

SOCIAL REALITIES AFFECTING RURAL WOMEN IN THE PHILIPPINES:

Issues on Business and Human Rights, Reproductive and Care Work and Disaster and Crisis Situations

INTRODUCTION

The Commission on Human Rights works to protect the rights of every Filipino, especially the most marginalized. Under the Magna Carta of Women, the Commission's tasks likewise include advocating for the protection and promotion of women's human rights (CHR Gender Ombud Guidelines). This report focuses on the issues affecting one of the most disadvantaged members of the society – rural women.

The Committee on the Elimination of Discrimination against Women (CEDAW) describes the conditions of rural women in these terms: "Globally, and with few exceptions, on every gender and development indicator for which data are available, rural women fare worse than rural men and urban women and men, and rural women disproportionately experience poverty and exclusion. They face systemic discrimination in accessing land and natural resources. They carry most of the unpaid work burden due to stereotyped gender roles, intra-household inequality, and lack of infrastructure and services, including with respect to food production and care work. Even when formally employed, they are more often engaged in work that is insecure, hazardous, poorly paid and not covered by social protection. They are less likely to be educated and are at higher risk of being trafficked and forced into labour, as well as into child and/or forced marriage and other harmful practices. They are more likely to become ill, suffer from malnutrition or die from preventable causes, and are particularly disadvantaged with respect to access to health care." (CEDAW/C/GC/34).

Globalization and development aggression adds greater challenges to rural women who mostly depend on nature and the environment for their daily economic activities and care work. The arrival of international and local businesses in the countryside, particularly large-scale mining corporations, has caused negative impacts on the environment that rural women are accustomed to. Pollution and destruction of natural resources have reduced their access to food and potable water and have affected the health of the rural community in general. Some communities have been displaced, including indigenous peoples. Sources of livelihood were lost, which aggravated the poverty situation in rural areas. Unfortunately, extreme poverty has also pushed some rural women into prostitution.

Care work of rural women has been negatively affected by development aggression as well. For instance, due to contaminated water from the spring or rivers in their vicinity, rural women now have to travel farther to collect water for their families from another area or community. With the numerous responsibilities in caring for the family that are prescribed to rural women, this consequence is an added burden to them.

The burden and vulnerabilities of rural women are further increased in times of disasters and crisis situations. Aside from the damages to the environment surrounding them, the safety and welfare of their families, their shelter, household properties, crops and livestock become at risk and any loss incurred will worsen their condition. The effects of natural calamities can also be aggravated by changes brought about by development aggression, such as deforestation.

Based on these premises, and to be able to help protect the rights of rural women in the country, the Commission on Human Rights finds it imperative to look further and determine the situation of rural women in the areas of: 1) Business and Human Rights, 2) Reproductive and Care work, and 3) Disaster and Crisis Situations. To find out the current situation and issues of the rural women in these topics, the Commission organized a series of workshops/forums that were attended by women leaders from different parts of the country. The concerns that the rural women participants have voiced out in the said activities are presented in this report.

This report aims to present the issues of rural women in the areas aforementioned, identify rights that may have been violated and provide recommendations that can help address these issues and improve the situation of rural women in the Philippines.

CHAPTER 1: RURAL WOMEN AND ISSUES ON BUSINESS AND HUMAN RIGHTS

RURAL WOMEN IN THE PHILIPPINES

\

“Out of 10.4 million workers employed in agricultural, hunting and forestry sector in 2004, 27.3% were women” (Santiago, 2008). Based on this statistics, it can be derived that at least 2.8 million rural women workers are at risk of being affected by development aggression. This figure still does not include rural women whose participation as unpaid family workers make them invisible in the labour force. According to the National Statistics Office, females constitute 54.5% of unpaid family workers as compared to 45.5% for males (NSO 2006).

A study by the Philippine Peasant Institute in 2002 showed that rural women are engaged in almost all areas of rice production, namely: planting, weeding, input and fertilizer application, drying and sacking. Aside from this, women are tasked to prepare and bring food to the field during meal times. The study also revealed that “ninety four percent (94%) of the women have borrowed money from informal moneylenders, small convenience stores, cooperatives, relatives and other sources to finance rice farming and augment household expenses” (Santiago, 2008).

In the fisheries sector, while catching fish is mostly done by men, rural women are engaged in 50-70% of local fish processing and marketing activities. The women also mend the nets used by men for fishing (Santiago, 2008). In the dairy sector, women’s involvement is in sanitizing milk equipment and facilities, cleaning cattle barns and grazing areas and conversion of raw milk to milk products (FAO Fact Sheet Philippines, Women in Agriculture, Environment and Rural Production).

These are just some of the many contributions of rural women in the Philippines. Globally and in various UN Conferences, the role of rural women in agriculture, rural development, food and nutrition, and poverty reduction have been recognized (CEDAW/C/GC/34).

While rural women have been contributing significantly to the world food production, women worldwide account for 70% of the world’s hungry (Nuila and Claeys, 2016; Pruitt, 2011). They suffer much discrimination and challenges in various areas, including economic participation, access to resources and services, labor exploitation and participation in political and public life (CEDAW/C/GC/34).

Globalization and development aggression have indeed aggravated the suffering of rural women including the decline in small-scale and subsistence farming because of trade liberalization (Butale, 2015) that resulted in multiple issues. These issues are discussed in the next part of this report.

ISSUES ON BUSINESS AND HUMAN RIGHTS FROM THE STAKEHOLDERS’ PERSPECTIVE

On February 20 to 21, 2018, a workshop-forum for rural women was held at the Commission of Human Rights office in Diliman, Quezon City, Philippines. Day 1 focused on rural women’s issues on the subject of Business and Human Rights. Attended by women leaders from rural areas in various parts of the country, the workshop-forum helped surface the most pressing issues that were identified by the participants. Aside from geographical representation, the Indigenous Peoples (IP) sector was well-represented at the said activity. There were also representatives of women working in different industries, such as Agriculture, Fisheries, Mining, Logging and Plantation.

Issues that came out pertaining to the effects of development aggression in their community are the following:

1. Effects on health of rural women, their families and community

Mining and irresponsible business practices have resulted in the pollution of the environment and contamination of water sources in various communities that water in some areas is no

longer potable. The participants also attributed occurrences of illnesses, such as asthma, skin diseases and diarrhea, as a result of the polluted environment.

Some of the women attribute the illnesses in their communities to the aerial spraying of insecticides in plantations to protect their produce (i.e. bananas), from pests. This practice of banana plantation owners affects their own workers and the surrounding communities that are reached by the aerial spray.

Meanwhile, rural women working in agriculture and fisheries expressed their concern on business practices that demonstrate inadequate implementation of health and sanitation safeguards. Inadequacies include improper waste disposal from big and small livestock businesses, use of unsafe chemicals to boost the growth of livestock and use of pesticides. They are also concerned about the effects on health that genetic modification in farming may cause. Furthermore, profit-oriented businesses put preference on commercially grown food and products over organic products which are healthier to consume. The lack of appreciation and mainstreaming of the organic products that rural women produce affect their livelihood as well.

2. Effects on Livelihood

The livelihood of rural women and their communities are also largely affected by development aggression. Lands and natural resources that were accessible to them became scarcer. There is less land to till and open areas for hunting of food have been reduced. Coconut farmers complained of coconut trees being cut in their areas resulting to the loss of their source of livelihood. The quality of agricultural land has also been affected resulting to low productivity of crops. To this end, the women have expressed their sentiments, *viz*: "*Namamatay ang mga tanim.*" (The crops are dying.)

Those in the coastal areas have also been greatly affected. Commercialization brought about by the building of resorts resulted in a decrease among the fisherfolks' access to aquatic resources. Fish and corals not only died due to pollution, oil spills and illegal practices, but have also affected the nutrition of coastal residents as fish is their main food.

Women doing laundry work as a source of livelihood, are also affected by the pollution of the rivers and community water sources. The contamination of the water in their vicinity has rendered them unable to continue doing laundry work.

3. Issues on Security

The establishment of businesses in the countryside caused the displacement of many rural women and their families. These include the indigenous people who are supposed to be protected by their rights to ancestral domain but are forced to flee their homes. Corporations are said to hire armed groups which intimidate the IPs and rural people in general from fighting for their land. There were reports that people from rural communities who tried to fight for their rights were harassed or threatened and some even went missing or were killed. Women participants said that there are deaths due to the effects of mining and justice for this has not been obtained. These are all serious and extreme consequences that should be investigated.

