

# GOING CEDAW

in the Philippines



The UNIFEM CEDAW South East Asia Programme 2005-2008

United Nations Development Fund for Women



UNIFEM is the women's fund at the United Nations. It provides financial and technical assistance to innovative programmes and strategies to foster women's empowerment and gender equality. Placing the advancement of women's human rights at the centre of all its efforts, UNIFEM focuses its activities on four strategic areas:

- Reducing feminized poverty;
- Ending violence against women;
- Reversing the spread of HIV/AIDS among women and girls;
- Achieving gender equality in democratic governance in times of peace as well as war.

The views expressed in this publication are those of the authors, and do not necessarily represent the views of UNIFEM, the United Nations or any of its affiliated organizations.

Going CEDAW in the Philippines  
The UNIFEM CEDAW South East Asia Programme 2005-2008

Copyright UNIFEM  
February 2009

UNIFEM  
East and Southeast Asia  
Regional Office  
UN Building 5th Floor  
Rajdamnern Nok Ave.  
Bangkok 10200 Thailand  
[www.unifem-eseasia.org](http://www.unifem-eseasia.org)

This publication has been developed by Women's Feature Service Philippines, Inc. in cooperation with the UNIFEM CEDAW SEAP.

# GOINGCEDAW

in the Philippines

The UNIFEM CEDAW South East Asia Programme 2005-2008







## Foreword

---

The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), the Universal Declaration of Human Rights and other international treaties which guarantee women's equality provide the framework which UNIFEM's work is anchored upon.

The UNIFEM CEDAW Southeast Asia Programme (CEDAW SEAP) has been working with seven countries; Vietnam, Cambodia, Thailand, Timor Leste, Laos, Indonesia and the Philippines; to formulate and implement laws and policies to promote gender equality in such areas as land and inheritance rights, decent work for women and ending violence against women. We also work with partners to make duty bearers more accountable and strengthen the capacity of women's rights advocates.

CEDAW as a human rights tool provides the normative content for laws and policies, and promoting State Party's accountability to its *de jure* commitments brought about by the ratification of the Convention. UNIFEM works with governments to improve their ability to pursue policies and laws upholding CEDAW while working with women's groups to strengthen their ability to claim their rights guaranteed under CEDAW. UNIFEM also facilitates collaboration between duty bearers and right claimants in identifying gaps and forging measures to address these through national development plans which embody the tenets of CEDAW.

CEDAW SEAP in the Philippines has been instrumental in raising the level of awareness on the Convention in the country, and its engagement with government officials in the preparation of the CEDAW Report has fostered deeper commitment to uphold women's rights. Recognizing that ratifying CEDAW creates both *de jure* obligations requiring the laws of the State party to accord with the Convention and *de facto* obligations requiring that the obligations created by the Convention are not merely reflected in the laws of the country but implemented in practice with the intended results, many senior government officials have joined voices of women advocates in pushing for the Women's Legislative Priority Agenda.

"Going CEDAW in the Philippines" highlights lessons and good practices culled so far from the project implementation for the past four years which we hope will be replicated not just in the Philippines but in other similarly situated countries as well.

**Dr. Jean D'Cunha**

Regional Programme Director

UNIFEM East and Southeast Asia Regional Office, Bangkok





## Message

---

It is with great pleasure that I introduce this UNIFEM publication “Going CEDAW in the Philippines”, which documents the hard work and more importantly, the impact of the CEDAW South East Asia Programme (SEAP) in the Philippines by the various partners both from government and non-government, as well as the academe in the last four years (2005-2008). I commend the support of UNIFEM, CIDA and the UN Joint Programme to work for the implementation of CEDAW and its Concluding Comments.

Indeed in 2005 when the programme started, hardly anyone has heard of CEDAW, a treaty on the human rights of women and which was ratified by the Philippines in 1981, almost 28 years ago. Not many of the organized women, who are familiar with the International Conference on Population and Development (ICPD), Beijing Platform for Action and the Millennium Development Goals were invoking CEDAW in their advocacies.

