

Philippines EXPAND ALL

The Philippines is ranked 12 out of 86 in the 2012 Social Institutions and Gender Index. The country was ranked 7 out of 102 in the 2009 Social Institutions and Gender Index.

The 2011 Human Development Index (HDI) score for the country is 0.644, placing it in 112th place (out of 187 countries). The Gender Inequality Index score is 0.427. The Philippines' Global Gender Gap Index rating for 2011 is 0.7685, placing it 8th place (out of a total of 135 countries).

DISCRIMINATORY FAMILY CODE: EXPAND

The 1997 Family Code sets the legal age of marriage at 18 years for both men and women.^[1] However, the Muslim Personal Laws permit marriage of girls under the age of 18 as well as allowing arranged marriages. ^[2]

The United Nations reports, based on 2003 data that 9 per cent of girls between 15 and 19 years of age were married, divorced or widowed, compared to 2 percent of boys in the same age range. In 1980, 14 percent of girls aged between 15 and 19 were married, divorced or widowed which indicates that societal acceptance of early marriage has declined slowly in recent decades.^[3] The mean age of marriage for women is 23.^[4] In 2006, the United Nations Committee on Discrimination Against Women expressed concern about the persistent practice of early marriage amongst Muslim women. ^[5]

With respect to other discriminatory practices against women in marriage, the Mindanao Commission on Women reports that bride abduction, forced marriage and payment of bride price still persist as part of the culturally sanctioned practices in the island of Mindanao.^[6]

Polygamy is illegal for men under the Penal Code in the form of concubinage.^[7] However, the Muslim Personal Laws permit polygamy. Article 27 allows a man to have more than one wife "if he can deal with them with equal companionship and just treatment as enjoined by Islamic law

and only in exceptional cases", but a woman may not have more than one husband.^[8]

The 1997 Family Code granted men and women equal parental authority and shared responsibility for raising their children.^[9] The law also permits women to retain parental authority over her children after remarriage.^[10] In 2006, the United Nations Committee on Discrimination Against Women expressed concern about the lack of a law on divorce which makes it impossible for women to obtain a legal divorce.^[11] The Family Code does however provide for legal separation on the grounds of repeated violence, psychological incapacity, homosexuality and lesbianism and drug addiction.^[12] Legal separation provides for separate living arrangements and terminated the marital rights of husband and wife, but the couple remained married in name.^[13]

Women also experience discrimination in the Philippines under the laws relating to adultery. The Revised Penal Code defines sexual infidelity differently for men and women. A wife can be

DATA

SIGI RANK 2012: 12
SIGI RANK 2009: 7
SIGI VALUE 2012: 0.119287
SIGI VALUE 2009: 0.0078831

DATA

DISCRIM. FAM. CODE RANK 2012: 22
DISCRIM. FAM. CODE VALUE 2012: 0.1349
LEGAL AGE OF MARRIAGE: 0.5
EARLY MARRIAGE: 0.0931
PARENTAL AUTHORITY: 0
INHERITANCE: 0

made criminally liable for mere adultery, while a husband will need to have committed concubinage. The crime of adultery carries stiffer penalties compared with concubinage.[14]

There is no legal discrimination between men and women in the area of inheritance. Inheritance follows both the male and the female line, succession norms adopt either the primogeniture system (whereby land is inherited by the eldest male or female child) or the equal sharing system (whereby all male and female heirs inherit equally). The surviving spouse, male or female, may not inherit, but holds land as a trustee for the children.[15] However, in 2004 the government reported that there is some evidence that propertied parents leave lands to sons but ensure the future of daughters by investing in their education.[16]

The Philippines has experienced a rise in the number of female-headed households in recent decades. [17] The government's response to this shift may indicate a change in attitudes towards women's role in the family. For example, in 2000 the government passed the Solo Parents Welfare Act of 2000 which provides for a comprehensive program of social development and welfare services for sole parents and their children including flexible work arrangements and parental leave of seven working days, livelihood development services, educational and housing benefits, among others.[18]

