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CEDAW

Alternative report submitted
to the Office of the High
Commissioner on Human
Rights in relation to the 9th
periodic report of the
Philippines in the Committee
on the Elimination of
Discrimination against
Women

2023



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RECOMMENDATIONS:

TO THE PHILIPPINE GOVERNMENT:

1. Respect and fulfill the recommendations of UNHRC member states;
2. Allow Special Procedures and mandate holders to conduct official visits within the Philippines;
3. Repeal macroeconomic neoliberal policies; and lastly,
4. Revoke the Anti-Terror Law, Executive Order 70 and disband the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) to ensure a secure and supportive environment for the crucial work carried out by advocates for women's rights and human rights defenders.

TO THE UN CEDAW COMMITTEE:

1. Initiate an impartial international investigation or establish a commission of inquiry in the Philippines, focusing on the violations committed by state forces against the principles as outlined in CEDAW.

The Center for Women's Resources (CWR) is a non-governmental, non-profit research and training institute for women established in 1982. As a resource center with nationwide partners, CWR's mission is to empower women, help them assert their rights, and develop their fullest potential. CWR envisions that as women become empowered, they will unite and strive to fight for their rights and improve their situation by changing structures that hinder their full development. It primarily caters to marginalized women and girls, such as workers, women in rural areas, and the urban poor. Its programs include capacity building, education and training, awareness-raising and advocacy work, and research and data banking.

LEGAL FRAMEWORK

With the Philippine government's ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), it committed itself to undertake a series of measures to end discrimination against women in all forms through the promotion and protection of their human rights through various policies and programs.

Further, the enactment of the Magna Carta of Women in 2009 defined the State as the primary duty-bearer that shall: (a) refrain from discriminating against women and violating their rights; (b) protect women against discrimination and from violation of their rights by private corporations, entities, and individuals; and (c) promote and fulfill the rights of women in all spheres, including their rights to substantive equality and non-discrimination.

This report underscores a sobering reality: despite commitments and legislative measures, Filipino women continue to face challenges. Neoliberal development policies of liberalization, privatization, and deregulation, along with state repression, have contributed to the patterns of violations encroach upon women's economic, social, cultural, civil, and political rights. From state neglect to direct state attacks, women are confronted with setbacks in their pursuit of gender equality and women's human rights. Furthermore, the COVID-19 pandemic has exacerbated pre-existing inequalities and discrimination, adding to the adversities endured by Filipino women.

ON RURAL WOMEN

Women's access to productive resources, such as land, remains a pressing challenge. According to the Kilusang Magbubukid ng Pilipinas, seven out of ten farming families do not own the land they cultivate.

Moreover, the number of women holding emancipation patents (EPs) and certificates of land ownership awards (CLOAs) significantly trails behind men. Of the total 517,304 EP holders, merely 18.59% (96,142) are women. As for CLOA holders, only 31.12% (633,314) are women out of a total of 2,034,851 CLOA holders.[25]

Rural women, especially those engaged in community and collective initiatives, confront harassment and threats. Women in Cavite province leading collective land cultivation efforts using agro-ecological farming techniques to rejuvenate the soil have been subjected to such attacks. As they strive to regain ownership of the Lupang Ramos estate, they face threats of demolition, arrests, and other forms of harassment from police authorities and security forces.[26]



Photo source: AMIHAN Women

ON CLIMATE CHANGE AND DISASTER RISK REDUCTION

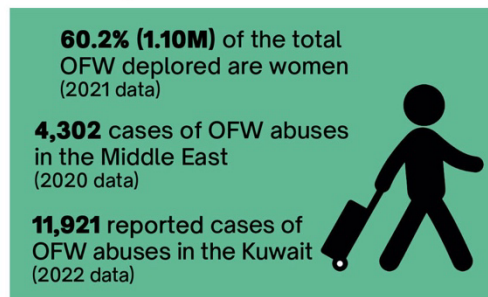
For low-income households, disasters can trigger a relentless cycle of losses that ensnares them in poverty. These families lack the savings or capital reserves needed for recovery from disasters. CWR's case studies illustrate the repercussions for Filipino women. In Quezon province, when a typhoon strikes before the harvest season, farmers are compelled to prematurely harvest their crops. As one woman farmer noted, her family's yield dwindles from the usual 40 sacks to a mere 20 to 25 sacks, insufficient even to cover the costs of seedlings and fertilizers.[27] According to another woman farmer from Nueva Ecija, amid the little to no harvest, state support for them is very limited, forcing them to borrow money from lending companies, resulting in deeper debt.

