

COMMISSION ON HUMAN RIGHTS
GENDER AND DEVELOPMENT SITUATION REPORT
CHR-X
July-December 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. This report shall consist of program implementation and/or activities for the month of July-September 2019. Hence, this report.

II. REGULAR PROMOTION PROGRAM

CLIENT-FOCUSED PROGRAMS

1. Gender-Related PAPs

This second semester CHR-X in line with the strategic role of the CHR as Gender Ombud and more importantly institutionalizing Gender and Development in the conduct of Promotion and Protection Program and Policy Related Program, has implemented various plans, programs and activities across the region. 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 /or Agencies, Civil Society Organizations (CSOs) from in and outside the Region, to wit;

PROGRAMS AND PROJECTS	ACTIVITIES	BRIEF BACKGROUND
Promotion and Policy Services		
1. Awareness Raising	Kabataan Karapatan Caravan at the Cagayan de Oro City National High School.	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.
	Kabataan Karapatan Caravan with Philippine Island Kids Foundation Inc., (PIKIFI) community children	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. However, the activity was more of interactive, play and art workshop where children can express their feelings.
	GAD awareness and Anti-VAWC campaign Series of Lecture on GAD and gender-related laws	Participants are government employees, the security sector as well as the Civil Society Organizations. Emphasizing among others the role of CHR as Gender Ombud under RA 9710.
2. Inter-Agency	Official Representative the quarterly meetings on Regional Implementing Team-Responsible Parenthood and Reproductive Health Rights-X (RPRH-X)	This is a regional body task to monitor the full implementation of the RPRH law. Line Agencies, Government Agencies, CSOs The Highlight of this years engagement with the RIT on RPRH is the evaluation and

PROGRAMS AND PROJECTS	ACTIVITIES	BRIEF BACKGROUND
		awarding of the 2019 Purple Ribbon. Part of the representative's task is to be part of the evaluator of the Purple Ribbon Awarding where MHO's from all over the region in achieving Zero Unmet Needs under RPRH laws.
	RIACAT CP-VAWC, CIACAT RIT-RPRH, RGADC-X, RAAT-X, GA-10, RCC, CIAC-Cagayan de Oro City	These are quarterly meetings attended to by Focal Persons on women, gender, children, LGBT and/or PLHIV.
	Regional Stakeholder's Meeting (For the harmonized programs and plans for the ENDDVAW campaign, Regional GBV Referral Mechanism Summit and the National Human Rights Consciousness Week)	<p>Targeted government agencies for the Inter-Agency meeting were present. Agenda achieved for a consolidated month-long activities.</p> <p>Government Agencies (AFP, 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> <p>CSOs: BALAOD Mindanaw, OYDO, HRAJI, SAC-ACDO, HRYAN, PILIPINA, PIKIFI, Balay Mindanaw, XU-ALS, LILAC and other CSOs</p> <p>The RSM provided an avenue to come up with a harmonized and consolidated activities for the ENDDVAW celebration as well as the National Human Rights Consciousness Week. NGAs and CSOs were present to be involved in the activities.</p>
	Office Representative for the City Council for the Protection of Children (CCPC)- Quarterly	Priority Child issues discussed (with Government Agencies and CSOs)

PROGRAMS AND PROJECTS	ACTIVITIES	BRIEF BACKGROUND
	Meeting	
	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	Discussed priority Issues and Programs for the HIV-AIDS awareness and protection. Update on HIV/AIDS PPAs by different agencies and provide recommendations and/or solutions to pressing issues on HIV/AIDS intervention.
	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 Regional Inter-Agency Council Against Trafficking (RIACAT-X)- Quarterly Meeting	Discussed Priority Issues and 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	SOGIE Training for Frontline Officers: -Separately with DOLE 10 and Bureau of Treasury	The objective of the SOGIE orientation is to capacitate the DOLE 10 and Bureau of Treasury frontline officers of what SOGIE is, in order for them to be more gender sensitive in their dealings with clients who have diverse SOGIE.
	Lecture Series on HR, GAD and	The activity is aimed at

PROGRAMS AND PROJECTS	ACTIVITIES	BRIEF BACKGROUND
	MRP (12 Special Action Company Headquarters, 1 st SAF Batallion, Sitio Fatima, Iliga City,	providing inputs for police officers who had been in the service for 9-12 years in service, a different approach was utilized other than the usual lecture method.
	Training Seminar on HR and Special Laws on the Protection of Women and Children.	<p>Discussion and input on VAWC law, Acts constituting VAWC remedies and Protection Order, Reliefs Granted, Who and Where to File VAWC Cases, Procedure in filing a criminal case.</p> <p>A training was conducted by the HREPO X that aimed to provide information to specific State Actors: PNP, DSWD, DILG, Barangay on the salient laws on women protection specifically RA 9710 and RA 9262. There was also an inclusion of the Expanded Maternity Law and Safe Spaces Act.</p>
	Lecture (Thematic Discussion) Magna Carta of Women, Anti-VAWC, Safe Spaces Act, RA 9334 (RA 10630),	Information Dissemination to NGAs, CSOs and academe with specific topics: RA 9262, RA 9710 and Safe Spaces Act. In the provision of these topics. An emphasis on the role of CHR as the GENDER OMBUD was given by the resource persons
LEGAL CLINIC CARAVANS		
	Legal Clinic Caravan in the Municipality of Maramag, Bukidnon	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 Municipality.
	Legal Clinic Caravan in the Barangay Camaman-an, Cagayan de Oro City	This is a regular program of CHR 10 every semester. The Office conducted an information drive/awareness to

