

COMMISSION ON HUMAN RIGHTS  
GENDER AND DEVELOPMENT SITUATION REPORT  
CHR-X  
January- June 2019

## I. INTRODUCTION

Regional Office X and its gender mainstreaming activities is very well reflected in the regional GAD Plan 2019 submitted before end of the year for the consideration of the agency's GAD Plan.

To note, the region is one among the two (2) regions who have constituted a Regional Gender Focal Point System (GFPS) headed by the Regional Director as the GAD Chair with members coming from the following sections, to wit; legal section, investigation section, promotion section, admin and finance section and of course the GAD Focal Person as secretariat. Their task is to ensure that a GAD plan will be developed consistent with the agencies mandate and within the context of the regions operational framework.

The objective of the Regional GAD Plan is to be able to cater the clients as well as the organization-focused through the development of Plans, Programs and Activities based on the identified issues coming from the data collected at the ground level. Hence, this report.

## II. REGULAR PROMOTION PROGRAM

### CLIENT-FOCUSED PROGRAMS

#### 1. Gender-Related PAPs

The regional office in line with the strategic plan has conducted Protection and Promotion and Policy Related Program in the fulfillment of its Gender Ombud mandate as well as the institutionalization of Gender Program in its operation. This is also consistent with the agencies plan relative to Gender Programming and Services.

This year, under Promotion and Policy Services the region has provided the following activities but not limited to the following, to wit; Awareness Raising Activities, Inter-Agency Collaborations and Gender-Related Trainings. Here are the some of the activities that we conducted in partnership with Local Government Units and Agencies, to wit;

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| PROGRAMS AND PROJECTS                | ACTIVITIES  | BRIEF BACKGROUND   |
|--------------------------------------|---|--|
| <b>Promotion and Policy Services</b> |   |  |
| 1. <i>Awareness Raising</i>          | Kabataan Karapatan at Xavier University Junior High School (XUJHS)  | <p>This is a regular activity of CHR to to conduct Kabataan Karapatan Caravan. This includes the conduct of information drive/awareness on children rights, different laws pertaining to children and CHR mandate.</p> <p>The caravan is focused on Children who needs special protection like (Internally Displaced Person - (IDPs) and on Children in Armed Conflict.</p> <p>Specific discussion on the MARAWI Seige and its effect to children and women.</p> |
|                                      | <p>GAD awareness and Anti-VAWC campaign</p> <p>Series of Lecture on GAD and gender-related laws</p>   | <p>Participants are government employees, the security sector as well as the Civil Society Organizations.</p> <p>Emphasizing among others the role of CHR as Gender Ombud under RA 9710.</p>   |
| 2. <i>Inter-Agency</i>               | Official Representative the quarterly meetings on Regional Implementing Team-Responsible Parenthood and Reproductive Health Rights-X (RPRH-X) | <p>This is a regional body task to monitor the full implementation of the RPRH law.</p> <p>Line Agencies, Government Agencies, CSOs</p>  |
|                                      | RIACAT CP-VAWC, CIACAT RIT-RPRH, RGADC-X, RAAT-X  | These are quarterly meetings attended to by Focal Persons on women, gender, children, LGBT and/or PLHIV.   |
|                                      | Inter-Agency Meeting for 2019   | Targeted government agencies   |

| PROGRAMS AND PROJECTS | ACTIVITIES  | BRIEF BACKGROUND   |
|-----------------------|---|--|
|                       | Women's Month Celebration   | <p>for the Inter-Agency meeting were present. Agenda achieved for a consolidated month-long activities.</p> <p>Government Agencies (PNP-PRO-X, Bureau of Fire-X and Cagayan de Oro City, DENR-X, MGB-X, DSWD-X, CSWD-X and other government Agencies thru their GAD FOCAL PERSON)</p>            |
|                       | Office Representative for the City Council for the Protection of Children (CCPC)- Quarterly Meeting | Priority Child issues discussed (with Government Agencies and CSOs)  |
|                       | Regulatory and Complaint Board- Meetings (RC)B  | This is a body tasked by the City to ensure the promotion and protection of the rights of students, children, women and the community.   |
|                       | Office Representative for Regional Aids Assistance Team-X (RAAT-X) Quarterly Meetings               | <p>Discussed priority Issues and Programs for the HIV-AIDS awareness and protection.</p> <p>Update on HIV/AIDS PPAs by different agencies. Region X is second highest in the Philippines, with Cagayan de Oro City as the 2<sup>nd</sup> in Mindanao with the most number of cases of PLHIV.</p> |
|                       | Office Representative for Regional Juvenile Justice and Welfare Council- RJJWC Monitoring Visit     | This is a council task to monitor Bahay Pag-asa and at the same time Profiling of the CICL and CAR.  |
|                       | Office Representative to the  | Discussed Priority Issues and  |

| PROGRAMS AND PROJECTS        | ACTIVITIES  | BRIEF BACKGROUND   |
|------------------------------|---|--|
|                              | Regional Inter-Agency Council Against Trafficking (RIACAT-X)- Quarterly Meeting                           | Programs for Women and Children.   |
|                              | Office Representative to the City Council for the Protection of Children (CIACAT)- Quarterly Meeting      | Discussed Priority Issues and Programs for Women and Children.   |
| 3. Gender- Related Trainings | Training Seminar on Human Rights and Special Laws Protecting Women and Children Initiao, Misamis Oriental | Provides lecture on local government employees the Province of Misamis Oriental (Mis. Or West Cluster)   |
|                              | Workshop/Orientation with stakeholders  | GCRV orientation and workshop to different stakeholders.<br><br>Informed duty-bearers on GCRV issues   |
| <b>LEGAL CLINIC CARAVANS</b> |   |  |
|                              | Legal Clinic Caravan in Cagayan de Oro City Hall.   | This is a regular program of CHR 10 every semester. The Office conducted an information drive/awareness to residents of Barangay Sta. Elena on the Mandate of CHR 10. It also conducted legal aid services to the residents of the said barangays. |
|                              | Brigada Eskwela of Gracia Elem. School, Tagoloan, Misamis Oriental  | The CHR 10 was invited during the Brigada eskwela of Gracia Elem. School. It provided legal aid services to teachers and parents of the school.  |
|                              | Brigada Eskwela of Villanueva Senior High School, Misamis Oriental  | The CHR 10 was invited during the Brigada Eskwela and provided legal aid services to teachers and parents of the   |

