

WOMEN WITH DISABILITIES IN THE PHILIPPINES

Introduction

The Commission of Human Rights, is an independent human rights institution committed to the mission to “ensure the primacy of all human rights and to their protection, promotion and fulfillment, on the basis of equality and non-discrimination, in particular for those who are marginalized and vulnerable”¹ pursuant to the Universal Declaration of Human Rights, and in accordance with the powers and functions granted by the 1987 Constitution of the Philippines.

Consistent with this mandate, RA 9710 or The Magna Carta of Women (MCW) passed in 2009 designated the Commission as the Gender and Development Ombud. As the Gender Ombud, the Commission is tasked to monitor implementation of the MCW and undertake protection, monitoring, and promotion of the rights of women, particularly of the marginalized groups of women.

The MCW explicitly identified women with disabilities among the marginalized groups. Recently, the CHR held several activities and processes where women with disabilities were included: the National Inquiry in Reproductive Health Rights, Consultation on CEDAW General Recommendations 19, and the Consultation on Access to Justice of Women with Disabilities. The CHR also monitors Concluding Observations from human rights treaty bodies on issues concerning women with disabilities. Further, as Gender Ombud, the CHR builds collaborations and partnerships with civil society organizations particularly women’s and disability organizations.

This document draws from the result of these activities, processes and partnerships. It provides an overview of the rights of women with disabilities, a summary of issues of women with disabilities and finally recommendations for moving forward.

¹ CHR Mission Statement

Rights of Women with Disabilities in International and Domestic Legislations

The Philippines ratified all of the six Conventions which comprises the international bill of rights namely: International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, International Convention on the Elimination of all forms of Racial Discrimination, Convention on the Elimination of all forms of Discrimination against Women, Convention against Torture, and Convention on the Rights of the Child. While only the CRC specifically referenced in its text the rights of children with disabilities, all of these Conventions apply to people with disabilities.

There is an evident need to interpret and implement CEDAW and the CRPD when dealing with issues of women and girls with disabilities. The CEDAW defines discrimination against women and sets out state obligations to protect, promote and fulfill women's human rights. Although one cannot find in the text of the Convention an explicit mention of women with disabilities nor of intersectionality, the Committee on CEDAW has made clarifications and issued guidance towards better understanding and full implementation of women's human rights.

The Committee on CEDAW in particular adopted General Recommendation 18 in 1991 and expressed its concern about the situation of women with disabilities and recommended that States parties provide information on disabled women and to report on "measures they have taken to ensure that disabled women have equal access to education and employment, health services and social security, and to ensure that they can participate in all areas of social and cultural life"

The Committee also adopted General Recommendation 19 on violence against women. The text applies to women with disabilities particularly in contexts of family life and marriage, and sexual and reproductive health and rights.

In 2008, the Philippines ratified the Convention on the Rights of Persons with Disabilities or UN CRPD binding itself to the purpose of the Convention to "promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity (Article 1). The CRPD defines persons with disabilities as—

those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others (Art.1)

The UN CRPD explicitly recognizes in Article 6 the rights of women with disabilities and in 2016 the Committee on the Rights of Persons with Disabilities adopted General Comment No. 3 to provide guidance to States parties in fulfilling their obligations. General Comment No. 3 emphasizes that women with disabilities are subject to multiple and intersecting forms of discrimination. It states that —

Discrimination against women and girls with disabilities can take many forms: (a) direct discrimination; (b) indirect discrimination; (c) discrimination by association; (d) denial of reasonable accommodation; and (e) structural, or systemic, discrimination. Irrespective of the form it takes, the impact of discrimination violates the rights of women with disabilities

General Comment No. 3 further clarifies the cross-cutting nature of disability and gender and outlines the normative content and obligation of States parties to uphold rights of women with disabilities in relation to all other substantive provisions of the Convention namely: freedom from exploitation, violence and abuse (art. 16), sexual reproductive health and rights, including respect for the home and the family (art. 23 and 25), awareness-raising on gender and disability stereotypes (art. 8), accessibility (art. 9), situations of risk and humanitarian emergencies (art.11), equal recognition before the law (art. 12), access to justice (art. 13), liberty and security of person and freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 14 and 15), freedom from torture or cruel, inhuman or degrading treatment or punishment and protecting the integrity of the person (art. 15 and 17), living independently and being included in community (art. 19), education (art. 24), health and rehabilitation (art. 25 and 26), employment (art. 27), social protection (art. 28), and participation in public life (art. 29)