PROGRAMS AND PROJECTS	ACTIVITIES	BRIEF BACKGROUND
		<p>residents of Barangay Sta. Elena on the Mandate of CHR 10. It also conducted legal aid services to the residents of the said barangay.</p> <p>Input on VAWC and the Juvenile Justice Law for the locals, purok leaders, as well as Barangay Police Action Team (BPAT).</p>
CENTER-BASED ACTIVITIES		
CGEWHR		
	FGD on Gender-Based Violence Referral Mechanism	The activities includes: FGDs on with Partner Government Agencies and CSOs (from CDO City and the Municipality of Maramag, Bukidnon) who are mainly service providers.
	Regional GBV Summit	<p>This is a kick-off activity to the 18-day Campaign to EndVAW which is a simultaneous activity with all the other regional offices.</p> <p>The result of the FGD on Gender-Based Violence Referral Mechanism conducted in two areas within the Region (Cagayan de Oro City and Maramag, Bukidnon) were presented. Recommendations from the invited partners and/or government agencies were taken as part of the documentation.</p>
	<p>FGD with Women in Detention and Capacity Building – Jail Personnel</p> <p>'Quilt-Making Activity and Turn-Over of the Quilt with CDOCJ-FD)</p>	<p>One-day activity with women in detention sharing their stories and lived experiences while in detention.</p> <p>Input on Mandela Rules and Bangkok Rules for the Jail</p>

PROGRAMS AND PROJECTS	ACTIVITIES	BRIEF BACKGROUND
		<p>Personnel.</p> <p>The quilt-making activity provided a safe space for WID to express their intimate thoughts through art.</p>
COMMUNITY-BASED DIALOGUES		
	<p>CBD on United Nations – Convention on the Rights of Persons with Disabilities (UN-CRPD)</p>	<p>Target participants are from the PWD sector (Deaf, Blind and Orthopedic) also government service providers, hotel association in the City as well as representatives from the Civil Society Organizations.</p> <p>The objective of the dialogue is to craft a policy advisory or bulletin on the rights of the PWD to employment as well as all gather recommendations from the most vulnerable sector of the community.</p>
CELEBRATORY EVENTS		
	<p>2019 ENDDVAW CAMPAIGN</p> <p>Organized and Participated in the Kick-Off Activity for 2019 ENDDVAW Campaign</p> <ul style="list-style-type: none"> - Motorcade for NGAs - GBV Summit 	<p>Targeted government agencies attended and participated in the caravan.</p> <p>The GBV Summit was conducted by this office as a kick-off activity of the EndVAW Campaign. During the Summit, issues, findings, recommendations in its recently conducted Focus-Group Discussion (FGD)- GBV Referral Mechanism were presented.</p>
	<p>International Day Against Trafficking</p>	<p>As a culminating day to ENDDVAW and celebration of the International Day Against Trafficking, together with the National Government Agencies and Partners, the CHR-10</p>

PROGRAMS AND PROJECTS	ACTIVITIES	BRIEF BACKGROUND
		spearheaded the event, it started with a mass, and short program where PIA-X facilitated the Kapihan with relevant agencies and launching of Anti-Trafficking Infomercials (PIA and PCW).
	Jail Visit to Female Dorm - Cagayan de Oro City Jail-FD	Monitoring of women PDLs in the City of Cagayan de Oro--
	Wearing of Orange Shirt On All Mondays of November starting Nov. 25- December 12	The office observance of Orange your World every Monday for the month of November until 12 of December
IEC Materials	Production of IEC Materials/Brochures on: <ul style="list-style-type: none"> - Magna Carta of Women - VAWC - CHR as Gender Ombud 	<p>An IEC material was developed and distributed with the enumeration of specific rights accorded to women as provided under RA 9710.</p> <p>An IEC material on the RA 9262 was developed and distributed which provided and enumerated the specific acts prohibited by the law.</p> <p>An IEC material was developed and distributed with information on the role of CHR as GO and how GBV may be reported and acted upon by the Commission.</p>

2. THEMATIC AREA OF CONCERN

2.4 Situation of IDP Women, Elderly and Children

Consistent with the previous report, as per IDP Monitoring and/or Visits conducted in the area affected more than two (2) years have passed, it was observed that 'there are no programs or specialization of vulnerable sectors like; Person with Special needs (PWSN), Women and Children and Elderly (Elderly Women)' that even prior to

Marawi 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 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 no delivery services rendered 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 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, LGBTQIs, 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 GA-10