| PROGRAMS AND PROJECTS            | ACTIVITIES   | BRIEF BACKGROUND  |
|----------------------------------|--|---|
|                                  |  | schools who are mostly mothers and grandmothers.  |
| <b>CENTER-BASED ACTIVITIES</b>   |  |   |
| CGEWHR                           |  |   |
|                                  | Public Inquiry on Sexual and Reproductive Health and Rights of Women With Disabilities | <p>The activities includes: FGDs on Persons With Disabilities (PWDs) respecting their Reproductive Health Rights and services.</p> <p>The FGD was conducted in Cagayan de Oro City and Malaybalay City respectively (PWDs and Health Service Providers)</p>   |
| <b>COMMUNITY-BASED DIALOGUES</b> |  |   |
|                                  | CBD on the Status of Case Handling of CICL   | <p>Target participants are from the PNP-WCPD Misamis Oriental West Municipalities, PAO-Lawyers and BJMP.</p> <p>The objective of the dialogue is to craft a policy advisory or bulletin on handling CICL cases.</p>   |
| <b>CELEBRATORY EVENTS</b>        |  |   |
|                                  | Inter-Agency Meetings  | <ul style="list-style-type: none"> <li>● GA -10 Member-agencies</li> <li>● Discussion with the Bureau of Fire re Motorcade for Joint Celebration of Women's Month &amp; Fire Prevention Month on March 1, 2019.</li> <li>● Submission of Agency's activities for 2019 Women's Month Celebration for streamlining schedule of activities.</li> </ul> |
|                                  | Capacity Building On SOGIE and IDAHOT  | This is a celebratory event where the region invited groups and partners CSOs specifically  |

| PROGRAMS AND PROJECTS | ACTIVITIES  | BRIEF BACKGROUND  |
|-----------------------|---|---|
|                       |   | those with LGBTI memberships as well as partner government agencies to discuss issues and possibly identify actions towards the attainment of the rights of the LGBTQI.   |
|                       | Participated in the Kick-Off Activity for 2019 National Women's Rights Celebration.   | Targeted government agencies attended and participated in the caravan.  |
|                       | <p style="text-align: center;"><b>Womens' Month Celebration</b></p> <ul style="list-style-type: none"> <li>- Orientation on Women's Month and Special Laws for the Protection of Women and Promotion of Women's rights</li> <li>- Motorcade</li> <li>- Open House - Serbisyo Para kay Juana</li> <li>- Guest Speaker for International Women's Day Celebration</li> </ul> | <p>Given to police recruits at Regional Training Center, Patag, Cagayan de Oro City</p> <p>Event held at Tagoloan Dome, Misamis Oriental and was participated in by Women's Federation Groups of Tagoloan, Misamis Oriental</p> <p>The Local Government of the Municipality of Tagoloan, Misamis Oriental, sent an invitation for the undersigned to speak before the gathering of the Federation of Women's Organization of Tagoloan, Mis. Or., in their celebration of the International Women's Day activity on March 8, 2019. They specified that I should talk about the theme of the 2019 Women's Month Celebration and how should the women of</p> |

| PROGRAMS AND PROJECTS | ACTIVITIES  | BRIEF BACKGROUND   |
|-----------------------|---|--|
|                       | <ul style="list-style-type: none"> <li>- Learning Session with Department of Agriculture -10 Personnel</li> </ul> | <p>Tagoloan realize the same.</p> <p>The speaker stressed the importance of the theme to women empowerment and that development is for all. The activity was participated in by all women organizations representing all the Barangays of the Municipality who wore multi-colored shirts to add significance to the celebration. This year's theme: <b>"WE MAKE CHANGE WORK for WOMEN"</b></p> <p>Topics discussed: Theme for 2019 Women's Month Celebration; RA 9710 &amp; RA 9262</p> <p>The invitation from the employees' organization of the DA-10 was delivered on short notice but despite the same undersigned obliged the invitation as women &amp; children are my official and personal advocacies. I was advised to speak and explain the salient points of Republic Act 9710 or the Magna Carta of Women including some Memorandum Circulars issued by the Philippine Commission on Women. We had a very interesting and engaging discussion during the open forum, especially on violence against women, use of names for married women, gender sensitivity and empowerment.</p> |
|                       | Women's Forum with PNP  | This is a forum where various agencies from the national   |

| PROGRAMS AND PROJECTS | ACTIVITIES  | BRIEF BACKGROUND   |
|-----------------------|---|--|
|                       |   | government as well as Women CSOs, the sole purpose of which is to gather feedbacks and inputs from the women's sector and/or groups on women's human rights agenda for 2019 elections. |
|                       | Learning Session on Women's Month Celebration and its theme to female students of Cagayan de Oro National High School | Participants are from the Cagayan de Oro National High School (female students).   |
|                       | Legal Clinic Caravan - Serbisyo Para kay Juana  | The activity was conducted in the Mini Plaza at City Hall Grounds together with lawyers from CHR, IBP & PAO  |
|                       | Jail Visit to Female Dorm at Valencia City Jail   | Monitoring of women PDLs in the Province of Bukidnon, Valencia City.   |
|                       | Wearing of Purple Shirts On All Fridays of March  | There is an office memorandum requiring and instructing all personnels to wear purple every Friday for the whole month of March.   |

## 2. THEMATIC AREA OF CONCERN

### 2.1 Situation Report on Grave Child Rights Violations (GCRV)<sup>1</sup>

The Commission on Human Rights (CHR) is an active member of the Country Task Force Monitoring and Reporting (CTFMR) as well as Government of the Philippines – Monitoring, Reporting, and Response System (GPH-MRRS). Thus, the CHR monitors any of the

<sup>1</sup> Regional Situation Report on Grave Child Rights Violation (GCRV), Atty. Kristine T. Gaudiel dtd June 28, 2019.



six grave child rights violations (GCRVs) that are happening in the country, namely: 1.) killing or maiming of children, 2.) attacks against schools or hospitals, 3.) Abduction of children, 4.) recruitment or use of children in armed forces and groups, 5.) rape or other grave sexual violence against children, and 6.) denial of humanitarian access for children.

In Region 10, the CHR X has investigated alleged grave child rights violations in Region 10 involving recruitment and use of children, detention, and attack against schools in relation to armed conflict.

#### A. Recruitment and Use of Children in Armed Groups

1. On 21 January 2019, an 18-year old NPA member surrendered to AFP's 10th Infantry Battalion in Oroquieta, Misamis Occidental.