[1] CEDAW (2004) p.145 [2] CEDAW (2006a) p.2 [3] United Nations Department of Economic and Social Affairs, Population Division (2008) [4] World Economic Forum (2010) p.250 [5] CEDAW (2006a) p.6 [6] JICA (2008) p.52 [7] CEDAW (2004) p.147 [8] CEDAW (1996) p.74 [9] CEDAW (2004) p.145 [10] CEDAW (2004) p.145 [11] CEDAW (2006) CC p.7 [12] CEDAW (2004) p.145 [13] CEDAW (2006b) para.47 [14] CEDAW (2004) p.46 [15] FAO (2002) [16] CEDAW (2004) p.35 [17] CEDAW (2004) p.145 [18] CEDAW (2004) p.145

RESTRICTED PHYSICAL INTEGRITY: [EXPAND](#)

The Anti-Rape Law of 1997 prohibits rape.[19] The law redefines and expands rape from a crime against chastity to a crime against the person and implicitly recognizes marital rape.[20] The 2004 Anti-Violence Against Women and Their Children Act protects women and their children from physical, psychological and economic abuses in the context of marital, dating or common law relationship. The law also recognises 'battered woman syndrome' as a legal defense for women who have suffered cumulative abuse and have been driven to defend themselves. The law provides for issuance of protection orders to stop violence and prevent recurrence of future violence.[21] The 1995 Anti-Sexual Harassment Act specifies that a person who has authority, influence, or moral ascendancy over another and who demands, requests, or otherwise requires sexual favors is guilty of committing sexual harassment, whether or not the demand is accepted or not.[22]

Violence against women in the Philippines it is reported to be a serious problem.[23] Non-government organisations report that domestic violence is the most common form of gender-based violence in the Philippines country, followed by rape. A 2008 Demographic Health Survey found that about three in ten women report having experienced spousal violence (physical, sexual or other) at some time in their life. One in seven ever-married

DATA

REST. PHYS. INTEGRITY RANK 2012: 16
 REST. PHYS. INTEGRITY VALUE 2012:
 0.1534
 VIOLENCE AGAINST WOMEN (LAWS): 0.25
 FEMALE GENITAL MUTILATION: 0
 REPRODUCTIVE INTEGRITY: 0.223
 ATTITUDES TOWARDS DOMESTIC
 VIOLENCE:
 0.141
 PREVALENCE OF DOMESTIC VIOLENCE:
 0.179

women report having experienced physical violence by their husbands, and 8 percent report that having experienced sexual violence by their husbands. The survey found that 9 percent of women age 15–49 have ever experienced sexual violence.^[24]

With respect to attitudes that condone violence against women, the 2008 Demographic and Health Survey found that there is a low level of acceptance of violence amongst women. The survey asked women whether they think a husband is justified in hitting or beating his wife under a series of circumstances: if she burns the food, if she argues with him, if she goes out without telling him, if she neglects the children, and if she refuses to have sexual intercourse with him. Only 14 percent of women agree that a husband is justified in beating his wife for any of the reasons. Neglecting the children is the most commonly justified reason (12 percent), while the least common reason is refusal to have sexual intercourse with him or burning the food (2 percent each).^[25]

Despite the availability of legal protections, a lack of enforcement continues to leave women vulnerable. The under-reporting of violence by women due to social stigma and women's poor understanding of rights are also barriers to perpetrators being held accountable.^[26] According to the US Department of State, in smaller localities perpetrators of violence sometimes used personal relationships with local authorities to avoid prosecution. However, the government maintains specialist help desks to encourage women to make reports and has delivered gender-sensitivity training to police officers.^[27]

In 2006, the United Nations Committee on Discrimination Against Women expressed concern that the trafficking in women and girls continued to thrive in the Philippines, despite the introduction of the Anti-Trafficking in Persons Act in 2003.^[28] The problem of trafficking in the Philippines is linked to the high numbers of young women who seek to migrate, either internally or overseas, for economic opportunities. In the process of migrating, women face the risk of being trafficked for sexual exploitation or for forced labour due to lack of information on the place and nature of work, and inadequate travel and work documents, or both.^[29]

Female genital mutilation is not a general practice in the Philippines, but reportedly exists among some Muslim groups.^[30]

