such that it is more difficult for women to see themselves as autonomous citizens with a stake in public life and with a democratic right to engage in it. Government is yet to make truly substantial and decisive interventions in ensuring an environment that capacitates women outside of their social reproductive tasks, if it is truly serious in its commitment to the Women's Convention.

Beyond Noting Gaps and Raising Accountabilities

The Women's Convention faces a losing proposition under these conditions. The gravity of these structural conditions that impede rather than advance women's human rights, and the fact that the Philippine government has not addressed them begs the question as to how government could possibly comply with the CEDAW in this context, or in the first instance, ratify a covenant before the international community of nations, and yet fail to promote and put in the necessary measures for the attainment of its goals.

As problems persist, pervade, and extract an increasingly heavier toll in terms of women's lives, the need for rooting out causes becomes doubly urgent. Until structural inequities are resolved, the issue of economically empowering women will not move significantly beyond identifying ever-widening gaps and raising accountabilities.

ENDNOTES

- 1 Documented partial report of the POEA as of January 2006, Statistical Data on Overseas Filipino Workers.
- 2 *The Factbook on Global Sexual Exploitation*, Donna M. Hughes, Laura Joy Sporicic, Nadine Z. Mendelsohn, Vanessa Chirgwin, Coalition Against Trafficking in Women, 1999, accessed at the www.catw-international.org, Nov. 2006
- 3 Excluding the PhP8 billion (US\$1.5 billion) set aside for human rights victims under the dictatorship, what is left of the estimated PhP27 billion (US\$5 billion) partially recovered by past Philippine administrations from Marcos' ill-gotten wealth of around US\$680 million can no longer be traced.
- 4 PP 1017 was lifted after several days in the wake of the protest it ignited. People's organizations later challenged the constitutional basis of PP 1017 before the Supreme Court, only to be subjected to the politicking that infects all branches of the Philippine government including the highest court of the land. While it upheld the constitutionality of PP 1017, the Supreme Court declared one of its provisions (General Order No. 5 authorizing warrant-less arrests) unconstitutional.
- 5 *Philippines: Update on Political Killings in the Philippines*, May 2006 posted at www.defendingwomen-defendingrights.org (official website of the campaign on Defending Women, Defending Women's Rights,)
- 6 General Order No. 5 under PP 1017.
- 7 *A Renewal of Vows*. Press Statement of the National Union of Journalists for Peace, 31 May 2006 posted at www.nujp.org and accessed 7 June 2006.
- 8 On 21 November 2005, a 22-year old Filipino woman filed charges of rape against four US navy men stationed in Subic, Zambales Province. This occurred during joint US-RP military exercises, which are routinely held in different parts of the country as provided for by the Voluntary Forces Agreement.
- 9 "Absolute number of poor has increased". Asian Development Bank. Inquirer News Service. Posted March 20, 2005 at www.inq7.net.



4 WOMEN and economic empowerment

Women's economic empowerment counts among the three areas of concern (including women's human rights and gender-responsive governance) that the Philippine government promised to address under the Framework Plan for Women (FPW), as part of the effort to facilitate the implementation of the CEDAW. The FPW is, in fact, only one of several development plans dating back to the '80s, supposedly providing for women's economic empowerment.

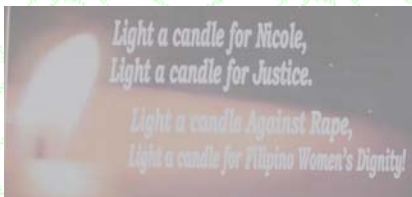
The difference, however, between policy and practice has yawned wider over the years, spelling more disempowering than empowering conditions for millions of Filipino women in the country and abroad. Forty four percent of the population was estimated to be living on less than US\$2 a day in 2003. From 1997-2000, the absolute number of urban poor families rose by nearly 11 percent nationwide and grew by more than 20 percent for seven regions. This translates to an additional 4.3 million families living below the poverty thresholds during the same period.¹

In 2004, the annual per capita poverty threshold was recorded at P13,113, meaning that a Filipino household of six members must earn P437 daily to live decently. In the rural areas, a family would have needed at least P414.00 per day - an amount beyond what most rural households earn. Self-rated poverty assessments conducted by the Social Weather Station and Pulse Survey paint a graver picture of poverty than the National Statistics Coordinating Board's (NSCB) poverty incidence of 30.4 percent and 24.7 percent by population and by family, respectively. In 2005, as much as 60-80 percent of 80 million Filipinos reported experiencing poverty. Seven out of ten poor Filipinos are in the rural areas.²

Among women, the magnitude of poor and poverty incidence is estimated at 32.3 percent, accounting for about 37,906,205 women nationwide and significantly increasing in rural areas³ where domestic production has come under serious threat from the flood of cheaper imported goods. Poverty incidence has also risen beyond the national average among households that depend on fishing as their livelihood. More women are thus being displaced from agricultural and fisheries production, even as they suffer from the undervaluation of their economic contributions and severely limited access to resources and social services.

Poverty among fisherfolk and indigenous communities is much worse due to the *de-facto* open-access nature of the natural resource base, whose exploitation by foreign investors and big business interests is being promoted by government. Further, this has bred unequal access where the emerging trend is towards privatization of





Creditors and Foreign Investors: Shaping Development Priorities and Directions

The failure of structural adjustment policies in the last two decades does not seem to have dawned. Mass poverty has only deepened. Growth rates continue to be fueled, not by genuine industrialization or a vibrant national economy, but by the infusion of foreign money from borrowings and the dollar remittances of OFWs abroad.

Dependent on borrowings, the Philippine government is vulnerable to policy-shaping loan conditionalities, such as what its anti-poverty agenda calls asset reform which involves, among others, privatizing basic services. Water rates in Metro Manila have ballooned on average more than 700 percent in less than 10 years, increasingly eroding the access of poor communities to a critical resource. For households and communities without the capacity to pay for human requirements as basic as water, privatization has turned deadly. In 2004, the failure of water concessionaires to upgrade aging water pipes led to the outbreak of cholera and other gastro-intestinal diseases in Tondo, Manila. Women, if they were not among at least seven dead and the more than 600 who fell ill from the contaminated water, tended to the sick, on top of their regular household chores.⁵

Ironically, the government through the FPW talks about improving women's access to basic services, at the same time that it has been slashing social service funds to make up for its budget deficits. In the 2006 budget, almost a third of the budget was earmarked for interest payments alone. Another PhP381.1 billion was to be shelled out for principal payments. The

resources. The resulting social and environmental costs are borne by marginalized communities, such as fishers and indigenous peoples, where burdens of daily survival are multiplied for women.

Even state investments in such basic needs as water and sanitation have been gravely neglected. In 2002, 39 and 29 percent of the rural and urban population, respectively, had no access to improved sanitation facilities. Twenty-three percent of the rural population and 15 percent of the urban population lived with poor water sources.⁴ The 2005 Human Development Report shows that 7 of the bottom 10 provinces in the Human Development Index, with unimproved water sources are in the regions of Mindanao, particularly the Muslim areas.

The persistence of poverty points to structural inequities that are still well-entrenched and pose the biggest obstacles to any human development goal. It is clear that while the FPW aims to "...[promote] women's economic empowerment through access to capital, markets, training, information, technology and technical assistance...", these are not the strategic and substantive interventions that a decisive move on realizing women's economic empowerment would require.



total debt of PhP722 billion translates to a staggering PhP1.37 million per minute automatically appropriated for debt service. Even tax revenues are not exempt; 80 centavos of every peso remitted are sucked into debt service. By comparison, all social services from education and health to community development and agrarian reform were allotted only PhP293 billion. Against 85 million Filipinos, social services comes up to a mere PhP3,400 per person for an entire year.⁶

The promise of providing mass housing, for instance, has practically been forgotten. From the PhP20 billion financing pledged, only over a billion pesos was released in three years. Meanwhile, new shelter requirements grew at around 400,000 annually, adding to the backlog of 500,000 units. By 2003, unmet housing needs reached the four million mark⁷ while in the rural areas, settlement needs of coastal communities remained unaddressed.

The Feminization of Domestic Labor and Migrant Labor

Many of government's responses to labor issues are in the area of enacting policy. Some of these measures, however, serve to relax national laws to accommodate big business interests, both foreign and local. This has allowed private businesses to circumvent labor laws on protection such that they are able to exploit greater numbers of women desperate for employment.⁸ The number of women (15 years and above) in the labor force began rising from 9.7 million in 1992 to 26.85 million in 2004, slightly higher than the number of males of the same age range. The increasingly feminization of labor force, however, is more attributable to rising demand for women's cheap labor

rather than government's attentiveness to undertaking "...all appropriate measures to eliminate discrimination against women in the field of employment...."⁹

Labor force participation rates from 1997-2004 still showed a large gap, growing from 48.9 percent to 50.2 percent for women as compared to the men which rose from 82.4 percent to 83.8 percent during the same period. Unemployment rates among women have generally been higher compared to men, from 8.5 percent in 1997 to 12.4 percent in 2004, as compared to unemployment rates for men which registered 7.5 percent to 11.5 percent during the same period. Women are usually employed in areas that are actually extensions of their social reproduction tasks at home, that is, in domestic household activities (as laundresses, maids, cooks, babysitters, etc.), education as well as health and social work industries.¹⁰

The shift from the formal to informal employment of women is undeniably pronounced, an indication that more women are exposed today to unregulated working conditions beyond the reach of the Labor Code. So-called close-open strategies, a proliferation of apprenticeships or on-the-job trainings, "casualization" or contractualization, piece-work for piece rates, etc., exploit women's cheap labor in informal





work. There is no job security, nor social security benefits under these work arrangements, and whatever abuses may arise goes largely unreported.

Government's admission (and conspicuous lack of action) that "flexible employment is usually beyond the reach of labor legislation and social protection" emphasize that these problems go beyond law-making and monitoring impact. In the bigger picture, the dearth of decent employment, especially for women, as against an ever-ballooning labor force is such that many who do get a chance at the job market are trapped into accepting anti-labor conditions. This also breeds conditions discouraging to exercising or fighting for one's rights or even simply reporting sexual harassment and gender-biased conditions in the workplace, as this could mean being forced out of work.

By government's own data, women's participation in trade unions drastically declined from 59.6 percent in 1996 to only 25.6 percent in 2000.¹¹ Limited participation of women in tripartite and/or multi-sectoral bodies aggravates a situation where social benefits and protection schemes particularly relating to women's needs are already de-prioritized because of the additional costs required. These social benefits include provisions of the International Labor Organization (ILO) on maternity

protection, the conditions of home-workers, reproductive health, and occupational safety and health across formal and informal sectors.

The potential for earning higher incomes abroad, against a backdrop of increasing difficulties at finding decent-paying work in the country, have been consistent push factors in Filipino labor migration. While there is no formal policy encouraging labor migration, both national and local governments promote labor export in other ways. The Department of Labor and Employment, for example, sends marketing missions abroad to find job openings for Filipinos. OFWs are hailed as heroes, that is, for propping up the Philippine economy with their dollar remittances. From US\$ 6,031,271 billion in 2001, OFW remittances rose to US\$ 10,689,005 billion in 2005 or 10.2 percent of GNP.¹² Studies of the Asian Development Bank also show a larger amount of remittances sent by female OFWs relative to males.¹³

From the early 90s onwards, more women have joined the migrant labor force. By 2001, they made up 73 percent, deployed mostly as domestic workers, entertainers, and caregivers.¹⁴ Based on Philippine labor department data, nearly 3,000 Filipinos leave the country everyday for work or residence abroad, adding to the stock estimate of some eight million Filipinos living and working temporarily or residing permanently in 197 countries worldwide. Government data shows that over-65 percent of these deployed overseas workers are women. In 2002 alone, census statistics recorded over 530,000 women (age 25-29), leaving to work mostly as domestic helpers in Hong Kong. In the succeeding years, this figure would increase and outnumber the men, a clear sign of the feminization of Philippine labor migration. These figures do not include untold numbers of undocumented women





migrants who are victimized by illegal contracting agencies or are trafficked into slave labor conditions and prostitution.

The tragic consequences of this forced *diaspora* are well-documented. Government's vigorous promotion and institutionalization of a culture of labor migration is, however, unabated. While many OFWs have found viable employment, there are harsh and cruel trade-offs in terms of their physical and emotional well-being as well as those of the families they leave behind. Among the large number of unskilled and semi-skilled workers, many return home physically maimed, psychologically broken, mentally ill or dead. Migration-related violence recorded by the government from 1993-2000 shows that of the recorded 1,013 cases of human trafficking, women made up 64 percent; 19 percent of this figure had been prostituted. A Department of Foreign Affairs "global situationer" further reported 4,775 Filipinos being held in foreign prisons, a quarter of them women.

In the face of horrendous incidences of abuse, even death, suffered by OFWs in the hands of foreign employers, government's view of installing safety nets for women as yet another "continuing challenge" shows callousness appalling for a States Party to the CEDAW. At the minimum, government has not even maximized protection mechanisms such as the UN Migrant Workers Convention and related Conventions 97 and 143 of the International Labour Organization.

Rural Women

The impacts of corporate-led globalization are just as strongly felt among rural women,



whose work in both production and social reproduction is largely unpaid to begin with, contrary to Article 14 of the CEDAW and General Recommendation No. 16 (X) issued more than 10 years ago. Because of the concentration of public services in major cities, they live under doubly appalling conditions of poverty and deprivation.