##### Update:

The CHR X sent a communication dated May 7 2019 to 10th Infantry (Steady On) Battalion, 1st Infantry Division, Philippine Army and the same had been replied with the following information:

The surrenderee is  
single, farmer, 19 years old,

He

surrendered on 18 January 2019.

signed a Sinumpaang Salaysay admitting his active membership with the CPP-NPA-NDF since he was 17 years old; that he surrendered

because of the hardship he has experienced with the NPA living in the mountains, away from his family and that he believed that he has no future with the group, and that, his surrender was voluntary.

stayed at a half-way house operated by the Provincial Government of Misamis Occidental

He is currently undergoing CAFGU training

It is

recommended that this case be investigated.

2. *On 9 March 2019, three children (two girls, 15 and 16 years of age and 14-year old-boy) and an adult, reportedly NPA members surrendered to the AFP's 60th Infantry Battalion.*

**Update:**

This Office has sent a communication to 60<sup>th</sup> Infantry Battalion asking for the status of said minors was sent to the 60th Infantry Battalion by this office and was answered with the information that said 60th IB was under the jurisdiction the military in Region XI, particularly Davao del Norte. Moreover, the three minors who surrendered, 2 girls (age 15 and 17) and 1 boy (age 14)

\_\_\_\_\_ within  
the area of jurisdiction of Region XI.

A letter-request for CHR - Region XI to take cognizance of the case is being prepared by the Legal section of this Regional Office.

3. *On 9 February 2019, a girl joined as a regular member of the New People's Army (NPA) and was issued with her own firearm in 2018. The other children and the adult were reportedly forced to join the NPA in February 2019.*

**Update:**

The CHR X has no means of verifying the alleged information.

**B. Detention of Children**

1. *On 30 January 2019 in Villanueva, Misamis Oriental, four (4) adults, members of the Misamis Oriental Farmer's Association (MOFA), were arrested at their office by combined elements of the military and Criminal Investigation and Detention Group (CIDG). A 16-year-old girl and two boys (one and two years old), relatives of the adults, were also arrested.*

**Update:**

This office has referred the three children to MSWDO Libona, Bukidnon for proper psychological intervention.

The three minors, aged 16, 2 and 1 yr. old were already returned to their grandmother after they have been debriefed and given rice assistance by the Municipal Social Welfare & Development Office of Libona, Bukidnon.

grandmother of the three minors and resident of Libona, Bukidnon, took custody of the minors. The local social welfare office conducted home visitation and observed that the grandmother is peace-loving and provided the minors with care, including food, clothing and shelter in a good and peaceful environment.

The adult members of MOFA who were arrested are still detained at the Misamis Oriental Provincial Jail while the cases filed against them are still pending in court. Their case is docketed as CHR-X-2019-0139.

Since 14 February 2019, a three-month old female infant has been detained with her mother at a military camp

The mother has requested for the immediate release of her baby for proper pediatric care.

**Update:**

The CHR X has already taken cognizance of the case and is now pending investigation with docket number CHR-X-2019-0105.

The case has been referred to DSWD for assistance in the release of the child to his relatives.

The local social welfare officer of Dangcagan, Bukidnon, assisted

in the release of her baby to her relatives. They are also represented by a private lawyer in court for the custody case. As of now, the infant is allowed to continue staying with the mother inside the camp as she was found to be allergic to infant formula and that she purely on breastfeeding.

However, efforts were made to have the child be placed in the custody of a relative or a foster family. Ms. Lea G. Tintim, Social Welfare Officer I, Dangcagan, Bukidnon, who is working for the infant's placement reported that she is awaiting court order regarding the said placement. The mother \_\_\_\_\_ has issued an affidavit of surrender to the 1st Special Forces Battalion, P.A., located at Mampayag, Manolo Fortich, Bukidnon, admitting that she was a member of the New People's Army operating in Northern Mindanao as PO, GF 68B Coy 3, SRC 4.

### C. Threats of Attacks on Schools

1. *On 20 February 2019, two boxes containing propaganda linking the Xavier*

*University- Ateneo de Cagayan to Communist Party reported to have been found during an opening program of a photo exhibit by development communication students in a mall in Cagayan de Oro City. Local mall security seized the boxes to prohibit its distribution.*

#### **Update:**

This case has been investigated and docketed as CHR-X-2019-0145.

The Final Investigation Report has been submitted to the Legal Section-Regional Office for Resolution.

There was news circulating that links a number of Xavier University school personalities and its immersion program to the communist rebels and terrorist.

It is worth to note that the Xavier University-Ateneo de Cagayan thru University President \_\_\_\_\_ denied the said propaganda and called it fake news. \_\_\_\_\_ issued a statement vehemently condemning the malicious, slanderous, and groundless red-tagging against some XU personalities and one of its well-established immersion program.

University President \_\_\_\_\_ said that this "propaganda is devoid of any semblance of truth and substance" and added that "one must be critical and discerning in our news and information consumption,

especially with those which were propagated and distributed through disreputable modes and channel.”

The Centrio Ayala Mall, where the photo exhibit was conducted, also denied ever finding said two boxes of propaganda. This was disclosed by the Chief Security Officer Alex Galarpe Y. Timtim. He said that the photo exhibits by the Xavier University-Ateneo de Cagayan students taking-up Development Communications entitled “LANSAD” was successfully conducted and there were no untoward incidents that happened on said occasion. He denied ever finding two boxes of propaganda materials.

The alleged boxes contained writing, entitled “Communist Terrorist Organizing 101”, linking XU particularly the Dev. Comm. students thru their immersion program to communist activities. It alleged that thru immersion program to the Lumad community controlled by NPAs, the students were indoctrinated.

Three (3) faculty from Xavier University

had been tagged having link with the communist party. All three were surprised that they were linked to the communist party and denied any allegations written linking their names. Mr. said that in conducting immersion, they coordinate with the proper agency like the LGU. Part of the immersion program is to showcase the tourist destination of the Municipality. Thus, they have a photo exhibit called “Lansad”. It is an annual photo exhibit by the students (particularly junior Development Communication students) who participated in the immersion program.

The personnel from the 4th Infantry Division, Philippine Army were likewise interviewed and they deny having any knowledge to the red-tagging.

## **2.2. Situation Report on Persons Living with HIV (PLHIV)<sup>2</sup>**

The Commission on Human Rights-X is an active member of the Regional AIDS Assistance Team (RAAT). RAAT is composed of

<sup>2</sup> Regional Situation Report on People Living with HIV (PLHIV), Atty. Kristine T. Gaudiel dtd June 28, 2019.

different government agencies, civil society organizations working on HIV and health service providers in Region 10. It regularly meets every quarter to discuss the issues, developments, projects, programs, and activities (PPA) in relation to HIV particularly in Region 10.