Currently, the CHR-10 is Vice-President (Internal) and member of the Board of Directors of this Regional Grouping of National Government Agencies advocating for Gender Equality. GA-10 has lined up a series of activities for the 2019 18-Day Campaign to EndVAW. The activities includes but not limited to the following, to wit:

- 1) Radio Hosting;
- 2) Motorcade as kick-off activity;
- 3) Hanging of Streamers;
- 4) Distribution of IEC materials;
- 5) Seminary and/or lecture on VAW;
- 6) GBV Summit; and.,

- 7) Gift-Giving Activity for Newborn Mothers at the Northern Mindanao Medical Center, Cagayan de Oro City.

b. 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 RIT constituted team members to be part of the evaluators and CHR-X one of them, the Purple Ribbon Committee members because this year there will be awarding of the Purple Ribbon 2019.

The Objectives of the Purple Ribbon Awardee Evaluation is to focus on the following;

- 1) To ensure that the fifteen (15) Entries coming from the rural health units (RHUs) all over the region will be evaluated according to the guidelines set by the DOH.
- 2) The entries should comply with the goal 'Zero Unmet Needs' of the DOH in the implementation of the Reproductive Health Law.
- 3) To come up with an initial winner for the awarding ceremony that will be held on October 2019.

During the final screening, Fifteen (15) entries (RHUs) were checked as per documents submitted. The panel of evaluators (DOH, POPCOM, DILG, DSWD, CMSU-IMAP and DEPED) scrutinized the documents submitted and discussed some clarifications regarding the guidelines set by DOH

The panel of evaluators submitted their individual sheets for the DOH to finalized and if possible actual visits with the Top 3 RHUs will be made.

During the awarding Ceremony, The following MHOs were awarded with Cash Incentives;

- 1st Prize - Tagoloan MHO
- 2nd Prize - Salay
- 3rd Prize - Maramag

c. *On RAAT-X*

The Regional AIDS Assistance Team (RAAT) regularly conducts a quarterly meeting every year. This time is the 3rd quarter meeting of 2019 held at Pearlmont Hotel, Cagayan de Oro City on July 26 2019.

Objectives of the said meeting are the following:

- 1) Update on the Implementing Rules and Regulations o RA 11166;
- 2) Discuss the upcoming activities of the Infectious Disease Cluster;
- 3) Convention to be held on August 22-23, 2019; and
- 4) Present the 2018 accomplishment of partner agencies (PHO Bukidnon).

Further, the Team discuss on updates and agreements where agencies and partners can work together. In fact, The Implementing Rules and Regulations (IRR) of RA 11188 were presented. The IRR was signed on July 12, 2019. The law creates the Philippine National AIDS Council to which the CHR sits as a member. The PNAC is a multi-sectoral council.

The law emphasized the information, education and communication of HIV/AIDS and its prevention in the school and workplace, whether public or private sector.

For purposes of allocating budget for the implementation of the projects, programs and activities related to HIV/AIDS, the GAD fund can be utilized for this purpose.

The use of prophylaxis is not a basis for raids under the new law.

The CHR is tasks to work on the prevention of HIV/AIDS in prisons and other closed-setting institutions.

One participant from NORMAA raised the news pertaining to the COA report of the DOH wherein medicines worth millions were expired or due to expire. He expressed his dismay that the medicine were not used by the recipients as it were already expired. The Anti-retro viral (ARV) is one of the medicines mentioned.

Furthermore, the Team identified several recommendations to further the campaign in preventing HIV/AIDS, thus:

- 1) When a blood donor is confirmed positive of HIV/AIDS, he/she shall be referred immediately for treatment;
- 2) Tap Department of Education Region X (DepEd-X) directly for HIV orientation in schools. It is also suggested that HIV 101 should be included during in-service training of public school teachers. The DepEd X

school nurses should also be capacitated in dealing PLHIV. If the students as members of the community, the LGBTI resource persons should be tapped; and,

- 3) As to the IEC material to be used for HIV 101, there should be a standard key message.

In one of the quarterly meetings, the salient features of RA11166 was discussed, and it was raised during the said meeting on the sustainability of the treatment and medicines for the PLHIV. That most of the PLHIVs who availed of the lab tests and anti-retroviral treatment are not enrolled in PhilHealth, as they feared of enrolling themselves as it will compromise their identity and/or it will disclose their status (indirectly). Certainly, there exist a gap in some provisions of the law. Thus, it was recommended in this body that RAAT shall issue a resolution addressed to PhilHealth to ensure confidentiality of the status of the PLHIV or to waive confirmatory test for PLHIV wants to enroll.

d. On RIACAT-CP-VAWC

This Office is a permanent member of this body. During the quarterly meetings, updates on the LGUs that has passed the Anti-Trafficking Ordinance and other initiatives were discussed. CHR-X as Vice-Chair of the GA-10 ensure that member agencies will not only participate but take an active role in the 18-Day campaign to EndVAW. Further, lined-up activities were announced starting off from the Kick-Off Activity up to the Culminating Program. The Kick-Off activity will be participated by National Government Agencies and other government offices in the City. For the Culminating activity, there will be a one-stop shop (legal, medical and psychological clinic) will be provided on the last day of the 18-Day Campaign.

e. 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. A second round of Paralegal formation was I conducted for the two out of the four Vicariate (within the City of Cagayan) of the Archdiocese of Cagayan de Oro City. There were two sets of PL trainings that was implemented by the team and participated by church lays, leaders and the different ministries of the Archdiocese.