Rural poverty incidence has hardly budged, from 46.3 percent in 1988 to 47 percent in year 2000. Provinces in the second largest Philippine island of Mindanao, where the highest concentration of Muslim and non-Muslim indigenous peoples (61 percent) can also be found, consistently posted the most dismal human development outcomes relative to other regions.¹⁵ Mountain Province, home to various indigenous groupings of the Igorot, had one of the highest income gaps at 38 percent compared to other provinces.¹⁶ Still lacking effective and adequate disaster-preparedness interventions, the calamity-prone Bicol region consistently places among the poorest regions.¹⁷

Similarly, the Autonomous Region of Muslim Mindanao (ARMM) has consistently the poorest indicators of access to safe water and sanitation, and of women's literacy. A child born in the ARMM is known to have "...very





limited prospects for a long, productive, and healthy life compared with children in the rest of the country. This child has a substantially higher than average chance of being born to a mother who is not functionally literate and into a family sharing a lower than average income, and of living in a home without access to safe water or a sanitary toilet."¹⁸ Because of years of impoverishment, Muslim women are pushed farther out into the margins where greater vulnerabilities are taken advantage of by loan sharks, labor recruiters, sex traffickers and prostitution rings.

Mindanao is also the center of a long-drawn Muslim secessionist struggles. Conflicts further intensified after 9/11 and the US-led war on terror, with the Philippine government dislocating more livelihoods and communities by launching witch-hunting activities and pursuing military campaigns in Mindanao. The continuing peace process has been broken several times by large military offensives on suspected strongholds of Moro liberation groups. The attacks launched in 2000 alone resulted in the displacements of more than 800,000 people; in 2003, another offensive dislocated more than 400,000.¹⁹ Since the men usually go into hiding, or are recruited by secessionist groups, mostly women and children comprise the thousands of internally displaced people who suffer hunger, deprivation, malnutrition and disease in ill-equipped, congested elementary schools that serve as evacuation centers during emergencies.

Another impediment to economic empowerment among rural women is the lack of access and control over land. "Land is at the core of rural women empowerment...Rural women's entitlement to the land is strategic not only to the attainment of individual rights and self-empowerment but also to overall rural development and food security," as a position



statement of the Rural Women's Congress of the Philippines also known as PKKK.²⁰

There are, however, institutional and cultural barriers that deter women farmers from claiming this right, despite their overwhelming numbers in the agricultural sector. According to the latest Census of Agriculture, women farmers are a million more in number compared to men. Overall, women make up 52 percent of the work force, contributing directly and indirectly to family production without compensation. Notwithstanding the downtrend from 2.92 million to 2.79 million agricultural women workers (24 percent drop in employment), women still comprised 23 percent of those employed in agriculture (Bureau of Agricultural Statistics, 2004). Among women in agriculture, 47.9 percent are doing unpaid work, 31 percent are own-account workers, and the rest are wage workers."²¹

In the Philippine Peasant's Institute's (PPI now Centro Saka, Inc.) survey of 256 women farmers in the rice and corn sector, women were found to spend 28 to 50 hours a week on the farm (2002). CEDAW stresses the need to put value to women's unpaid or non-monetized work, which seems to be the norm for the majority of women in agriculture. However, in the present context, unpaid work is not considered as productive work. This is evident in rural women's invisibility in policy definitions and program access. For instance,





only 25.5 percent of the clients of the Department of Agriculture's agri-fishery support services were women (1996-2001 data).

Women's formal ownership of land suffers the same fate, as evidenced by PPI's research. Women farmers expect their names to be in the titles of lands owned by their family, but for the past five years, women agrarian reform beneficiaries comprise only 23 percent based on data of the Bureau of Agrarian Reform Beneficiaries Development. They are, however, included in the land titles, on account of their being married to male farmers. The Comprehensive Agrarian Reform Program will end in 2008, but in 2004 there were still around twice as many men who have been registered as holders of Certificates of Land Ownership Agreements (CLOAs).²² Way back in 1989, the Committee already called attention to the widespread gaps in applying the principle of equal remuneration for work of equal value by issuing General Recommendation No. 13 (VIII), to strengthen Article 14 of the CEDAW. Rural women hired as waged workers are further subjected to unequal pay for equal work. The Php15 wage difference between men and women in 1997 rose to Php21.58 in 2002.

Unemployment has also been rising in recent years; only 4.9 million of 11.9 million rural

women of working age in 2002 were gainfully employed.²³ Consequently, younger women are being drawn to employment possibilities in urban centers or in other countries, vulnerable to trafficking and prostitution.

One of government's responses to economic globalization was the enactment of the Agriculture and Fisheries Modernization Act (AFMA) to further soften the ground for the liberalization of the sector. There has been a rise in the use of highly toxic chemical inputs for high-value crops and in capital-led conversions of crops, land and fisheries, which are displacing women farmers from their traditional sources of livelihood. At the same time, rural women producers are being pushed into bankruptcy and greater food insecurity because of the indiscriminate dumping of cheap imported agriculture products. Caught in desperate circumstances, rural women are easy prey to usurers who charge as high as 20 percent monthly interest.

AFMA is supposed to provide safety nets in credit and financing, research and development, etc., but government has not been able to translate these commitments into actual money terms. Again, it violates the CEDAW, particularly with regard the general recommendation to "...[promote] women's fundamental human right to nutritional well-being throughout their lifespan"...and by "...[taking] steps to facilitate physical and economic access to productive resources, especially for rural women...."²⁴

The Comprehensive National Fisheries Industry Development Plan (CNFIDP) provides the strategic priorities and directions for the fisheries sector over the next 20 years (2006-2025) in response to current (as well as potential) issues and challenges impacting the sector. In addition, it lays out the key program





and project interventions for implementation over the first five year medium-term period (2006-2010) consistent with the long-term strategic priorities and directions.

In its initial review of the CNFIDP, the Philippine Rural Women's Congress (PKKK) - Fisheries Cluster critiqued the plan as gender-blind, impervious for example to the significant role of women in fisheries. Women in fisheries engage in a range of production activities, from the maintenance of fishing gears, mending nets and food preparation) to *fish-shrimp* fry collection and post-harvest of marketing, and fish processing. A gender framework is noticeably absent in this plan, which limits benefits and re-numeration for the women in all areas of the industry and fails to recognize their role in production.

Implications of Key WTO Agreements on Women's Rights

The first legally enforceable multilateral instrument covering 160 service sectors from childcare and education to water use and sanitation, the General Agreement on Trade in Services is among the most dangerous of the WTO treaties. The implications of GATS' clear bias for private over public service delivery are far-reaching for women, who are both providers and consumers of services. Gender roles in society are such that the bulk of social reproductive work falls on women. They are thus boxed into a particularly vulnerable position when government surrenders its public service mandate to private corporations. Embedded as they are in un-valorized social reproduction roles and tasks, women inescapably take up the slack and fill in the gaps by default, expending longer, unpaid labor hours

when government withdraws from services like child and health care, or when private providers prove too expensive for average households to afford.

GATS also poses great dangers to women migrants because it covers only professionals (e.g. company managers and information technology personnel) and their movement across member-countries of the WTO. This invites criminalization of the majority of skilled and semi-skilled OFWs. As it were, the maltreatment of women in domestic work is unabated, with national and international measures still ineffectual in going after violators. Strangely, the FPW, "cognizant of the threats of economic deregulation and trade liberation," offers the "facilitation of overseas employment work" as one of its interventions.²⁵

Local producers, many of them women in vegetable farming, fisheries, small garments manufacturers, and the indigenous women will be hit hardest by the Agreement on Agriculture (AoA), Non-Agriculture Market Access (NAMA) and several other WTO treaties which aim at progressively removing all barriers to the movement of goods and capital. The passage of AFMA, for example, strengthens this direction, even as government has proven itself powerless in stopping the entry of tons of smuggled vegetables, fish and rice priced 30-50 percent lower than local produce. In fact, the Philippine government has not needed any prompting from the WTO, applying tariffs way below ceilings set by the WTO.²⁶

Under the AoA, the focus of trade negotiations for the last 10 years has been tariff rates and subsidies on internationally traded products with lines drawn between developed countries with their mechanized and highly subsidized agriculture and developing countries with impoverished rural sectors producing primarily





for subsistence and domestic consumption. Ironically, fish and fishery products do not fall within the ambit of the AoA. Instead, it is under the so-called NAMA which consists mainly of industrial products but also includes environmental resources such as forestry, minerals and fisheries.²⁷

Even without shortages in local markets, foreign agricultural products are allowed entry. Women vegetable producers have lost livelihoods due to the inability of government to control the flooding of cheaper, subsidized imports in local markets. So have women ifishing communities been compelled to take up additional informal sector jobs on top of their social reproduction chores to gain incomes lost to lower-priced, dumped fish from Taiwan or Vietnam.

The relentless spread of the market economy coupled with environmental degradation and the loss of the ancestral territories have been particularly disastrous for the indigenous peoples, which number more than 12 million in the Philippines.²⁸ Indigenous women's livelihoods are similarly threatened by the promotion of large scale exploration and extractive activities by mining firms. Even subsistence agricultural production has been exposed to risk by a revitalized mining law that allows, contrary to the Philippine Constitution, 100-percent foreign ownership through Financial and Technical Assistance Agreements and Exploration Permits.²⁹ At the same time, siltation of rivers/seabed resulting from mining and logging activities' erosion of the uplands results in greater non-productivity especially in near shore coastal areas, thus resulting in decreased fish harvests for fisher-folk communities.³⁰

From autonomous producers, many landless indigenous women have become agricultural wage workers or contractual laborers in the service sectors. Knowledge of medicinal herbs has also been laid open for bio-piracy by giant drug transnational companies cashing in on the patenting rules of the Agreement on Trade-Related Aspects of Intellectual Property Rights under the WTO. Mechanisms for indigenous peoples' Free Prior and Informed Consent have been subverted several times to accommodate mining firms.

A Dilemma of Clashing Paradigms

Because it is a States Party to the Women's Convention, the Philippine government must be taken to task for what it has and has not done vis-à-vis Article 3, which states that government must undertake all appropriate measures to ensure the full development and advancement of women in all fields. Here lies the fundamental issue before the government today, which is the near impossibility of complying with the CEDAW's vision and goals, and for that matter, other international human rights and sustainable development commitments while it pursues its market-driven agenda and strives for integration into corporate-led economic globalization.

As problems persist and pervade, and erode women's rights and their enjoyment thereof, the need for coming to terms with this dilemma becomes doubly urgent. For until structural inequities are resolved, the issue of economically empowering women will not move significantly beyond identifying ever-widening gaps and raising accountabilities.





ENDNOTES

- 1 The annual per capita poverty threshold, or the amount required to satisfy food and non-food basic needs at the national level, reached PHP11,605 in 2000.
- 2 Merged data for 2002-2004. Developing poverty statistics for basic sectors, NSCB-NAPC-UNDP Project, 2006
- 3 Ibid.
- 4 World Bank, Economic Statistics accessed 19 May 2006 at <http://www.econstats.com/wb/C151.htm>.
- 5 *Lessons from a Failed Privatization Experience*, Freedom from Debt Coalition, January 2004.
- 6 "On the Proposed 2006 Budget". FDC. August 2005. Accessed from www.freedomfromdebtcoalition.org, 17 May 2006.
- 7 "GMA administration scored for empty promises on housing." Freedom from Debt Coalition, October 2003.
- 8 Philippine labor laws mandate that after six months workers should be regularized and be accorded all the social benefits that go with this status. This is being violated with impunity, often by foreign companies partnering with local business who indefinitely keep workers on contractual basis, i.e., hiring them on five-month contracts. Because of the dearth of employment, many workers have no choice but accept these anti-labor conditions.
- 9 *Convention on the Elimination of all Forms of Discrimination against Women*, Article 11, Sec. 1.
- 10 "Women and Men Aged 15 Years and Over, by Employment Indicators, Sex and Year". October 1998-2005 Integrated Survey of Households, National Statistics Office cited by the NSCB at www.nscb.gov.ph.
- 11 National Commission on the Role of Filipino Women at www.ncrf.gov.ph.
- 12 "Key Labor Statistics". Central Bank data cited by the Bureau of Labor and Employment Statistics. http://www.bles.dole.gov.ph/key_labor/keylabstat.html accessed 1 June 2006.
- 13 *Enhancing the Efficiency of Overseas Workers' Remittances*. ADB study on SOUTHEAST Asian Remittances. 2005
- 14 Unlad Kabayan Migrant Services Foundation, Inc. www.unladkabayan.org/phillabor.htm.
- 15 "The Indigenous Peoples of the Philippines". Accessed at http://www.adb.org/Documents/Reports/Indigenous_Peoples/PHI/chapter_3.pdf 1 June 2006
- 16 The family income of poor Filipinos in the Mountain Province must increase by 38 percent of the poverty threshold for them not to be considered poor.
- 17 "Absolute number of poor has increased". Asian Development Bank. Inquirer News Service. Posted March 20, 2005 at www.ing7.net.
- 18 World Bank, Human Development for Peace and Prosperity in the Autonomous Region in Muslim Mindanao." Human Development Sector Unit in East Asia and Pacific Region, 2004.
- 19 2005 Human Development Report, p. 10.
- 20 Daryl L. Leyesa. "Agrarian Reform Gender Policies, An Exploratory Review". Bulletin Farm, p. 39. January-March 2006.
- 21 Ibid.
- 22 As against 912,797 men, only around 402,000 women were CLOA holders in 2004 according to the Department of Agrarian Reform.
- 23 Ernesto M. Ordoñez. "Rural women need stronger voice". Inquirer News Service, 3 March 2005. Accessed at www.ing7.net 1 June 2006.
- 24 *Convention on the Elimination of all Forms of Discrimination against Women*, General Recommendation 24 (XX), No. 7.
- 25 Republic of the Philippines. Combined 5th and 6th Philippine Progress Report On the Implementation of the CEDAW in the UN, June 2004.
- 26 Although government sets a 40 percent tariff on almost all vegetable imports, the applied tariff is only seven percent.
- 27 Tambuyog Development Center, Inc. "Sustainable Fisheries and Trade Framework", June 2005.
- 28 National Commission on Indigenous Peoples
- 29 Article XII, Sec. 2 states: "The exploration, development, and utilization of natural resources shall be under the full control and supervision of the State. The State may directly undertake such activities, or it may enter into co-production, joint venture, or production-sharing agreements with Filipino citizens, or corporations or associations at least sixty per centum of whose capital is owned by such citizens."
- 30 Tambuyog Position Paper on the Capture Fisheries Under NAMA, July 2005



5 WOMEN and the Environment

So tightly linked are the lives of women to environmental resources that indiscriminate resource extraction and the degradation that this inevitably brings translates correspondingly to a curtailment of their human rights and an increase in already all too many forms of discrimination foisted upon them. Women and the environment have been called “shadow subsidies”¹, both supporting all societies but both under-valued and claimed for free. The remaining resource-rich areas of the country, where indigenous peoples are also to be found, are particularly targeted for large-scale extractive activities that include mining and commercial logging.

