



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the ninth periodic report of the Philippines*

Visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations

1. Please provide information on the efforts made to give visibility to the Convention, the communications and inquiry procedures provided for under the Optional Protocol thereto and the Committee's general recommendations so that they are made an integral part of the training of judges, lawyers, prosecutors, police officers and other law enforcement officials. Please indicate the steps taken to translate the Convention into indigenous languages and to make it available in accessible formats. Please also provide information on measures taken to disseminate the Committee's previous concluding observations. Please provide updated information on the number of decisions in which judges have referred to provisions of the Convention to decide court cases, including in family law, criminal law, civil law and labour law cases.

Women's rights and gender equality in relation to the pandemic and recovery efforts

2. In line with the Committee's guidance note on the obligations of States parties to the Convention in the context of the coronavirus disease (COVID-19) pandemic, issued on 22 April 2020, please indicate measures implemented by the State party to redress long-standing inequalities between women and men, to give new impetus to the implementation of gender equality by placing women at the centre of the recovery as a strategic priority for sustainable change, in line with the Sustainable Development Goals, and to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in situations of conflict or other humanitarian emergencies. Please indicate the measures in place to ensure that all COVID-19 crisis response and recovery efforts, including the recovery and resilience plan:

(a) Address and are aimed at effectively preventing gender-based violence against women and girls;

* Adopted by the pre-sessional working group on 7 July 2022.



(b) Guarantee the equal participation of women and girls in political and public life, decision-making, economic empowerment and service delivery, in particular in the design and implementation of recovery programmes;

(c) Are designed so that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic.

Legislative framework and definition of discrimination

3. In accordance with the State party's obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please provide information on the following:

(a) Measures taken to harmonize the national legislation with the Magna Carta of Women and to address intersecting forms of discrimination faced by women;

(b) Efforts to address conflicts between existing legislation, for example, Presidential Decree No. 1083 establishing the Code of Muslim Personal Laws, the "forgiveness clause" of Republic Act No. 8353 (the Anti-Rape Law), Executive Order No. 209 establishing the Family Code of the Philippines and Act No. 3815 and the Revised Penal Code, and the Constitution and to bring that legislation into line with the Constitution, which emphasizes the fundamental equality of men and women before the law (section 14, article II);

(c) The number of complaints in relation to discrimination on the grounds of sex in the past five years on the basis of existing anti-discrimination provisions and the reparations provided to plaintiffs.

Access to justice and legal complaint mechanisms

4. In line with general recommendation No. 33 (2015) on women's access to justice, please provide information on the following:

(a) Effective remedies provided to the authors of communications No. 18/2008 (*Vertido v. Philippines*) and No. 34/2011 (*R.P.B. v. Philippines*) (CEDAW/C/PHL/9, paras. 15–17);¹

(b) Measures taken to ensure that women victims of gender-based violence and discrimination throughout the Philippines have access to effective redress and to facilitate their access to free legal aid;

(c) Steps taken to enhance women's awareness of their rights and legal literacy in all areas of the law;

(d) Measures taken to raise awareness among women in order for them to claim their rights and to facilitate the lodging of formal complaints, in particular with regard to women living in rural and remote areas;

(e) The availability of accessible and free legal aid to women in the State party, the number of women beneficiaries of such aid and any factors impeding their access, including the stigmatization of women who pursue criminal complaints, in particular against their spouse or a relative, especially in cases of gender-based violence;

¹ Unless otherwise indicated, paragraph numbers refer to the ninth periodic report of the State party (CEDAW/C/PHL/9).

(f) Measures taken to ensure that disadvantaged groups of women, such as women with disabilities and rural women, including those without sufficient means, have access to courts and free legal aid;

(g) Steps taken to design an accessible and inclusive strategy aimed at guaranteeing access to justice by indigenous women, refugee and asylum-seeking women and women with disabilities, which addresses linguistic and other barriers to accessibility, such as the lack of reasonable and procedural accommodations, and establishes and disseminates information about effective legal remedies and procedures enabling women to claim their rights.