Part of the task of the members of the HRAJI is to assists in the development of training design, conduct of paralegal trainings,

advocacy sessions, possible assistance and referral in filing of human rights violations cases.

f. HRYAN (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 Young People as Human Rights Defenders". This second semester, the HRYAN volunteers have been a constant partner in our series of Human Rights Activities and Campaigns on women and children. Their participation and assistance during the EndVAW campaign as well as the National Human Rights Consciousness Week provided not only exposure for these young leaders to human rights work but they also serves as force multipliers.

The Regional Office is very active in the continued human rights formation and education of the youth through partnership and engagements with HRYAN, where it organized a Human Rights Caravan together with the Central Student Government of PHINMA-Cagayan de Oro City College (PHINMA-COC) BALAOD and CHR-X. College Students from the Cagayan de Oro City College- City Scholars, Teachers of Social Science Department and representatives from Xavier University, University of Science and Technology of Southern Philippines (USTP) actively participated in the discussion on: Human rights and the state of Human Rights in Mindanao, Access to Justice and the Rule of Law vis-à-vis EJK and the Conflict and Peace Situation in Mindanao, the Cotabato Experience. Since this is the first of its kind, the output of this forum shall be replicated in some universities in the Region as well as some universities in Mindanao. This collaboration is seen as a measure of developing the capacities of the youth as force multipliers.

g. TECHNICAL WORKING GROUP – Cagayan de Oro City Diversity and Equality Ordinance (CDEO)

The Oro Youth Development Office (OYDO) organized a meeting of all relevant stakeholders to initiate the discussion and/or Consultation on the possible drafting of the anti-discrimination ordinance for the City. And true enough, it was made possible after a series of discussions with the relevant

sectors and vulnerable communities. A technical working group was created to focus and eventually come up with a draft ordinance. CHR-X is part of the TWG that will help draft the ADO as well as provide insights in line with our mandate as Gender Ombud and as NHRI as well as the independent body monitoring the government compliance on treaty obligations.

One of the highlights of the DEO is the creation of the referral pathway or mechanism from the barangay up to DEO.

As part of the TWG our offices provided some inputs and suggestions in the draft ordinance and are greatly considered and form part of the draft ordinance. The draft now includes as part of the provisions the following as suggested:

- 1) For the DEO Commission to issue policy advisory, recommendation and/or resolution. (Which is not present in all other existing anti-discrimination ordinances);
- 2) As such resolution shall form part in the interpretative aid of this ordinance; and,
- 3) In the Whereas Clauses, the obligation of the duty-bearers provision is also suggested and is already added as well as the Safe Spaces Act provision on the role of the Local government to enact local legislation in support of the new law.

The final version of the draft is now awaiting submission with the City Council of Cagayan de Oro City. Public hearing will be conducted on 1st Week of February.

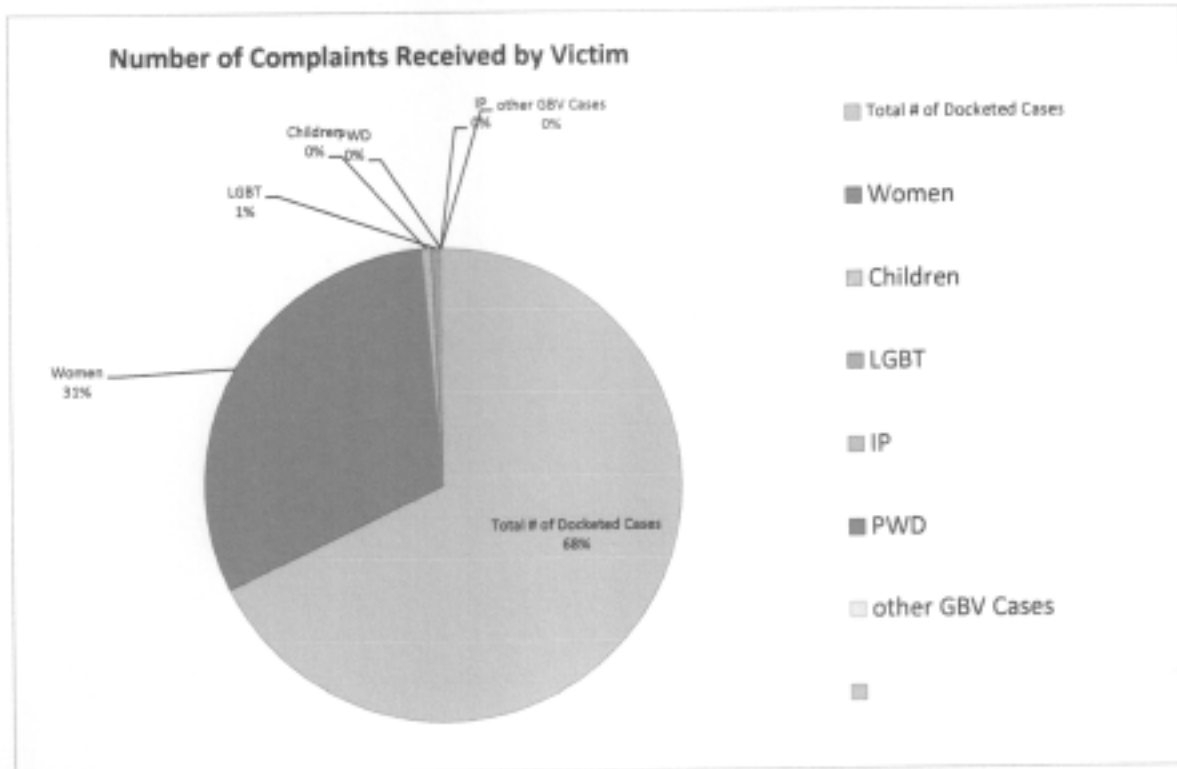
CHR-X active participation in the TWG will also set the tone of the lens that is required to every member of the TWG in crafting the ordinance.