ON MIGRATION

Due to the lack of viable jobs in the country, many Filipino women are forced to go abroad as migrant workers in low-skilled, low-wage, insecure jobs. In 2019, there were 1.23 million overseas Filipino women workers, 24% more than men. In 2021, 60.2% (1.10 million) of the total OFWs deployed are women. Most are employed in elementary occupations (64.8%) and sales and service workers (17.1%). These are also low-wage workers, and many lack social protection.

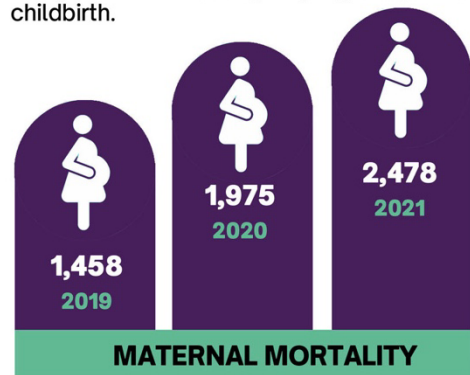
Abuse against migrant workers also persists. In 2020, the Middle East recorded 4,302 cases of OFW abuse. There were also 23,714 contract violations reported, including passport confiscation and the failure to provide domestic workers with the protections outlined in labor codes and labor protection laws.

In Kuwait, on average, two OFWs fall victim to physical abuse, sexual harassment, or rape every day. The reported abuse cases have been on the rise, surging from 3,537 in 2020 to 6,654 in 2021 to 11,921 reported cases in 2022.[23] In January 2023, a woman migrant worker named Jullebee Ranara suffered a brutal rape and murder at the hands of her employer's son in Kuwait, exemplifying the vulnerability faced by many women migrant workers.



ON HEALTH

The PSA data reveals a concerning trend in maternal mortality: 1,458 maternal deaths in 2019 surged to 1,975 in 2020 and further escalated to 2,478 in 2021. These fatalities are largely preventable and result from complications during pregnancy and childbirth.



PSA Data

Pervasive inequalities persist among women of different economic backgrounds and locations, significantly affecting their access to maternal health services. While national data indicate that one in ten women does not give birth in health facilities or receive assistance from skilled healthcare personnel during childbirth, disparities due to income inequalities are greater. For low-income households, facility-based delivery stands at 58.4%, whereas for the highest income quintile, it reaches 96.9%.[24]

Furthermore, DOST-FNRI data indicates that 24.5% of pregnant Filipino women are at risk of delivering low-birth-weight babies and experiencing other pregnancy complications. This risk is notably higher among teenage pregnant women, at 37.3%, compared to adult pregnant women, at 22.6%.



ON WOMEN HUMAN RIGHTS DEFENDERS AND CIVIL SOCIETY

From July 2016 to December 2022, there were 66 women victims of extrajudicial killings, many of whom are women human rights defenders. This includes human rights worker Elisa Badayos, killed in 2017, Zara Alvarez, a human rights advocate, educator, paralegal, and health activist killed in 2020, and Leonila Pesadilla, who was killed in 2017, is an active member of the Compostela Farmers' Association and has been vocal in their opposition to major mining projects in their community.

There are also cases of enforced disappearance. On May 3, 2022, Loi Magbanua, a labor organizer and women's and LGBT rights advocate, was abducted along with a fellow labor organizer. They are believed to be detained against their will in a military camp.[1] On July 3, 2022, peasant organizers and human rights defenders Cha Pamposa and Elgene Mungcal went missing in Moncada, Tarlac.[2] Before her disappearance, Pamposa's family had been subjected to harassment by uniformed personnel of the AFP and PNP.