The passage of Republic Act No. 11166 also known as the Philippine HIV and AIDS Policy Act Of 2018 which took effect on January 25, 2019 was of great news especially for PLHIV. The new law aims to address the gaps in the provisions and enforcement of the 21-year-old Philippine AIDS Prevention and Control Act of 1998 (Republic Act 8504).<sup>3</sup> The law amended some provisions of RA 8504 specifically on HIV information, education and communication, health and support services, screening, testing and counselling, confidentiality, and its penalties.

The RA 11166 will reconstitute and put the Philippine National AIDS Council (PNAC), an attached agency under the Department of Health, in charge of the implementation of the AIDS Medium Term Plan, a six-year plan to address the country's problems on HIV and AIDS.<sup>4</sup> Moreover, a multi-sectoral approach involving the different sectors such as the local communities, civil society organizations, and persons living with HIV (PLHIV) was included in the law's provision in order to establish timely and effective programs and policies for HIV AIDS.<sup>5</sup>

In the study conducted by the University of the Philippines National Institutes of Health (UP NIH) in 2011, it revealed that stigma brought about by misinformation about the disease is the most alarming obstacle for accessing proper treatment and care among PLHIV.<sup>6</sup> The new law ensures the protection of PLHIV's basic human rights through affordable access to health services without fear of being discriminated. Under the amended law, PLHIV can no longer be left without insurance coverage and protection by reason of their condition.<sup>7</sup> Section 42 (e) of the law states:

<sup>3</sup> PCHRD, 'New law to strengthen provision of HIV, AIDS care, treatment' <http://www.pchrd.dost.gov.ph/index.php/news/6418-new-law-to-strengthen-provision-of-hiv-aids-care-treatment>

<sup>4</sup> PCHRD, above n 1.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Elson Quismorio, 'No more HMO discrimination under new AIDS law,' February 26, 2019 <https://news.mb.com.ph/2019/02/26/no-more-hmo-discrimination-under-new-aids-law/>

*"No person living with HIV (PLHIV) shall be denied or deprived of private health insurance under a Health Maintenance Organization (HMO) and private life insurance coverage under a life insurance company on the basis of the person's HIV status. Furthermore, no person shall be denied of his life insurance claims if he dies of HIV or AIDS under a valid and subsisting life insurance policy."<sup>8</sup>*

Moreover, the law provides for education and awareness not only to prevent the spread of the disease but also for destigmatization. It prohibits bullying and discrimination of PLHIVs based on actual, perceived, or suspected HIV status, while guaranteeing PLHIVs fair employment and livelihood, protection and confidentiality, and peer-led counseling, support, and case management.<sup>9</sup>

It was observed that there is an increasing number of HIV cases diagnosed among people between 15 to 24 years old. With the passage of the new law, individuals 15 to 18 years of age can voluntarily subject themselves to HIV testing without the need of consent from their parent/s or guardian.<sup>10</sup>

In February 2019, there were 1,013 newly confirmed HIV-positive individuals reported to the HIV/AIDS and ART Registry in the Philippines (HARP). Ninety-six percent of 968 of the newly diagnosed PLHIV were male with median age of 28 years old (age range: 2-66 years old). More than half of the cases (53%) or 532 PLHIV were 25-34 years old and 297 (29%) of PLHIV were 15-24 years old at the time of testing.<sup>11</sup>

Sexual contact remained as the predominant mode of transmission (98% or 988 cases). Among the newly diagnosed, 60% (603 cases) reported transmission through male to male sex, 24% (243 cases) through sex with both males and females, and 14% (142) cases were through male to female sex. Other modes of transmission were sharing of infected needles which constitute 1% (11 cases) and mother-to-child transmission which is less than 1% (2 cases). There were 12 case that had no data on mode of transmission.

<sup>8</sup> Republic Act No. 11166

<sup>9</sup> PCHRD, above n 1.

<sup>10</sup> *Ibid.*

<sup>11</sup> [https://aidsdatahub.org/sites/default/files/publication/EB\\_HARP\\_February\\_AIDSreg2019.pdf](https://aidsdatahub.org/sites/default/files/publication/EB_HARP_February_AIDSreg2019.pdf)



The Research Epidemiology Surveillance and Disaster Response Unit (RESDRU) of DOH 10 provides the update of HIV/AIDS particularly in Region 10. For the year 2018, there are a total of 50,357 reported cases of HIV/AIDS nationwide (48,040 males and 2,317 females), 5,933 of which have advance infection, and 2,645 reported deaths. For 2018, there is an increase of 32 HIV/AIDS cases being reported per day.

As of February 2019, Region 10 is in 10<sup>th</sup> place in terms of newly diagnosed cases from 6<sup>th</sup> place as of December 2018 which has a 334 reported cases from January to December of 2018. From January to February 2019, there were 45 newly reported cases in Region 10. From 1984 up to February 2019, there were 1,368 cumulated HIV/AIDS cases in the region.

#### HIV/AIDS Cases in Region X per Provinces as of February 2019,<sup>12</sup>

| Province           | February 2019 | Jan-Feb 2019 | 1984-Present |
|--------------------|---------------|--------------|--------------|
| Bukidnon           | 6             | 8            | 229          |
| Camiguin           | 1             | 1            | 26           |
| Lanao del Norte    | 2             | 8            | 218          |
| Misamis Occidental | 8             | 20           | 770          |
| Misamis Oriental   | 3             | 8            | 125          |
| Total              | 20            | 45           | 1,368        |

HIV/AIDS is prevalent amount age group 25-33 followed by age group 15-24 in the region which comprised of 168 and 119 cases respectively in the year 2018. The prevailing mode of transmission remains to be males having sex with males only (MSM) which comprised 213 cases in the last year. Most of the persons living with HIV (PLHIV) are males with 334 cases while only 10 female PLHIV were reported last year. For 2018, there were 9 reported HIV/AIDS deaths in the region. As of February 2019, the following are the updates:

<sup>12</sup> Based on the EB HIV/AIDS Art Registry of the Philippines



HIV/AIDS Cases in Region-X per Mode of Transmission as of February 2019<sup>13</sup>

| Mode of Transmission                    | February 2019 | Jan-Feb 2019 | 1984-Present |
|---|---------------|--------------|--------------|
| Male-female sex                         | 1             | 4            | 188          |
| Males having sex with males and females | 10            | 13           | 426          |
| Males having sex with males only        | 9             | 28           | 744          |
| Mother and child transmission           | 0             | 0            | 4            |
| Unknown                                 | 0             | 0            | 6            |
| <b>Total</b>                            | <b>20</b>     | <b>45</b>    | <b>1,368</b> |

The DOH 10 adheres with RESTEA (Reach, Screen and offer testing right away, Test, Enroll to link-to-care, and Adhere with anti-retro viral drug) in the fast tracking of HIV control by 2030. The RAAT also emphasized the TB-HIV 101 in the workplace which is under the supervision of the Department of Labor and Employment (DOLE).