Further, CHR-X will help in creating spaces for discussions and/or dialogues with the community and thus, provide narratives of lived experiences of the most marginalized communities in Cagayan de Oro.

III. REGULAR PROTECTION PROGRAM

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

As of July 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 two hundred nine (211) complaints/clients; ninety five (95) that is 31% out of the total clients and/or victims served are women, two (2) children, two (2) LGBTQI and the rest are men bearing the highest number of clients served that is 68% of the total number of clients served for the second semester. For PWD clients we cannot generate data.



TYPES OF LEGAL ASSISTANCE AND DOCUMENTATION/ PROTECTION SERVICES RENDERED	# OF ASSISTANCE RENDERED	BRIEF BACKGROUND/ DETAILS
<i>Legal Assistance</i>	Ninety-Nine (99) Legal Assistance	Provided assistance in the filing of cases for women and children clients (for RA 9262, Child Abuse, Child Support and other violations)
<i>Drafting of Legal Documents</i>	2 Subpoenas	Issued subpoenas to the respondents directing them to appear before this Office for a Clarificatory Hearing.
	3 Affidavit-Complaint	Assisted in both execution and subscription of an Affidavit -Complaint for VAWC and filed with

TYPES OF LEGAL ASSISTANCE AND DOCUMENTATION/ PROTECTION SERVICES RENDERED	# OF ASSISTANCE RENDERED	BRIEF BACKGROUND/ DETAILS
		<p>The office issued subpoena the respondents for clarificatory hearing and/or dialogues.</p> <p>Preparation and Subscription of Agreement for Child Support;</p> <p>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.</p>

2. IDP Protection and Monitoring Function

As per IDP monitoring and/or visits in the area affected by the Marawi Seige, 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:

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

Our IDP protection and monitoring function is 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 Seigge (taken as hostage and/or human shield by members of the Maute Group).

During the Marawi Seige 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 elderlies. Accordingly, the women were then forced to convert to Islam, then those who are single or unamarried 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

As per memorandum order from the Gender Equality and Women's Human Rights Center, (GEWHRC), this office has sent out monitoring letters on the compliance of the Magna Carta of Women specifically on the following sections;

a) Section 20 (Women's Right to Health) of the Implementing Rules and Regulations of the Magna Carta of Women, the Office requests information regarding the following:

1. Information on whether or not the LGUs (Province, Cities and or Municipalities) has adopted policies, ordinances and/or resolutions 'Penalizing Traditional Home births within their area of responsibility; and,
2. To provide us a copy of the policies and/or cases where traditional home Birth attendants or Mangunguyamo were penalized in relation to the policy implemented.

b) Section 20 (Women's Right to Health) and section 27 (Right to Education and Training) of the Implementing Rules and Regulations of the Magna Carta of Women, the Office requests information regarding the following:

1. Information on whether or not the educational institutions/ universities imposes mandatory pregnancy testing specially in specific subject courses but not limited to the following, nursing, dentistry and the like;
2. Information on whether or not the school/university has adopted a policy on non-expulsion of faculty and students due to pregnancy as provided under the Magna Carta of Women (RA 9710); and,
3. If there has been a case of dismissal or non-readmission of student or faculty due to pregnancy in their school.

This Office has sent out monitoring letters to eight (8) Major universities and/or schools in Cagayan de Oro City however, only three (3) universities have replied. Attached herein is the letter-reply of said universities, and thus quoted:

xxx

Letter-Reply dtd 23 August 2019¹

no mandatory pregnancy testing has been implemented in any academic program

-no expulsion (Suspension/reprimand) has been imposed to pregnant students. In fact, the OSA approved their request for exemption of wearing school uniform (SY 2018-2019 to 4 students, SY 2019-2020- to 7 Students)

-no case of dismissal or non-readmission of students due to pregnancy.