National Laws and Policies

A number of laws and key policies have been enacted to protect, promote and fulfil the rights of persons with disabilities. Most notable of these is RA 7277 or the Magna Carta for PWD of 1992². Formulated before the CRPD, the law already provides equal rights to persons with disabilities in employment, education, health, social services, telecommunications, accessibility, and civil and political rights. The law prohibits discrimination against PWDs on employment, in transportation, and in use of public accommodations and services. It also lays out the sanctions in case of violation of the provisions and for persons who abuses the privileges set out in the law.

Congress passed a series of amendments to the Magna Carta of Persons with Disabilities, namely RA 9442 of 2007³, RA 10070 of 2010⁴ and RA 10524 of 2013⁵, and RA 10754 of 2016⁶. The amended versions widened the range of privileges and benefits, in particular: (a) discount privileges for PWD in hotels, restaurants, cinema, recreational facilities, dental facilities, air and land transportation; (b) establishment of priority lanes

² Republic Act 7277- An Act Providing for the Rehabilitation, Self-Development, and Self-Reliance of Persons with Disabilities and their Integration into the Mainstream of Society (Magna Carta for Persons with Disabilities)

³ Republic Act 9442- An Act Amending Republic Act 7277, otherwise known as the Magna Carta for Disabled Persons, and for Other Purposes

⁴ Republic Act 10070- An Act Establishing an Institutional Mechanism to Ensure The Implementation of Programs and Services for Persons with Disabilities in every Province, City, and Municipality Amending Republic Act 7277, otherwise known as the “Magna Carta for Persons with Disabilities”

⁵ Republic Act 10524- An Act Expanding Positions Reserved for Persons with Disability, amending for the purpose RA 7277, as amended, otherwise known as the Magna Carta for Persons with Disability.

⁶ Republic Act 10754- An Act Expanding the Benefits and Privileges of Persons with Disabilities

in government and commercial establishments; (c) realty tax incentives and (d) exemption from the Value Added Tax (VAT) for persons with disabilities.

Batas Pambansa Bilang 344⁷ or the Accessibility Law of 1983 aims to enhance mobility of persons with disabilities by requiring certain buildings and facilities to ensure architectural or structural features to increase mobility of PWDs as well as enable them to participate fully in the social life and development of society. This law however, is specific to persons with mobility impairment. Advocates call for a review of this law to make it more inclusive of other impairment types, in line with the UN CRPD.

As a response to the 3rd Asia and Pacific Decade of Persons with Disabilities, the Philippine government signed Proclamation No. 68, Series of 2013 provides the framework for the Philippine Decade of Persons with Disabilities 2013-2022. This mandates the NCDA to formulate the National Plan of Action for the Decade, and directs all government agencies and local government units to implement plans, programs and activities towards the development of persons with disabilities in line with the goals and targets laid out in the framework.

These laws and policies, however, do not have explicit provisions recognizing multiple discrimination against women with disabilities. In 2010 RA 9710 or the Magna Carta of Women⁸ was signed into law. The Magna Carta of Women is a comprehensive women's rights law in the Philippines that provides for protection from violence and lays out the rights of marginalized groups of women, including women with disabilities. RA 9710 recognizes women with disabilities as a marginalized group of women and specifically mentions them as partners, beneficiaries, and targets of policies and programs. It has clear recognition of rights of women disabilities under specific provisions, namely protection from violence (sec. 12), equal access and elimination of discrimination in education, scholarships and training (sec. 16), and social protection (sec.30).

The Women's Empowerment, Development and Gender Equality Plan (WEDGE) OF 2013-2016 also identifies priority gender issues and of women with disabilities namely: discrimination in accessing basic social services and economic opportunities, lack of access to justice for victims of gender-based violence, and lack of participation in decision-making structures and in program design and implementation. The WEDGE Plan sets out gender-responsive strategies to address these priority issue. Among them are monitoring of programs, policies, and services, advocacy for gender-responsive service delivery for women with disabilities, capability building for LGUs, for PWD organizations, and women with disabilities.