National machinery for the advancement of women

5. Please provide information on the following:

(a) Measures taken to provide the Philippine Commission on Women with sufficient human, technical and financial resources to discharge its mandate effectively ([CEDAW/C/PHL/9](#), para. 18);

(b) The impact assessment of the 5 per cent budgetary allocation to government ministries responsible for mandates related to gender and development;

(c) Effective coordination among all the entities of the national machinery for the advancement of women in order to ensure that a gender perspective is mainstreamed in all development policies and programmes across the country;

(d) Whether gender-responsive budgeting is mandatory for all government departments and whether specific budgetary benchmarks have been defined;

(e) Efforts to ensure the systematic collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, ethnicity, religion, region, migration status, disability and other relevant factors, and measurable indicators, to assess trends in the situation of women and progress towards the realization by women of substantive equality in all areas covered by the Convention and the gender-related targets of the Sustainable Development Goals;

(f) Mechanisms to promote the participation of, and consultations with, women's organizations, in particular those for indigenous women, ethnic minorities, including women of African descent, and women with disabilities, in the adoption and implementation of public policies and programmes by the national machinery for the advancement of women;

(g) Measures to mainstream gender equality across sectoral policies, in particular the public policy against racism and racial discrimination for the comprehensive development of indigenous women and girls.

Women human rights defenders and civil society

6. Please provide detailed information on:

(a) How the State party promotes the work of women human rights defenders and civil society organizations, meaningfully consults with them and integrates their views into national strategies on gender equality;

(b) Measures taken to provide a safe and enabling environment for women human rights defenders, women activists and civil society organizations to carry out their work and activities on women's rights and gender-related issues.

Temporary special measures

7. Please provide information on temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, applied during the reporting period to accelerate the achievement of substantive equality between women and men, in particular in the areas of education, employment and economic empowerment. Please indicate whether the measures also apply to the private sector and the steps taken to adopt temporary special measures to increase the participation of women in formal employment.

Gender stereotypes and harmful practices

8. Please provide information on the following:

(a) Measures taken to eliminate discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society, including awareness-raising and educational programmes and media campaigns to convey positive images of women as active participants in economic, social and political life, and the impact of those measures;

(b) Steps taken to assess the impact of capacity-building activities on women's rights and gender equality;

(c) The number of reported cases, prosecutions and convictions, and the sentences imposed on the perpetrators, of harmful practices against women and girls, in particular child marriage, disaggregated by region and age of the victim;

(d) Efforts made to analyse and address gender-based stereotypes as a root cause of gender-based violence against women;

(e) Measures taken to ensure that teachers also benefit from adequate capacity-building programmes regarding gender stereotypes and that curricula and teaching materials at all levels of education promote a positive and non-stereotypical portrayal of women and men;

(f) Efforts made to monitor the negative portrayals of women in the media and on social media, as well as in statements by public officials.

Gender-based violence against women

9. The Committee notes that the State party expresses its reservation about adopting comprehensive legislation on gender-based violence against women and girls (para. 54). In the light of the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, please provide information on the measures taken to adopt comprehensive legislation on gender-based violence against women and girls, covering all forms of violence, and develop a comprehensive, long-term strategy to combat gender-based violence against women and girls.

10. Please provide information about:

(a) Efforts to raise awareness among women and men, girls and boys, including through educational and media campaigns, of the criminal nature of gender-based violence against women and girls, in order to challenge its social acceptance;

(b) The training of medical personnel to ensure specialized attention and care for women and girls who are victims of sexual violence, including the provision of essential services for emergency contraception and safe and legal abortion;

(c) The creation of specially trained gender-based violence police officer posts in remote areas, including on the outer islands, and the processes in place to: facilitate the filing of reports of gender-based violence against women, including domestic violence; investigate complaints; protect victims; prosecute and punish the perpetrators; and ensure appropriate redress for victims, including compensation;

(d) Mechanisms to ensure compliance in the functioning of desks at the barangay level;

(e) The number of reported cases, prosecutions and convictions concerning gender-based violence against women, and the sentences imposed on the perpetrators in those cases;

(f) Measures taken to prevent cases of gender-based violence against women in institutions, in particular in detention centres, psychiatric hospitals, centres for persons with disabilities and centres for minors, and ensure that all types of institutions are supervised by independent authorities;

(g) Measures taken to provide accessible information and accessible support to women with disabilities about available remedies and redress in cases of gender-based violence against them;

(h) Plans to address increasing cases of online gender-based violence, including online sexual exploitation, against, among others, women journalists, activists and politicians.