The School has conducted a survey during the schools enrolment where the students were asked to respond to a google form (disaggregated data) whether they are member of the LGBTQI+ as well as data on single parents, and whether LGBTQI+ experienced any form of discrimination.

They also launched a #SoWHATCampaign promoting diversity and equality among students.

xxx

As per letter-reply dtd 4 September 2019 (through email)²

For Students:

The School adopted a policy of non-expulsion of student to pregnancy incorporated in the schools student manual.

For Staff:

Our employees shall not and will not be dismissed based solely on pregnancy and without due process.

No record of an employee or student dismissed or not readmitted due to pregnancy.

xxx

¹ Letter Reply dtd.23 August 2019, *University Of Science and Technology In The Southern Philippines.*

² Letter-Reply dtd. 4 September 2019, *Liceo De Cagayan University.*

As per letter-reply dtd 29 August 2019 (through email)³

Contained in their letter are the following:

- XU does not imposed mandatory pregnancy testing. As published in their 2019 Student Handbook, requirements for admission for new students and transferees do not include such (Chapter 2, I, A,B, pages 98-99);
- 2019 Student handbook 'the Magna Carta for Students Rights and Responsibilities as published in the 2019 (Article III, Section 1, page 143);
- University does not and has never imposed dismissal or non-readmission to students during the academic year consistent with the provision of the Magna Carta of Students. Pregnant students are allowed to continue their studies and are given uniform exemption privilege upon request.

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With respect to schools, there are no reported incidents of dismissal or non-readmission to students and/or teachers as of school year 2019. The school and/or universities who have replied the letter provided us with information that provisions in their Student's Handbook already includes compliance of the provisions of the Magna Carta of Women. USTP in particular has started its disaggregated data on the population of LGBTQI who might have experienced gender discrimination.

We also, sent out monitoring letters to the five (5) Provinces and Cities in the Region addressed through their Sangguniang Panglalawigan/Bayan respectively. Out of the five (5) Provinces, four (4) replied and out of the nine (9) Cities, only four (4) has vigorously replied to our query. Nevertheless, even without the submissions from other Cities, we were still able to gather documents from the Sangguniang Panlalawigan. Below are data in table form containing updates gathered from the LGU concerned.

INSTITUTION/OFFICE	ADDRESS	GAD OMBUD SLIP #	STATUS
PROVINCES			
MISAMIS ORIENTAL			
Office of the Sangguniang Panlalawigan Misamis Oriental	Misamis Oriental Provincial Capitol, Don Apolinar Velez Street, Cagayan de Oro City	2019-0010	Reply letter dtd 23 August 2019 Has submitted the list of SP Ordinances and/or Resolutions pertaining to Gender and Development Code of Province of Misamis Oriental. 1) SP Resolution No. 344-2014 Declaring valid Ordinance No. 2, Series of 2013 of the Mun. of

³ Letter-Reply dtd. 29 August 2019, Xavier University-Ateneo De Cagayan University.

INSTITUTION/OFFICE	ADDRESS	GAD OMBUD SLIP #	STATUS
PROVINCES			
			<p>Manticao, Misamis Oriental entitled, ' Ordinance Prohibiting a TBA otherwise known as Manghilot from attending home deliveries and penalizing violators thereof.</p> <p>2) SP Resolution No. 33-2016 Declaring Valid Ordinance No. 5-2015 entitled, 'An Ordinance Prohibiting Home Birth in the Municipality of Magsaysay, Misamis Oriental, Prohibiting TBA to deliver Babies, Requiring all Professional Health Practitioners to deliver babies only in health facilities, and providing penalty for violation thereof.</p> <p>3) SP Resolution No. 285-2017 Declaring Valid the Ordinance no. 855-2017 entitled, Ordinance Prohibiting Home Deliveries in the Municipality of Medina, Misamis Oriental.</p> <p>4) SP Resolution No. 45-2018 Declaring Valid Ordinance No. 305-2017 entitled, Ordinance Prohibiting TBAs locally known as Hilot to handle or facilitate Birth Deliveries in the Municipality of Claveria, Misamis Oriental.</p> <p>SP Resolution NO. 133-2018 declaring Valid Ordinance No. 443 S, 2017 entitled, Ordinance Prohibiting Childbirth Home Deliveries in the Municipality of Sugbongcogon, Misamis Oriental.</p>
Office of the Sangguniang Panlalawigan Misamis Occidental	Capitol Dr., Oroquieta City, Misamis Occidental	2019-0011	<p>Letter-reply dtd 03/Sep/19 -6 ordinances from different LGUs and/or Resolutions implementing the Women's Right to Health, specifically on Home-Birthing.</p> <p>These ordinances deal with prohibition and penalizing violators but some legislative measures were likewise passed for the establishment of a Birthing Clinic and encouraged Expectant parents to deliver only at Accredited Birthing Clinic in their respective locality.</p> <p>SP Resolution # 278-14 (Approving</p>