⁷ Batas Pambansa Bilang 344- An Act to Enhance the Mobility of Persons with Disabilities by Requiring Certain Buildings, Institutions, Establishments and Public Utilities to Install Facilities and Other Devices (Accessibility Law) of 1983

⁸ Republic Act 9710- An Act Providing for the Magna Carta of Women

Issues of Filipino Women with Disabilities

In recent years, significant efforts to document, expose and understand the situation of women with disabilities have been made by the government and civil society. Some of these initiatives are jointly organized by government agencies and non-government organizations, engaging at grassroots and community levels as well international advocacy and policy platforms. This section presents a summary of issues identified in the following activities and processes: Most notable among these are the following:

- Problematizing Access to Justice of Women with Disabilities, April 21 2017, Quezon City
- 2016 CEDAW Shadow Report submitted by the Philippine Alliance of Women with Disabilities (PAWID), a coalition of organization of women with disabilities. The report provides responses, counter-evidences on the situation of women and girl with disabilities as reported by the State. It also offers recommendations for the Committee's consideration
- CHRP Working Paper on Rights of Persons with Disabilities in Accessing the Justice System, September 2007
- Consultation on CEDAW Draft General Recommendations 19: Accelerating Elimination of Gender-Based Violence against Women, September 27-28, 2016, Quezon City
- Observations from cases on women with disabilities filed in CHR national and regional offices

1. *Policy gaps: absence, lack of, or non-implementation of laws protecting and promoting rights of women with disabilities*

In their 2016 CEDAW Shadow Report, PAWID exposed the cycle of invisibility of issues and discrimination against women and girls. The report identified non-implementation of disability-specific provisions in laws and absence of policies to promote and ensure accessibility and reasonable accommodation for women and girls with disabilities. Similarly during the consultation in April 2017 on access to justice of women with disabilities, participants raised policy issues concerning all impairment groups.

Discriminatory provisions in law:

- The National Council on Disability Affairs failed to take measures to amend the BP 344 or the Accessibility Law to make it inclusive of all impairment groups
- Discriminatory definition of persons with psychological incapacity under Article 36 of the Family Code of the Philippines, where the law describes such persons as *unable to enter into marital contract*
- The proposed Mental Health Bill is degrading to a person with psychosocial disability who will be placed in a mental health institution and will thus worsen that person's mental condition.
- The mandatory 1 percent share of the annual total budget allotted for the PWD sector has been removed from the General Appropriations Act since 2013.

Non-implementation of laws on the national budget, social protection, and protection from violence

- No steps have been taken by relevant government agencies to ensure accountability and transparency in the allocation of the mandatory 1% of government budgets to disability-related programs and services, in particular for women and girls with disabilities.
- Non implementation of EO 410 on the economic independence programs for persons with disabilities and of Section 27 of the Magna Carta of Women, on social protection for women with disabilities
- Non-implementation of provisions protecting girls with disabilities in The Anti-Child Pornography Act of 2009 (Republic Act 9775) and the Special Protection of Children against Child Abuse, Exploitation and Discrimination Act of 2003 (Republic Act 7610), particularly failure to prosecute or sanction pornography of deaf female adolescents and female adolescents with mobility disabilities perpetrated by devotees.
- Lack of clarity of the State's response to the Committee Views on Case No. 34/2011, RPB vs the Philippines filed under the Optional Protocol of the CEDAW, particularly in respect to compensation.
- Non implementation of RA 8505 or the Rape Victims Assistance Law, specifically addressing the barriers that women with disability face in employment, livelihood and other economic options as part of their recovery.
- Non implementation of the Supreme Court Circular 59-2004 re-establishing the Sign Language System

Absence of policies

- Absence of policy in the DOJ on accessibility for women with disabilities who are victims of violence. In particular, the goal of instituting national system of sign language interpreting has not been realized. This is important in ensuring access to justice of deaf women and girls for complaints of sexual violence which account for the majority of all deaf complaints nationwide. There is also a need to include the visually impaired to be able fully participate in proceedings by having capacitated and conscious presenters in orally describing details of the happenings in the venue.