During the 1<sup>st</sup> Quarter Meeting of 2019, there was a question raised on how to integrate the PPA in relation to HIV. It was answered by the Northern Mindanao Medical Center, thru Dr. Leslie Christine Magsayo-Salon, that they get integrated their HIV PPAs, such as TB-HIV orientations, in their Gender and Development (GAD) budget proposal for the previous year.

Action Plan:

1. Monitoring of HIV/AIDS in per Province and Agencies
2. Include the HIV/AIDS Agenda as one of the policy indicator in the Seal of Good Local Governance
3. Linking the PLHIV with the health service providers.

**2.3 Situation Report on Persons with Diverse SOGIE<sup>14</sup>**

<sup>13</sup> Ibid.

<sup>14</sup> Regional Situation Report on Persons with Diversed SOGIE, Atty. Kristine T. Gaudiel, dtd June 28, 2019.

As a celebration of the International Day Against Homophobia, Transphobia and Biphobia (IDAHOT), the CHR X conducted a capacity building on SOGIE and IDAHOT with civil society organizations (CSOs) who caters to LGBTI issues and service providers on May 29, 2019. The participants were given an overview on IDAHOT and an orientation on SOGIESC. Afterwards, members from the LGBTI community shared their experiences as persons who belong to non-binary gender role. They shared that they experienced being discriminated especially from their family and in the community.

Those who shared were persons with intersectionality. There is a transwoman who is also a person living with HIV (PLHIV). She shared her experiences towards her transitioning to become a woman and the discrimination she experienced from her relatives who do not want her to wear women clothes. She also has difficulty in entering public washrooms that has label for men or women only. As of the moment, she accepted and embraced her own gender identity despite what others say about her as long as she is happy.

Another sharer is a gay who came from a broken family and who experience incessant discriminated growing up as gay. He came from a family where his father is a policeman and a strict head of the family. He is also a PLHIV. He experienced being raped and molested as a young boy. At an early age he played the gender role of a feminine. His family, especially his father, has not accepted who he is up until now.

A gay who is also deaf-mute shared his experience that he knew he is a gay even when he is still a child. He was assisted by a sign language interpreter provided by CHR X in sharing his experience. His mother has accepted him and supported him. However, his father who is works in the military could not accept him as a gay. When his mother died when he was young, he lost the only person who accepted and supported hum, His father would always reprimand him. Eventually, he decided to live separately from his father. Currently, he lives independently and works in a fast food chain.

A lesbian also shared her experiences growing up as a lesbian. When she was young she prefers doing masculine gender roles such as playing basketball and wearing men's shorts under her

uniform. Same with others, she was discriminated by her family. There were times that she felt out of place during family gatherings as she didn't know where to place herself. She also faced discrimination in school while she was studying as she was being bullied and got into fights simply for being a lesbian. It even came to a point that she attempted to commit suicide due to emotional depression. But she got through this. She realized that she had to prove to herself and her family that she is a person of worth regardless of her SOGIE by focusing on her education and career. As to date, she has finally been accepted by her family and works in a school as dean of the college of criminology.

Another gay sharer talked about his different struggles. Unlike the previous sharers, his family was tolerant of him being a gay and the level of oppression against his gender was very low. However, he experienced being discriminated in school when he wasn't allowed to join activities that were designed for male participants because he was a gay. When the topic was about homosexuality, his classmates would look at him and it bothered him.

Another gay at the same time an indigenous people (IP) youth shared his struggles. His father was a soldier. He shared that he was once being called a virus by someone from an agency because that person believed that gays are virus. Despite being discriminated by the society, he strived to do better in school.

To sum up the above stories, stigma and discrimination are the primary issues that the LGBTIQ persons face in their daily lives. There is discrimination in the family pertaining to property rights especially for those same-sex couples who established a common property. There is also an issue among same-sex couples when their partner dies ahead and the living partner claims for benefits under existing social security system in the private and public. Same-sex couples who both wish to adopt children as their own has difficulty in the process of adoption. Discrimination likewise exists in the workplace when the job vacancy only requires male and female applicants. The educational system thru school regulations also discriminates the LGBTIQ persons when it prescribes school uniform and hair cut which restricts the transgender persons. They also seek for

inclusive facilities such as comfort rooms for the non-binary gender role persons.

Out of the issues and challenges that were brought up, the CSOs together with the service providers come up with the following recommendations:

1. Approval of SOGIE bill and/or SOGIE ordinance in the local level;
2. Recognition of civil union;
3. Establishment of forums on SOGIESC as well as intensify campaign on LGBTIQ awareness;
4. Mandatory orientations and lectures to frontline services especially in handling customers and clients; and
5. Creation of a separate comfort rooms and dressing rooms for members of the LGBTIQ in public establishments.

#### ***2.4 Situation of IDP Women, Elderly and Children***

As per IDP Monitoring and/or Visits conducted in the area affected more than years have passed, it was observed that 'there is no programs or specialization of vulnerable sectors like; Person with Special needs (PWSN), Women and Children and Elderly (Elderly Women) that even from the start of the height of the siege this group of people are in a vulnerable situation, the Elderly Women has no particular space during displacement for safety and to accompany with. During relief distribution and assistance for the IDPs, there is no designated places, area/s for them as we observed in different ECs, Transitory shelter for their safety, to identify their needs which is separate from the family member/s, the protection for Elderly Women. From the start of the siege, during emergency responses and delivery of service providers from local, national and international NGOs, still there is no rendered delivery services for Elderly Women's in the context of emergency and Conflict Situation.

Issues and Concerns:

- 1) No designated places for elderly women on emergencies;
- 2) Intended basic social services for elderly women;
- 3) Identification of safe places for elderly women; and,
- 4) Service providers to accommodate elderly women.