INSTITUTION/OFFICE	ADDRESS	GAD OMBUD SLIP #	STATUS
PROVINCES			
			<p>Municipal Ordinance no. 10-2014 of the SB of Plaridel). An Ordinance Prohibiting Home Births in the Municipality of Plaridel, Prohibiting Traditional Birth Attendants to deliver babies and requiring all professional health practitioners to deliver babies only in health facilities and providing penalties for violation thereof.</p> <p>Section 7: Grant of Incentives to TBA for every patient referred to the Municipal Lying-in Clinic.</p> <p>Section 8 Penalty Clause: Fine of Two Thousand Pesos to TBA; Two Thousand Pesos for pregnant mothers and husbands including solo mothers; two thousand for midwives and administrative sanctions.</p> <p>Section 9: Exemption: Child Deliveries outside health facilities allowed (emergency situations where both lives of the mother and the infants are in danger, natural calamities or fortuitous events, transferring pregnant women from mountainous villages or far-flung areas is difficult, especially when she is in labor ; when transportation is unavailable or the baby could be delivered in transit)</p> <p>2) SP resolution approving the Municipal Ordinance No. 04-2017 of the SB of BALIANGAO, An Ordinance Promoting the Health Facility Delivery in the Mun. of Baliangao , Prohibiting TBA and all Health Professionals to deliver babies at home, imposing penalties for violation , provide funds thereof and other purposes'.</p> <p>Section 5: Regulatory Clause 'All TBA are strictly prohibited to perform home child deliveries. They are encouraged to facilitate the referral and assist in bringing the Pregnant women to the nearest health facilities capable of handling deliveries.</p> <p>Section 7: persons liable</p>

INSTITUTION/OFFICE	ADDRESS	GAD OMBUD SLIP #	STATUS
PROVINCES			
			<p>Section 8: Exemptions</p> <p>3) Municipal Ordinance No. 3-11, Municipality of Tudela, 'An ordinance prohibiting Trained Birth Attendants from assisting/attending to pregnant women who will give birth at their homes except those who will assist/attend to pregnant women who will give birth in Barangay Gala and Namut due to Distance.</p>
Office of the Sangguniang Panlalawigan Camiguin Province	Provincial Capitol of Camiguin Capitol Building Mambajao, Camiguin	2019-0012	Only mentioned that the SP have adopted resolutions/ordinances approving municipal ordinances prohibiting traditional birth attendants within their jurisdictions. (For follow-up on copies of ordinances.)
Office of the Sangguniang Panlalawigan Lanao del Norte	Provincial Capitol of Lanao del Norte Linamon - Zamboanga Rd, Tubod, Lanao del Norte	2019-0013	No reply- for follow-up.
Office of the Sangguniang Panlalawigan-Bukidnon	Provincial Capitol of Bukidnon San Victores St, Malaybalay City, Bukidnon	2019-0014	<p>Letter-reply dtd 17 Sept 2019</p> <p>1) Ordinance No. 2019-108R (13th SP), 128th Regular Session) –</p> <p><i>TITLE: An Act Amending the 2012-065R (11th SP) Entitled ' An Ordinance Establishing Safe Motherhood Policy and Providing Framework and Implementations and for other Purposes.</i></p> <p>TBA pursuant to section 8 of the Provincial Ordinance numbered 2004-01R as amended, shall have limited practice and participation in attending deliveries as they are only allowed to assist the activities of the Team.</p> <p>Section 5: Penal Provision for any health officer/any member of the team allowing TBA to perform deliveries without his/her supervision.</p> <p>- TBA who assisted home delivery shall pay a fine of one thousand pesos.</p>

INSTITUTION/OFFICE	ADDRESS	GAD OMBUD SLIP #	STATUS
PROVINCES			
			<p>- Exception: emergency presents urgent home deliveries</p> <p>2) ORDINANCE NO. 2004-01R (8th SP)-3rd Regular Session</p> <p>'An Ordinance Regulating the practice of trained hilots, their duties and accreditation process in the Province of Bukidnon and Providing Penalty for Violations Thereof.</p>
Office of the Sangguniang Panglungsod -Cagayan de Oro City	City Government of Cagayan de Oro 89 Hayes St, Cagayan de Oro	2019-0015	<p>Letter-reply (dtd 22August 2019)</p> <p>Ordinance no. 12824-2014 ' Safe Motherhood Policy and Regulations and for other purposes'</p> <p>Section 5: Penalties for; - TBA caught in the act of performing deliveries without direct supervision of a skilled birth attendants will be meted with penalties;</p> <p>first offense: fine of 2000php or community service</p> <p>second offense: fine of 5,000 or imprisonment of not less than five days but not more than fifteen days;</p>
Office of the Sangguniang Panglungsod- El Salvador City El Salvador City, Misamis Oriental	City Government of El Salvador, Misamis Oriental	2019-0016	No reply- for follow-up.
Office of the Sangguniang Panglungsod- Gingoog City	City Government of Gingoog, Gingoog City Hall Gingoog City, Misamis Oriental	2019-0017	<p>Letter Reply dtd 29 August. 2019,</p> <p>City Ordinance No. 2012-238: An Ordinance Establishing Policies for Traditional Birth Attendants as Partners in Health Care.</p> <p>Penalties are found in Section 4: (First Offense: 2,000 php fine or one month community service, Second Offense: 3000php to two months community service, Third Offense: 5000php and imprisonment of not less than 6 months and not more than 1 year at the discretion of the court)</p>