As of June 2022, there were 162 women political prisoners. This includes human rights workers Alexandra Pacalda and Glendhyl Malabanan, development worker Rita Espinoza, writer and women's rights advocate Adora Faye de Vera, community journalist Frenchie Mae Cumpio, and peasant women organizer Amanda Echanis.

ON ACCESS TO JUSTICE AND LEGAL COMPLAINT MECHANISMS

As of September 2022, there were 14,073 women deprived of liberty (WDLs), comprising 10.7% of total PLDs in the country,[3] many of them coming from marginalized sectors. In the Correctional Institution for Women (CIW), 67% of the detained women are jobless and/or housewives/housekeepers; or are in the informal sector with meager income and lacking social protection. They mainly commit crimes closely linked to poverty such as minor drug-related offenses (62%) and cases related to theft and fraud (19%). Also included, albeit small in number, are women imprisoned for political reasons.

WDLs continue to suffer from congestion and poor living conditions in jail facilities. For instance, the capacity of CIW is 1,008 detainees, but it currently has a population of 3,306. Women also continue to suffer from the slow and ineffective justice system. Of the 14,073 WDLs, 87.9% (12,365) are still awaiting, undergoing trial, or awaiting final judgement.

Reina Mae Nasino's case is emblematic of the grave human rights violations endured by WDLs. Nasino was illegally arrested and detained on fabricated charges. In July 2020, she gave birth to her daughter while behind bars, only to be forcibly separated from her newborn. Her infant daughter succumbed to pneumonia in October 2020. During the funeral, the presence of law enforcement officers in full tactical gear was noticeable. Despite the heavy security presence, Nasino remained in handcuffs throughout the funeral, a clear manifestation of undue restriction and undignified treatment of WDLs.



Photo source: Jire Careon/ Rappler

Country	Key Violations
BANGLADESH	• Regressive laws • Obstacles to union formation • Police violence
BELARUS	• Regressive criminal laws • Targeted arrests and imprisonment of trade union leaders • Forced dissolution of unions
EGYPT	• Regressive laws against union formation • Union busting and dismissals
ESWAZINI	• Murder • Police violence during strikes
GUATEMALA	• Violence against trade unionists • Climate of fear and impunity
MYANMAR	• Arbitrary arrests • Anti-union dismissals • Severe violation of freedoms of speech and assembly
THE PHILIPPINES	• Violence against trade unionists • Violations of collective bargaining rights • Severe violations of civil liberties and denial of the right to international trade union solidarity
TUNISIA	• Arrest of trade union leaders • Violations of collective bargaining rights • Severe violations of civil liberties and denial of the right to international trade union solidarity
TURKEY	• Repression of unions • Arrests of trade unionists • Systematic union busting

THE PHILIPPINES

- Violence against trade unionists
- Arrests of trade unionists
- Union busting

Given the scarcity of opportunities in formal wage employment, women increasingly turn to the informal sector. The Global Network of Women Peacebuilders database indicates that 6.6 million Filipino women engage in informal work, enduring low income, a lack of social protection, and occupational health and safety hazards.

In June 2023, the International Trade Union Confederation Global Rights Index ranked the Philippines among the top ten countries with the worst conditions for workers. Workers' freedom of expression and the right to organize face intensified suppression. Women union leaders in the Southern Tagalog region reported surveillance and harassment by the NTF-ELCAC against union members and leaders.

Systematic efforts to stifle workers' right to organize, coupled with the prevalent "no union, no strike" practice in special economic zones and export processing zones, have led to a decline in unionized workers as well as reduced participation of women in labor unions or organizations. From 2004 to 2020, the share of female workers affiliated with unions dropped from 14.3% in 2004 to a mere 6.17% by 2020.

ON GENDER-BASED VIOLENCE AGAINST WOMEN

Most violence victims come from the poorest quintile. The 2022 National Demographic and Health Survey shows a direct correlation between decreasing household wealth and increased experiences of physical violence. Specifically, 16% of women in the lowest wealth quintile have endured physical violence, in contrast to 8% in the highest quintile.