### **3. INTER-AGENCY COLLABORATIONS AND PARTNERSHIPS**

The Region is a pro-active member of the different inter-agency partnership, in the City and in the Region. This year, the Regional Focal Persons both in the sectoral and thematic concerns have made significant contributions towards gender mainstreaming. Thus, here are some of the highlights in our engagement with the partners.

The Regional Focal Persons on Children, Women, LGBT, IDPs, IPs and other Thematic Concerns are actively engaged in both monitoring and legal assistance to women, children and intersecting gender conditions, and here some of the highlights;

**a. On RIT-RPRH-X**

Consistent with our mandate to monitor the implementation of the Reproductive Health Law is our active membership in the Regional Implementation Team of RPRH-X. This quarter we suggested with the team to provide disaggregated data (Women, IPs and/or PWDs) provided with services on Reproductive Health. It was duly approved during the minutes of the meeting and shall be carried out in the next reporting.

The team will also create the Purple Ribbon Committee members because this year there will be awarding of the Purple Ribbon 2019.

**b. On RAAT-X**

The Commission on Human Rights X (CHR X) is an active member of the Regional AIDS Assistance Team (RAAT). The RAAT is composed of different government agencies, civil society organizations working on HIV and health service providers in Region 10. It regularly meets every quarter to discuss the issues, developments, projects, programs, and activities (PPA) in relation to HIV particularly in Region 10.

**c. On RIACAT-CP-VAWC**

Part of our advocacy is to ensure that issues we received from our clients (VAWC cases) is also brought to the attention of the council. Hence, two (2) of our legal assistance were on 'Dismissal of VAWC complaint' before the court and office of the prosecutor. The decision laid down by said office is that the case is civil in nature i.e., Child Support and not VAWC. The said issue was raised during the 1<sup>st</sup> Quarterly RIACAT Meeting. The solution that was identified is to organize a Community-Based Dialogue, where the RIACAT shall be the secretariat. However, for the time being while no dialogue has been made, Fiscal Ruby Malanog (City Prosecutors Office) suggested that affidavit of witnesses and other supporting documents should be attached to the main complaint even if it is not a requirement. This is for the reason to boost the VAWC complaint.

Several important issues were discussed during the meeting for the special purpose of the WDAT - World Day Against Trafficking- to be held on July 30, 2019. It was agreed that a whole-day activity will be held on the said date at Centrio Mall (Ayala). The activities include, among others, poster-making contest, presentation by sector participants, Spoken Poetry, launching of the Video Infomercial (trafficking), and a local Policy Forum where the Cagayan de Oro Parental Responsibility code will be discussed.

**d. HRAJI (Human Rights and Access to Justice Initiative)**

The CHR-X is a partner/member of the multi-stakeholders group organized by the Social Action Center-Archdiocese of Cagayan de Oro. Its program shall focus on paralegal trainings to church and youth leaders and shall be piloted in Cagayan de Oro City.

**e. HRYAN (Human Rights Youth Action Network)**

This year, we also embarked on a journey with the youth, through the Go-Just Project in partnership with BALAOD Mindanaw, a legal resource NGO based in Cagayan de Oro

City. BALAOD organized a Youth Camp where youth from several parts of Mindanao participated and created a network called Human Rights Youth Action Network.

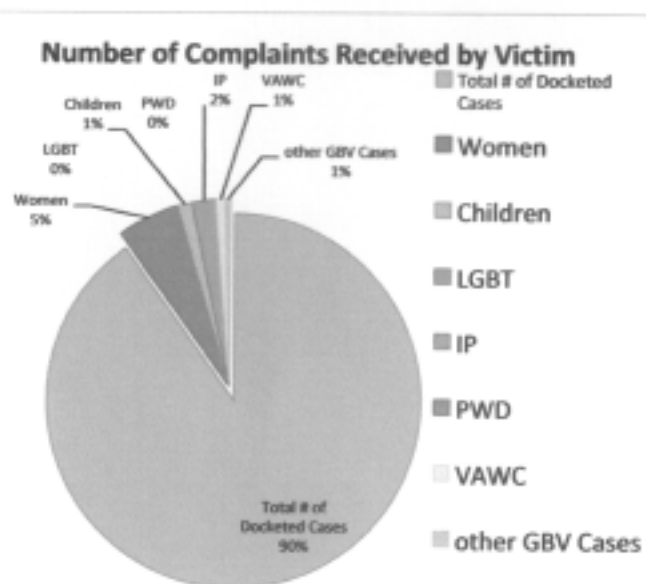
HRYAN is a youth organization that aims to spread awareness, defend and protect human rights and the violations thereof. This organization is composed of different youth sectors i.e In and out of-school youth, young professionals, Indigenous Peoples (IPs), Moro and LGBTQI+ community from different parts of Mind. The group was organized during the recently concluded Mindanaw Youth Camp held at Mapawa Nature Park, with the theme "Building Constituency Among yYoung People as Human Rights Defenders". Youth coming from different Municipalities and Cities shared their personal and community experiences on the current Human Rights situation in Mindanao. Thus, a core group was formed to lead and set out plans and goals that will sustain the group's objectives as well as membership.

The Regional Office is very active in the continued human rights formation and education of the youth through series of pocket sessions on thematic and sectoral concerns. In fact, there will be a Human Rights Caravan that will be conducted where the youth, in partnership and support of BALAOD and CHR-X will reach schools and universities and become active agents of human rights work.

### III. REGULAR PROTECTION PROGRAM

#### 1. Gender-Related Cases (Legal Assistance/Counseling and Referral) – Client Focused

As of June 2019 based on data from manual counting as we cannot generate data from both MAREIS and ICMS yet, the Region through its protection section were able to assist a total of 219 complaints/clients; 13 out of the total clients and/or victims served