Mining has also divided the community between those who are for and against it. This resulted to rifts within families living in the same community. It was noted that only the pro-mining groups are given livelihood opportunities while those who voice out their concerns on the effects of mining elicit discrimination and are often deprived from getting the same opportunities.

Despite all these issues, application of mining companies continues to be accepted and processed. This translates to increase in mining operations thereby further multiplying its negative effects and security threats to rural women and their communities.

Security of rural women and their communities are also threatened by natural calamities such as typhoon, flash flood, landslides, erosion and earthquakes. Natural disasters are inevitable, but fortunately, there are training opportunities on how to prepare for these occurrences.

4. Issues related to culture

The rural women belonging to the IP sector aired that the four bundles of IP rights stated in the Indigenous Peoples Rights Act of 1997 (RA 8371 also known as the IPRA law), have been violated. These 4 rights are: 1) right to ancestral domain, 2) right to self-governance and empowerment, 3) social justice and human rights, and 4) cultural integrity. Land grabbing within their ancestral domain is one of the violations. Destruction of their sacred places is another violation that demonstrates immense disrespect to indigenous people's culture and traditions.

Another issue is the non-implementation of guidelines on selection of Indigenous Peoples Mandatory Representative (IPMR). Indigenous communities need a suitable representative to champion the resolution of the multiple issues concerning their sector.

5. Violence against Women

The economic stress that rural women experience due to loss of livelihood has led some of them to prostitution. Lack of income to augment daily needs has also pushed their children to work in bars.

Abuses to women as a result of the influx of business operations in their areas were also noted. There have been reports of women being raped inside plantations and mining sites. There was also a report that IP girl-children, as young as 12 to 13 years old, are sold as "second wives" to some business employees who are already married but whose families live in Manila. The parents of said children are allegedly paid a sum of money in addition to giving them jobs.

6. Lack of access to Social Services

Rural women, especially those living in deeply remote areas, have very limited access to social services due to the difficulty in reaching them. Damaged roads and impassable rivers further contribute to this.

Inputs of Stakeholders on the Protection of Rural Women's Rights

The participants were asked to reflect on rural women's rights that were violated based on the issues that have been discussed and the policies that can help protect these rights. Below is a list of rights that the stakeholders feel was violated as a result of development aggression:

- Right to life
- Right to dignity
- Right to adequate housing
- Right to decent living/adequate standard of living
- Right to health

- Right to clean air and water
- Right to a safe environment
- Right to work
- Right to freedom of expression
- Right to protect the creation of God and the rights of the next generation
- Right to own land

In terms of the right to own land, ownership of farm lands was specified. It was pointed out that certificates of land ownership show gender inequality, favoring men over women. National statistics also captures this disparity. In the Philippines, land titles are most often placed under the name of the male spouses. “Out of the 1,845,272 land title holders, only 27% or 506,571 are women” (NSO 2006).

The stakeholders are well-aware of the laws and policies that protect their rights which they have identified below:

- UN Guiding Principles on Business and Human Rights (Protect, Respect, Remedy)
- Comprehensive Agrarian Reform (CARPER)
- Fisheries Code - RA 8550 as amended by 10654
- Indigenous Peoples’ Rights Act of 1997 (IPRA) Law - RA 8371
- Magna Carta of Women - RA 9710
- Anti-Violence Against Women and Children - RA 9262

The succeeding part of this report presents policy instruments that protect and promote the rights of rural women, in relation to issues on business and human rights.

RURAL WOMEN’S RIGHTS AND RELEVANT POLICY INSTRUMENTS:

The following are international and local instruments that have recognized the challenges faced by rural women, particularly as a result of development aggression and in line with issues on Business and Human Rights (BHR):

UN Guiding Principles on Business and Human Rights

UNGP is a set of 31 principles directed at States and companies that clarify their duties and responsibilities to protect and respect human rights in the context of business activities and to ensure access to an effective remedy for individuals and groups affected by such activities.

The negative impacts of globalization and development aggression on rural communities have been noted globally. As such, these guiding principles that implement the United Nations’ “Protect, Respect and Remedy Framework” were developed to compel all corporations and business enterprises to respect and uphold human rights in the conduct of their business, and obligates all governments to ensure human rights protection for their citizens, especially for the marginalized groups. UNGP was endorsed by the Human Rights Council on 16 June 2011.

The UN Guiding Principles on Business and Human Rights has three pillars:

1. The State’s duty to **protect** human rights

The State must protect its citizens, especially the marginalized, against business-related abuse within their territory and/or jurisdiction. This can be done through effective policies, legislation, regulation and adjudication.

Based on the general regulatory and policy functions (GP 3) in the UNGP, when the State enacts laws and policies, it should:

- Enforce and review laws that require businesses to respect human rights;
- Ensure laws and policies governing businesses enable respect for human rights;
- Provide guidance for companies; and
- Encourage or require businesses to communicate how they address human rights impact.

2. Corporate responsibility to **respect** human rights

All transnational companies and business enterprises must 'know and show' respect for human rights through exercising human rights due diligence. In exercising human rights due diligence, businesses should assess the impacts of their operations and policies. After assessment, businesses should take necessary steps to prevent, cease or mitigate impacts. They should also be able to provide remedy to those who are affected by their operations.

Also included in the Human Rights Due Diligence framework are: tracking and monitoring to ensure that businesses do not violate human rights; and communication and reporting, particularly when affected stakeholders raise concerns.

3. Access to **remedy**

Victims of human rights violations brought about by businesses should have access to effective remedies. Access to remedy is itself a human right.

Access to remedy can be through judicial and non-judicial means. State-based judicial means would be through the judicial courts. State-based non-judicial mechanisms can be remedies through the help of institutions such as the Commission on Human Rights (CHR). Non-state-based grievance mechanisms can be financial institutions, export credit agencies and multi-sector stakeholders. They have a strong influence because they can give or remove financial support to businesses if they do not fulfill their responsibility to respect human rights.

The UNGP includes special mention to women and children in its statement of principles:

- Under Pillar 1: States should provide guidance to business on considering issues of vulnerability, including the specific challenges faced by women and children.
- Under Pillar 2: Business should respect human rights of specific groups of populations requiring particular attention – including women and children.

Universal Declaration of Human Rights (UDHR)

UDHR, a document signed by representatives from all regions of the world, provides the fundamental human rights that everyone must enjoy. The Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (un.org).

Article 8 of UDHR states that *“Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law”* (un.org). Given this provision, it should be ensured that all human rights victims of business operations shall receive an appropriate and effective remedy to rectify the human rights abuses that they experience.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Article 14 of CEDAW (www.un.org/womenwatch/daw/cedaw) which pertains particularly to rural women, provides :

“State Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development.” It further states women’s rights, some of which are as follows:

- *“To have access to adequate health care facilities, including information, counselling and services in family planning;*
- *To benefit directly from social security programmes;*
- *To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;*
- *To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;*
- *To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.”*

In addition to Art. 14 of CEDAW, General Recommendation No. 34 on the rights of rural women (CEDAW/C/GC/34) states specific propositions on how State Parties can protect the rights of rural women. Some of the recommendations to State Parties are as follows:

- *“Ensure that legal frameworks are non-discriminatory and guarantee access to justice to rural women.*
- *Address specific threats posed to rural women by climate change, natural disasters, land and soil degradation, water pollution, droughts, floods, desertification, pesticides and agro-chemicals, extractive industries, monocultures, bio-piracy, and loss of biodiversity, particularly agro-biodiversity. They should alleviate and mitigate these threats and ensure that rural women enjoy a safe, clean and healthy environment.*
- *Uphold extraterritorial obligations with respect to rural women, inter alia, by: not interfering, directly or indirectly, with the enjoyment of their rights; taking regulatory measures to prevent any actor under their jurisdiction, including private individuals, companies and public entities, from infringing or abusing the rights of rural women outside their territory; and, ensuring that international cooperation and development assistance, whether bilateral or multilateral, advance the rights of rural women outside their territory. Appropriate and effective remedies should be available to affected rural women when a State party has violated its extraterritorial obligations.*
- *Eliminate all forms of discrimination against disadvantaged and marginalized groups of rural women. For example, State parties should ensure that disadvantaged and marginalized groups of rural women including indigenous; afro-descendent; ethnic and religious minorities; female heads of household; peasant; pastoralists; fisherfolk; landless; migrant; and conflict-affected rural women are protected from intersecting forms of discrimination and have access to education, employment, water and sanitation, health care, etc.*
- *Fully incorporate the right to decent conditions of work and the principle of equal pay for work of equal value in their legal and policy frameworks, paying special attention to the situation and labour force representation of rural women.*
- *Address the root causes of trafficking by economically empowering rural women and by raising awareness within rural areas on the risks of being lured by traffickers and the ways in which traffickers operate.*
- *Take steps to prevent and prohibit child and/or forced marriage of rural girls and women.*
- *Safeguard rural women’s and girls’ right to adequate health care and ensure that quality health care services and facilities are physically accessible and affordable for rural women, including older women, female heads of household, and women with disabilities*

(provided free of charge when necessary); culturally acceptable to them; and staffed with trained medical personnel.