Trafficking and exploitation of prostitution

11. In the light of target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other forms of exploitation, please update the Committee on steps taken to:

(a) Develop standard protocols for the early identification and referral of and provision of support to women victims of trafficking and ensure that all relevant professionals receive adequate training on such protocols;

(b) Investigate, prosecute and adequately punish traffickers;

(c) Ensure that women and girls who are victims of trafficking are exempted from any criminal liability and have access to adequate health care, shelters, counselling services and redress, including reparations and compensation;

(d) Enhance regional cooperation with countries of origin and destination in order to prevent trafficking in women and girls by exchanging information and harmonizing procedures to facilitate the prosecution of traffickers;

(e) Address the root causes of trafficking and child pornography involving children who are trafficked into live-stream sexual abuse and sexual exploitation rings;

(f) Strengthen the operationalization and localization of national inter-agency bodies, such as the Inter-Agency Council on Violence against Women and their Children and the Inter-Agency Council against Trafficking.

Participation in political and public life

12. Please share updated statistical data on the participation of women in political and public life at the national and local levels, in particular in decision-making

positions, as well as on specific training courses for women and girls on how to engage in public affairs. Please provide information on campaigns to raise awareness among politicians, the media, teachers, community leaders and the general public about the importance of the participation of women in decision-making at all levels. Please also provide information on efforts to protect the human rights of women politicians and human rights defenders.

Education

13. Please provide information on the following:

(a) Steps taken to adopt and implement the Basic Education Development Plan 2030;

(b) Measures taken to ensure girls' access to education, especially in indigenous communities and on outer islands, where public schools are limited or unavailable, and measures taken to address child labour;

(c) Enrolment rates at all levels of education among girls and women, disaggregated by location (urban or rural area), disability status, migrant or refugee status and whether the student is indigenous or of African descent;

(d) Measures taken to investigate and prosecute cases of bullying, sexual violence and harassment against girls and lesbian, bisexual, transgender women and intersex persons in schools, and concrete measures taken to adequately punish perpetrators;

(e) Measures to address gender stereotypes in curricula and textbooks.

Employment

14. Please provide information on:

(a) The outcome of the Trabaho, Negosyo, Kabuhayan (Work, Business and Livelihood) initiative and the human and financial resources allocated for its implementation (para. 97);

(b) Measures taken to strengthen the protection of labour standards for women working in the informal economy and efforts to facilitate the entry of women workers into the formal economy;

(c) Measures taken to ensure social protection for women working in the informal economy, including the recognition of maternity leave, paid sick leave and disability and old-age pension benefits, and protection against work-related diseases for those in the agricultural, industrial, service or fishing sectors;

(d) Measures taken to address the condition of overseas Filipina workers and migrant workers, including health-related and other gender-specific issues;

(e) Efforts made to promote the equal sharing of family and work responsibilities between women and men, and the provision of affordable childcare facilities and allowances for women heads of household and efforts to increase men's involvement in shared housework.

Health

15. In the light of the concern expressed by the Committee in its concluding observations on the combined seventh and eighth periodic reports of the State party ([CEDAW/C/PHL/CO/7-8](#), para. 39) and information received by the Committee concerning setbacks in access for women to sexual and reproductive health services, please provide information on measures taken to:

- (a) Prevent the stigmatization of women seeking an abortion and ensure post-abortion care to save lives;
- (b) Raise awareness about modern forms of contraception and ensure widespread access to safe and affordable contraception for women and adolescent girls, in particular in rural and remote areas and among indigenous communities;
- (c) Protect pregnant women during childbirth, adequately punish perpetrators of obstetric violence, strengthen capacity-building programmes for medical practitioners and ensure regular monitoring of the treatment of patients in health-care centres and hospitals;
- (d) Operationalize school-based, gender-sensitive, comprehensive sexuality education curricula in accordance with international standards, following the launch of the Comprehensive Sexuality Education and Adolescent Reproductive Health Convergence.