2. Challenges to access to justice of women with disabilities for violence against women

The nature of the abuse is complex: intersecting disability-related and gender-based violence

In the consultation on CEDAW GR 19 organized by the CHR, disability groups drew from their experiences and studies they conducted to describe what constitutes disability-related violence. PAWID defines disability-related violence as a form of deprivation of liberty that leads to isolation. This isolation further leads in lack of access to economic opportunities for women with disabilities, limitations to social mobility, and damages to the integrity of persons with disabilities.

The CHR studied the nature of complaints concerning persons with disabilities filed in the Commission. Of the 56 complaints involving PWD filed in the CHR from 1987-2006, 64% are sexual abuse in nature and 70 percent of the 57 alleged victims are female. A great majority indicated having mental and/or developmental disabilities while the rest have physical disabilities. Almost 45% of the abuse are perpetrated by civilians, and about 25% by law enforcement officers and public officials. The rest did not specify the suspect while only 4 out of all the cases indicated PWD as alleged perpetrators.

PWD groups brought to the attention of CHR the pending cases subject to resolution. In 2017.

When disability-related violence intersects with gender-based violence, women with disabilities are put at a greater disadvantage, vulnerability and marginalization. Majority of CHR cases involved sexual violence and many of the victims were deaf or with mental incapacity belonging to vulnerable populations such as indigenous peoples, the poor, persons with multiple disabilities, or they are considered minors. Victims suffer from multiple forms of abuse often over a prolonged period of time resulting in pregnancy.

PWD groups also gather data concerning gender-based violence against women and girls with disabilities. The results show that rape cases filed by deaf women and girls outnumber all other types of complaints of deaf women in a ratio of 10:1, and that 20 percent of Supreme Court cases on PWDs from 2008-2011 are on gender-based violence and almost exclusively by women and girls with intellectual disabilities. (2016 CEDAW Shadow Report, PAWID).

Weak response of CHR to cases, limitations of the relief provided by regional offices

The CHR notes that “regional offices deem the cases closed and terminated once filed with prosecution office and/or the courts or even if they find it difficult to look for witnesses” and that there is a greater need for the regional offices to conduct monitoring and ensure a stronger response than mere provision of financial assistance.

The CHR handles these cases parallel to the police and court process of investigations. CHR investigation ends when all the parties have replied and documents were gathered. Its findings of human rights violations are filed but CHR as a recommendatory body, could only grant financial assistance and conduct monitoring of cases.

Some complainants signed or were convinced to execute affidavits of desistance. Cases were also filed with the prosecutor or the courts but they remain pending, respondents are at large, proceedings prolonged, and petitions for review with the DOJ or desistance executed.

CHR can provide legal assistance, investigation, representation, and financial assistance. Although representation could be provided, CHR has few lawyers and not all lawyers and investigators are capacitated to handle cases of women with disabilities.

Incompetence, insensitivity and lack of awareness of law enforcement officers and public officials resulting in failure to prosecute cases

There had been several cases documented by PWD organizations where the government failed to prosecute cases of sexual violence against women and girls with disabilities:

- Police investigation of reported cases of trafficking of deaf women and children could not proceed because of absence of interpreters. (2016 CEDAW Shadow Report, PAWID)
- Pornography of deaf female adolescents, or female adolescents with mobility disabilities (perpetrated by devotees) are not prosecuted or sanctioned despite provisions in the Anti-Pornography and Anti-Child Abuse laws

It has also been observed that even when Women with Disabilities complainants take the step to go to the authorities to report cases, they are hindered to file complaints when the attending personnel dismiss the credibility of the case for intellectually impaired persons or discourage the visually impaired when they discredit their identification of their perpetrator whether they be survivor or witness.

Institutions are not prepared to handle cases of sexual violence for women with disabilities and they fail to provide reasonable accommodation and assistance to various impairment groups. For example, for deaf women sign language interpreters are crucial if the case is to prosper. The Philippine Federation of the Deaf, an NGO, could not pursue 400 cases of sexual abuse against deaf women and girls because of lack of sign language interpreters that courts could have but do not provide. They have to rely on SPED teachers who are not trained to handle survivors of sexual abuse, particularly children. This is more difficult when the deaf woman is not able to communicate by writing.