- *Protect rural girls' and women's right to education and promote rural women's access to technical knowledge on food harvesting techniques, preservation, storage, processing, packaging, marketing and entrepreneurship.*
- *Fully incorporate the right to decent conditions of work and the principle of equal pay for work of equal value in their legal and policy frameworks, paying special attention to the situation and labour force representation of rural women.*
- *Ensure the active, free, effective, meaningful and informed participation of rural women in political and public life, and at all levels of decision-making.*
- *Take all necessary measures, including TSMs, to achieve rural women's substantive equality in relation to land and natural resources, and should design and implement a comprehensive strategy to address discriminatory stereotypes, attitudes and practices which impede their rights to land and natural resources.*
- *Implement agricultural policies which support rural women farmers, recognize and protect the natural commons, promote organic farming and protect rural women from harmful pesticides and fertilizers. They should ensure that rural women have effective access to agricultural resources, including high quality seeds, tools, knowledge and information, as well as equipment and resources for organic farming.*
- *Ensure the realization of the right to food and nutrition of rural women within the framework of food sovereignty and that they have the authority to manage and control their natural resources.*
- *Promote transition to formal financial services and ensure rural women's access to credit, loans, matrimonial savings, insurance and domestic payment services, on the basis of equality with rural men, as well as promote their economic, financial and business skills.*
- *Prioritize rural women's equal rights to land when undertaking land and agrarian reforms and consider it as a specific and central objective of land reform.*
- *Address housing as part of overall rural development and ensure that measures are developed in consultation with rural women.*
- *Ensure that rural women have access to essential services and public goods, including:*
 - *Sufficient, safe, acceptable and physically accessible and affordable water for personal and domestic uses, as well as for agriculture/irrigation;*
 - *Adequate sanitation and hygiene, enabling women and girls to practice menstrual hygiene and access sanitary pads; and*
 - *Sustainable and renewable sources of energy, extending on-grid services to rural areas and developing solar energy and other sustainable energy sources with low-cost technology.*
- *Analyze the gender-differentiated demands for transport services in rural areas; ensure that transportation sector policies and programmes reflect the mobility needs of rural women; and provide them with safe, affordable and accessible means of transport.*
- *Should collect, analyse, use and disseminate data on the situation of rural women, disaggregated by sex, age, geographical location, disability, socio-economic, minority or other status. Such data, including on SDG indicators, should be used to inform and design measures, including TSMs, aimed at achieving substantive equality for rural women in all spheres of life."*

Magna Carta of Women - RA 9710

Magna Carta of Women is a law that aims to eliminate discrimination by recognizing, protecting and promoting the rights of Filipino women, especially the most marginalized. The law took effect in August 2009.

RA 9710 defines "marginalized" as "the basic, disadvantaged, or vulnerable persons or groups who are mostly living in poverty and have little or no access to land and other resources, basic

social and economic services such as health care, education, water and sanitation, employment and livelihood opportunities, housing, social security, physical infrastructure, and the justice system.” Small farmers, rural workers and fisherfolks were explicitly included among the marginalized groups.

Section 8 of this law states that “all rights in the Constitution and those rights recognized under international instruments duly signed and ratified by the Philippines, in consonance with Philippine law, shall be rights of woman under this Act to be enjoyed without discrimination.” Some of these rights include: *Protection from violence, Right to health, Right to food, food security and resources for food production, Gender equality in titling of land, including land in relation to agrarian reform, Equal rights to women to the enjoyment, use, and management of land, water, and other natural resources within their communities or ancestral domains, Equal access to the use and management of fisheries and aquatic resources, and all the rights and benefits accruing to stakeholders in the fishing industry, Right to Housing, Right to Decent Work, Right to Livelihood, Credit, Capital, and Technology, Right to Education and Training, Social Protection, Recognition and Preservation of Cultural Identity and Integrity, and Peace and Development.*

CARPER (Comprehensive Agrarian Reform Program Extension with Reforms) - RA 9700

CARPER is “*an act strengthening the comprehensive agrarian reform program (CARP), extending the acquisition and distribution of all agricultural lands, instituting necessary reforms, amending for the purpose certain provisions of republic act no. 6657, otherwise, known as the comprehensive agrarian reform law of 1988.*”

Section 1 recognizes that rural women have equal rights as to men in owning and controlling land. They therefore should not be discriminated against being beneficiaries of the agrarian reform program. The law further states that “*in no case should the agrarian reform beneficiaries' sex, economic, religious, social, cultural and political attributes adversely affect the distribution of lands.*” (Sec. 5)

Section 37-A also provides that support services shall be extended equally to women and men agrarian reform beneficiaries and that these services integrate the specific needs and well-being of women farmers.

Policies and programs will be monitored to ensure the fundamental equality of women and men in the agrarian reform program as well as respect for the human rights, social protection, and decent working conditions of both paid and unpaid men and women farmer-beneficiaries. (Sec. 14)

CARPER also encourages rural women’s participation in community activities and recognizes their right to self-organization. It also provides for their representation in the Presidential Agrarian Reform Council (PARC) by including in its composition a member of a duly recognized national organization of rural women or a national organization of agrarian reform beneficiaries with a substantial number of women members.

The Philippine Fisheries Code – RA 8550, as amended by RA 10654

RA 10654 is the act to prevent, deter and eliminate illegal, unreported and unregulated fishing. It lapsed into a law in February 2015.

This law enforces a system for Monitoring, Control and Surveillance (MCS) of fishing in all Philippine waters. Section 14 states that “*a monitoring, control and surveillance system shall be established by the Department in coordination with LGUs, FARMCs, the private sector and other agencies concerned to ensure that the fisheries and aquatic resources in Philippine waters are*

judiciously and wisely utilized and managed on a sustainable basis and conserved for the benefit and enjoyment exclusively of Filipino citizens.”

Another important feature of this law is the increase in sanctions for commercial fishing violators (as high as P45 million), and \$2.4 million for poachers. According to Oceana Vice President Gloria Estenzo Ramos, *“There are so many available technologies right now that can help both government and people in monitoring the behavior of fishing vessels. The use of these devices can show if commercial fishing vessels are operating in the right areas. This can help our artisanal fishers regain their municipal waters from encroachment by large fishing vessels”* (oceana.org, 2015).

Aggressive fishing and water pollution can lead to a depletion or significant loss of fish and aquatic resources; thus, regulation is important for their conservation and sustainability. Sec. 107 of RA 10654 provides for the protection against aquatic pollution.

The Indigenous Peoples’ Rights Act of 1997 (IPRA Law) - RA 8371

Approved on October 29, 1997, the IPRA Law is an act to recognize, protect and promote the rights of indigenous cultural communities/indigenous peoples, creating a national commission on indigenous peoples, establishing implementing mechanisms, appropriating funds therefore, and for other purposes.

The IPRA Law specifies four bundle of rights of ICCs and IPs. These are:

1. Rights to ancestral domains

These include rights to claim ownership and possession over lands and bodies of water that are presently occupied by ICCs and IPs and have been traditionally occupied by their ancestors since time immemorial.

2. Right to self-governance and empowerment

Section 15 states that *“The ICCs/IPs shall have the right to use their own commonly accepted justice systems, conflict resolution institutions, peace building processes or mechanisms and other customary laws and practices within their respective communities and as may be compatible with the national legal system and with internationally recognized human rights.”*

3. Social justice and human rights

Section 21 provides that *“The State shall ensure that the fundamental human rights and freedoms as enshrined in the Constitution and relevant international instruments are guaranteed also to indigenous women.”*

4. Cultural Integrity

Rights to cultural integrity include protection of indigenous culture, traditions and institutions; as well as, rights to religious, cultural sites and ceremonies.