Especially among rural communities, it has been women’s knowledge of biodiversity as a source of water, food, medicines and livelihood, which covers for what government has unsuccessfully or is increasingly failing to provide. Yet, even this is under threat from government’s pursuit of a market-driven economic development paradigm hinged on further opening up the country’s resources to foreign investments and capital. This track basically continues the structural adjustment processes of the ‘80s which has, among others, intensified large-scale mining, logging, commercial fisheries, unsustainable aquaculture and cash crop production - all at great cost to communities and the environment.

Mining Away the Future

A dangerous consequence of this direction is already playing out in the liberalization of the mining sector. Just a few years after international financial institutions took notice of the “under-performing” mining industry and the restrictive measures governing foreign investment in key sectors, Republic Act (RA) 7942 or the Philippine Mining Act was passed in March 1995 despite protest from civil society organizations. This fulfilled a major recommendation of the World Bank and other creditors for government to institute legislation that would assure investors risk-free business, ease their access to exploration permits and mining concessions, and even grant the President authority to approve 100 percent foreign equity through Financial and Technical Assistance Agreements (FTAAs).²

Under RA 7942, foreign firms with FTAAs and investing at least US\$50 million can now explore or mine up to 81,000 hectares for a period of 25-50 years, through such methods as open pit mining, which has been banned in countries like the US and Canada. Foreign mining companies are further granted such rights as use of water



resources, use of explosives, tax holidays, repatriation of profits, and even the ejection of communities where right-of-way is awarded to exploration projects.³

More than 520,000 hectares now covered by Mineral Production Sharing Agreements, FTAA's and Exploration Permits encroach on the ancestral territories of approximately 12 million indigenous peoples (15 percent of 80 million Filipinos), of which almost half is comprised by women. Twenty-three priority mining projects, which cover 13 million hectares or 45 percent of the Philippines' total land area, have already been identified under the Mining Revitalization Program. Five of these areas are in the Cordillera region and in Mindanao, home to several ethno-linguistic groups collectively known as the Igorot and the Lumad.

In 1996, the worst mining disaster recorded in Philippine history occurred when three million tons of waste from operations of the Marcopper Mining Corporation spilled into major water systems in the Province of Marinduque. Government has taken strong legal action against mine officials but this is little consolation to residents who have been left with two dead rivers, which used to provide food, irrigation and water, and heavy metal contamination, from being exposed to

various toxic substances ranging from mercury to arsenic.⁴ There are now plans to rehabilitate the mine for operation in the future.

More recently, in October 2005, another mine tailings dam gave way in Rapu-Rapu Island off Albay Province, spilling cyanide and other chemical waste into surrounding water bodies and possibly endangering neighboring conservation sites for whale sharks. Already dwindling in numbers, the *Taboy* people are being driven off their land in Rapu-Rapu. The toxic metals have been found directly harmful for its cancer-causing qualities and may also lead to fetal deformities and mental retardation.⁵ Decrease in fish stocks and outbreaks of skin diseases among residents were flagged by an independent citizens' probe body but these were dismissed by the Chamber of Mines of the Philippines as "overly dramatized". The company was fined less than PhP11 million.

The list of environmental destruction and endangered biodiversity stretches from the ghost communities of Hinatuan Island, Nonoc Island, Sison, Claver, Mainit, and Taganito in Surigao del Norte, severely damaged due to open-pit mining operations⁶ and the poisoned streams from mining explorations in Sipalay City, Cauayan, Hinobaan in Negros Occidental and parts of Negros Oriental to the wastelands created by quarrying sites in Sulu and Basilan.⁷

In 2004, the appeal of indigenous groups to hold the National Minerals Policy Framework in abeyance was overridden with the release of Executive Order 270 or the National Policy Agenda on Revitalizing Mining in the Philippines. It is not clear whether the participation of grassroots women and indigenous people's organizations was ensured in the process, as consultation processes had reportedly been rushed over a mere two-month period. Even as provisions in the Mining





Act specifies an open consultative process and consensus building to gain the Free Informed and Prior Consent (FPIC) of affected communities, in the actual execution of the mining and energy exploration contracts, investors have found ways to exploit the indigenous peoples' customs and traditions. Ironically, the National Commission on Indigenous Peoples itself is changed by civil society organizations as being party to watering down the FPIC process and mechanisms, that is "facilitating" mining licensing procedures, in line with the thrust of the present administration to liberalize the industry. Executive Order (EO) 270 disturbingly foreshadows more damage to coastal resources as those apprehended for disposing of mine tailings into the sea will only be fined PhP50 (less than US\$1)/ton for damages incurred.

Reports received show that as of March 2005, 114 mining applications covering 66 percent or 1.2 million hectares of Cordillera land have already been approved by the Mines and Geosciences Bureau. Some of the country's remaining watersheds and forest reserves - supposedly protected by the Philippine Constitution and other legislation such as the National Integrated Protected Area System - are located in these areas. Economic dislocation looms for 19,500 small miners from 6,300 families who stand to lose their jobs when the big mining companies start their operations.⁸

Large-scale mining, in addition to illegal logging activities and massive land conversion, are major causes of the swift disappearance of the country's forestlands. Cited by the UN Food and Agriculture Organization for having one of the highest deforestation rates in the region and the world, the Philippines lost 32.3 percent of its forest cover, or around 3,412,000 hectares between 1990-2005. This is estimated to have led to the destruction of 7.9 percent of forest and woodland habitat.⁹



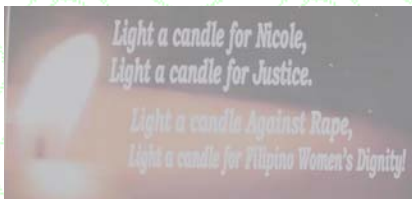
The country now has the thinnest forest cover in the whole of Southeast Asia. Samar, the third largest Philippine island known for its concentration of biodiversity, faces this threat following the lifting of a logging moratorium and the restoration of suspended logging permits.¹⁰ Logging in the Sierra Madre mountain range also resumed in recent years.

Ironically, government is bleeding communities and their resources for a drop in the bucket of massive profits that will be reaped by large scale mining operators. For example, only 19 percent of US\$245 million potential sales from the Rapu-Rapu project will go to the government in the form of excise tax and income tax without incentives. As for the Didipio Copper Project in Nueva Vizcaya Province (of the 100-percent owned Australian Climax-Arimco Mining Corp.), a mere 17 percent of US\$623 million will be paid to government through taxes.¹¹

The Low-Down on Export-Oriented Fisheries

Extrême poverty in coastal communities results from a number of reasons, one of which is the unabated depletion and degradation of marine resources, the primary source of their





livelihood. This predicament is further aggravated by the *de facto* "open access" condition of the country's natural resources, which stems from the principle that presumably uninhabited areas are part of the public domain and can therefore be utilized by the state.

Of the 885,272 fishers across the Philippine archipelago (as of year 2000), some 450,020 or 51 percent counts among the absolute poor. Figures however, may be much higher, according to Tambuyog Development Center, an NGO based in fishery development. As per National Statistics Office (NSO) data (released 2002), municipal fishers in the country number 1.78 million. There is another one million individuals, wives, sons/daughters, fish workers, etc. who are not accounted in the data but considered as municipal fishers.¹²

Government invites a harsher backlash on the environmental resources of marginalized communities and poor women under the corporate-led trading regimes of the World Trade Organization (WTO). The 1997 Agricultural and Fisheries Modernization Act or AFMA was passed in compliance with the country's commitments to the General Agreement on Tariffs and Trade. AFMA promotes the use of hazardous agro-chemicals, genetically modified seeds, and technologies for export-oriented fish/shrimp culture activity.

The deleterious effects of trade liberalization started to take its toll on the already impoverished fisherfolk when imported fish (read smuggled) started to be sold at wet markets in defiance of existing fishery laws. Smuggled fish is much cheaper compared to local fish; this effectively undercuts the price of domestically caught fish and reduces already meager incomes of municipal fisherfolk. On the other hand, because of the increasing demand for fishery products both in the domestic and international market, aquaculture in fishponds and marine aquaculture projects in coastal communities are in full swing aided by government subsidies through the Aquaculture for Rural Development (ARD) program. Because of the highly polluting (and expensive) chemical inputs required, these projects are bound to cause further social and environmental damage to coastal communities.

The Philippines is one of the leading shrimp-producing countries in the world, but for the income that this brings, the government may as well sacrifice the future of coastal resources. Aurora Province, for instance, pioneered intensive shrimp farming in the 90s only to learn too late about its disastrous consequences. Degradation of the nearby fish habitats multiplied in only a few years because of production-stimulating inputs required by this technology. In only 6 months, over 500 tons of feeds poured into the 39-hectare project. The accumulated pond sludge of 370 tons was then dumped in the river, killing corals and sea grass. Fishery species and fish yields soon decreased. Women shell gatherers became inflicted with skin blisters. Potable water was also depleted from salinization caused by the heavy use of deep wells.

Just like intensive shrimp farming, commercial fish farming is encouraged by AFMA through offers of duty-free or low tariff access to





inputs, tax holidays and other incentives to investors. Many coastal communities, however, have witnessed and suffered first-hand from the negative impacts caused by the deforestation of mangroves and coastal vegetation and their conversion into fishponds.¹³ Because of the chemical wastes from commercial feeds and pesticides that flow into adjacent land and water systems, entire coastal ecosystems have been threatened.

Seaweed is another cash crop being pushed by government, with seaweed farming being aggressively pushed by the Philippines' Bureau of Fisheries and Aquatic Resources because its export revenue potential. However, the shift from fishing over a common resource area, such as the coastal area, towards seaweed farming resulted to more skewed gender balance favoring men. Men gained property rights while the women did not, as men are duly recognized owners of permits. Before the shift, both genders shared property rights of the common areas with the rest of the community. The permit system imposed by the local government unit was meant to manage conflicts over the use of common community resources. Instead, the unintended consequence has led to increased gender inequality in property rights.¹⁴ (See boxed story on p.33)

Women in coastal communities participate in almost all aspects of community livelihood: as primary food producers in farming and fishing; as traders of fish and other locally produced goods; as producers of handmade crafts; as housewives and caregivers. Any decline in the productivity of fishing grounds and crop areas is immediately felt by women, not only in terms of income poverty but time poverty, as they continue to attend to social reproduction while doubling their efforts to produce from degraded resources their previous levels of income.¹⁵

CEDAW and Environmental Concerns

“As a vulnerable group, women are greatly affected by the state of the environment. Environmental problems are either caused or aggravated by profit-driven concepts of development that least prioritize environmental preservation and conservation. These affect women's livelihood, food security and overall health and well-being, thus limiting their participation and empowerment.”¹⁶

Furthermore, for women *Lumad*¹⁷ (non-Muslim indigenous peoples) and Muslim women, the environment is linked not only to their economic sustenance; it is entwined in their cultural, social and spiritual life as a people. This reality, however, is unrecognized by a government disdainful of those women's cultural rights. Philippine laws disregard for one the issue of ancestral domain and the view of indigenous peoples and ethnic minorities on the sacredness of land and why it cannot be commodified or subjected to purchase, sale, ownership or lease.

Poverty in the countryside, though recognized by government as significant factors in labor migration, is ironically promoted by policies that further deepen rural impoverishment.





The Philippine government cannot claim adherence to the CEDAW and at the same time pursue environmentally destructive programs that result in adverse consequences for women and communities. These policies and programs are contrary to prescriptions particularly under Articles 3 and 24 of the Convention, which explicitly oblige governments to ensure the full development and advancement of women and the promotion of their rights. Government should, therefore, not take any action that violates or impairs, or encourages violation and impairment by third parties, including private corporations, of the human rights of women. CEDAW's Art. 12 as elaborated in the General Recommendation No. 24 obliges government to respect, protect and promote women's right to health as it has specific obligations set out under other substantive articles of the Convention like articles 14 and 13(c) thereof.