As Chair of the CEDAW Committee, I was congratulated by other CEDAW experts on the Philippines’ excellent reporting in 2006, thanks to the CEDAW SEAP preparatory activities.

After four years, I take great pride in women’s NGOs’ understanding of CEDAW as a framework and standard in all aspects of their work – research, monitoring, shadow reporting, planning, budgeting and teaching; as well as its use to advance jurisprudence and catalyze reforms by filing complaints under the Optional Protocol, a first in the region for both the individual complaint and inquiry procedures, and a first in the world on violence against women.

To the members of the CEDAW SEAP Country Consultative Committee, CEDAW SEAP partners and CEDAW Watch, a network of advocates including young men and women, and the untiring CEDAW Philippine Programme National Coordinator, Luz Lopez Rodriguez...thank you for bringing life to CEDAW and for showing that CEDAW works.

I look forward to implementing CEDAW and its General Recommendation No. 27 on migrant women’s rights which I initiated and recently passed by the CEDAW Committee, through the creation of an ASEAN Human Rights Body.

**Ambassador Rosario G. Manalo**

CEDAW SEAP Country Consultative Committee Chair

Former UN CEDAW Committee Chair and current member of the ASEAN High Level Panel negotiating for the ASEAN Human Rights Body





# Acknowledgments

---

## **Research and Writing Team**

Olivia H. Tripon  
Editor-in-Chief

Luz Lopez Rodriguez  
Technical Adviser

## **Contributors**

Elena Masilungan, Section 1 Editor

Perla Aragon-Choudhury

Elsie Kalaw-Santos

Clarissa Militante, Section 2 Editor

Kara Santos

Loren Hallilah Lao

Olivia H. Tripon, Section 3 Editor

Gia Damaso-Dumo

Aya Fabros

Claire Villacorta

Luz Lopez Rodriguez

Joanna H. Tripon, Graphic Designer

The production of “Going CEDAW in the Philippines” was a collective effort of the UNIFEM CEDAW SEAP, the Women’s Feature Service (WFS) Philippines, and other implementing partners with government, women’s NGOs and academe.

The WFS writing team collaborated closely with CEDAW SEAP implementing partners in re-telling their stories in popular, reader-friendly way and did further research on the background of these stories. The following helped comment on the drafts, provided photos and facilitated interviews: Emmeline Verzosa, NCRFW Executive Director and her staff; Elizabeth Yang, PILIPINA Executive Director; Amparita Sta. Maria, AHRC Director for Research and Publication; Mae Buenaventura, WLB Executive Director; Yasmin Busran-Lao, AI-Mujadilah Executive Director; Raissa H. Jajurie, Nisa Ul-Haqq fi Bangsamoro Vice Chairperson; Carol Sobritchea, then UPCWS Executive Director; Odine de Guzman, UPCWS Deputy Director and Aurora Javate-de Dios, Miriam College Women and Gender Institute (WAGI) Executive Director.

Special mention goes to Jean d’Cunha for her foreword and Ambassador Rosario Manalo, Chairperson of the CEDAWSEAP Country Consultative Committee (CCC) for giving her affirming message.

The UNIFEM CEDAW SEAP Regional Office facilitated administrative and technical support for the project and publication approval. We owe very particular thanks to the Canadian International Development Agency (CIDA) for their generous support to the whole CEDAW South East Asia Programme.