The National Commission on Indigenous Peoples (NCIP) was established as a result of this act and is assigned to be the government agency that is responsible for the formulation and implementation of policies, plans and programs to recognize, protect and promote the rights of ICCs and IPs.

Anti-Violence Against Women and Their Children Act of 2004 – RA 9262

RA 9262 puts value in the dignity of women and children and guarantees full respect for human rights. It recognizes the need to protect the family and its members, particularly women and children, from violence and threats to their personal safety and security.

Different types of violence articulated in this law are: physical violence, sexual violence (which includes rape, sexual harassment, acts of lasciviousness, prostituting women and children, and acts forcing victims to engage in a sexual activity), psychological violence and economic abuse.

Section 35 states the rights of women and children who become victims of violence. In addition to their rights under existing laws, they shall have the following rights:

- *“to be treated with respect and dignity;*
- *to avail of legal assistance from the Philippine Attorney’s Office (PAO) of the Department of Justice (DOJ) or any public legal assistance office;*
- *To be entitled to support services from the DSWD and LGUs;*
- *To be entitled to all legal remedies and support as provided for under the Family Code; and*
- *To be informed of their rights and the services available to them including their right to apply for a protection order.”*

RECOMMENDATIONS TO IMPROVE THE SITUATION OF RURAL WOMEN

In line with the UN Guiding Principles on Business and Human Rights, the *“Protect, Respect and Remedy Framework”* is used as the basis for the recommendations in this report. Furthermore, it integrates the inputs given by the participants at the workshop/forum on how their issues on Business and Human Rights can be addressed to improve their situation. The following are the recommendations:

1. Enforce laws and policies that protect the rights of rural women.

The rural women representatives belonging to the IP group asked that the conflict between the IPRA law and the Mining law be resolved. They shared at the workshop that the IP communities count on the IPRA law to protect and preserve their ancestral land, but the corporations also cite the Mining law to allow them to use the land for their operations. They called for the full implementation of the IPRA law to protect their ancestral lands and prevent destruction of their sacred places. In line with this, they voiced out that mining permits should not be issued, especially in areas where indigenous peoples will be displaced.

The participants also called for the implementation of guidelines on the selection of the Indigenous Peoples Mandatory Representative (IPMR) so that they have a suitable representative who will champion their cause.

In general, the government should protect agricultural lands and aquatic resources to ensure that adequate resources are enjoyed by small farmers and fisherfolks. Removing their access to such resources puts economic strain on them and pushes them to greater impoverishment.

It must also be ensured that rural women have equal opportunity as men to own lands. Laws and policies that protect women’s rights to own land such as the Magna Carta of Women, the CARPER law and CEDAW, should be upheld.

2. Strengthen rural women’s economic opportunities.

Rural women farmers usually grow organic products. As there is much greater patronage of commercial products, the government can help them through the promotion and mainstreaming of organic products to boost and increase their market and sales.

Rural women in fisheries can be supported through monitoring of commercial fishing and ensuring that aquatic areas where small fisherfolks fish are preserved and protected against aggressive fishing and industrial pollution.

In general, it is important to empower rural women by providing them livelihood opportunities and building their capacities through education, information and technology.

3. Conduct and institutionalize data collection focused on the situation and specific needs of rural women.

Understanding the situation and specific needs of rural women can help aid policy makers create or reform laws and policies that can help address such needs and protect their rights. Currently, there is lack of data on rural women in the population statistics. This is the same in the labor force statistics where many of them work without any wage and an employment contract.

It is recommended that the Philippine Statistics Office include rural women in their regular data collection and to institutionalize this process. Other commissioned studies can also be conducted and academic papers encouraged to better understand rural women's situation in various geographical locations and industries. Their different cultural and religious background should also be looked at as they also have different customs and beliefs. All of these and other demographic data can be used by policy makers and program planners in developing policies and programs that can address specific needs of rural women, protect their rights and help attain a better quality of life for them.

4. Build awareness on rural women's rights.

The fact that only 27% of women in the Philippines are land title holders (NSO 2006) is proof that there is much to achieve in closing the gap of inequality in the rights enjoyed by men and women in the country. Rural women generally receive less amount of pay for the same hard work as with men. Many times, they help in the farms and rice fields without wage or compensation. Cultural norms largely account for this.

Efforts to build an awareness of rural women's rights should be planned and implemented. The local government should integrate rural women's rights advocacy in their community projects. Community leaders can be tapped to build awareness on rural women's rights within their own communities. Business owners and other parties transacting with rural women should also be targeted for advocating rural women's rights.

5. Corporations and various enterprises should operate with conscious effort to respect rural women's rights.

Corporations and businesses should ensure that they provide proper compensation and good working conditions for rural women. They should adopt business practices that protect the health of rural women, their families and their community. During the forum, the participants recommended as an example that aerial spraying of pesticides in plantations and general use of harmful chemicals be stopped. They also suggested that businesses implement proper waste disposal as good health and environmental practice.

Businesses should also monitor their employees' treatment of rural women ensuring that they are not abused, maltreated or exploited. An equal opportunity for rural women to be promoted and take managerial positions should also be provided.

The government should ensure corporations' and business enterprises' compliance in respecting rural women's rights through advocacy, monitoring and imposition of strict sanctions and appropriate penalties to violators.

6. Ensure that corporations and businesses rehabilitate the environment that is damaged due to their operations.

The women leader participants called for the mining corporations' rehabilitation of the environment by removing mining tailings, tree-planting, and other activities. They said that community participation in tree-planting and other conservation activities can also be encouraged.

7. Conduct of CHR-led investigation and monitoring of rights violations.

Some participants reported cases of sexual abuse of rural women, such as rape inside plantation and mining sites, prostitution, IP girl-child exploitation, and other abuses, in their areas. These incidents should be investigated by the Commission of Human Rights so that legal remedies and other appropriate interventions can be extended to the victims.

Other examples of violations in relation to Business and Human Rights that were reported at the forum, and are strongly recommended for investigation, include:

- At least 20 anti-mining advocates killed since 2007
- Cases of physical and legal harassments, threats and arbitrary arrests
- Land grabbing, physical displacement, demolitions and violent dispersal of barricades
- Disregard and blatant violation of free, prior and informed consent (FPIC) for indigenous peoples (IPs)
- Militarization including using of Special Civilian Armed Auxiliary (SCAAs) vis-à-vis CAFGUs.

8. Strengthen rural women's access to remedy.

The workshops/forums organized by the Commission of Human Rights have helped build the women leaders' knowledge on rural women's rights, including UNGP on Business and Human Rights, which they will echo in their own communities. Letting them know about their right to access remedy is important so that victims of violations can take the necessary actions in seeking redress for their concerns.

Aside from building their awareness on this right, access to remedy can be strengthened if an accessible system for reporting human rights violations can be developed. Such system should allow rural women in the remotest areas to be able to report human rights violations and to be able to seek help.

Remedies such as legal assistance, proper compensation, social services and other appropriate interventions to human rights victims should be ensured.

Chapter 2: Rural Women's Issues on Reproductive and Care Work

Based on studies, "rural women spend more time than urban women and men in reproductive and household work" (UN Women Watch, 2012). Reproductive and care work refers to activities such as child bearing, rearing, and caring for household members. It includes household work and caring for sick members of the family.

"In the Philippines, women provide 84% of the total household time allocated to child care" (ADB and ILO 2013). This significantly contributes to the low participation of women in the labor force. "According to the Philippines Department of Statistics workforce data for January 2017, women constituted the majority of the population not in the labour force -- 69.5% of the total household population aged 15 and over, in other words, 18.9 million women. One of the top reasons reported for this was household family responsibilities, a reason cited by 60.5% females and by only 11.1% males" (Bhoola, n.d.).

It should be noted that aside from the care work for their families, many rural women also provide unpaid work in agriculture and other industries where they are expected to perform both social and economic responsibilities. Their social responsibilities highlight the gender-prescribed roles that societies impose on women, i.e., care work is mostly done by women than men. "A study made by the U.P. Department of Sociology showed that only 35% of Filipino husbands help in the household tasks regularly; 61% help under special circumstances; and 4% do not help at all" (Pineda, 1981). It was further said that, "The sex-role differentiation starts from childhood when girls are urged to develop an interest in cooking, sewing, cleaning and other 'feminine' preoccupations" (Pineda, 1981). Aside from care work being imposed on women, it is even more burdensome to rural women, who, unlike urban women, are unable to hire domestic workers to care for their families.