*[Handwritten mark]*







|   |   |   |
|---|---|---|
|   |   | the preparation of complaint before the Office of the City Prosecutor.  |
| <i>Legal Counseling</i>                             | <p>Nine (9) legal counseling for:</p> <p>Child Support, and or Dismissal of Child support, VAWC, Discrimination, Rape, Child Abuse Case, Hostage Taking of women and children (as human shield)</p> | <p>Provided legal counseling for clients by providing them with options on what to file, where to file and where to ask assistance (legal/mental) to further strengthen their case.</p> <p>There is one case for legal counseling (but eventually assigned to a lawyer for Clarificatory Hearing), where a husband was the one who file for a complaint against his wife</p>  |
| <i>Referrals to Other Agency</i>                    | <p>Five (5) cases referred</p>  | <p>This pertains to VAWC case already recorded as such with PNP-Gusa, it was properly referred to the following:</p> <ol style="list-style-type: none"> <li>1) CSWD- Psychological Evaluation (for the proper filing of the VAWC case);</li> <li>2) PNP-Gusa (Assistance in the filing of Permanent Protection Order and VAWC case)</li> <li>3) Barangay Gusa- To issue Barangay Protection Order.</li> </ol> <p>One (1) case for Child Support is referred to Barangay Lupon of Calaanan, Cagayan de Oro City and CHR-IX as the father of the child is deployed in Zamboanga City (Member of the Marines, Philippine Army)</p> <p>One referral of a child with the Northern Mindanao Medical Center for the medical assistance of wounds. IP families were settling in their ancestral land where a private person also owns it. The child was accidentally shot during the commotion between the IPs and private armed goons in said locality. And also the provision of financial assistance was granted for the child's medicine.</p> |
| <i>Subscribed Affidavit-Complaints (VAWC Cases)</i> | <p>Five (5) VAWC cases /Child Support Preparation of Complaint Affidavit</p>  | <p>Assisted in the filing of VAWC cases and Child Support.</p>  |
| <i>ADR for Child Support (not for VAWC cases)</i>   | <p>Eight (8) ADR</p>  | <p>The office issued subpoena the respondents for clarificatory hearing and/or dialogues.</p> <p>Preparation and Subscription of Agreement for</p>  |

More  
files  
also



Child Support;

There is also an instance where despite the efforts of the assigned lawyer/investigator handling the ADR for Child Support, parents were not able to settle the support as the father cannot comply with the amount set. Although the father promised that he will work it out with his office re: allotment for child support.

## 2. IDP Protection and Monitoring Function

**As per IDP monitoring and/or visits in the area affected by the Marawi Siege, the local IDP Monitors observed that:**

On the programs and activities conducted mentioned above, there is no programs or specialization of vulnerable sectors like; Person with Special needs (PWSN), Women and Children and Elderly (Elderly Women) that even from the start of the height of the siege this group of people are in a vulnerable situation, the Elderly Women has no particular space during displacement for safety and to accompany with. During relief distribution and assistance for the IDPs, there are no designated places, area/s for them as we observed in different ECs, Transitory shelter for their safety, to identify their needs that are separate from the family member/s, the protection for Elderly Women. From the start of the siege, during emergency responses and delivery of service providers from local, national and international NGOs, still there are services rendered for Elderly Women's in the context of emergency and Conflict Situation.

### **Issues and Concerns:**

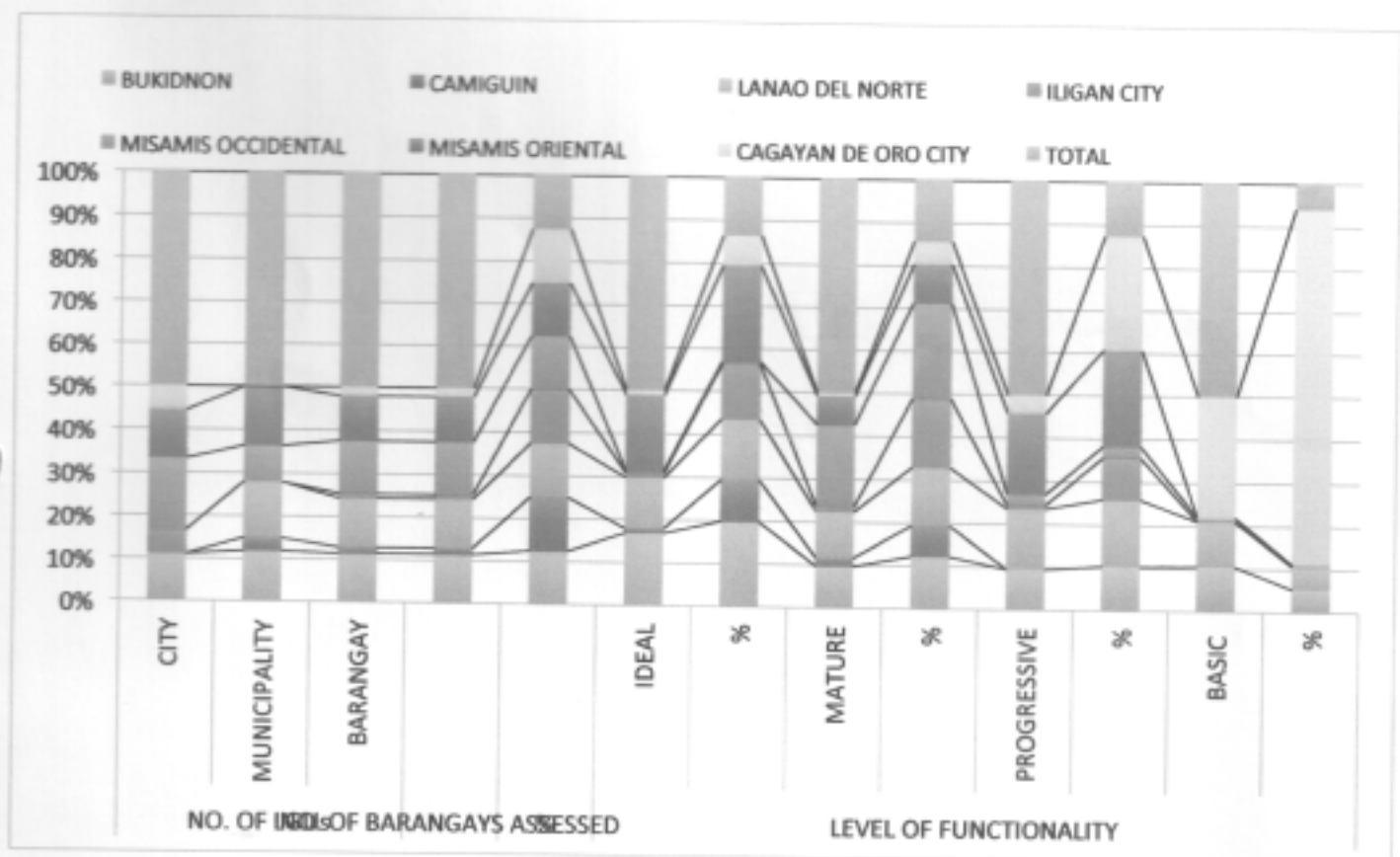
- o No designated places for elderly women on emergencies
- o Intended basic social services for elderly women
- o Identification of safe places for elderly women
- o Service providers to accommodate elderly women

With our IDP protection and monitoring function guided by the collaborative partnership with the Regional Human Rights Commission (RHRC) the Iligan Sub-Office assisted in the drafting and preparation of Affidavit-Complaint of victims/complaint who were survivors of the Marawi Siege (taken as hostage and/or human shield by members of the Maute Group).