# Contents

---

<b>xiv</b>	List of Abbreviations
<b>xvii</b>	<b>Introduction</b>
<b>1</b>	<b>Section 1: Going CEDAW in government</b> <ul style="list-style-type: none"><li>• Introduction</li><li>• Enhancing state reports to CEDAW: Accounting for progress in women’s human rights</li><li>• The Judiciary goes CEDAW</li><li>• Drafting and lobbying the Gender Equality Law: The progress so far</li></ul>
<b>51</b>	<b>Section 2: Organized women go CEDAW</b> <ul style="list-style-type: none"><li>• Introduction</li><li>• Shadow reporting</li><li>• The Optional Protocol to CEDAW: How does it work for Filipino women?</li><li>• Are Muslim Moro women going CEDAW?</li><li>• NGOs monitoring state obligations through CEDAW</li></ul>
<b>105</b>	<b>Section 3: Educating and partnering for CEDAW</b> <ul style="list-style-type: none"><li>• Introduction</li><li>• Discovering CEDAW</li><li>• Teaching CEDAW</li><li>• Putting the “pop” in CEDAW</li><li>• Doing CEDAW with the UN Gender Mainstreaming Committee</li></ul>
<b>167</b>	<b>Endnotes</b> Reflections on CEDAW SEAP: Finally...CEDAW makes an impact
<b>171</b>	CEDAW SEAP Implementing Partners 2005-2009
<b>175</b>	Country Consultative Committee, CEDAW SEAP - Philippines
<b>176</b>	List of References

# List of Abbreviations

ADB	Asian Development Bank
AHRC	Ateneo Human Rights Center
AMDF	Al-Mujadilah Development Foundation
ALFI	Alliance for the Family Foundation Philippines Inc.
ALS	Ateneo Law School
APJR	Action Program for Judicial Reform
ARMM	Autonomous Region of Muslim Mindanao
BLGD	Bureau of Local Government and Development
BPFA	Beijing Platform for Action
BWSF	Bangsamoro Women Solidarity Inc.
CCA	Common Country Assessment
CEDAW	Convention on the Elimination of All Form of Discrimination Against Women
CEDAW SEAP	CEDAW South East Asia Programme
CFA	Communication Foundation for Asia
CGRJ	Committee on Gender Responsiveness in the Judiciary
CHED	Commission on Higher Education
CIDA	Canadian International Development Agency
CLOA	Certificates of Land Ownership Agreement
CMPL	The Code of Muslim Personal Laws
CPAP	Country Programme Action Plan
CRR	Center for Reproductive Rights
CSO	Civil Society Organizations
DFA	Department of Foreign Affairs
DILG	Department of Interior and Local Government
DOJ	Department of Justice
DOLE	Department of Labor and Employment
DSWD	Department of Social Welfare and Development
EP	Emancipation Patents
EU	European Union
GAD	Gender and Development
GFW	Global Fund for Women
GIG	Gender in Governance
GO	Government Organization
GR	General Recommendation
GRCs	Gender Resource Center
GWG	Gender Working Group
HRBA	Human Rights-Based Approach
ICPD	International Conference on Population and Development
IHR	Institute of Human Rights
ILO	International Labor Organization
IWD	International Women's Day
IWRAP-AP	International Women's Human Rights Watch-Asia Pacific
LGU	Local Government Unit
JRSP	Judicial Reform Support Project
JURIS	Judicial Reform Institute Support
M & E	Monitoring and Evaluation
MAP	Management Association of the Philippines
MCW	Magna Carta of Women
MDGs	Millennium Development Goals
MED	Monitoring and Evaluation Division
NAPC	National Anti-Poverty Commission
NBI	National Bureau of Investigation
NCIP	National Commission on Indigenous Peoples