STAKEHOLDERS' VIEWS ON REPRODUCTIVE AND CARE WORK

Day 2 of the workshop-forum held on February 20-21, 2018 focused on the situation of rural women along the issues of reproductive and care work. Perceptions about care work were drawn from the participants during the said activity. Their views on care work are the following:

- Care work is life and it gives life to their homes and communities.
- It comes from their love for the family.

- It is embedded in our culture.
- It is recognized as an “obligation” of women.
- It provides comfort. (*Nagbibigay-ginhawa*)
- It protects the rights of families.

To understand and appreciate the extent of care work that rural women do, they were asked to discuss and report in groups their daily activities. Based on the discussions, a typical day for rural women would have the following activities and schedule:

- Waking hours range from 2:00am to 5:00am.
- 4:00am to 5:00am would be the time when women prepare food for their family. Some would wake up as early as 2am to prepare food for their husbands who need to leave early for work.
- Various activities for the rest of the day include: feeding their children, preparing and bringing their children to school, washing of clothes, cleaning of the house, going to the market or finding food from nearby sources such as picking of fruits and vegetables, fetching of water, fetching of children from school, preparing food for lunch and supper, washing of dishes, getting and folding their laundry, and helping their children with their school work. In between these activities, they spend time working in the farms, feed animals or conduct other means of livelihood.
- 1:00pm to 2:00pm is their usual siesta or rest time.
- Sleeping time at night varies and ranges from 9:00pm to 12 midnight.
- Their day usually starts and ends with taking care of their husbands. Women from the IP sector shared that making coffee for their husbands is an important activity for them. It is one way of showing their affection.

Shown below is an example of their actual daily schedule based on the output of one of the groups. It is presented in the vernacular and exact wording used in the group report.

| | | resources needed/used |
|-------------------|--|--|
| 2:00am – 5:00am | <i>kulo ng tubig; Saing; pala loob ng bahay; pagbanyo; kape</i> | <i>kahoy, pera (bigas, ulam, kape, asukal)</i> |
| 5:00am – 6:00am | <i>pagbanyo; pagpapakinang ng anak; pagpapakinang ng anak; pagpapakinang baon; pagpapakinang labas ng bahay; pagpapakinang hayop</i> | <i>kuryente, tubig, sabon, shampoo, pera (pambili ng tahop/damo)</i> |
| 6:00am – 7:30am | <i>pagpapakinang bata sa eskwela; pagpapakinang zing; pagpapakinang tation</i> | <i>resource (oras)</i> |
| 7:30am – 8:00am | <i>pagpapakinang pinggan</i> | <i>sabon</i> |
| 8:00am – 11:00am | <i>pagpapakinang anap-buhay (farm; igib ng tubig; ani ng mais/mani)</i> | <i>sabon</i> |
| 11:00am – 12:00pm | <i>pagpapakinang hanap ng iluluto</i> | <i>resource</i> |
| 12:00pm – 1:00pm | <i>pagpapakinang silian (paghain, pagpapakinang bata at hayop; paghugas)</i> | <i>resource</i> |

| | | |
|-------------|--|--------------------|
| h – 4:00pm | <i>buhay (farm); pagbabayo; ligpit ng sampay</i> | <i>resource</i> |
| h – 5:00pm | <i>ng bata; peer work</i> | <i>resource</i> |
| h – 5:30pm | <i>ng gulay</i> | <i>resource</i> |
| h – 6:30pm | <i>Luto; ng hayop; ng labas ng bahay; tubig</i> | <i>resource</i> |
| h – 8:00pm | <i>ligpit (hugas ng plato) sa takdang aralin; ng tulugan</i> | <i>law, gasera</i> |
| h – 10:00pm | <i>ng damit; ng bahay (floorwax)</i> | <i>resource</i> |
| m – 10:30pm | <i>ng kape ng asawa</i> | <i>kape</i> |
| m – 4:00am | <i>ng usap sa asawa</i> | |

This schedule clearly shows the excessive volume and variety of tasks that rural women do that include both care work and working in the farm. It also shows that rural women work on a tight schedule and do not get much rest and leisure.

Given the busy schedule and time poverty experienced by rural women, the participants were asked during the workshop as to what they would do if they were given an extra time for themselves. Their quick answers include: *sleep, rest, swim, relax, “magpaganda” (make oneself beautiful), “pamanecure” (get a manicure)*. These reflect on the needs of rural women for self-care and development.

CHALLENGES IN CARE WORK

Among the many care work responsibilities of rural women, 2 out of the 3 groups identified the preparation of meals as the activity that takes up most of their time and effort. This is because it involves getting or buying food, cooking, serving and cleaning up several times a day. Furthermore, it requires planning which requires them to be innovative given their limited budget. Thinking about this is stressful to them. Storing food is also a challenge as there is no electricity, especially in remote areas, so they have to collect fresh food and cook just the right portion for the family every day.

Budgeting was also mentioned as one of their most challenging responsibilities. With the limited resources that they have, it is difficult for rural women to ensure that all the needs of the family are met.

Washing of clothes was also identified as a difficult task for rural women as it is done by hand or without the aid of washing machines that women in urban areas are accustomed to. It also involves fetching water from the community’s common water source, which may be far from where they live. Due to development aggression, some water sources have been polluted by mining tailings and toxic wastes, adding to rural women’s burdens as they now have to travel farther to fetch water for their families.

Many rural communities also still do not have access to electricity. This adds to rural women's burden in doing care work. For instance, they need to source out and chop wood to light a fire for cooking. Rural women also need light source to enable them to help their children with their school work and perform other chores at night. Kerosene lamps are usually used as the household's light source in rural areas.

Inability to access facilities such as water and electricity adds difficulty to the care work that rural women do. Lack of infrastructure such as roads and bridges also contribute to their burden. All of these have an implication on the amount of time and effort that rural women will have to spend in doing care work. "Time poverty" is an issue to rural women as they have to perform many responsibilities within a limited time. Access to facilities and infrastructure can improve their time poverty situation.

RELATED RIGHTS AND POLICY INSTRUMENTS THAT ADDRESS THE ISSUES IN CARE WORK

Universal Declaration of Human Rights (UDHR)

UDHR, which declares the fundamental human rights of every person in the world, first and foremost states the equality of all human beings in dignity and rights (UDHR Article 1). Article 23 calls for a "just and favorable remuneration" to everyone who works and to be supplemented by other means of social protection. In line with social protection, Article 22 states that *"Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality"* (un.org).

Given these policies, rural women, whose time is mostly tied to care work, should also be provided with "just and favorable remuneration," not necessarily in the form of wage, and social protection.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

CEDAW gives value to rural women's unpaid work. *"Article 14, paragraph 1 requires States parties to take into account rural women's problems and role in the economic survival of families, including their work in the non-monetized sectors of the economy. Inclusive and sustainable development must uphold the rights of rural women, underscoring their role as key actors, and fully acknowledging the economic value of their paid and unpaid work"* (CEDAW/C/GC/34).

The same source (CEDAW/C/GC/34) declares that State Parties should:

- *"Recognize rural women's crucial contributions to local/national economies and to food production, as well as to the well-being of their families and communities, including contributions through unpaid care work and work on family farms.*
- *Ensure that rural women engaged in unpaid work and/or in the informal sector have access to non-contributory social protection.*
- *Ensure that labor saving and environmentally sound technologies, including agricultural, irrigation and water harvesting technologies, and technologies to reduce the burden of unpaid domestic and productive work, are available and accessible to rural women and create enabling environments that improve their access to technology, including ICT, in rural areas."*

ILO Convention No. 156 -- Convention concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities, 1981

This International Labor Organization Convention that was held on 3 June 1981, applies to men and women workers with responsibilities in relation to their dependent children and other family members who need their care and support, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity (Article 1).

It was recommended in the Convention that: *“The competent authorities and bodies in each country shall take appropriate measures to promote information and education which engender broader public understanding of the principle of equality of opportunity and treatment for men and women workers and of the problems of workers with family responsibilities, as well as a climate of opinion conducive to overcoming these problems”* (Article 6).

International Covenant on Economic, Social and Cultural Rights (ICESCR)

ICESCR, which was ratified on 16 December 1966 and put into force on 3 January 1976, declares that *“the States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant”* (Article 3). Article 6 of the International Covenant on Economic, Social and Cultural Rights also recognizes the right to opportunities to gain a living by work which one freely chooses or accepts (ohcr.org).