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Extent of the Implementation of Development Projects and Violations of Indigenous People's Rights

- The Higaonon and Banawaon peoples of Mindanao are victims of land grabbing by private corporations that was facilitated by government agencies. The Nasipit Lumber company has Timber License Agreement covering more than 100,000 hectares in the tri-boundaries of Misamis Oriental, Bukidnon and Agusan del Norte. The programs of the Department of Environment and natural Resources (DENR) and the National Commission on Indigenous Peoples Community-Based Forest Management and Certificate of Ancestral Domain Claim/Title, respectively, have privatized communally owned ancestral lands to private individuals and groups.

Under the DENR's program making the CARAGA region a timber corridor, about 50,000 hectares will be converted to tree plantations of Shannalynd and Tecland companies; these are adjacent to Banawaon ancestral territories in Agusan del Sur. Vast tracts of former Higaonon lands are now pineapple and banana plantations of Del Monte, and cattle ranches and sugar plantations in Bukidnon. About 2,000 hectares of agricultural lands in 10 barangays of Talakag, also in Bukidnon, are targeted for palm oil plantation. Negotiations with Higaonon landowners are still going on. NCIP personnel are reportedly brokering the use of their lands. Politicians and military officials are creating fake datus (community leaders) to make it easier for them to get the consent of members of the community.

- The majority of the Tumanduk people in the Visayas thrive on ancestral lands that the government has awarded to different entities. The problems of hunger and poverty are exacerbated by this land insecurity. The problem started in 1962, when President Diosdado Macapagal declared 24 barangays in Tapaz and Jamindan in Capiz province as a military reservation for the 3rd Infantry Division of the Armed Forces of the Philippines. The reservation covers more than 33,300 hectares of ancestral land. The military conducts about two war games yearly in the area, disrupting the community life of some 12,000 Tumanduks. Since 1994, the Tumanduk families have received and continue to receive eviction notices.

Excerpted from:

Celebrating Diversity, Heightening Solidarity, Proceedings of the 2nd Asian Women's Conference, 4-8, March 2004, Baguio City, Asian Indigenous Women's Network and Tebtebba Indigenous People's International Centre for Policy Research and Education, 2005.

In pursuit of its aim to remove obstacles to women's advancement, CEDAW categorically stresses the obligation of States Parties to change social contexts where beliefs, customs and norms based on the idea of women's inferior status flourish and prevent them from the full enjoyment of their fundamental rights. These norms manifest in many forms, but none perhaps as clearly and agonizingly portrays the asymmetrical power relations between men and women as when women are subjected to physical, sexual and psychological assault and abuse.

For thousands of Filipino women, this is the only context they know: a context of impunity where there is neither security nor safety in their persons, their workplaces, their communities or their homes. Domestic violence is the most common form of gender-based violence in the Philippines country, followed by rape.¹ It has been reported that on average, a woman is beaten every two to three hours and another is raped every eight hours.²

The Philippine government may indeed pride itself on the formal laws and processes that address violence against women (VAW), even as it has yet to respond to the Committee's urging to institutionalize the meaning of discrimination against women in line with the Women's Convention. But it is precisely because such policies exist that the prevalence and persistence of this sex and gender-based abuse becomes glaring and inexcusable. That several of these instruments were borne out of women's determined struggles to claim and protect their rights, makes government's failure to effectively intervene even more reprehensible.

The Pervasiveness of VAW

Patriarchal views, values and practices are still very much the norm in Philippine society, and are reproduced in countless ways and in varying degrees by different institutions, among them the conservative Catholic Church, fundamentalist Christian and Muslim religious groups, the largely consumerist media, schools and government itself. Thus, even as more women have been drawn into formal production by changing global demands and labor requirements, social reproduction is still their exclusive, unchanging, uncompensated burden. They also remain largely seen as objects for men's sexual gratification - a social construction that underpins the global industry of trafficking and prostitution. Government's failure to develop a framework against which to measure and discrimination against Filipino women is immediately a stumbling

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block in modifying socio-cultural conduct prejudicial to women, as it agreed to do when it ratified the CEDAW.

Prostitution, Trafficking and VAW

Recent estimates peg some 300,000 Filipino women and 75,000 children in prostitution. Others have calculated the number of prostituted women to be about the size of the country's manufacturing workforce.³ Government is yet to emplace a systematic monitoring system for gathering statistical data, another of its unfulfilled commitments under the CEDAW General Recommendation No. 12 (VIII). It can be safely assumed that VAW is underreported, considering the stigmatization of victims, the lack of awareness among public officials, and the very clandestine nature of prostitution and sex trafficking.

But that was nine years ago. Research findings that prostitution has become a multi-million dollar business, reportedly with the fourth largest contribution to GNP, indicate that the numbers today must be much higher than what is usually quoted by official sources.⁴ More children are also being trapped in circumstances of sexual exploitation including prostitution, pornography, and as victims of pedophilia, and may have alarmingly passed previous estimates of 100,000 with the growing unregulated use of the internet. The Philippines was reported fourth among nine nations with the most children in prostitution,⁵ which goes to show that the Anti-Child Abuse Law, the first to be passed in Asia, has not had much success in curbing, if not totally stopping the spread of child prostitution.

Though figures remain difficult to ascertain, what undeniably persists are the push and pull factors widening the net for women and girls' recruitment into the industry. These include the impacts of sex/gender-based discrimination, poverty and globalization which have not been decisively addressed by government and are deeper than before. *Amihan*, a national formation of peasant women had alarming news during the 25th commemoration of World Food Day in October 2005: the increasing occurrence of *palit-bigas* prostitution (rice for sex) among rural women. If the customers were generous, said interviewees in Batangas Province, they would throw in a can or two of sardines.⁶

Adding to desperate conditions of poverty and hunger, other forms of discrimination and abuse endured in silence and shame also pave the way for recruitment in the flesh trade. Women and girls express in various studies the need to escape, particularly in cases of forced marriages, sex enslavement and after having been physically, psychologically and sexually abused by their husbands or other male relatives. Hounded by social stigma, unwed mothers rejected by relatives or who simply decide to leave home rather than "bring shame" to their families are also drawn into prostitution.

Almost 90 percent of the prostituted women and children in Camagayan, a notorious red light district in Cebu City (Central Visayas, Region 5) had reportedly been trafficked from provinces and cities in Mindanao and Central Luzon.⁷ Camagayan is one of many communities known to maintain prostitution of women and children as its main economic activity, with the collaboration of local police and village officials. In Cotabato City, Maguindanao Province, where women from the poorest provinces of the country have fled to in search





of better lives, prostitution is also rising. They face the added risk of being executed by Muslim extremists, as what happened to a number of prostituted women in the early 90s. The same trend is true for the secondary urban centers of Davao, Cagayan, General Santos and Pagadian in Mindanao. From this southernmost island of the country, it is but a short distance to other countries in the region where sex traffickers are known to drop their victims.⁸

VAW and Migration

With the push towards borderless economies, prostitution is no longer a national concern but an international issue tied up with trafficking in women in the context of migration for work. Studies note that from only 12 percent of workers (around 2,275) who sought employment abroad two decades ago, women in 2004 comprised over half of all workers, or approximately 538,000 according to the National Statistics Office, and were employed mostly as domestic helpers and “Overseas Performing Artists” (OPAs). More than half of at least 3,000 Filipinos leaving the country on a daily basis are women, according to the Philippine Overseas Employment Agency (POEA). Of the 7.41 million Filipinos working abroad as of December 2001, up to 1.62 million might have been victims of trafficking.⁹

In the last three years, from 2002-2004, the Department of Foreign Affairs-Office of the Undersecretary for Migrant Workers’ Affairs reported 195 cases of Filipino women trafficked in South Korea, Abidjan (Ivory Coast), Malaysia, Dubai (United Arab Emirates), Bahrain, and Lagos (Nigeria).¹⁰ There may be more cases of human trafficking and smuggling among undocumented workers. Japan was

once among the top five countries hosting trafficked women until a ban on deploying Filipino women entertainers was declared by the government in 2005. At one point, as much as 70,000 Filipino women were reportedly deployed in its cities, according to the POEA.¹¹

The insufficiency of legal protection increases the vulnerability of women who are already in difficult circumstances, such as employment abroad.¹² Even more vulnerable to trafficking are the majority of Filipino women who apply under uncertain conditions. They are commonly kept in the dark about the terms and place of employment, and easily become prey to prostitution rings when they reach their final destination. Others are deceived by their preparation and training as OPAs. Women entertainers in Japan, for example, reported that they “...do not actually perform on stage. Their performance is based not on their singing or dancing prowess, but on how many customers they manage to lure into the club every night”.¹³

The passage of the Anti-Trafficking in Persons Act of 2003 (RA 9208), fruit of a nine-year advocacy of women’s groups, provides a legal framework in which prostitution, as one of the end results of trafficking in persons, can be addressed in terms of some aspects related to human rights. However, to date, no large scale syndicates of traffickers have been brought to justice, and trafficking continues to be a major national and international problem. Corrupt and unscrupulous officials in various levels of the national and local bureaucracy have been reported to be either directly involved in trafficking in persons or as coddlers of traffickers.

Meanwhile, traffickers have found ways of going around legal measures. Mindanao in Southern Philippines has open sea and land





borders that make trafficking in persons easy and difficult to track and monitor. The phenomenon is referred to as “backdoor trafficking” and has allowed for undocumented migrants to be brought to points as far as Europe and the Middle East.

It is bad enough that government has not been able to go after unscrupulous contracting agencies, employers and syndicates that victimize vulnerable migrant populations, but to be taken advantage of by government personnel who capitalize on OFWs’ vulnerabilities abroad speaks volumes on the deplorable conditions faced by OFWs. NGOs recently received reports from a domestic worker who was sexually molested by a fellow Filipino employed at the Philippine Overseas Labor Office (POLO) employee in Al-Khobur, Kingdom of Saudi Arabia, after helping her escape the sexual advances of her Arab employer. There is also news on the alleged issuance of fake marriage licenses to unmarried couples by embassy officials, also in Saudi Arabia, which is serving to promote prostitution among migrant women workers.¹⁴

The law, for example, provides for selective deployment, allowing deployment only to receiving countries which have labor safeguards or with which the Philippine government has signed bilateral labor agreements. The grim reality is that while the Philippines has bilateral labor agreements with only 37 countries, OFWs are scattered in almost 187 nations. In the land-based sector, where the majority of women OFWs are, only six

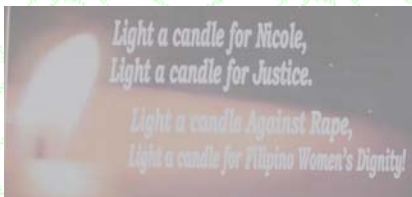
agreements have been forged with five economies, and only for technical, medical, information and communications technology fields.¹⁵ Moreover, the power to lift or impose a ban on deployment rests exclusively with the Executive, based on its appreciation of the “national interest”. Dollar remittances are obviously a matter of national interest since exceptions have been made even with regards countries notorious for the maltreatment of OFWs.¹⁶

Philippine Police and the Judicial System: Promoting VAW

The treatment of women and children’s bodies as merchandise is by itself, a human rights violation. The violations are further increased by clients, pimps, even police personnel. This is recognized by the Anti-Prostitution Act of 2004 - an instrument drafted by women’s groups which, as it is titled, provides for “addressing the system of prostitution, imposing penalties on its perpetrators, providing protective measures and support services for its victims....” The Gender and Development Mainstreaming policy of the Philippine Government also mandates gender sensitivity among all government employees and gender responsiveness in government programs. But patriarchal norms and values remain ingrained in the police and judicial systems, as well as local government and village officials, and continue to manifest in various forms of VAW.

As inconsistencies in Philippine law would have it, provisions also exist in the Revised Penal Code (RPC) which nullify what gains prostituted women and children may have won from the illegalization of prostitution in the





country. Article 202 of the RPC addresses the issue of prostitution in the context of vagrancy, and defines “vagrants” so loosely as to allow arbitrary arrests of women and discrimination against the poor. “Prostitutes” in the RPC are also derisively described as “...women who, “for money or profit, habitually indulge in sexual intercourse or lascivious conduct”.¹⁷

The same contempt infects the way the law is actually enforced against prostitution. Raids on bars, nightclubs, massage parlors, “prostitution dens” and other similar establishments have become avenues for extorting money and sexual favors. Women caught in such circumstances also endure the humiliation of being pushed around while still unclothed, ridiculed, verbally abused, and ogled by police, TV camera men and bystanders. These are usual and continuing practices, unchanged from nearly 10 years ago when the CEDAW Committee called government’s attention to the discriminatory application of laws against prostituted women and not the men involved as patrons, establishment owners, traffickers and pimps.

Since prostitution is criminalized, women so charged are subjected to all kinds of indignities, even with laws that are supposed to protect them from violence under police custody. One of these is Article 245 of the Revised Penal Code, which forbids public officers from making sexual advances towards female detainees. Observed more in the breach, it is of little use to women who suffer various sexual abuses en route to the police stations and are held under duress and without the benefit of counsel. Some arrests are not even officially registered. They are also physically lumped together with male detainees because there are no separate quarters for men and women in many police stations.