NCR	National Capital Region
NCRFW	National Commission on the Role of Filipino Women
NEDA	National Economic and Development Authority
NGOs	Non Government Organizations
NSCB	National Statistical Coordination Board
NSO	National Statistics Office
ODA	Official Development Assistance
ODA-GAD	Official Development Assistance-Gender and Development
OP CEDAW	Optional Protocol to CEDAW
PDI	Philippine Daily Inquirer
PGA	Participatory Gender Audit
PHILJA	Philippine Judiciary Academy
PILIPINA	Ang Kilusan ng Kababaihang Pilipino
PKKK	Pambansang Koalisyon ng Kababaihan sa Kanayunan
PNP	Philippine National Police
PNU	Philippine Normal University
PO	People's Organization
POEA	Philippine Overseas Employment Administration
PSQs	Pre-session questions
RCO	Resident Coordinator's Office
RCS	Resident Coordinator System
RPC	Revised Penal Code
SAC	Special Areas of Concern
SACG	Study and Action Core Group
SEAWATCH	South East Asian Women's Watch
TWG	Technical Working Group
UCO	UNAIDS Country Office
UDHR	Universal Declaration of Human Rights
UNCT	United Nations Country Team
UNDAF	United Nations Development Assistance Framework
UNDEF	United Nations Democracy Fund
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNIC	United Nations Information Center
UNICEF	United Nations Children Fund
UNIFEM	United Nations Development Fund for Women
UN-GMC	United Nations Gender Mainstreaming Committee
UNJP	United Nations Joint Programme
UNRC	United Nations Resident Coordinator
UPCWS	University of the Philippines Center for Women's Studies
USAID	United States Agency for International Development
VAW	Violence Against Women
WAGI	Women and Gender Institute
WB	World Bank
WB-KDC	World Bank Knowledge Development Centers
WFS	Women's Feature Service
WHO	World Health Organization
WIN	Women in Nation-building
WLB	Women's Legal Bureau
WPLA	Women's Priority Legislative Agenda





# Introduction

---

How do you make women's rights real? The United Nations crafted a treaty for the rights of women and the UN Development Fund for Women (UNIFEM) came up with a programme to help make women's rights a reality in seven countries in southeast Asia. This book documents how the programme was carried out in the Philippines. To be able to appreciate the contents of this book, it is necessary to know the background behind these series of activities documented here...all leading towards making women's rights real.

## CEDAW

Central to all these is the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) also known as the International Bill of Rights for Women, the Women's Convention or the United Nations Treaty for the Rights of Women.

This is the first and only international treaty that comprehensively addresses women's rights, not only within civil and political spheres, but also within economic, social, cultural and family life. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

CEDAW considers discrimination against women as a human rights violation. It defines discrimination against women as "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, social, cultural, civil or any other field." (Article 1)

CEDAW was adopted in 1979 by the UN General Assembly and came into force on September 4, 1981. The Philippines signed it on July 17, 1980 and ratified it on July 19, 1981, making it a State Party to CEDAW. Today, there are 185 States Parties out of 191 UN member states. States Parties are bound to respect, protect and fulfill women's rights by repealing all discriminatory laws and policies, enact anti-discriminatory policies and promote equality through all appropriate means.

Part of the state's obligation is to report to the UN CEDAW Committee on the implementation of the treaty a year after ratification and every four years thereafter. The CEDAW Committee is made up of 23 experts elected by States Parties to review the reports and issue recommendations which the Parties must carry

out and report on in the next period. Last August 15, 2006, the Philippines gave its combined Fifth and Sixth Progress Report to the Committee. (The training and preparation for this is documented in the first chapter in Section 1 “Going CEDAW in Government” while the making of the Shadow Report is told in Section 2 “Organized women go CEDAW”). The Concluding Comments of the CEDAW Committee outline the priorities for state implementation, progress on which will be the focus of the next report due in 2010. These recommendations are the subject of monitoring by non-government organizations on state obligations.

## CEDAW South East Asia Programme

The United Nations Development Fund for Women (UNIFEM) in partnership with the Canadian International Development Agency (CIDA) developed a regional programme for southeast Asia in “Facilitating CEDAW Implementation Towards the Realization of Women’s Human Rights in South East Asia”. It is being implemented in Cambodia, Indonesia, Lao PDR, Philippines, Thailand, Timor-Leste, and Vietnam from 2004 to 2009.

### Programme goal and outcomes

The programme goal is more effective CEDAW implementation to better contribute to the realization of women’s human rights in seven southeast Asian countries. The following outcomes will contribute to the programme goal:

1. Improved awareness of women’s human rights and deepened understanding of CEDAW by the organs of the State and by organized civil society groups including women’s NGOs.
2. Strengthened capacity of States Parties and organized civil society groups to promote women’s human rights under CEDAW.
3. Strong political will for CEDAW implementation in support of women’s ability to claim their human rights.