International Covenant on Civil and Political Rights (ICCPR)

Adopted and ratified on 16 December 1966 and put into force on 23 March 1976, the ICCPR recognizes the inherent dignity and equal rights of all members of the human family. Article 3 also reiterates the equal rights of men and women stating that, *“The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.”* Furthermore, Article 23 pronounces that appropriate steps shall be undertaken *“to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution”* (ohcr.org).

1995 Beijing Declaration and Platform for Action

The Beijing Declaration and Platform for Action, which was adopted in 1995, states its determination *“to advance the goals of equality, development and peace for all women everywhere in the interest of all humanity.”* Article 15 of the Beijing Declaration states that *“Equal rights, opportunities and access to resources, equal sharing of responsibilities for the family by men and women, and a harmonious partnership between them are critical to their well-being and that of their families as well as to the consolidation of democracy”* (un.org).

Magna Carta of Women - RA 9710

This law requires the government to *“promote empowerment of women, pursue equal opportunities for women and men and ensure equal access to resources and to development results and outcome”* (Section 2). It also requires that the State *“affirms women’s rights as human rights and shall intensify its efforts to fulfill its duties under international and domestic law to recognize, respect, protect, fulfill, and promote all human rights and fundamental freedoms of women, especially marginalized women, in the economic, social, political, cultural, and other fields without distinction or discrimination on account of class, age, sex, gender, language, ethnicity, religion, ideology, disability, education, and status”* (Section 2).

Section 8 states that *“All rights in the Constitution and those rights recognized under international instruments duly signed and ratified by the Philippines, in consonance with Philippine law, shall be rights of woman under this Act to be enjoyed without discrimination.”* As such, all women’s rights stated in the various aforementioned instruments should be considered in the course of addressing issues of unpaid care work, especially for rural women.

ADDRESSING THE ISSUES AND CHALLENGES IN CARE WORK

How can the issues and challenges on care work be addressed? Various literature and discussions at the workshop/forum pointed to the use of the 4R framework in addressing unpaid care work. These are: Recognition, Reduction, Redistribution and Representation.

Action Aid (2013) defines each “R” as:

Recognition – means that the work done by (mainly) women is “seen” and acknowledged by the women themselves and others” (such as the government and the society, particularly men). “It also means that it is recognized as being “work” and “production”. Recognition can take several forms, including provision of compensation for the work, recognizing it when determining other benefits, such as pension payments, or measuring unpaid care work in national statistics. Recognition does NOT mean paying for this work directly through wages.

Reduction – means that the burden is reduced for individual women and for the society more generally. This can happen through the service being provided in a different way. For example, women’s childcare burden would be reduced if government provided accessible and affordable child care services. Similarly, unpaid care work would be reduced if services were provided closer to where people live and work so that less time is spent accessing health care and the like.

Redistribution – means that the overall amount of unpaid care work remains the same, but it is more fairly shared among different people. One example of this is where male household members take on a greater share of housework and childcare. Another example is where government takes on a greater share of healthcare provision by setting up an effective public healthcare system.

Representation – refers to representation of women’s rights violations due to unequal responsibilities for unpaid care work by women themselves. Women recognize the value of their unpaid care work and represent their demands for change before men, community leaders and government. Representation through individual and collective action is critical for women’s empowerment and to bring about a change to women’s status in society. This can then contribute to a more collective responsibility for unpaid care work between women, men, community and the state.

All 4Rs are important and can be done simultaneously and not necessarily sequentially as presented above.

Using the 4R framework, and integrating the inputs of the workshop participants, as well as the rights espoused by the international and local instruments, the following recommendations are given to help address the issues in relation to care work:

Recommendations to **represent** women in care work:

1. **Advocate for the recognition of women’s care work.** The Commission on Human Rights (CHR), Philippine Commission on Women (PCW) and other women’s organizations should altogether build and strengthen awareness on issues related to unpaid care work. Advocacy initiatives should target the government and the public, especially the men, so that women’s efforts in performing unpaid care work for their families are recognized and given value. Efforts should also be conducted to strengthen women’s voice and representation, especially those living in remote rural communities, so that they can take part in the advocacy initiatives on issues that affect them.

2. **Advocate for girl-child education and equal rights for men and women in communities.** Increasing the literacy rate of women will give them better opportunities to economic activities and encourage a balance in the sharing of production and care work responsibilities with male family members.

Recommendations to **recognize** care work:

3. **Collection of data on women who perform unpaid care work should be institutionalized.** This should be further disaggregated into women living in rural and urban communities due to the disparity in their situation, the latter having more access to technology and services. Institutionalizing the data collection would require careful planning to ensure that relevant data in relation to unpaid care work can be captured to aid legislation and development of social policies that will help ease rural women's multiple burden. The Philippine Statistics Authority, Philippine Commission on Women and Commission on Human Rights have key roles and can collaborate to push this endeavour.
4. **Legislators should create and enact laws that will recognize and give value to women's unpaid work.** Giving value should translate to government programs that will provide more rights and benefits for these women such as social protection. The government can also provide rural women more access to basic services, such as health care and education, to share their multiple burden in performing care work. Laws and policies should also be created to reduce women's difficulty and time spent on care work.

Recommendations to **reduce** care work:

5. **Increase rural women's access to infrastructure and services.** The rural women leader representatives at the workshop particularly identified the following:
 - **Electricity in their community.** This will allow the use of simple electrical tools and fixtures to help rural women in their care work.
 - **Closer distance to water sources.** Access to safe, clean and nearby water sources will help rural women save time and effort in fetching water for their families.
 - **Access roads.** Journey to markets, schools and water sources will be easier and safer for rural women and travel time will be shorter with the access roads.
 - **Close proximity of schools and day care centers where they would bring their children.** This would result to less travel time in bringing and fetching children from schools and day care centers.

Recommendations to **redistribute** care work:

6. **Unpaid care work should be shared by men and women.** Care work responsibilities at home should be shared by men and women. Women should learn to speak up to assert the need for the shared responsibilities at home. Children can also be taught simple chores to help reduce the care work activities of rural women.
7. **Explore and develop policies that would encourage a more balanced performance of care work between men and women.** For instance, corporations and business employers can implement human resource policies such as flexible working hours for both men and women to allow them to arrange a more balanced appropriation of time and effort in caring for their children and other family members. An increase in paid paternal leave to allow fathers to provide more care for their infants may also be explored.

In addition to these recommendations, the workshop participants representing rural women also called for the **provision of sustainable livelihood opportunities for rural women**. This will help give them economic empowerment given that the care work that they provide for their families is unpaid. It must be noted, however, that livelihood activities will add responsibilities to rural women. Given that time is finite and knowing the full-range of activities that they already do for their families based on various literature and the “time use” diaries in the group presentations at the workshop, adding livelihood activities can be made more manageable if there is redistribution of care work among family members, specifically of men.

In line with their economic empowerment, it should be noted that when more income is put into the hands of women, child nutrition, health and education improves (UN Women Facts and Figures). Thus, redistributing care work at home and allowing rural women to earn either through paid work or livelihood activities can also translate to the improvement in the situation and well-being of children.

Chapter 3: Rural Women amidst Disasters and Crisis Situations

The Philippines is one of the most disaster-prone countries in the world. Based on the Annual Disaster Statistical Review 2016, “over the last decade, China, the United States, India, Indonesia and the Philippines constitute the top five countries that are most frequently hit by natural disasters” (Guha-Sapir, et al., 2017). Every year, the Philippines is visited by an average of 20 typhoons (Magtulis, 2015). The country is also prone to disasters such as earthquakes and volcanic eruptions. In addition to natural calamities, Filipinos, especially in certain areas of Mindanao, are also affected by other crisis situations due to armed conflict.

Disasters affect communities and its members in different ways and scale. The poorest areas suffer more and women, especially those who live in remote rural areas, usually bear the brunt of the effects of disasters.

CHALLENGES FACED BY RURAL WOMEN AMIDST DISASTERS AND CRISIS SITUATIONS

Rural women are more vulnerable in times of disasters and crisis situations. Care work, a role prescribed to women by the society, becomes even more difficult during disaster and conflict situations when access to resources becomes more limited. Caring for injured and ill family members as a result of said situations adds up to their challenge. Due to the scarcity in resources, there are instances when women are exposed to sexual exploitation and prostitution just to acquire basic needs, such as food, for their families.