INSTITUTION/OFFICE	ADDRESS	GAD OMBUD SLIP #	STATUS
PROVINCES			
Office of the Sangguniang Panglungsod-Malaybalay City	City Government of Malaybalay Malaybalay City Hall Malaybalay City, Bukidnon	2019-0018	No reply- for follow-up.
Office of the Sangguniang Panglungsod-Valencia City	City Government of Valencia Valencia City Hall Valencia City, Bukidnon	2019-0019	No reply- for follow-up.
Office of the Sangguniang Panglungsod-Iligan City	City Government of Iligan Iligan City Hall Iligan City, Lanao del Norte	2019-0020	No reply- for follow-up.
Office of the Sangguniang Panglungsod-Oroquieta City	City Government of Oroquieta Oroquieta City Hall Oroquieta City, Misamis Occidental	2019-0021	<p>Reply-letter dtd 28 August 2019</p> <p>Also Included in the letter reply of SP-MIsamis Occidental dtd 27 September 2019. (email September 3, 2019)</p> <p>SP Resolution No. 321-19 ' Approving the Ordinance no. 697-2017 of the Sangguniang Panglungsod of Oroquieta 'An Ordinance Prohibiting Home Births in Oroquieta City by Disallowing TBA to deliver babies and Requiring all professional health practitioner to deliver only in health facilities and providing penalty for Violation thereof.</p> <p>Section 3: Home births are hereby prohibited to deliver babies within the territorial jurisdiction of Oroquieta City.</p> <p>Section 4: All TBA are hereby prohibited to deliver babies, while all professional practitioners are hereby required to deliver babies only in health facilities in the City.</p> <p>Section 7: Any person found violating any provision of this Ordinance shall suffer a penalty or a fine of Five Thousand Pesos, except on emergency cases when the delivery is abrupt and BHW or health personnel is not available to bring the pregnant</p>

INSTITUTION/OFFICE	ADDRESS	GAD OMBUD SLIP #	STATUS
PROVINCES			
			mother to any health facilities.
Office of the Sangguniang Panglungsod- Ozamis City	City Government of Ozamis Ozamis City Hall Ozamis City, Misamis Occidental	2019-0022	No reply- for follow-up.
Office of the Sangguniang Panglungsod-Tangub City	City Government of Tangub Tangub City Hall Tangub City, Misamis Occidental	2019-0023	<p>Letter –reply dtd 10 September 2019.</p> <p>Also Included in the letter reply of SP- Misamis Occidental dtd 27 September 2019, (email 3 September 2019).</p> <p>SP Resolution approving the City Ordinance of Tangub, 'An Ordinance Institutionalizing Birthing Home of the Health Office of Tangub City.</p> <p>'Section 12- Prohibition : no Trained Hilot (Mananabang), Rural Health Midwives and/or other private Midwives shall answer a call for home deliveries nor shall anyone of them do the cord care in case the baby is delivered at home in some instances. Penalty shall be subjected to disciplinary actions according to rules and regulations issued by the Civil Services Commission or Contract of Employments or services whichever is applicable.</p> <p>Note: As per report from the City Health Officer, Dr. Janice C. Biete, there were encountered incidents in the previous years that the trained hilots were penalized for violating the aforesaid ordinance. (Letter reply: dtd 10 September 2019)</p>

The report only showed that the local government units complied with the requirement of the law that all deliveries should facility-based deliveries and discourage home-births. However, they failed to understand that the law never said impose penalties (fine and/or imprisonment) to Traditional Birth Attendants (TBA) - (Mangunguyamo) or Trained Birth Attendants as the case may be. Further, there are also some local ordinances that provide incentives to those TBA who can refer patients who will give birth to a facility or hospital. Also, it provides exceptional circumstances where TBA can assist in home-birth due to availability and unavailability of ambulance, or the pregnant woman is located in a far –flung areas or when health personnel is not available to bring the pregnant women to a health

facility. Further, the Province of Bukidnon passed a resolution amending the previous resolution penalizing home-births, the amendment provided the following, and thus quoted:

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TBA shall have limited practice and participation in attending deliveries as they are only allowed to assist the activities of the Team

Penal Provision for any health officer/any member of the team allowing TBA to perform deliveries without his/her supervision.

- TBA who assisted home delivery shall pay a fine of one thousand pesos.
- **Exception: emergency presents urgent home deliveries**

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-End of report-

Prepared by:

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Regional GEPS

Noted by:

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Regional Director

ANNEX:

- a) Documentation of GBV Mapping Reports in two LGUs (Cagayan de Oro City and Municipality of Maramag, Bukidnon);
- b) Documentation of GBV Summit; and,
- c) Documentation of Women in Detention (FGDs).