There are no protocols in assisting mobility impaired persons in sending and referring them to different agencies. Courts doubt the ability of visually-impaired women to identify the perpetrator thus could not prove rape beyond reasonable doubt. Disability-organizations documented many cases of sexual abuse in evacuation centers, particularly against deaf and blind women. These cases are not reported because women fear they will no longer be allowed to stay in the evacuation centers.

Barangay officials are unaware of the laws and rights of persons with disabilities. As a result, they fail to provide relief according to law.

3. *Dearth of reliable and comprehensive data on women and girls with disabilities*

The 2010 Census of Population and Household reports that of the 92.1 million population, 1.57 percent had disability (Philippine Statistics Authority) and that 50.9 percent of these are males and 49.1 percent are females. Males with disability outnumbered females in all age groups except the range of 65 years old and older. The PSA notes that this is because of the higher survival rate of women than men. Other than this, there is no comprehensive source of data on conditions of women and girls with disabilities in the Philippines known to date.

PAWID argues that invisibility of women with disabilities in government policy and programs results in lack of disaggregated and comprehensive data and statistics on women and girls with disabilities (2016 CEDAW Shadow Report). Further, data are not disaggregated based on impairment, geographical area, and time period all of which are important to address and prevent marginalization of women with disabilities.

The Philippine Statistics Authority itself notes the difficulty in gathering data particularly in conflict-affected areas. Moreover, according to disability-organizations, the number of deaths among women with disabilities in times of disaster are not captured in data gathering and DRRM planning processes. Government offices do not have records on how women with disabilities were affected by disasters.

Data on women with disabilities across development indicators are also non-existent or inadequate. For example, there is no known monitoring of numbers of women with disabilities occupying positions decision-making in government bodies. Government is unable to monitor school drop-out rates which is reported by CSOs to be twice as many among girls than boys with disabilities. Information on participation of women and girls with disabilities on early childhood, tertiary, vocational education and other forms of life-long learning. The 2013 National Demographic and Health Survey fails to identify women with disabilities as respondents. Lack of data on women with disabilities is also used as an excuse, preventing government offices from adequately discussing implications to development policy, programs, and services.

4. Women with disabilities lack access to basic services

Lack of data and information on women disabilities leads to further marginalization as government agencies fail to create programs and provide adequate services for them. This is seen across programs and services for education, health and livelihood for women with disabilities.

Women's and disability organizations reported in the 2016 CEDAW Shadow Report that twice as many girls compared to boys with disability do not have access to and are unable to complete basic education.

Further, women and girls with disabilities encounter barriers in maintaining their sexual and reproductive health primarily because of negative attitudes of sexual and reproductive health providers, prejudices against pregnant women with disabilities, and inadequacy of facilities and services to cater to health needs of women with

multiple disabilities. Services in barangay health centers are not gender sensitive and disability inclusive.

Disability organizations reported that many emergency shelters and evacuation centers are inaccessible for those with mobility impairment.

5. Persistence of gender and disability stereotypes, lack of public awareness on the issues and conditions of women with disabilities

PAWID reports the prejudice and gender stereotypes against women with disabilities perpetrated by high-ranking State officials, government workers, law enforcement officers, civilians, and family members. In court cases, these prejudices are often manifested in victim-blaming and to the belief that women with disabilities are not competent to give testimony.

In the consultation on access to justice, disability organizations cited instances when family members are not aware of the rights of persons with disabilities and their lack of competency to provide appropriate care. These lead to family members isolating persons with disability. Women with disabilities are not allowed to venture out of their homes, to have relationships, to marry, to get an education.

Employers refrain from hiring PWDs despite circulars from the DOLE. Employers and companies view them as less productive, useless and a burden to the business. The media are unaware of the negative effects of their portrayal of women with disabilities. For example using symbolisms of silence for deaf women and darkness for blind women reinforces the prejudice that deaf women should remain silent and blind women has no right to give testimonies.

6. Weak monitoring of human rights violations against women with disabilities

In 2007 the CHRP Working Paper cited the following reasons for weak human rights case monitoring for persons with disabilities: inadequacy of the database to capture and derive data on complaint and cases concerning PWDs; minimal capacity of the CHR to reach out to vulnerable groups, non-identification of PWD and PWD organizations; and, at that time, the absence of human rights instrument specific to the rights of PWD.