Poverty deters many women from pursuing legal action due to the high costs, lengthy procedures, and complexity of the judicial process. Two in five women (42%) age 15–49 who have experienced physical or sexual violence have never sought help to end the violence or told anyone about the violence. Thus, despite the reported decrease in cases of violence against women from 13,830 in 2021 to 11,307 in 2022, the figures could still be much higher.[9]

Alarming, at least 63 cases from July 2016 to December 2019 implicated police and military personnel in abuses against women and girls. The Philippine National Police-Internal Affairs Service has acknowledged the prevalence of rape within police ranks, with 43 officers facing administrative charges for rape since 2015.[10] The cases of abuse continued during the pandemic, where at least 20 cases of state-perpetrated sexual abuse occurred from January 2020 to January 2023, including 'sex-for-pass' and other forms of sexual abuse at some quarantine checkpoints.[11] This also includes the rape and killing of a 15-year-old girl by two policemen in Ilocos Sur in 2021.



ON TRAFFICKING AND EXPLOITATION OF PROSTITUTION

Due to poverty, women remain vulnerable to being victims of trafficking and prostitution. According to the 2023 Trafficking in Persons Report,[12] of the 1,277 identified victims of trafficking, 58%, or 740, are sex trafficking victims, of whom 86%, or 638, are women and girls (490 women, 148 girls). Women and girls are forced into prostitution and various forms of body commodification due to poverty. Increased use of technology coupled with restrictions in mobility during the pandemic also gave rise to new methods of commodifying women's bodies as "traditional" prostitution transitioned online.

A study by Duria (2021) on the narratives and experiences of women in prostitution in the rural Philippines, specifically in Central Luzon, showed the primal reason for doing it is economic necessity.[13] In addition, data from an online dating site shows that there are at least 28,000 women aged 18–34 who are called "sugar babies" in the Philippines.[14] There are also reported cases of young women who are forced into prostitution, such as selling nudes in order to pay for tuition fees and buy the equipment needed for the online school setup.[15]

ON WOMEN'S PARTICIPATION IN POLITICAL AND PUBLIC LIFE

Women's meaningful participation in public life is an important component of ensuring that their concerns and perspectives are integrated into decisions and policy-making processes. While there is an increase in women's representation from 21.45% in 2016 to 21.23% in 2019 to 23.42% in 2023 in elected positions, the number of elected women in various government posts continues to lag behind men.

Concerningly, instances of harassment against women's representation persist. Gabriela Women's Party, the sole women's political party and sectoral representation in the Philippine Congress, faces ongoing disqualification cases filed by the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) with the Commission on Elections.[16]



ON EDUCATION

According to the 2020 Annual Poverty Survey, 26.9% of females not attending school are due to marriage and/or pregnancy, while 22.7% are due to employment and/or looking for work. In a case study done by CWR with women in a rural community in Cagayan Valley Province, it was revealed that many young women in the community have stopped after high school because of financial constraints. They look for jobs or are encouraged to marry early to pass on to their husbands the responsibility of providing for them.[17]

Despite efforts to improve access to education, the Basic Education Report by the Department of Education acknowledged that learners from indigenous communities, geographically isolated and disadvantaged areas, Muslim youth, and learners with disabilities still lack access to educational facilities.[18]

However, notably, between 2016 and 2019, over 55 Lumad schools were ordered to close by the Department of Education, including those operated by the nonprofit Salugpongan Ta' Tanu Igkanogon Community Learning Center Inc. More than 80 schools had to shut down due to military intrusion into indigenous communities. The network reported a systematic campaign targeting these schools, involving the destruction, burning, and vandalism of educational facilities by the military.[19]

ON WOMEN'S EMPLOYMENT

Three years into the pandemic, and despite easing mobility restrictions, women continue to grapple with its consequences. According to the May 2023 Labor Force Survey, over 21.14 million Filipino women are "economically insecure". This includes the unemployed (996,000), those lacking work and income or underemployed (1.899 million), and those outside the labor force (18.248 million).[20]