This is a clear violation of Philippine regulations and the United Nations Standard Minimum Rules for the Treatment of Prisoners.

The enactment of RA 9262 or the Anti-Violence against Women and Their Children Act of 2004 was a step forward in implicitly recognizing gender-based violence, and the need for specific laws to protect the rights of these vulnerable sectors. The 30-day Temporary Protection Order (TPO) immediately provides a way “to safeguard the victim from further harm, minimizing any disruption in her daily life, to help her to independently regain control over her life,” while a permanent protection order has not yet been issued. But reports of local officials, for instance, who attempt to settle issues and reconcile parties surface a lack of understanding of RA 9262 and its implementation. In one case, a man accusing his wife of abusing their child was awarded a TPO and succeeded in gaining custody; regardless of the truth of his charges, the TPO is not the mechanism to apply in this case since RA 9262 only applies to women and children.¹⁸

There are indeed efforts by government to raise gender awareness through human rights education among the members of the judiciary, and these should be commended.





However, there should also be recognition that sexism in the judicial culture only reflects the larger sexist cultural context in which it is entrenched, a patriarchal culture that promotes and benefits from VAW. This is a necessary first step to put in context the fact that projects like the Gender Justice Awards which give incentives to members of the judiciary for rendering gender-aware legal judgments, have their limits and that the more decisive course to take would be the development and adoption of a holistic, comprehensive framework addressing the deeply-embedded machismo culture and patriarchal norms in the judiciary.

VAW and Women's Security

The rape of a 22-year old woman reportedly by six US American marines in the City of Olongapo, former host to the Subic Naval Base of the United States, has gripped the Philippines since November 2005. Invoking the RP-US Visiting Forces Agreement (VFA), the US Government is asserting that it take custody of the alleged perpetrators. Philippine law, however, which defines rape as a heinous crime, should be paramount over the VFA. Foreign policy, in this case, intersects with VAW, and despite existing legal instruments, such as the Anti-Rape Law and Anti-Violence Against Women and Children Act, the state through the Philippine Justice Department has unabashedly shown its malleability in the face of a powerful country like the US. Even prior to the formal arraignment, the Philippine Justice Department of Justice (DOJ) was already manifesting bias for the accused US military personnel.

Another aspect of the VFA that is adding to internal displacement and VAW cases is the

“Balikatan” Joint Military Exercises between Philippine and American troops. These exercises have been concentrated for several years now in Mindanao, contributing yet another complicating dimension to the achievement of stability and peace in the region.

At the height of one of these exercises in January 2002, 35 cases of trafficked women and children from Davao to Zamboanga in Mindanao were recorded by NGOs. Recruiters who wanted to cash in on the presence of US troops, sought out prostituted children and told them of dollar-paying customers awaiting in Zamboanga.¹⁹ War has tremendous impacts on women and children. In addition to the emotional trauma of being trapped in a state of indefinite insecurity, deprivation and hunger in evacuation camps add to the difficulties of carrying out the social reproductive burdens that women are already charged with. They are also vulnerable to the standard use of rape as an instrument of war. Economic livelihoods have also been destroyed, health facilities closed and education services halted in areas where “anti-terrorism” campaigns are being conducted. Psychological distress and trauma are daily fare for women, children and the elderly in sites of armed conflict.

Beyond De Jure Observance of the CEDAW

The government's duplicitous way of signing on to many UN human rights covenants while resisting social justice and redistributive programs that would have increased women's defenses against the violations and discriminations they face in their everyday lives, has brought it nowhere near significantly changing women's conditions. *Willful disregard* for the Women's Convention is more apt than





non-compliance, considering the transgressions on a host of CEDAW provisions, from Articles 2, 5, 11, 12 and 16, to the very explicit obligations laid down by sections of General Recommendation 19 (XI). It can be argued that the policy environment is comparatively more gender-sensitive today vis-à-vis VAW (owing in large part to advocacy and campaigning by women's organizations) but laws and regulations do not operate in a vacuum. Government must be taken to task for its crucial role in maintaining a context where most women are prevented by exigencies of daily survival from even realizing the fundamental notion that they, as human beings, have the right to have rights.

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VAW IN MINDANAO

In Datu Odin Sinsuat in Maguindanao Province, Mindanao, there are about 10 videoke bars that have as its regular patrons members of the Philippine Army based in Camp Siongco, as well Marines stationed in Matanog and members of the Philippine National Police in Parang. Working in these bars are some 50 women and children, originating from towns like Itulan and cities like Marbel and Pagadian and other areas throughout Mindanao. Some of the children have been prostituted in the streets of Cotabato City. Although local government had sent them back to their respective towns, they were found to be working in the bars in Datu Odin Sinsuat. In January 2002, during the height of the joint Philippine-US military "Balikatan" exercises in Western Mindanao, Talikala, Inc. recorded 35 cases of trafficking in women and children, some as young as 15, who came from Zamboanga and as far as Davao. According to the victims, recruiters, who took great lengths to lure them from their respective towns, offered payment in US dollars.

The trafficking of women from Zamboanga del Sur province in Mindanao to Malaysia is rampant, given the weekly ship services linking Zamboanga City with Sandakan in Sabah. The so-called "backdoor trafficking" is however most prevalent in Bongao, Tawi-Tawi, where leaving the country without proper documentation is easy. Pump boats from Bongao, the jump-off point in the so-called "backdoor route," can reach Malaysian shores in around four hours. Unlike using the 16 to 18 hour-long Zamboanga to Sandakan route, leaving the country via the "backdoor route" does not require legal documents such as passports. The lack of necessary travel papers complicates the situation for the women, particularly when caught by Malaysian immigration police and agents.

Source:

Culled from "State Violence in the Philippines, An Alternative Report to the United Nations Human Rights Committee, 2003.

Filipino women's sexual and reproductive health remains a gravely neglected area of concern. More than two decades have passed since the country ratified CEDAW and yet, women in the Philippines are still without any national legislation on their reproductive rights. This seriously impairs government's capacity "...to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning".

In 1994, the Philippine government again pledged at the Cairo International Conference on Population and Development to provide universal access to reproductive and sexual health, only to prove all over again the hollowness of its commitments. Beyond national and international policy instruments, it is arguably *realpolitik* that defines government's actual operating framework on sexual and reproductive issues, which is to compromise, and even surrender women's enjoyment of their rights in order to accommodate such powerful and influential allies as the conservative Catholic Church.

The heterosexist bias manifested in the invisibility of lesbian rights and health in national government programs predictably trickles down the public health bureaucracy. There is still no anti-discriminatory legislation protecting lesbians, as the Anti-Discrimination Bill, (House Bill 634) and the Anti-Gender Discrimination Bill (Senate Bill No. 1734) meet strong opposition in the Lower House. While these bills are pending, the Family Code of the Philippines perpetuates discrimination against lesbians and exacerbates an already grim picture of violence against women, where the targetting of lesbians is pervasively rampant but practically invisible. Monitoring and assessing lesbian health conditions and needs remain difficult because of low levels of awareness and the proliferation of misconceptions attached to lesbian identities. Consequently, this impairs access to and availability of appropriate health care services.

Little Improvement In Reproductive Health

Government's own figures paint a picture of reproductive health conditions that show little progress over many years. The 2003 National Demographic Health Survey (a nationally representative survey of 13,945 women age 15-49 and 5,009 men age 15-54) indicates that even with the decline in fertility in the past three decades from 6.0 children per woman in 1970 to 3.5 children per

SEXUAL AND Reproductive Health Rights





woman in 2001, this is still high compared with current fertility levels in South-East Asia. Another government report, however, prepared by the National Statistics Office shows rising maternal mortality rates 90.5 in 1995 to 108.1 in 2002. (NCRFW Fact-sheet on Filipino Women)

Contraceptive use has indeed tripled over the past 35 years from 15 percent in 1968 to 49 percent in 2003, but what does this say about the remaining 51 percent? The use of modern contraceptive methods rose only by only five percent from 25 percent in 1993 to 33 percent in 2003. Traditional family planning methods like the rhythm or calendar method ranks third in prevalence of use, while modern contraceptives such as condoms reported only 2.1 percent usage. Maternal mortality, though falling from 209 in 1993 to 107 in 1992, is also at a level higher than most Southeast Asian countries.

The 2003 NDHS further confirms the negative relationship of fertility levels with education and economic status. The fertility rate of women with college or higher education (2.7 children per woman) is about half that of women with no education (5.3 children) while women belonging to richer families had fewer children compared to those in poorer households. There are also significant differences across regions, with urban women having 1.3 children fewer than rural women or 3.0 and 4.3 children per woman, respectively.

As water sources and sanitation conditions remain unimproved, it is no wonder that women and children are falling sick and still dying from preventable diseases. In 2002, 39 and 29 percent of the rural and urban population, respectively, had no access to improved sanitation facilities. Twenty-three percent of the rural population and fifteen percent of the

urban population lived with poor water sources. The 2005 Human Development Report shows that 7 of the bottom 10 provinces in HDI rank, with unimproved water sources are in the regions of Mindanao, particularly the Muslim areas.

Over-Privileging Natural Family Planning

Despite increasing contraceptive use, as reported by health surveys, a significant 49 percent of births was still reported as unwanted or mistimed in 1998. The largest increase in unplanned pregnancies from 1993 was in Central Mindanao (57 percent of recent births in 1998, or about twice the 29 percent in 1993). In the 2003 NDHS, there did not seem to be much improvement in this respect, since one in four pregnancies was still registered as mistimed and one in five was reported as unwanted.

Still, government continues to strongly support natural family planning (NFP), (abstinence, withdrawal, rhythm/calendar method, etc.) as the method of choice, and by failing to support modern contraceptives as well, violates Art. 16 of the CEDAW which provides that it ensure the right of men and women "...to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;". The lip service respecting choice vis-à-vis the range of family planning methods has also effectively strengthened religious prejudices against those who opt to choose artificial contraceptive methods. National averages mask significant numbers of women, especially in the provinces and among poorer women with lower levels of





education, who do not use contraceptives or are still employing traditional methods. Contraceptive prevalence among married women was reported by the 2003 NDHS at only 19 percent in ARMM, and lower still for modern contraceptive use. (11.6 percent) The same prevalence of traditional methods was noted in the Bicol Region.

Ironically, even government's own Safe Pregnancy / Motherhood Programs offering information and counseling on family planning services suffer setbacks due to such privileging of NFP. A Catholic priest in one of the parishes of Bohol Province (Central Visayas, Region 7) denied communion to a woman parishioner who also worked as a volunteer for the *Ligtas Buntis* (Safe Pregnancy) program. Such discrimination may be prevalent than what has been reported considering that Bohol has a birth rate higher than the national average.

Sixty-seven percent of the women surveyed in 2003 cited the lack of access to financial resources as the main reason for not seeking medical advice or treatment. Others simply did not have support systems, such as companions to accompany them to distant health facilities. They would also have needed money for transportation and food along the way.

Local Governance Health Services and Reproductive Rights

In the absence of a comprehensive institutional framework on reproductive health, the mutually reinforcing positions of Church and State with regards sexual and reproductive health have alarmingly assumed the strength of law. This has been especially true among the Local Government Units to

which decisions on implementation and allocation of resources for reproductive health services have been devolved. In their respective bailiwicks, conservative local executives also in awe of the vote-swinging influence of the Church, reproduce the partiality towards NFP and the prejudices against women using or opting for other contraception methods.

Article 12 of the CEDAW, as expounded by General Recommendation No. 24 is explicit that "it is discriminatory for a State party to refuse to provide legally for the performance of certain reproductive health services for women". Further, States parties are obliged "...to refrain from obstructing action taken by women in pursuit of their health goals" and "...should not restrict women's access to health services...on the ground that they do not have the authorization of husbands, partners, parents or health authorities...."

But in the prime city of Manila, Mayor Lito Atienza signed Executive Order 003 promoting traditional over modern methods of contraception and condemning "criminal abortion". Similarly Mayor Dennis Socrates of Puerto Princesa City, Palawan Province, banned modern contraceptive methods. He advised his constituents not to fear a possible rise in population and announced that the local health office would no longer be giving out artificial contraceptives or perform family planning procedures, such as IUD insertion, vasectomy and tubal ligation.

Even with the devolution of health services, allocating resources to effective information dissemination would have been a measure of the national government's sincerity in abiding by the national and international commitments it has made to promoting reproductive health. But the *de facto* shunning of modern, artificial contraceptive methods and the moralistic





unbending opposition, especially from Church leaders who decry the increased premarital sex and the moral degeneration that they are certain this will bring. Similarly, moralizing health providers discourage adolescents from accessing information on their sexuality and reproductive health concerns, ignoring the reality of an estimated sexually active five million youth aged 15-17.

promotion of NFP have grossly restricted access to reproductive health information and services.

Socially subordinated to men, it is the women who end up bearing the differential impacts and the often irreversible consequences of being deprived of the right to make truly informed decisions over their sexuality and their reproductive roles.

Lack of Information and Education

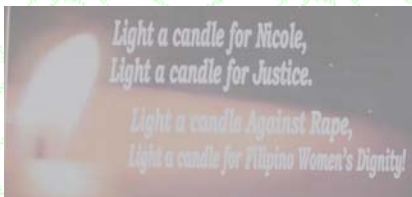
The mere failure to widely distribute information materials on reproductive issues violates CEDAW, which explicitly exhorts States Parties “to include advice on family planning in the education process...and to have access to the information, education and means” to enable women to exercise their reproductive rights in an informed manner.