During the Marawi Siege in 2017, around 200 civilians, mostly Christians were taken as hostages and made into a human shield by the ISIS inspired group known as 'Maute Group'. Forty (40%) of the hostages are women, children and elderly. Accordingly, the women were then forced to convert to Islam, then those who are single or unmarried were forced to marry the Isis inspired men. During the encounters the ISIS inspired fighters would place the hostages forward and at their flanks and order them to shout 'Wag Kayo Magpapaputok Sibilyan Kami'. The women were forced to wear black dresses of a Muslim to confuse the soldiers several women and children got shot in the process and one of them a pregnant mother delivering her baby in the middle of the firefight amidst teargas, bomb and machine guns.

#### IV. MONITORING FUNCTION AS GENDER OMBUD

##### e.1 Functionality of VAW Desk (Region X)



This is a graph showing the level of functionality of VAW DESK in REGION 10.

The above graph was taken from the data provided by the DILG-X as they are tasked to monitor the level of functionality of from the barangay up to the provincial level.

Based on the 2018 VAW Desk Functionality Consolidated Report gathered from the Department of Interior and Local Government (DILG)-10 in terms of the level of functionality, of the eighty barangays (80) in the City of Cagayan de Oro, ten (10) are considered Ideal, eighteen (18) are Matured, twenty (20) barangays are Progressive, and thirty two (32) barangays are still on the Basic Level. This is just an example that there is still a lot to be done especially in the far flung barangays like for example in Bukidnon or in Lanao del Norte and the like. Massive education and information should be implemented in these areas where access to services are less as compared to developed Cities and/or Municipalities.

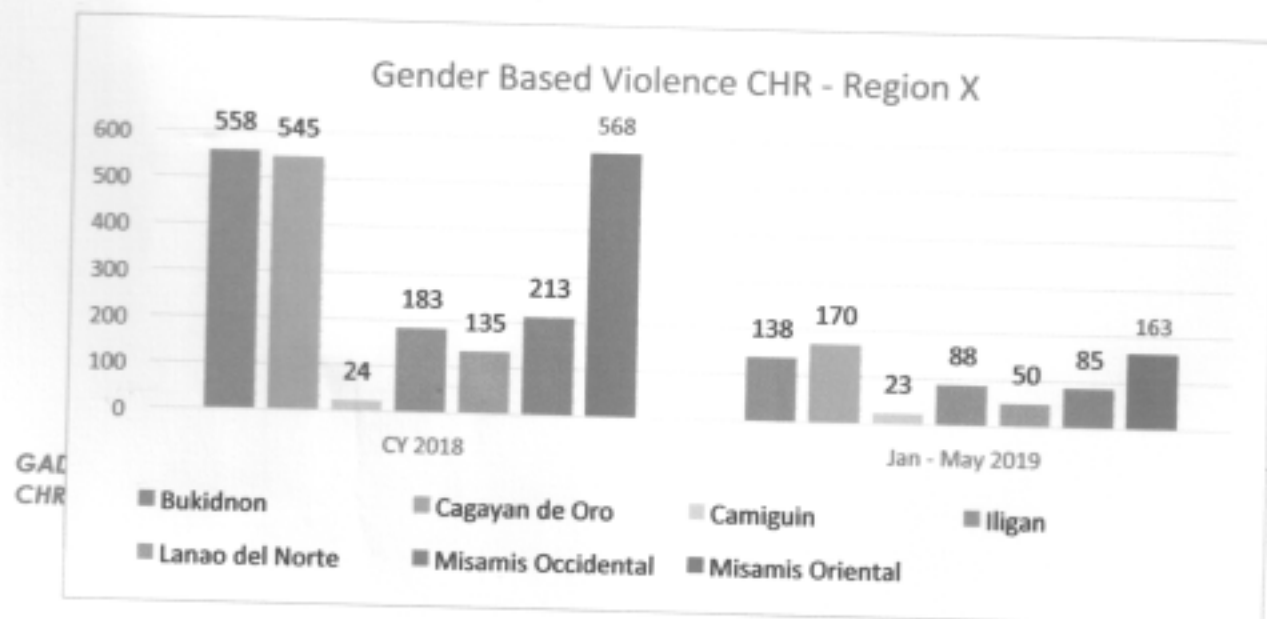
We have submitted a proposal to conduct the awarding of ten (10) most Performing and Functional Barangay VAW Desk in the City of Cagayan de Oro with the office of Comm. Karen Gomez-Dumpit as focal for Women.

**e.2 Provincial /City and Municipal Implementation Teams for the RPRH Law**

As of March 2019 per report gathered from the Population Commission-X, there are about eighty (80) Provincial/City/Municipal Implementation teams created through the executive orders issued by the Governors and/or City/Municipal Mayors. These LGUs were oriented on RPRH law, EO 12, DOH AO 2017-0005, DILG MC 2017-85.

Further, there are about 310 staff trained on Gender-Responsive Population Strategies from the Eighty (80) LGUs. These include the GAD Focal Person, Budget Officer, Population Officer, and Local Government Operations Officer.

**e.3. Gender-Based Violence Data gathered from the PNP-Women and Children's Desk- X (which is under the Regional Investigation and Detective Management Division)**



2

The above graph showed a Comparative GBV Data in the year 2018 and the January-May 2019 .

As shown, Misamis Oriental got the highest range of reported GBV in 2018, with Bukidnon garnering the second slot, and Cagayan de Oro City the third rank. However in 2019 it can be seen that Cagayan de Oro City got the highest rank with Misamis Oriental as second. The table does not show the reason why there are more recorded GBV cases in the Urban Cities as compared to rural areas. Thus, part of the strategy of this region, is to conduct strategic GBV referral mechanism in one urban city and rural areas as pilot area to understand the situation and thus provide inputs in the furtherance of services to women and children in the community. And in this case, the GBV referral mechanism shall be conducted in Cagayan de Oro City and one Municipality on Bukidnon Province.

-End of report-

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