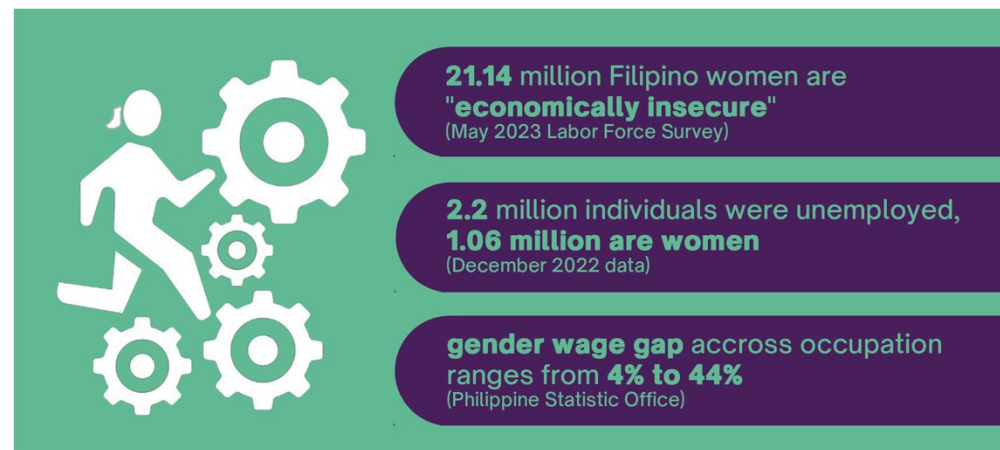
The number of unemployed women doubled during the pandemic, from 852,000 in 2019 to 1.69 million in 2020. Many women lost their jobs and livelihoods, particularly in sectors that shuttered during lockdowns. By December 2022, an estimated 2.2 million individuals were unemployed, with 1.06 million being women.

A study by the Asian Development Bank revealed that one in four women in the retail and service sectors lost their jobs in April 2020. Women were also affected in manufacturing, where many were placed on "floating status" without compensation due to "no work, no pay" policies.

Labor flexibilization schemes proliferate under various names, including probationary workers, casual workers, contractual/project-based workers, seasonal workers, and apprentices and learners. According to the Integrated Survey on Labor and Employment, 330,780 irregular or non-regular women were employed by companies with 20 workers or more.

Even in the public sector, a significant number of workers are contracted. The Inventory of Government Human Resource Systems reports 642,077 job orders or contracts of service, with 241,214 being women.[21]

Gender wage inequality remains a pressing issue, with women consistently earning less than men. The gender pay gap across occupations ranges from 4% to 44%, according to the Philippine Statistics Authority (PSA). In a case study by CWR in Northern Luzon provinces, women farm workers receive 28.57% lower wages than men, earning \$5.45 compared to men's \$7.25. In other rural communities, women earn just \$2.72 for a day's work.[22]



I was angry she was raped, yes that was onething. But she was so beautiful, I think the mayor should have been first. What a waste.

Rodrigo Duterte on the rape incident about an Australian missionary.

President Rodrigo Duterte declared martial law in Mindanao on May 23, 2017 following clashes in Marawi City between government forces and the Maute group. **He would hold himself responsible for whatever happens during the course of martial law, including rape committed by soldiers,** he said in jest.



ON GENDER STEREOTYPES AND HARMFUL PRACTICES

Alarmingly, top officials in the country perpetuate misogyny that could encourage violence against women and contribute to the culture of impunity. From 2016 to 2018, at least 30 misogynistic statements by former President Duterte were monitored and recorded by the CWR.[4] This includes derogatory comments about women, including rape jokes and offensive remarks directed at female political opponents and critics.

Filipino women are also subjected to objectification and sexualization in media, advertising, and politics. For instance, during the Philippine elections in 2022, photos and videos of scantily-clad women hired by candidates for public office to entertain the crowd in campaign sorties surfaced on social media.[5]

In educational resource materials, stereotypes also abound. In the content analysis research by Java and Parcon (2016)[6], Briones (2019)[7], and Jacinto, et al (2020)[8], it was revealed that reproductive and productive role portrayals are present in school textbooks, both at the primary and secondary levels. It shows how textbook illustrations and examples depict males and females adhering to gender stereotypes and are shown in the roles and activities traditionally and culturally assigned to them.