The attitudes and positions of State and Church towards artificial contraceptives and reproductive concerns continue to approximate paranoia. Even advertisements on artificial methods except condoms are banned by law, under Republic Act 4729. Moves to integrate sex education in school curricula (via House Bill 3773) have been met with

Cultural norms cultivate ignorance on basic reproductive systems and functions, especially among young people. Former Health Secretary Manuel Dayrit has himself admitted that a third of those who are of sexual reproductive age are simply unaware of reproductive functions and family planning. Fifty-five percent of women surveyed in 2002 did not know that HIV/AIDS could be prevented by using condoms or limiting sex to one uninfected partner. This lack of awareness so obviously breeds a host of social problems from unwanted teenage pregnancies to the spread of HIV/AIDS and other sexually transmitted diseases that the CEDAW asks States parties to address the lack of adequate access to information and ensure gender-sensitive sexual and reproductive health education for both female and male adolescents. Obviously playing to conservative sections of its political base, government stubbornly ignores recommendations that sex education be institutionalized in school curricula.

Constricted Reproductive Choices and Induced Abortions

Instead of enacting measures to give women more access to a wide range of contraceptive options, government has consistently allowed its policy-making powers to be shaped by the



Church. In 2001, following an aggressive campaign by the Catholic Church, the widely accepted emergency contraception drug Postinor was banned from the market based on arbitrary findings of the Department of Health (DOH) on its abortifacient effects. Although the DoH is yet to reach a definitive ruling, Postinor has not been re-listed.

The sheer lack of options can and has turned fatal for thousands of women who resort to clandestine, unsafe abortions to terminate unwanted or unplanned pregnancies. It is reported to be the fourth leading cause of maternal deaths among Filipino women.

Abortion remains illegal in the country, and is a criminal offense under the Revised Penal Code Articles (256-259) and the 1987 Constitution. Despite the risk of imprisonment, infection and possibly death, the number of induced abortions carried out annually is already reaching the half-million mark and steadily rising. Induced abortions of nearly half a million women are estimated to occur each year, with tens of thousands dying from complications. Studies show that the annual number of induced abortions has jumped by 18.19 percent from 400,515 in 1994 to 473,408 in 2000. This translates to an annual abortion rate of 27 per 1,000 women aged 15-44 or about 1,297 women resorting to induced abortion daily. Of this figure, roughly 80,000 women die of complications.

The suffering from a botched abortion goes beyond the physical. Prejudicial attitudes by medical personnel and other services providers towards those seeking medical assistance due to complications caused by infections from unsafe abortions and incomplete abortions are well-known. Counseling is almost unheard of; neither are there guidelines, whether informal or institutional, on the care of induced-abortion patients. Medical students "[perceive] abortion as a crime that they would rather not talk about. They [deem] women who underwent abortions had questionable morality and therefore should be made to realize the moral gravity of their actions and should undergo counseling."

De-Prioritization of General Health Needs

The neglect, even determined suppression of women's sexual and reproductive health rights becomes even more deplorable when seen alongside other health issues that women have to endure in the general context of government's de-prioritization of its people's health needs. Basic social services such as health do not enjoy the top-priority status that government awards to debt payments, and have suffered the biggest cuts through several years now of deficit spending. The impacts are harshest on excluded and marginalized groups, among them lesbians, ethnic / indigenous and rural women.

The heterosexist bias manifested in the invisibility of lesbian rights and health in national government programs predictably trickles down the public health bureaucracy. There is still no anti-discriminatory legislation protecting lesbians, as the Anti-Discrimination





Bill, (House Bill 634) and the Anti-Gender Discrimination Bill (Senate Bill No. 1734) meet strong opposition in the Lower House. While these bills are pending, the Family Code of the Philippines perpetuates discrimination against lesbians and exacerbates an already grim picture of violence against women, where the targeting of lesbians is pervasively rampant but practically invisible. While lesbians are mentioned in the government's "10 Elements of the Reproductive Health Package" (1998), no implementing measures have ever been operationalized. Monitoring and assessing lesbian health conditions and needs remain difficult because of low levels of awareness and the proliferation of misconceptions attached to lesbian identities. Consequently, this impairs access to and availability of appropriate health care services.

Many rural health centers have closed down or are barely operational and qualified health professionals are joining the migrant labor force in ever-increasing numbers. More than 90,000 nurses left the country in the last 10 years, followed by some 3,500 doctors who left in the last four years to also work abroad as nurses. Almost 10 percent of 2,500 health facilities in the country have gone out of operation in the past three years. There are only 800 public and 1,000 private facilities servicing an estimated 300,000 women experiencing major obstetric complications requiring hospitalization yearly.

Family planning is dismal, as with almost all other human development indicators in the Autonomous Region of Muslim Mindanao (ARMM). It is not surprising that health indicators are much poorer than national averages. For example, only 48 percent of women in the ARMM benefits from the recommended number of pre-natal check-ups as compared to 85 percent of Metro Manila-based women.

Infant mortality was recorded at 63 per 1,000 live births in 1995 as compared to 49 for the whole Philippines. Maternal mortality was also higher at 320 per 100,000 live births as compared to the national average of 180. Modern contraceptives prevalence is barely more than a tenth at 11.6 percent, while unmet needs for family planning stands at 27.4 as compared to 17.3 percent for the country average. Nothing has been done, even by way of acknowledging the problem, in connection with the commitment to "...ensure that adequate protection and health services, including trauma treatment and counseling, are provided for women in especially difficult circumstances, such as those trapped in situations of armed conflict and women refugees".

Political Will: Moving from Policy to Action

In November 2005, Pres. Gloria Macapagal Arroyo told the UN General Assembly to "respect the deep Catholicism of the Filipino people" and horrifying many Philippine NGOs, expressed belief in the effectiveness of natural family planning. She rejects the term "reproductive health and rights", and has openly stated her intent to block reproductive health care bills which she deems pro-abortion.

This position is obviously supported by conservative political allies. In the Lower House, snail-paced deliberations over the Responsible Parenthood and Population Management Act of 2005 (House Bill 3773) have already been overtaken by other bills certified urgent by the President. As for the Senate, some members contributing to artificial family planning allegedly shifted funds to





purely natural family planning programs. Thus far, six bills on reproductive health concerns have not gone beyond the first reading.

The Philippine government – in its accommodation of church doctrine; its failure to translate national and international commitments into action; its inability to provide adequate health programs; its rejection of diversity; its purposeful pursuit of development strategies that least prioritize life-and-death needs – reinforces a situation that discriminates against women. Twice over, women are deprived of their overall well-being, and denied of their sexual and reproductive health rights.

While a wider, more effective and pro-women delivery of services, appropriate and coherent policy legislation and stronger and more consistent program implementation are desirable, the Philippine government should develop a holistic, integrated and rights-based approach to sexual and reproductive health rights. More importantly, a government that commits to gender-responsiveness should be able to decisively put such comprehensive reproductive health agenda into force.

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Selected Health Indicators for ARMM and Philippines, 2003

| | <u>ARMM</u> | <u>Philippines</u> |
|--|-------------|--------------------|
| Life expectancy, women (Years, 2000) | 59.3 | 71.6 |
| Life expectancy, men (Years, 2000) | 55.5 | 66.3 |
| Infant mortality (Per 1,000 live births, 1995) | 63 | 49 |
| Maternal mortality (Per 100,000 live births, 1995) | 320 | 180 |
| Modern contraceptives prevalence (% of MWRA) | 11.6 | 33.4 |
| Unmet need for FP (% of MWRA) | 27.4 | 17.3 |
| Prenatal care by doctor, nurse or midwife (% of mothers) | 49.8 | 87.6 |
| Mothers who received iron while pregnant (% of mothers) | 40.2 | 76.8 |
| Pregnant women who did not receive tetanus toxoid injection | 52.5 | 27.9 |
| Delivery assisted by doctor, nurse or midwife (% of mothers) | 21.7 | 59.8 |
| Delivery at home (% of mothers) | 88.4 | 61.4 |
| Mothers who breastfed their children (% of mothers) | 93.4 | 86.5 |
| Children fully immunized (% of children) | 44.0 | 69.8 |
| Children with no vaccination (% of children) | 26.3 | 7.3 |
| Children who received Vit A supplement (% of children) | 50.4 | 76.0 |
| Children who received Iron supplement (% of children) | 39.7 | 63.3 |

Sources: Human Development in ARMM, World Bank, 2003, and 2003 National Demographic and Health Survey, NSO

Women Status Indicators in ARMM and Philippines, 2003

| | <u>ARMM</u> | <u>Philippines</u> |
|--|-------------|--------------------|
| Median age at first marriage (years) | 19.9 | 22.0 |
| Median age at first childbirth (years) | 21.6 | 23.2 |
| Median number of months since last birth (months) | 24.5 | 30.5 |
| Women with no education (% of MWRA*) | 15.0 | 1.4 |
| Women with no exposure to media (% of MWRA) | 32.6 | 7.6 |
| Couples where husband want more children than wife (%) | 45.7 | 21.9 |
| Women with problem where to go for treatment (%) | 18.9 | 14.9 |
| Women with problem of permission to seek treatment (%) | 24.8 | 10.7 |
| Women with problem getting money for treatment (%) | 85.3 | 67.4 |
| Women with problem of distance from facility (%) | 72.0 | 27.2 |
| Women with problem of going alone (%) | 52.6 | 28.1 |
| Women concerned about lack of female provider (%) | 27.9 | 20.5 |

Source: 2003 National Demographic and Health Survey, NSO

*Married Women of Reproductive Age



For a government that ratified the CEDAW 25 years ago, and instituted several other legal measures to complement it, one might expect at least some significant movement towards *de facto* equality in terms of participation in public life. This has not happened, and is not likely to happen anytime in the near future with the skewing of national directions away from resolving grave asymmetries in the distribution of resources. Only socially and economically privileged elites have been able to maximize legislative gains for greater women's political participation, indicating little progress on Article 7 of the CEDAW which obliges States parties to take *all* pertinent steps to eliminate discrimination against women in political and public life and to ensure their involvement in formulating and implementing government policy. The greater majority of grassroots women remain distant and little heard, even as they bear the harshest consequences of decisions made on their behalf.

Yet again, this underscores what has frequently been stressed in this report, that legislative agenda should also resonate with genuine development programs and goals. Women's advances, modest as they are, will not be able to establish a foothold, much less gain ground in a structurally unjust, male-dominated context. Building a policy environment that affirmatively addresses the gender inequalities women are born into and inevitably live by is important, but a government - especially one that has ratified the Women's Convention and many other human rights accords - reneges on its commitments by failing to ensure *beyond legislation* and crucial to implementation requisites for enabling women to fully participate in public life and for developing their sense of self as autonomous citizens.

A Culture of Corruption

The ever-increasing imbalances in entitlements and access to resources provide fertile ground for corruption in Philippine politics to flourish; this in turn, compounds the many difficulties already stacked against women's participation in public life. Estimates of the UN Development Program in 2004 cited resources of up to \$1.8 billion lost to corruption yearly. Other studies point to a widely held view in the country and abroad that corruption has increased in depth and breadth, infecting more branches and agencies of government, including the judiciary.

8 WOMEN'S Participation in Public Life





The Philippines' ranking has steadily been slipping downwards in the Corruption Perception Index of Transparency International, ranking 65 in 2001 (out of 91 countries) to 117 in 2005 (out of 159). Political parties and the legislature ranked next to the police as institutions most tainted by corruption. As of last count by TI, seven out of ten Filipinos saw government corruption as growing worse, and further worsening in the future.

While it has vowed to stop corruption, the current administration is itself accused of manipulating public funds for purposes of vote-swinging in the 2004 presidential polls. Even public health services are commonly known as currency for vote-buying. Local executives, for example, stock medicines without proper storage and only release them to achieve maximum impact for their political ambitions. A former Cabinet official attested to government's distribution of national health insurance cards bearing President Arroyo's image as politically motivated. Charges that contributions from migrant workers were used for this purpose have not been satisfactorily resolved. Other social services, such as the construction of hospitals, roads and schools - all vital to women and children's health and well-being have also been used as political pork by local officials, who extend them in areas where they win and withhold them where they lose.

Only last year, scandal broke out, implicating Virgilio Garcillano, chair of the Commission on Elections and President Arroyo herself, in election fraud. The issue remains unresolved to this day and continues to fuel popular protest. Electoral processes are supposedly a mechanism for ensuring people's representation and widening democratic participation, but in the Philippines these have become



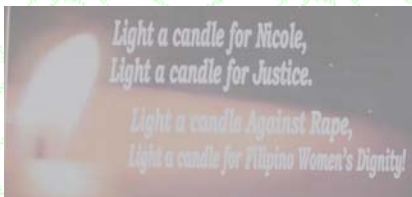
known as the political intramurals of local elites who routinely capitalize on the economic vulnerabilities of the poor to ensure election outcomes in their favor. Predictably, the kind of legislature that these electoral exercises have produced provides the arena for continuing the horse-trading among various political interests, the church and big business included. It should come as no surprise why Congress has failed to enact laws to prohibit political dynasties in government.