Since the Philippines ratified the UN CRPD, the present challenge is to ensure implementation and strengthening the role of national institutions for the protection and promotion of rights of PWDs.

PAWID in their 2016 CEDAW Shadow Report highlighted the non-implementation of disability-specific provisions in RA 9710 or the Magna Carta of Women. Progress on implementation of the Magna Carta of Women in relation to protecting and promoting rights of women with disabilities are not monitored and reported.

Ways Forward

For women and girls with disabilities, discrimination is compounded on the grounds of gender, disability, age, and minority status, among others. Using all human rights instruments and mobilizing different human rights communities to achieve the goal of equality for all is needed, and is in fact the logical course of action. This section offers suggestions for ways forward by providing a summary of Concluding Observations from treaty bodies on women and girls with disabilities as well as recommendations from activities and processes of the CHR in collaboration with civil society groups.

International Monitoring of the Rights of Filipino Women with Disabilities: Concluding Observations from the CEDAW, ICESCR and the Outcome of the UPR

The Concluding Observations provides guidance on moving forward. They are from human rights treaty bodies and is the result of a process of review and monitoring by treaty Committees on States parties' compliance with human rights. It identifies obstacles faced by States parties in their compliance with human rights as well specific human rights concerns to help set national priorities.

The CEDAW Committee released its Concluding Comments on the seventh and eight periodic report of the Philippines in July 2016, the Committee on ICESCR its Concluding Observations on the fifth and sixth report in October 2016, and the Draft Report of the Working Group on the UPR for the 3rd cycle of reporting of the Philippines in May 2017. The following is the summary of themes and corresponding recommendations of Concluding Observations recently issued by the CEDAW, ICESCR and the UPR.

The 2016 CEDAW Concluding Comments highlighted specific concerns and provided recommendations concerning women with disabilities on the following thematic issues: access to justice, gender-based violence, participation in political and public life, and education particularly on sexual and reproductive health rights.

The Committee on ICESCR explicitly mentioned specific issues of persons with disabilities and/or women with disabilities and gave recommendations in the following thematic concerns: data collection, unemployment and underemployment, violence against women and girls, poverty, right to housing, and right to education. The Committee underscored in their 2016 Concluding Observations the discrimination faced by persons with disability. The Committee noted with concern that –

“...persons with disabilities continue to face discrimination in their enjoyment of the Covenant rights owing to a lack of reasonable accommodation and personal assistance services, and that the accessibility provided for in domestic laws is limited to physical accessibility. Public spending for persons with disabilities appears insufficient and that situation is bound to worsen with the removal from the most recent budget, under the General Appropriations Act 2016, of the 1 per cent budget allocation of all governmental agencies for disability-related programs and services, granted under Presidential Proclamation No. 240 of 2004 (art. 2 (2))

In the 3rd Cycle of UPR, States commended the government's efforts to improve healthcare, education, and employment for persons with disabilities. Other States encouraged the government to take the following measures to ensure rights of persons with disabilities: improve access to justice, ratify the Optional Protocol on the CRPD, ensure implementation of laws, guarantee the rights of persons with disabilities, guarantee equal access to public services by persons with disabilities, strengthen labor and economic policies for persons with disabilities, equal access to public facilities and services, social and health insurance for children with disabilities.

Summary of Recommendations from Consultative Meetings with Women with Disabilities

The following are the major and particular recommendations provided by stakeholders to remove the barriers to isolation of women with disabilities, eliminate discrimination on the basis of disability and gender, and promote human rights of women with disabilities:

1. Law and policy reform to ensure protection and promotion of the rights of women with disabilities

Existing laws should be reviewed and in particular to repeal laws discriminatory to women with disabilities and strengthen policies which protect and promote their rights at the national and local government levels. The national agencies and local government units should actively formulate policies, programs and services supporting women with disabilities.

Immediate action should be taken in reviewing the Magna Carta for PWDs and related laws to expand the provision for reasonable accommodation, provide personal assistance services to PWDs, and ensure sufficient public spending for disability-related programs and services.