Limitations on women's reproductive rights also infringe upon women's physical integrity in the Philippines. Abortion in the Philippines is generally illegal. Under the Penal Code, a person who intentionally causes an abortion with the consent of the pregnant woman is subject to a penalty of imprisonment for from six months to six years. However, an abortion may be legally performed to save the pregnant woman's life. In addition to these provisions, the Constitution of 1987 provides that the State "shall equally protect the life of the mother and the life of the unborn from conception".^[31] The 2008 Demographic Health Survey found that unplanned pregnancies are common in the Philippines. Overall, one in three births in the Philippines is either unwanted (16 percent) or mistimed and wanted later (20 percent).^[32] In the last 15 years, the use of modern methods

amongst married women has risen from 25 to 34 percent.^[33]
The survey found that the 22 percent of married women reported an unmet need for family planning.^[34]

[19] ADB (2008) p.130 [20] CEDAW (2006a) p.3 [21] ADB (2008) p.130 [22] ADB (2008) p.130 [23] US Department of State (2010) [24] Demographic Health Survey (2008) p.208 [25] Demographic Health Survey (2008) p.xxiii [26] ADB (2008) p.75 [27] US Department of State (2010) [28] CEDAW (2006a) p.4 [29] ADB (2008) p.78 [30]Casalin, S (2008) [31] United Nations Population Division (2007) [32] Demographic Health Survey (2008) p.xix [33] Demographic Health Survey (2008) p.xx [34] Demographic Health Survey (2008)

SON BIAS: [EXPAND](#)

Gender disaggregated data on the rates of infant mortality and early childhood nutrition do not provide evidence of preferential treatment of sons in relation to household allocation of nutrition.^[35] Data from 2001 on children's time-use indicates that girls are slightly more likely than boys to be involved in household chores. Girls are also involved in household chores for longer than boys, with girls conducting chores for an average of 8.3 hours a week, compared to 6.6 hours a week for boys. This suggests a preferential treatment of sons in the allocation of household chores.^[36] With respect to access to education, the World Economic Forum reports that the Philippines has reached gender parity in primary, secondary and tertiary education enrolments which suggests that there is no preferential treatment of sons with respect to education.^[37]

The male/female sex ratio for the total population in 2012 is 1.^[38]

There is no evidence to suggest that the Philippines is a country of concern in relation to missing women.

[35] Demographic Health Survey (2008) Chapters 8 and 10. [36] Understanding Children's Work (2001) [37] World Economic Forum (2011) [38] Central Intelligence Agency (2012)

RESTRICTED RESOURCES AND ENTITLEMENTS: [EXPAND](#)

Men and women have equal legal access to land and access to property other than land.^[39] In accordance with applicable provisions on property ownership embedded in the Family Code and the Civil Code, the Agrarian Reform Department was responsible for giving wives (both legally married and common-law spouses) equal rights to own land. The Comprehensive Agrarian Reform Law states that all qualified women members of the agricultural labour force must be guaranteed equal rights to ownership of land, equal share of farm produce, and equal representation within advisory or other decision-making bodies that represent agrarian reform beneficiaries.^[40] In turn, the Environment and Natural Resources Department amended (in 2002) its regulations on alienable and disposable public lands, thereby granting women – regardless of civil status – equal rights to apply for the purchase or lease of public lands.^[41] However, men are still perceived as – and are in actual fact – the primary property and land owners, despite several initiatives to institute land reform. In 2003, certificate of land ownership awards were granted to less than 16,000 women compared to more than 33,000 grants to men.^[42]

DATA

SON BIAS RANK 2012: 73
SON BIAS VALUE 2012: 0.604197
MISSING WOMEN: 0
FERTILITY PREFERENCES: 0.51418

DATA

REST. RESOURCES & ENT. RANK 2012: 43
REST. RESOURCES & ENT. VALUE 2012: 0.3473
ACCESS TO LAND: 0.5
ACCESS TO PROPERTY OTHER THAN LAND: 0
ACCESS TO BANK LOANS AND CREDIT: 0.5