Women in Governance

It is not surprising that women are still under-represented in government. Members of the House of Representatives in 2004 counted 178 men and only 32 women. There are only 3 women in the 24-member Senate. These figures are stark considering that more women than men participate in the electoral process, not just as voters but as members of electoral bodies who assist in the election process itself.

In any event, women who do succeed in making it to the Senate or the Lower House usually come from elite clans, backed by the privilege of money and bestowed with connections through a flourishing system of male-dominated patronage politics. Women members of the Lower House are often





either the wives or daughters of former politicians whose terms have ended.

Although women dominate the bureaucracy at 57.6 percent of the total 1.31 million government personnel, they seem unable to break the so-called glass ceiling. They are to be found mostly in the technical or second-levels and men are likely to be clerks or managers and executives. In the judiciary, 17.7 percent of incumbent judges in 1999 were women, increasing to 23.4 percent in 2002. Sharia courts, special courts for Muslim law, have remained all-male, except in 1996 when there was one woman in the Shari'a Circuit Court. There are currently five women justices in the Supreme Court, which is headed by a male.

Women's Representation at the Local Levels

Women's local sectoral representation can best be described as token gestures of government's commitment to gender mainstreaming and gender-responsive governance. In practice, the government performs exclusionary activities and arbitrarily exercises its political discretion, such that women belonging to or have connections with local influential clans are privileged over grassroots Women.



On March 8, 2006, during the celebration of International Women's Day, hundreds of police marched, ready to disperse the rallyists. During the negotiations, one police officer told women leaders that they should not be out in the streets but at home taking care of their children and husbands. Media caught the sexist remarks.

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Bureaucratic red tape has either slowed down or diminished women's ability and opportunity to be represented in various government bodies. There are certain areas in the country where enabling mechanisms for women's representations have been created, such as in the province of Cebu; in many cases, however, only a few people are qualified to manage them and they become non-functional over time.

- The Local Government Code provides for local sectoral representation of women in the *Sangguniang Bayan* (municipal councils). However, only 30 percent of local bodies has been constituted and can be considered functional. Government attributes these violations to the unfulfilled need for an enabling law.
- Women are able to lobby and secure seats in Municipal Fisheries and Aquatic Resources Management Councils and in tripartite councils affecting mining issues, but this is more the exception than the rule. Lobby for representation is usually successful where there are strong local people's organizations partnering with NGOs in community-based development interventions.
- The male-dominated Regional Development Councils have generally placed women on the social issue component, thus replicating





gender bias. There is a need to allocate seats for women in local development councils.

- Women's commissions have been established in some parts of the country, but those appointed are often wives or relatives of local officials.
- Fourteen basic sectors are supposed to be represented in the National Anti-Poverty Commission by different people's organizations and NGOs. As these have not been filled, several marginalized sectors including women continue to be disenfranchised of their say in supposedly poverty-alleviating projects and programs.
- Ten percent of the composition of the Philippine National Police (PNP) is allocated to women. While there are women's desks, as the law prescribes, in nearly all police stations, these are significantly under-resourced. There are also women police officers who are victims / survivors of VAW.

Laws and Human Rights of Women

The respect and promotion of women's human rights are a requisite for women's political participation, thus the push by civil society organizations for the enactment of a Magna Carta for Women. Government has yet to take action on this but similar to the Local Sectoral Representative Bill and other women's empowerment bills, these proposed measures face uncertain futures as the political crisis of current administration runs its course.

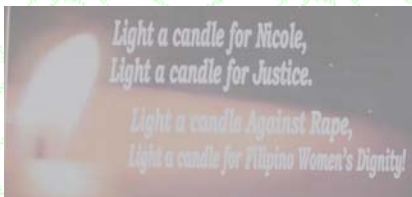
On the other hand, laws passed that should

otherwise have made inroads in protecting and promoting women's human rights suffer from weaknesses in enforcement and implementation. For example, local officials have shown ignorance on the protection order mechanism, the most defined feature of Republic Act 9262 or the Anti-Violence Against Women and Their Children Act of 2004. It offers relief from harm on the very day that it is applied for, and provides for the filing of appropriate charges in court. Still, local barangay officials have been known to violate RA 9262 by continuing the practice of facilitating the settling of VAWC disputes between victims and offenders.

The issue may be one of raising the low level of awareness and understanding among enforcement and judicial systems, particularly in the local government units, and among women themselves who may have internalized values of submissiveness and accepted their oppression. But human rights education proceeds at a slow pace. The Commission on Human Rights of the Philippines (CHRP) is also limited to investigative and recommendatory powers. Many cases of women's human rights filed before the CHR, have met dead ends outside the Commission.

The financial costs of accessing justice in the Philippines adds another disincentive for women to seek relief and redress. Poor women who are income-poor, and often do not have access to their own income, may not even be able to afford the filing fees for the Temporary Protection Order provided for under RA 9262.





Continuing Invisibility of Women's Contributions

It is ironic that while government recognizes women's rights to a fair share in public decision-making at all levels of governance, it ignores the social reproduction tasks which constrain women's time and prevent them from becoming more engaged in public life. This is indicated in the continuing inability of government to *make every effort* to institutionalize a systematic way of coordinating statistical bodies in the monitoring of women's conditions, as obliged by General Recommendation No. 9 (VIII). Questions of long-term sustainability must be raised considering that efforts enumerated by government in this regard are outcomes of a six-year ODA-supported project that ended four years ago. Currently, there is a lack of consistency among government line agencies in providing disaggregated data.

Though not a solution, a significant step forward in asserting women's equal rights to a say, would have been made had government been more decisive in responding to General Recommendation No. 17(X) on the Measurement and Quantification of Unremunerated

Domestic Activities of Women. The government is yet to conduct a national survey to determine the distribution of paid and unpaid work by gender. Pending this important step in surfacing how social reproduction contributes to society and the economy, women and their work remain absent in national accounts and are likely to be invisible as well in policy discussions and decisions. A reduction in public expenditures on health for instance may be interpreted as a gain in economic efficiency, but this actually translates to "a transfer of costs from the paid economy to the unpaid, 'invisible' economy", to be shouldered by already income and time-poor women.

The NCRFW and GAD funds

The National Commission on the Role of Filipino Women (NCRFW) is not only mandated to lead in the monitoring of women's conditions and advising government in the policy-formulation, but also in monitoring the implementation of legislation on various sources of gender and development mainstreaming funds. These include the 1998 General Appropriations Act (RA 8522) requiring line agencies to allot a minimum of five percent of their budget for gender-mainstreaming programs, projects and activities. The Philippine Plan for Gender-Responsive Development (1995-2025) provides for institutionalizing GAD in the whole government budget, a task that is also NCRFW's responsibility. Another is the Women in Development and Nation-Building Act (RA 7192) which instructs government bodies to set aside up to 30 percent of their ODA funds for GAD activities.

After 13 years, GAD mainstreaming has shown little impact on the lives of ordinary women.





Widespread reports of misuse and misallocation of GAD funds are instructive as to how little these measures are understood and how easy it has been to go around laws meant for GAD mainstreaming. Implementation has generally been haphazard and unmonitored, characterized more by tokenism than by substance and strategic intent. The lack of stringent sanctions for violators of the law has also emboldened many government units particularly at the local levels, to continue to ignore these laws.

It has not helped that the lead agency for mainstreaming GAD in government does not have the budget and the enforcing capacity proportionate to its roles and responsibilities. NCRFW has some distance to go before it can be the effective national machinery, established at a high level of government, and with adequate resources and authority, needed for the implementation of the CEDAW (General Recommendation No. 6, VII). It no longer enjoys a Cabinet position, following the issuance of an executive order in 2005 that placed it under oversight functions of the Department of Social Work and Development.

The Current Conjuncture

The Filipino people are under increasing pressure to submit to changing the 1987 Constitution through a Constituent Assembly, supposedly as a means towards political reform. While this might have been welcomed under different circumstances, the current push for Charter Change is shadowed by suspicion and controversy because it comes at a time when charges of election fraud and questions of legitimacy continue to hound the Arroyo presidency.

Calls for charter change have echoed loudest from among the majority of congress representatives who are allied with the President's party. Alarming, the proposed amendments imbue the "new" parliament with term extensions and unsurpassed powers since Marcos' time. Limitations on commander-in-chief powers are lifted. Even the Party List system, the mechanism for ensuring some degree of representation by representatives of the marginalized sectors is at risk of being watered down. Elite-privileging conditions are likely to continue if plans push through for the membership of the first parliament be constituted to come from the same districts that the current congressional representatives control and dominate.

Women's groups together with civil society organizations have been staging protests to challenge these moves and bring attention to greater impoverishment suffered particularly by women in the grassroots. However, with disturbing consistency, government's response has been vicious and punitive. During many political demonstrations, the Philippine National Police turned on protesters with violent crowd dispersal methods, harassing and beating women activists and other militant leaders. The frequency of killings and arrests are growing to such a degree that some political analysts fear a return to martial law, or some form of constitutional authoritarianism.





A Blow to the CEDAW

These developments only spell the continued narrowing of already limited democratic spaces and the further erosion of opportunities, especially for the most marginalized and excluded sections of women, to participate in public life. The passage of laws like the revitalized Mining Law and the Agriculture and Fisheries Modernization Act, and government's dismantling of tariff protections, for example, indicate clearest that the voices of women in indigenous and ethnic communities, in the fisheries, in subsistence farming and vegetable production, etc., are not being heard in decision-making processes.

There is little or no indication that government has heeded in a substantial way Articles 7 and 14 of the CEDAW, not to mention General Recommendation No. 24 (XVI), which contains far-reaching obligations for States parties to ensure women's participation in public life, particularly in the areas of policy formulation and implementation. A more dangerous implication, however, of such inaction is the lack of seriousness towards expanding women's meaningful presence and participation in public life, now or in the future.

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- 6 Katherine Adranedy and Aurea Calica. "CCTA trial: Dinky testifies Philhealth cards used to get votes". *Philippine Headline News Online*, 17 November 2005. Accessed at <http://www.newsflash.org/2004/02/hl/hl103207.htm> 30 May 2006.
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- 11 Executive Order No. 425 issued by President Arroyo in May 2005.
- 12 Fr. Joaquin G. Bernas, SJ. "Sounding Board: A Parliamentary System?" *Philippine Daily Inquirer*. 6 February 2006. "Constitutional Change in the Philippines". *Political Brief. Quarterly Journal of the Institute for Popular Democracy*. Vol. 13 No. 1. First Quarter 2006. The proposed Charter changes provide, among others, for: election of members of parliament from the same local political clans; increased terms from 3 years, without limit to the number of terms; lifting of the prohibition of appointing the President's spouse and other close relatives to government positions; removal of the need for concurrent of the Monetary Board before the President can contract or guarantee foreign loans; lifting of the prohibition on the presence of foreign military forces; absence of constitutional rules over the use of public funds, specifically discretionary funds and what is left from special funds; removal of restrictions on the entry of foreign investment.
- 13 The 1987 Constitution provides for the Party List system, which allots 20 percent of the 250-member legislature to fishers, farmers, indigenous peoples, the disabled, women, etc. and other marginalized sectors.



9 CONCLUSIONS

Women's Economic Empowerment

- Evident among rural women, whether in fisheries or agriculture, is the non-valuation of their work.
- Embedded as women are in unvalorized social reproduction roles and tasks, they inescapably take up the slack and fill in the gaps by default, expending longer, unpaid labor hours when government withdraws from services like water, child and health care, or when private providers prove too expensive for average households to afford.
- The relentless spread of the market economy coupled with environmental degradation and the loss of the ancestral territories have been particularly disastrous for the indigenous peoples. From autonomous producers, many landless IP women have become agricultural wage workers or contractual laborers in the service sectors. Knowledge of indigenous women healers on medicinal herbs has also been laid open for bio-piracy by giant transnational companies.



Violence Against Women

- Patriarchal views, values and practices are still very much the norm in Philippine society, and are reproduced in countless ways and in varying degrees by different institutions, among them the conservative Catholic Church, fundamentalist Christian and Muslim religious groups, the largely consumerist media, schools and government itself. The implications of these constructions are oppressive, and doubly so, when women are caught in disempowering conditions of poverty, illiteracy and cultural marginalization and exclusion.
- Though figures remain difficult to ascertain, what undeniably persists are the push and pull factors widening the net for



women and girls' recruitment into the prostitution industry, which include the impacts of sex/gender-based discrimination, poverty and globalization that have not been decisively addressed by government and are deeper than before.

Women and their Sexual and Reproductive Health Rights

- It is arguably *realpolitik* that defines government's actual operating framework on sexual and reproductive issues, which is to compromise, and even surrender women's enjoyment of their rights in order to accommodate such powerful and influential allies as the conservative Catholic Church.
- In the absence of a comprehensive institutional framework on reproductive health, the mutually reinforcing positions of Church and State with regards sexual and reproductive health have alarmingly assumed the strength of law.
- Basic social services such as health do not enjoy the top-priority status that government awards to debt servicing, and have suffered the biggest cuts through several years now of deficit spending. The impacts are harshest on excluded and marginalized groups, among them lesbians, Muslim and other ethnic/indigenous and rural women.