A woman’s role in her community could even determine the difference between life or death. For example, a 1993 study of the effects of an earthquake in India found that more women died during the disaster because they were inside their homes and consequently crushed by falling debris, while men were working in the fields (Lacson, 2015).

These are just some of the challenges that rural women face amidst emergency situations. To dig deeper on the multiple burden that rural women experience, the Commission on Human Rights

organized a series of forum-workshops with representatives of rural women's groups from various parts of the country. The Womenitarian Forum: Women Leadership in Disasters and Climate Challenges was held on March 28-29, 2017 and Forum-Workshop on Empowering Rural Women amidst Disasters and Crisis Situations was held on December 12, 2017. Based on the said activities, general issues affecting rural women amidst disasters that were gathered are the following:

- Multiple burden of women exists anytime (before the disaster, and even worse during and after the disaster).
- The way disaster and climate change is being looked at is very neutral resulting to blanket distribution of relief goods and services. It was further noted that there is a need to highlight specific experience/context of women without excluding other identities.
- There is insufficient data and information on the profile and situation of rural women.

In the said activities, specific issues affecting rural women from different sectors were also identified. These sectors are: 1) women with disabilities, 2) older women, 3) Indigenous peoples and 4) farmers and fisherfolks.

The situation and main issues for these groups are summarized as follows:

1. Issues of Rural Women with Disabilities

- There is lack of provision of basic needs and services addressed specifically to the PWD during relief operations. For example, there are no mobile chairs in relief queues and no appropriate and sturdy outdoor wheel-chair with correct measurements.
- Access to public transportation is also difficult for rural women with disabilities. Public transportation, whether in rural or urban areas, lacks provision for persons with disabilities. However, rural women with disabilities are more marginalized as there is less public transportation in rural areas and they have less access to well-constructed roads.
- This group is also more prone to abuses during disasters. Abuses may be in the form of physical, sexual or psychological abuse. Abusers take advantage of the situation and the women are generally more challenged in protecting themselves against physical abuse.
- There is also lack of data on women with disabilities, especially in the rural areas. There is lack of information on the number of rural women with disabilities, the types of disabilities, and their specific needs. There are also issues in identifying persons with disabilities and assessing their needs. As such, they remain invisible in national statistics and therefore unprotected
- Rural women with disabilities also have limited knowledge on Disaster Risk Reduction (DRR) and how to access services during emergencies. They also have limited access to services provided during emergencies.
- The participants also said that women and girls with disabilities are at times invisible in gender movements including in DRR and emergencies.

2. Issues of Elderly Women

- Unavailability and accessibility to age-friendly food and non-food items is an important issue to elderly women. Food items that lack in nutrition, such as sardines, instant noodles and canned goods, for instance, are not advisable for the elderly. However, these are the food items that are usually included in relief packs.
- Liniment is the most appreciated and necessary non-food item by elderly persons. However, it is not included in the standard non-food items in the relief packs.
- Difficult access to drop off point for relief goods is also an issue to elderly persons. Many find it challenging to walk long distances to get to the points of relief distribution.
- Elderly persons are also prone to abuses, such as physical, psychological and financial, many of which go unreported.
- Elderly persons have increased health needs but health services can be limited during disaster operations. There is also lack of medical specialists for elderly persons during emergencies.
- Based on the report of Ms. Kate Pagsolingan from the Coalition of Services of the Elderly (COSE) during the Forum-Workshop on Empowering Rural Women amidst Disasters and Crisis Situations that was held on March 28-29, 2017, there is limited coverage of social protection mechanisms with only 54% of senior citizens receiving social pension which accounts for an estimated 3.5 million elderly persons with no income security. Frequently, a big percentage is composed of women because they have not been part of the formal economy (CHR Documentation Report - Forum-Workshop on Empowering Rural Women amidst Disasters and Crisis Situations, 2017).
- Related to the previous issue is the need to improve program systems that every senior citizen can avail, such as financial assistance which may be in the form of universal social pension.
- Regarding RA 9994 or the Expanded Senior Citizens Act, the government should create social safety nets for the Older Persons to prevent the impacts of disaster. This issue should be included in legislative discussions in addition to other benefits such as the 20% discount accorded to senior citizens.
- Oftentimes, elder women's capacities are not recognized, utilized and strengthened. They are perceived to be weak and lacking in capacity; thus, preventing them from being given opportunities to work or participate in livelihood projects. Ageism or discrimination against older persons is manifested in this issue.

3. Indigenous Peoples

- IPs are mostly geographically isolated, living in places where the natural resources are located. Thus, they are more difficult to reach for the provision of relief goods and services.
- In relation to the aforementioned issue, IPs suffer from lack of basic services and exclusion from government programs and projects which include assistance in times of natural disasters and/or armed conflict.
- IPs are often affected by peace and security issues in their area. The influx of mining industries and commercial ventures has resulted in some incidents of harassment of the IP inhabitants. Some are said to be also subjected to false promises to allow such industries to operate in their ancestral domain.

- Difficulty to express their needs in times of armed conflict and natural disasters is a challenge for IPs. Language barrier mostly contributes to this.
- Due to their cultural practices, IPs are not able to access assistance during disaster response efforts. For instance, in the case of Mangyans from Mindoro, they are not comfortable in going to evacuation centers because they have their own indigenous houses made in times of typhoon/disaster. As a result, they are not provided relief packs.

4. Farmers and Fisherfolks

- Rural women, including women farmers and fisherfolks, lack control over productive assets. These assets include land, boats, equipment, etc.
- Rural farmers also suffer from lack of access to resilient crop varieties and livelihood. They also lack access and training on new and sustainable farming techniques/practices/methods and equipment.
- Many women farmers and fisherfolk also do not have access to social services.

POLICIES THAT SUPPORT RURAL WOMEN AMIDST DISASTERS AND CRISIS SITUATIONS

The following international instruments recognize the rights of rural women amidst disasters and crisis situations:

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Article 14 of CEDAW recognizes rural women’s challenging situation and highlights specific obligations of States parties in recognizing, promoting and protecting their rights. The following obligations are stated:

“States parties should address specific threats posed to rural women by climate change, natural disasters, land and soil degradation, water pollution, droughts, floods, desertification, pesticides and agro-chemicals, extractive industries, monocultures, bio-piracy, and loss of biodiversity, particularly agro-biodiversity. They should alleviate and mitigate these threats and ensure that rural women enjoy a safe, clean and healthy environment. They should effectively address the impact of such risks on rural women in the planning and implementation of all policies concerning the environment, climate change, disaster risk reduction, preparedness and management, and should ensure full participation of rural women in designing, planning and implementing such policies. States parties should also ensure the protection and security of rural women and girls in all phases of disasters and other crises, ranging from early warning to relief, recovery, rehabilitation and reconstruction” (CEDAW/C/GC/34).

Magna Carta of Women - RA 9710

Under the Magna Carta of Women, *“the State affirms women’s rights as human rights and shall intensify its efforts to fulfill its duties under international and domestic law to recognize, respect, protect, fulfill, and promote all human rights and fundamental freedoms of women, especially marginalized women, in the economic, social, political, cultural, and other fields without distinction or discrimination on account of class, age, sex, gender, language, ethnicity, religion, ideology, disability, education, and status” (Section 2).*

The Magna Carta of Women has a specific provision for women affected by disasters, calamities and other crisis situations. Section 10 states that:

“Women have the right to protection and security in times of disasters, calamities, and other crisis situations especially in all phases of relief, recovery, rehabilitation, and construction efforts. The State shall provide for immediate humanitarian assistance, allocation of resources, and early resettlement, if necessary. It shall also address the particular needs of women from a gender perspective to ensure their full protection from sexual exploitation and other sexual and gender-based violence committed against them. Responses to disaster situations shall include the provision of services, such as psychosocial support, livelihood support, education, psychological health, and comprehensive health services, including protection during pregnancy.”

The Indigenous Peoples’ Rights Act of 1997 (IPRA Law) - RA 8371

The IPRA Law provides for protective measures for affected IPs during natural calamities. Section 7 (d) states that:

“In case displacement occurs as a result of natural catastrophes, the State shall endeavor to resettle the displaced ICCs/IPs in suitable areas where they can have temporary life support systems: Provided, That the displaced ICCs/IPs shall have the right to return to their abandoned lands until such time that the normalcy and safety of such lands shall be determined: Provided, further, That should their ancestral domain cease to exist and normalcy and safety of the previous settlements are not possible, displaced ICCs/IPs shall enjoy security of tenure over lands to which they have been resettled: Provided, furthermore, That basic services and livelihood shall be provided to them to ensure that their needs are adequately addressed.”