Legally, women have equal access to bank loans, however, discriminatory attitudes inhibit their financial independence. Having the greater share of property ownership, men are better able to provide collateral for larger loans, whereas women's access to credit is limited to smaller amounts.^[43] Similarly, although women have the legal right to independently enter into contracts and loans, many financial institutions still demand that the male partner co-sign any financial contracts. ^[44] In 1995, the congress gave the government a mandate to assist Filipino women in their pursuit of owning, operating and managing small business enterprises. The government reports that this mandate included provision that all women certified to have received appropriate training (at any government or government-accredited training institution) are eligible to obtain loans from government financing institutions.^[45] In 2001, the trade and industry department reported that the programme had aided about 4,000 women nationwide.^[46] However, in 2008, JICA reported that access to formal credit is low for women as compared with men, hence, they end up in borrowing from private money lenders.^[47]

^[39] ADB (2008) p.13 ^[40] CEDAW (2004) pp.138–139 ^[41] CEDAW (2004) p.146

^[42] ADB (2008) p.13 ^[43] CEDAW (2004) p.35 ^[44] CEDAW (2004) p.35 ^[45]

CEDAW (2004) p.111 ^[46] CEDAW (2004) p.111 ^[47] JICA (2008) p.31

RESTRICTED CIVIL LIBERTIES: [EXPAND](#)

There are no reported legal restrictions on women's access to public space in the Philippines. However, as described in the Physical Integrity section, the threat of trafficking, particularly for women who seek to migrate for women, impinges on women's freedom of movement.

With respect to women's participation in political life, women in the Philippines have the same rights as men to vote in all elections, to be elected and to participate in the political and public life.^[48] However, this has not translated into equal political representation. The World Economic Forum reports that women make up 28 per cent of The Philippines's parliamentarians and 16 percent of Ministerial positions.^[49]

Labour law in the Philippines prohibits discrimination against any woman employee with respect to terms and conditions of employment (compensation, training and promotion), and requirement as a condition of employment or continuation of employment that a woman employee not get married, or discharge of women employees on account of her pregnancy.^[50] According to the World Economic Forum, women in the Philippines are entitled to 60 days paid maternity leave, paid at 100 percent of wages.^[51]

^[48] CEDAW (2004) p.73 ^[49] World Economic Forum (2011) ^[50] CEDAW (2004) p.91 ^[51] World Economic Forum (2011)

BACKGROUND: [EXPAND](#)

The Philippine Islands became a Spanish colony during the 16th century and they were ceded to the United States. In 1935 the Philippines became a self-governing commonwealth. The country's history has been marked by ongoing political instability and insurgencies.^[52] The World Bank classifies the Philippines as

DATA

REST. CIVIL LIBERTIES RANK 2012: 24

REST. CIVIL LIBERTIES VALUE 2012:

0.2696

ACCESS TO PUBLIC SPACE: 0

POLITICAL PARTICIPATION: 0.221498

POLITICAL QUOTAS: 0.5

a lower middle income country.[53]

The Philippines has made progress in promoting gender equality in the last decade. The Government's Framework Plan for Women emphasises women's economic empowerment, women's human rights and gender-responsive governance as the keys to gender equality and the empowerment of women.[54] Despite these commitments, obstacles to substantive gender equality remain. Although the Philippines has achieved gender parity in primary, secondary and tertiary education, this has not translated to equality in economic opportunity or political participation.[55] Women in rural areas are particularly marginalised.[56] The United Nations Committee on Discrimination Against Women has noted the persistence of deep-rooted stereotypes about the roles and responsibilities of women and men as an impediment to women's equal participation in economic and political life.[57] Women are over-represented in the informal economy which bears negative consequences for their access to basic services such as social security and health care.[58] Further, in recent decades there has been a significant growth in the number of women migrating overseas to work as domestic workers or nurses, where they are vulnerable to becoming victims of exploitation, violence and trafficking.[59]

Article II, Section 14, of the 1987 Constitution of the Republic of the Philippines recognises the role of women in nation-building, and ensures the fundamental equality before the law of women and men. The Philippines ratified the Convention on the Elimination of All Forms of Discrimination Against Women in 1981.

[52] Central Intelligence Authority (2011) [53] World Bank (n.d.) [54] Asian Development Bank (ADB) (2008) p.xiii [55] World Economic Forum (2010) p.250 [56] CEDAW (2006a) p.5 [57] CEDAW (2006a) p.4 [58] CEDAW (2006a) p.5 [59] CEDAW (2006a) p.5

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