Women and the Environment

- It has been women's knowledge of biodiversity as a source of water, food, medicines and livelihood, which covers for what government has unsuccessfully or is increasingly failing to provide. Yet, even this is under threat from government's



pursuit of a market-driven economic development paradigm hinged on further opening up the country's resources to foreign investments and capital. The persistence of mass poverty and deprivation, and the general worsening of many other human development indicators more than two decades hence, have had little influence on shifting policy away from deregulation, privatization and liberalization in trade and investments.

- For indigenous women and Muslim women, the environment is linked not only to their economic sustenance; it is entwined in their cultural, social and spiritual life as a people. This reality, however, is unrecognized by a government disdainful of those women's cultural rights. Philippine laws disregard for one the issue of ancestral domain and the view of indigenous peoples and ethnic minorities on the sacredness of land and why it cannot be commoditized or subjected to purchase, sale, ownership or lease.

Women and Participation in Public Life

- Only socially and economically privileged elites have been able to maximize legislative gains for greater women's political participation. The greater majority of grassroots women remain distant and little





heard, without the right to a say, even as they bear the harshest consequences of decisions made on their behalf.

- Women's local sectoral representation can best be described as superficial gestures of government's commitment to gender mainstreaming and gender-responsive governance. In practice, the government performs exclusionary activities and arbitrarily exercises its political discretion, such that women belonging to or have connections to local influential clans are privileged over grassroots women.
- It is ironic that while government recognizes women's rights to a fair share in public decision-making at all levels of governance, it ignores the social reproduction tasks which constrain women's time and prevent them from becoming more engaged in public life. This is indicated in the continuing inability of government to *make every effort* to institutionalize a systematic way of coordinating statistical bodies in the monitoring of women's conditions, as obliged by the CEDAW.
- The heightening of political repression under the current administration forebodes the continued narrowing of already limited democratic spaces and the further erosion of opportunities, especially for the most

marginalized and excluded sections of women, to participate in public life. There is little or no indication that government has heeded CEDAW's far-reaching obligations for States parties to ensure women's participation in public life, particularly in the areas of policy formulation and implementation. Nor is there any indication from its current actions that the CEDAW will be seriously heeded in the future.

Building an Environment Enabling of CEDAW

- A government-particularly one that has ratified CEDAW-must also be proactive in ensuring that the requirements for enabling especially grassroots women to fully participate in public life and for developing their sense of self as autonomous citizens are not too sorely absent.
- Legislative agenda cannot be divorced from development agenda. Laws and policies are only as good as the social and political conditions that effectively and promptly allow the dismantling of layer upon layer of discrimination against women.
- The intractability of poverty-related problems in the country emphasizes that structural inequalities and inequities are still well-entrenched and pose the biggest obstacles to any project aiming for poverty reduction and economic empowerment. It is clear that while government's goals of "promoting women's economic empowerment through access to capital, markets, training, information, technology and technical assistance..." are important, they are not the strategic and substantive interventions that a decisive move on realizing women's economic empowerment would require.



To ensure *de facto* not merely *de jure* compliance with substantive equality (addressing both direct and indirect discrimination against women), and advocating a development paradigm responsive to gender-specific rights, cultural contexts and needs, and environmental sustainability, the following recommendations are put forward with Article 3 of the CEDAW in mind:

On Legislation

Ensure that laws and bills, particularly laws on family and persons, property, violence against women and children, prostitution and trafficking, the regulation of migrant work, customary law, etc. are consistent with CEDAW and women's rights.

Review the process of law-making to ensure that implementing rules and regulations are integral to the drafts passed in legislation and not mere afterthoughts that become justifications for the incomplete compliance with laws.

Effectively advocate for the passage of pending bills ensuring women's rights such as the reproductive health bill and the Magna Carta for Women, and to make legislative bodies account for the excruciatingly slow passage of these bills.

Repeal laws and administrative orders that authorize the automatic appropriation from the budget of debt service payments over and above any other public expenditure; set a ceiling on allocations for interest payments.

Investigate and audit all outstanding debts in order to have a clear basis for repayment/non-repayment; prosecute corrupt government officials who privately benefited from public transactions.

Women's Participation In Policy-Making

Revue the impact and functionality of various political mechanisms that purportedly facilitate poor women's political visibility and participation, particularly in local governance, peace and the ARMM communities as well as other indigenous communities, and poverty and economic development bodies.

10 OUR Recommendations



Ensure the representation of poor women - rural poor women farmers and fishers, indigenous women and Muslim women, migrant women, and urban poor women - in all governance bodies, from the local to international levels, as provided by law; and their meaningful participation in policy discussions and decision-making processes.

Civil / Political Rights

Stop the suppression of legitimate dissent; uphold the Bill of Rights guaranteeing the people's democratic rights to free speech and assembly, freedom of mobility and to be secure in their persons.

Dismantle all underground, illegal military apparatuses and operatives linked to killings and disappearances; vigorously prosecute all found guilty and responsible for these rights violations as well as those involved in tortures, arbitrary arrest and detention.

Minority / Indigenous People's Rights

Recognize and promote viable practices of indigenous and rural women on natural resource management and development; and the contribution of women's social reproduction to society and the economy.

Uphold the indigenous peoples' rights to their ancestral lands and natural resources and prosecute transgressors of the IPRA provision on securing their Free and Prior Informed Consent.

The Economy and Social Services

Install temporary special measures to respond to the grievous effects of corporate globalization on poor women, especially migrant women, Muslim and indigenous women and their communities.

Put in place mechanisms to ensure that resources freed from debt service goes to the delivery of basic services badly needed by the people, especially poor and marginalized women.

Secure life, position and property of women especially those displaced by conflict and disasters by providing full safety and social services in temporary sites/shelters including food, water, sanitation, health provisions and livelihoods for the limited time that they spend in these areas.

Without prejudice, promote and protect women's equal right to work and decent livelihoods.

Planning and Monitoring for Impact

Empower open, credible and accountable monitoring mechanisms to track results and impact of truly government's own initiatives and varying measures addressing women's rights especially social services covering health, education, and infrastructure especially impact on grassroots, poor communities.

Separately monitor the results and impact of the passage of laws on women's rights





identifying gaps and continuing challenges to the complete implementation of these laws. For government to put in place in their planning strategies the timeframe by which they would be held accountable for measures they committed themselves to, on top of their commitments to the Millennium Development Goals.

Ensure that social impact assessments of government projects on environment and ecological preservation meticulously consider impact on culture and participation of and effect on women.

Education / Information Dissemination

Ensure government's principal role and responsibility in widely disseminating knowledge and information on CEDAW and in educating the public, especially grassroots women on their rights.

To aid critical decision-making and ensure accountability, for government to uphold the law on the right of the people to access public documents at all levels of government and among the various line agencies.



11

LIST OF participating organizations

| LIST OF PARTICIPATING ORGANIZATIONS | |
|--|--|
| IN THE CONSULTATION-WORKSHOPS ON USING CEDAW IN THE PHILIPPINES | |
| A NATIONAL TRAINING FOR WOMEN NGOS & HUMAN RIGHTS ADVOCATES | |
| OCTOBER 17-21, 2006 | |
| 1 | Al-Mujadilah Development Foundation, Inc. (AMDF) |
| 2 | Alternative Law Groups (ALG) |
| 3 | Ateneo Human Rights Center (AHRC) |
| 4 | Center for Asia Pacific Women's in Politics (CAPWIP) |
| 5 | Center for Women's Resources (CWR) |
| 6 | DAWN Foundation, Inc. |
| 7 | Dr. Emilio B. Espinosa Sr. Memorial State College of Agriculture and Technology (DEBESMSCAT) |
| 8 | Holy Spirit School Center for WINGS |
| 9 | Kanlungan Center Foundation, Inc. (KCFI) |
| 10 | Karapatan |
| 11 | Lihok Pilipina Foundation, Inc. |
| 12 | LIKHAAN |
| 13 | Pambansang Kongreso ng Kababaihan sa Kanayunan / FIAN Philippines |
| 14 | PATAMABA |
| 15 | Pilipina Legal Resources Center, Inc (PLRC) |
| 16 | Ranbow Rights Project, Inc. (R-Rights) |
| 17 | SARILAYA |
| 18 | Sentro ng Alternatibong Lingap Panligal (SALIGAN) |
| 19 | Talikala, Inc. |
| 20 | UNIFEM - CEDAWSEAP |
| 21 | WAND - Sorsogon Women's Network |
| 22 | Women and Gender Institute (WAGI) |
| 23 | Women Working Together to Stop Violence Against Women / Amnesty International Pilipinas |
| 24 | Womenlead Foundation, Inc. |
| 25 | Women's Education Development and Productivity Organization (WEDPRO) |
| 26 | Women's Feature Service |
| 27 | Women's Legal Bureau |

| LUZON CONSULTATION-WORKSHOP |
|--|
| MARCH 20-21, 2006 |
| 1 Alternative Law Groups (ALG) |
| 2 Amihan National Federation of Peasant Women |
| 3 CAPP-SIAD Inc. |
| 4 Center for Women's Resources |
| 5 Centro Saka Inc. (Phil Center for Rural Devt Studies) |
| 6 Engenderights |
| 7 Federation of Free Workers' Women's Network |
| 8 GABRIELA |
| 9 Hospital Women's Desk |
| 10INNABUYOG |
| 11Kanlungan Center Foundation |
| 12LIKHAAN |
| 13Pambansang Kalipunan ng mga Manggagawang |
| 14Pambansang Kanayunan ng Kababaihan sa Kanayunan |
| 15PATAMABA |
| 16Piglas Kababaihan |
| 17Rainbow Rights Project, (R-Rights) Inc. |
| 18Reproductive Rights Resource Group - Phils |
| 19Task Force Detainees of the Phils |
| 20Third World Movement Against the Exploitation of Women |
| 21Trade Union Congress of the Philippines (TUCP) |
| 22University of the Philippines - Philippine General |
| 23Woman Health |
| 24Womenlead Foundation, Inc |
| 25Women's Action Network for Development |
| 26Women's Crisis Center |
| 27Women's Legal Bureau |

LUZON Consultations and workshops



VISAYAS Consultations and workshops

| VISAYAS CONSULTATION-WORKSHOP |
|---|
| APRIL 27-28, 2006 |
| 1 Antonia de Oviedo Center |
| 2 Cebu City United Vendors Association |
| 3 Cebu People's Multi-Purpose Cooperative |
| 4 Center for Participatory Governance |
| 5 Children's Legal Bureau, Inc. |
| 6 Crusade Against Violence |
| 7 Development Through Active Women Networking Foundation |
| 8 Feed the Children Phils, Inc. |
| 9 Fellowship For Organizing Endeavors |
| 10 Good Shepherd Sisters/Balay Isidora |
| 11 GWAVE |
| 12 Justice, Peace, and Integrity of Creation, Integrated Development Center |
| 13 Kabalaka Development Foundation, Inc. |
| 14 Legal Alternatives for Women Center, Inc. |
| 15 Life's Essence for Achievement and Development, Inc. |
| 16 Mag-uumad Foundation, Inc. |
| 17 Malhiao Resource Management Multi-Purpose Cooperative |
| 18 Nazareth Children Center |
| 19 Process |
| 20 SIDLAK |
| 21 Simag Foundation Inc. |
| 22 SOS Children's Village Cebu, Inc. |
| 23 Tambuyog Development Center, Inc. |
| 24 Third World Movement Against the Exploitation of Women |
| 25 Women's Resource Center Cebu |
| 26 Women's Legal Bureau |

| MINDANAO CONSULTATION-WORKSHOP | |
|--------------------------------|---|
| APRIL 3-5, 2006 | |
| 1 | Al-Mujadilah Development Foundation, Inc. |
| 2 | Alternative Forum for Research in Mindanaw (AFRIM) |
| 3 | Bangsamoro Women Solidarity Forum, Inc |
| 4 | Bangsamoro Women Solidarity Forum, Inc. |
| 5 | Bathaluman Crisis Center Foundation, Inc. |
| 6 | Center for Overseas Workers Foundation, Inc. |
| 7 | Consortium of Bangsamoro Civil Society |
| 8 | Federation of United Mindanawan Bangsamoro Women |
| 9 | GABRIELA - Davao |
| 10 | Group Foundation, Inc. |
| 11 | Institute of Primary Health Care Davao Medical School Foundation |
| 12 | Lawig Bubai |
| 13 | Link Davao Incorporated |
| 14 | Lumah Ma Dilaut Center for Living Traditions |
| 15 | Manggagawang Kababaihang Mithi ay Paglaya (MAKALAYA) |
| 16 | METSA Foundation, Inc. for the Upliftment Of Moral, Economic, Technological, Socio-Spiritual Aspirations Of Persons |
| 17 | Mindanao Working Group on Repro-Health, Gender and Sexuality |
| 18 | Muslin Women Association in Basilan |
| 19 | Samahan ng Maralitang Kababaihang Nagkakaisa |
| 20 | SAMAKAMA- Davao |
| 21 | Sentro ng Alternatibong Lingao Panligal (SALIGAN) - Mindanaw |
| 22 | SIDLAKAN |
| 23 | TALIKALA, Inc. |
| 24 | Tingog sa Kasanag Org. (TISAKA) |
| 25 | United Youth for Peace and Development |
| 26 | Unlad Kabayan Migrant Services Foundation, Inc. |
| 27 | WMSU-Center for Peace and Development Zamboanga City |
| 28 | Women's Feature Service |
| 29 | Women's Forum 10 |
| 30 | Women's Legal Bureau |

MINDANAO Consultations and Workshops



12

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