Economic empowerment

16. In the light of the continued poverty of women and the large-scale migration of women in search of economic opportunities, and in line with article 13 of the Convention, please elaborate on:

- (a) Measures in place to promote gender-responsive financial inclusion strategies, including access to banking and financial products, support and services in rural and indigenous communities and on outer islands;
- (b) The outcomes of the gender mainstreaming evaluation of government ministries and the impact on women of future macroeconomic policies.

Rural women

17. In the light of the Committee's general recommendation No. 34 (2016) on the rights of rural women, please indicate measures taken to:

- (a) Improve access for rural women and girls and indigenous women and girls to basic services, including health care, family planning services and modern forms of contraception, water, education, formal employment, social protection in both the formal and informal economy, means of economic empowerment, justice, land and credit;
- (b) Strengthen adult literacy programmes and facilitate access to vocational education and training for women in rural areas;
- (c) Increase the awareness of rural women and girls and indigenous women and girls of their rights under the Convention and local law.

Disadvantaged groups of women

18. In view of the intersecting forms of discrimination faced by disadvantaged and marginalized groups of women in the State party, please provide information about the situation of the following groups of women:

- (a) *Muslim women (Bangsamoro)*. Please provide information on concrete measures taken to ensure the protection of the human rights of Muslim women, including by ensuring that the policies, projects and practices relating to development and land governance, including those that may entail relocation, are fully in line with relevant international standards, and that victims of forced eviction and relocation are provided with effective remedies, including compensation;

(b) *Indigenous women.* Please provide information on the results obtained through the implementation of the Expanded National Integrated Protected Areas System Act of 2018 (para. 155). Please provide updated and detailed information on specific measures taken to address the inequalities faced by indigenous women and girls. Please provide information on the steps taken to review laws and policies, with the participation of indigenous women, to ensure that they can fully enjoy their rights to adequate housing, education and family and private life without discrimination or fear of segregation, forced eviction or displacement;

(c) *Women with disabilities.* Please provide updated information on measures taken to include women and girls with disabilities in all policies and strategies to promote equal and accessible opportunities for women and men, including through the use of braille and sign language, with regard to education, employment, access to justice, protection against violence and access to sexual and reproductive health-care services and poverty reduction programmes. Please report on how free and informed consent is ensured for women with disabilities prior to any medical treatment and on any existing exceptions to that universal right. Please indicate measures adopted to protect women with disabilities living in institutions from violence and abuse and to eliminate practices involving physical and mechanical restraints.

Climate change and disaster risk reduction

19. In line with general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, please inform the Committee about steps taken to meaningfully involve women, including those who face multiple and intersecting forms of discrimination, and women's organizations in the development of legislation, national policies and programmes on climate change adaptation, disaster response and disaster risk reduction. Please provide information on the role of the Philippine Commission on Women in ensuring gender mainstreaming and the monitoring of gender equality in the development of the disaster risk reduction and mitigation plans of national and local government agencies, the administration of calamity funds for women and the implementation of gender-responsive activities.

Marriage and family relations

20. Please provide information on the following:

(a) Measures taken to harmonize the Family Code, the Magna Carta of Women and other laws on marriage and family relations with the Convention;

(b) Steps taken to ensure the equality of women and men, both in marriage and upon the dissolution of marriage, including by expediting the adoption of the long-pending divorce bill;

(c) Steps taken to raise awareness about the Convention and the Committee's general recommendation No. 21 (1994) on equality in marriage and family relations among women, men and community and religious leaders in Muslim and other religious communities;

(d) Legislative measures taken to explicitly prohibit polygamy;

(e) Legislative and other measures taken to prohibit child marriage under the age of 18, without exceptions, and forced marriage, as well as efforts made to ensure their implementation in ways that protect and enhance the human rights of women and girls.