The legislative body should take active measures to ensure institutionalization of the annual budget for programs and services for persons with disabilities.

2. Improve and institutionalize data collection systems on the situation of women with disabilities

Launch, support and collaborate on conducting a comprehensive study on the root causes and barriers to access of women with disabilities. Make consistent efforts to address invisibility of women with disabilities in government records.

Stakeholders should work towards institutionalization in national statistical instruments, systematic mechanisms for data gathering and reporting across development indicators including, but not limited to: political participation, health, education, access to justice, employment, violence, disaster risk reduction, and social protection.

3. Take urgent steps to improve access to justice of women with disabilities particularly for cases of sexual violence

Review and amend all policies in the justice system to ensure equality and nondiscrimination of women with disabilities. Institutionalize procedural accommodations and awareness training for law enforcement and court officials on disability-related and gender-based violence.

Lower courts should implement the Supreme Court circular on re-establishing the sign language system. The courts, civil society organizations and service providers should collaborate to develop the network of sign language interpreters competent to handle gender-based violence against deaf women.

The government should make clear efforts in enforcing Views of the CEDAW Committee on the Optional Protocol Cases filed by KTV and 'R'. Further, it should ensure that all officials involved in the administration of VAW cases are competent in handling disability and gender related offenses. Barangay VAW Desks, barangay police and barangay health centers should develop greater sensitivity to gender and disability issues.

4. Increase public awareness on the rights and situation of women with disabilities, addressing in particular the prejudice and stereotypes based on disability and gender

The concept of disability itself is still evolving. It is best to work with women with disabilities for a more accurate representation of their lives and issues than to rely on old laws for guidance. This applies to the government, the media, and civil society.

Government should take steps to ensure meaningful participation of women with disabilities in community initiatives, in national and local planning processes, in implementation and monitoring of programs and projects.

The media should increase their sensitivity and awareness on disability and gender issues to prevent stereotyping that reinforces discriminatory attitudes and perceptions towards women with disabilities.

Civil society organizations has a critical role in promoting better understanding of disability and gender issues. Civil society organizations should continue in actively working with women with disabilities across issues and creating more opportunities for mutual capacity building on disability, gender and all intersecting issues.

5. Ensuring free and accessible basic services for women with disabilities

The right to access information, free and accessible health services including sexual and reproductive health, education and livelihood opportunities for women with disabilities are already enshrined in laws and guaranteed by international human rights treaties. The government should take full measure to implement these laws.

Health facilities from the barangay to tertiary hospitals should be arranged to offer services accessible to women with disabilities. Ensure that data gathering, financing, and delivery of health services are inclusive for women and girls with disabilities.

The government should take measures to eliminate barriers causing disparities due to gender and disability at all levels of education. These measures should promote equality and effective delivery of education services for women and girls with disabilities, by means of implementing a comprehensive plan for inclusive education and allocating corresponding budget for it.

6. Monitoring of human rights violations against women and girls with disabilities and of implementation of programs and projects for women with disabilities

Policies that enable and guarantee full participation of women with disabilities in mechanisms and processes of monitoring progress towards realizing the full enjoyment of human rights by women should be in place. This means establishing systematic monitoring and reporting frameworks across all sectors and development indicators.

CHR should exercise greater vigilance in monitoring to ensure that programs and national development goals are disability-inclusive. The Magna Carta of Women mandates the CHR to monitor full implementation of all gender-related measures, including the disability-specific provisions which impact women and girls with disabilities.

The National Council for Disability Affairs, as the lead agency tasked to monitor implementation of disability-related laws, should play a primary role in advocating for amendments of laws discriminatory to women with disabilities. It is also in the best position to oversee overall progress towards realizing rights of persons with disabilities, ensuring full and meaningful participation of women and girls with disabilities in these processes.

National agencies and local government units should take steps to ensure participation of women with disabilities in community initiatives, policy-making, programming and delivery of services. Government should work with stakeholders to address glaring gaps in existing monitoring mechanisms, for example the inadequacy of mechanisms to monitor and address diverse needs of women and girls with disabilities who are victim-survivors of VAW. Among others, the government should make efforts to establish monitoring mechanisms gender-based violence against women and girls with disabilities, situation of women with disabilities affected by disasters and emergency.