Anti-Violence Against Women and Their Children Act of 2004 – RA 9262

The Anti-VAWC law declares that “the State values the dignity of women and children.” It also recognizes the need to protect them from violence and threats to their personal safety and security (Section 2).

Different types of violence articulated in this law are: physical violence, sexual violence (which includes rape, sexual harassment, acts of lasciviousness, prostituting women and children, and acts forcing victims to engage in a sexual activity), psychological violence and economic abuse. Section 35 states the rights of women and children who become victims of violence which includes legal remedies.

Sphere

Sphere was initiated by a group of humanitarian non-governmental organizations (NGOs) and the International Red Cross and Red Crescent Movement in 1997. Their objective was to improve the quality of their actions during disaster response. Sphere’s philosophy is based on two core beliefs: “first, that those affected by disaster or conflict have a right to life with dignity and, therefore, a right to assistance; and second, that all possible steps should be taken to alleviate human suffering arising out of disaster or conflict” (spherehandbook.org).

RECOMMENDATIONS TO ADDRESS THE NEEDS OF RURAL WOMEN AMIDST DISASTERS AND CRISIS SITUATIONS

Based on the identified issues and needs of rural women from different sectors during disaster and crisis situations, the following actions are recommended:

1. **Protect rural women against sexual abuse or exploitation, especially during and after an emergency.** Prevention is more important than remedy. As such, the government should put into place protective mechanisms to prevent the occurrence of abuses to women at the evacuation sites and within their communities.
2. **Provide economic opportunities for rural women.** Many rural women are forced into prostitution in exchange of basic needs during disaster situations. Providing them opportunities to earn can help remove the push factor for resorting to prostitution.
3. **Ensure a rapid response that is gender and culture sensitive, as well as inclusive to different marginalized groups, such as persons with disability, older persons, indigenous persons and women farmers and fisherfolks.** This should replace the blanket distribution system that is mostly used in distribution of relief packs and services. Below are some examples of inclusive responses:
 - For Elderly Persons: Provision of relief packs that does not include food items that may increase the occurrence of illnesses associated with elderly persons. For instance, since hypertension is common in elderly persons, food items that are high in salt, such as instant noodles, should be avoided. Also, as liniment is said to be appreciated by older persons, its inclusion in relief packs for this group should be explored.
 - For rural women with disabilities: Mobility aid such as wheelchairs and crutches at evacuation centers for those with physical disabilities should be provided. Other tools and technology that are useful to other types of disabilities should be identified and their provision should be explored.
 - For IPs: avoid food and non-food items that may be culturally offensive to the community. Sensitivity to their particular needs considering their practices and environmental factors should be considered.
 - For farmers and fisherfolks: As disasters may damage or wipe out the victims' belongings, provision of tools used by women farmers and fisherfolks can be given to them to help them start over with their means of livelihood.
4. **Provide basic and care services that will lessen rural women's difficulty due to multiple burden.** During disasters, where family members are more predisposed to illnesses and injuries, the government should provide free and accessible health and care services for affected family members to reduce the unpaid care work provided by rural women. Accessible clean water and sanitation should also be provided to women and their families.
5. **Empower all groups of rural women by building their knowledge on disaster risk reduction and emergency response.** It is important for the women to learn about the dangers posed by various disaster situations and what they should do before, during and after such situations. This will help them prepare for emergency and crisis situations and empower them to protect themselves and their families
6. **Plan and institutionalize a data collection system that will provide for a more targeted response for the needs of rural women.** Planning should include identification of data that are needed to better assess the situation and needs of rural women in general and within these various groups. Disaggregated data can then be utilized in program planning for a more appropriate provision of basic needs and services to rural women in various sectors. Institutionalization of the data collection is important so that a baseline can be established and impact can be monitored.

7. **Create and implement policies that will promote inclusive access to resources and services by the different sectors in times of disasters and crisis situations.** The collected disaggregated data should enlighten policy makers on the real situation of various marginalized groups of rural women and their needs. It should pave the way for the development or reform of existing policies to address the needs of these various groups of rural women.

CONCLUSION

The various issues presented in this report show the wide range of challenges encountered by rural women in the Philippines. These issues were drawn from the rural women themselves, supported by desk review, with the aim of presenting a grounded and more realistic picture of their situation. The inputs of the participants, representing rural women from different sectors and geographical areas on their conditions and suggestions to address them have been all taken into account. It is hoped that these recommendations will be acted upon by responsible government agencies and groups so that the multiple burden and challenges faced by Filipino rural women can be addressed and significantly reduced.

REFERENCES:

- Action Aid (2013). *Unpaid care work - Resource guide*. www.actionaid.org/unpaidcarework.
- Amended Fisheries Code Sets Higher Penalties, Tightens Rules on Commercial Fishing, (2015). <http://oceana.org>.
- Asian Development Bank and International Labour Organisation (2013) *Gender Equality in the Labour Market in the Philippines*, ADB: Manila.
- Balakrishnan, R. (2018). *Fact Sheet Philippines Women in agriculture, environment and rural production*. Fao.org. Retrieved 27 February 2018, from <http://www.fao.org/docrep/008/ae946e/ae946e03.htm>.
- Bhoola, U., (n.d.). *Investing in Women: Philippines Country Context Paper*. International Gender Equality and Human Rights Consultant, South Africa.
- Butale, C. (2015). *Globalization and its impact on women in developing countries*. International Association for Political Science Students (IAPSS). <http://www.iapss.org>.
- CEDAW (2016). *General recommendation No. 34 on the rights of rural women*. (CEDAW/C/GC/34).
- Commission of Human Rights, Philippines (2016). *CHR Gender Ombud Guidelines: Promoting Gender Equality and Women's Empowerment Under the MCW (RA 8710) and Related Laws*. CHR-AECID Fortalejza Project.
- Commission on Human Rights Documentation Report, (2017). *Forum-Workshop on Empowering Rural Women amidst Disasters and Crisis Situations*. Held at Ciudad Christia Resort, San Mateo, Rizal, Philippines.
- Elson, Diane, (2016). *Equity and Development: Through a Gender Lens*. A presentation made by Diane Elson at the 2016 Leontief Prize Award Ceremony, March 10, 2016.
- Expert Group Meeting Report, (2001). *The situation of rural women within the context of globalization*. Meeting in Mongolia organized by the Division for the Advancement of Women (DAW) in collaboration with the United Nations Development Fund for Women (UNIFEM).

FAO Fact Sheet Philippines, Women in Agriculture, Environment and Rural Production.

Guha-Sapir, D., Hoyois, P., Wallemacq, P., Below, R., (2017). *Annual Disaster Statistical Review 2016: The numbers and trends*. Report from Centre for Research on the Epidemiology of Disasters. <https://reliefweb.int>.

ILO, (2012). *Gender Equality and Decent Work Selected ILO Conventions and Recommendations that promote Gender Equality as of 2012*. International Labour Office, International Labour Office, Bureau for Gender Equality, International Labour Standards Department – Geneva: ILO, 2012 1 v.

Lacson, I., (2015). *How disasters affect women*. Rappler.com.

Lopez, N., (2016). *Reducing the Vulnerability of Women in Disaster Stricken Areas*. NDCP Policy Brief. A publication series on national security issues by the National Defense College of the Philippines. www.ndcp.edu.ph.

Magtulis, P., (2015). *Philippines losing P300 B to disasters yearly*. <https://www.philstar.com>.

Nuila, A., and Claeys, P. (2016). *Rural Women's Rights in the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas*. FIAN International.

Pineda, R., (1981). *Focus on Filipino Rural Women*. Philippine Sociological Review. Information Office, University of the Philippines. PSR 29 (1981): 103-110.

Pruitt, LR. (2011), *Deconstructing CEDAW's Article 14: Naming and Explaining Rural Difference*, *William & Mary Journal of Women and the Law*, Vol. 17, p. 347.

Santiago, C. (2008). *Philippines: Country Gender Profile*. JICA.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). <http://www.un.org/womenwatch/daw/cedaw/>.

UN Women (2012). *Facts and Figures*. Commission on the Status of Women 2012.

UN Women Watch (2012). *Facts and Figures: Rural Women and the Millennium Development Goals*.

www.ocha.org

www.spherehandbook.org

www.un.org