### Strategy

Using CEDAW as the mechanism for change, CEDAW SEAP utilizes an integrated approach to the realization of women’s human rights. It adopts a three-pronged strategy targeting:

#### **1. The substance of laws and policies**

- Incorporate the principle of equality of men and women in the legal system
- Abolish discriminatory laws and adopt new laws prohibiting discrimination against women

- Apply the norms and standards set out by CEDAW in the planning, implementation and monitoring of national and local policies for the protection, promotion and fulfillment of women’s human rights

## **2. Institutional structures and procedures**

- Develop the capacity of institutions that will enforce or implement the new laws and policies
- Set up the institutional arrangements for monitoring progress in the fulfillment of women’s human rights and for reporting to the CEDAW Committee

## **3. Cultural Factors**

- Raise the awareness of the whole society on the equal human rights of women and men as guaranteed by CEDAW

### The stakeholders

The programme strategy recognizes the important roles to be played by various stakeholders and seeks to develop awareness, skills, processes and other means to build their capacity to protect, promote and fulfill women’s human rights.

Parliament or Legislature  
Executive Branch  
Judiciary  
Schools

Organized civil society  
Media establishments  
Religious institutions  
Business sector

## CEDAW Philippine Programme

To carry out the CEDAW SEAP goals and outcomes, the Philippine programme sought out the various stakeholders employing the three strategies above. And these comprise the three sections in the book documenting government-executive, legislature, and judiciary; organized women, schools and media interacting in various activities from 2005-2008.

### Raising public awareness

This involves a multimedia campaign to promote a CEDAW-based analysis of human rights issues and development strategies. Multi-stakeholder forums and dialogues were organized in Luzon, Visayas and Mindanao to orient local governments, women NGOs, mass media practitioners and community-based groups on basic women’s rights provisions under CEDAW. Feedback forums on the Philippine government and NGO Shadow Reports to the UN CEDAW and the latest Concluding Comments on the Philippine Report were also conducted.

## Capacity building and training

This refers to an integrated system of activities involving training, mentoring in application, evaluation and refinement of knowledge and operational skills on CEDAW and its Optional Protocol. This aims to develop a pool of CEDAW experts among selected state organs, women's NGOs, academe, mass media and other civil society partners.

## Research and advocacy

The programme supported the legal review and gender analysis of selected laws using the CEDAW substantive equality framework, to identify discriminatory provisions to be amended. Consultation workshops were held in key cities of the country to draft the Magna Carta for Women which introduces the principle of non-discrimination and applies such in comprehensive ways to economic, political and socio-cultural areas of Philippine society.

## CEDAW monitoring & reporting

The programme provides technical support for the development and implementation of a government coordination system for CEDAW monitoring and reporting. This includes the preparation of the CEDAW official report by government and the shadow report by women's NGOs as well as the implementation of the Concluding Comments in between the reporting cycle.

## Technical assistance

This involves support for the incorporation of CEDAW in key national documents and policies. It includes mentoring the technical staff of legislators and justices in the drafting of legislative bills and court decisions. A CEDAW Watch network was organized to be a pool of experts and advocates to sustain peer mentoring.

## Partnership building and networking

The programme works with partners at various levels. At the donor level, technical inputs are provided to integrate CEDAW in development programming of the United Nations Gender Mainstreaming Committee (UN-GMC) and the Official Development Assistance Gender and Development (ODA-GAD) Network. At the advocacy level, support is given to a multi-sectoral CEDAW Watch network for peer mentoring and advocacy. At the programme management level, periodic consultations are held with programme implementing partners and the Country Consultative Committee to catalyze programme development. These partners put in counterpart resources and activities to support CEDAW advocacy and implementation.