



# STRENGTHENING GOVERNMENT'S COVID-19 RESPONSE

Implementation of anti-discrimination policies  
by local governments in the National Capital Region

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# ABSTRACT

The COVID-19 pandemic worsened poverty and hunger as millions of Filipinos lost their jobs and livelihoods, saw their incomes collapse, and had difficulty buying basic goods and services. The government's pandemic response had human rights elements but appears to have fallen short in ensuring that no one is left behind or discriminated against. Numerous policies aim to eliminate various forms of discrimination that worsen inequalities. The pandemic response however, highlighted how vulnerable sectors still suffer from varying forms and patterns of discrimination – urban poor, Bangsamoro, women, LGBTQ+, persons with disabilities, youth, and even rights defenders.

Further legislation covering all protected attributes from discrimination and ensuring basic Constitutional rights and services for all Filipinos is strongly recommended. The Comprehensive Anti-Discrimination Bill proposed will help ensure that the rights and welfare of vulnerable sectors are upheld – especially with clear guidelines and effective information dissemination and education on this and related policies and legislation.

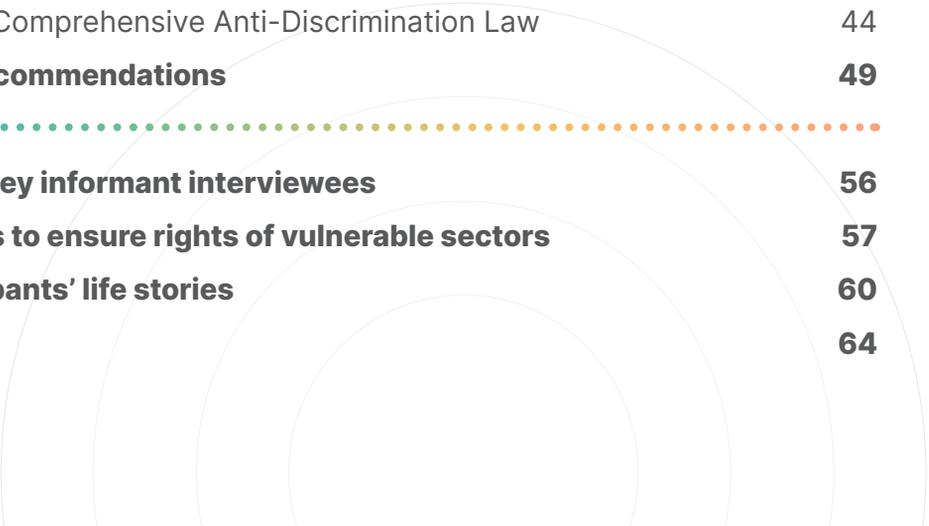
**Key words:** *discrimination, COVID-19 response, human rights, inequality, social inclusion*



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# **STRENGTHENING GOVERNMENT'S COVID-19 RESPONSE**

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# INTRODUCTION

The COVID-19 pandemic has affected the marginalized sectors the most, especially in underdeveloped countries like the Philippines with weak health and social protection systems. The pandemic hit the country on top of pre-existing socioeconomic and governance problems – persistent poverty, structural inequality, and recent democratic backsliding. There is also the systemically ingrained discrimination of poor and vulnerable sectors. COVID-19’s impact aggravated these problems by creating conditions for discrimination to assert itself in the course of the pandemic response.

This research was done in collaboration with the Commission on Human Rights of the Philippines (CHR) with support from the United Nations Development Programme in the Philippines (UNDP Philippines) to probe the extent of discrimination experienced during the pandemic.

# METHODOLOGY

The research documented the discrimination challenges experienced by the marginalized and vulnerable sectors, during the pandemic amid the government’s COVID-19 response since 2020. It used primary and secondary data-gathering methods to add to the growing evidence of discrimination suffered by vulnerable sectors.

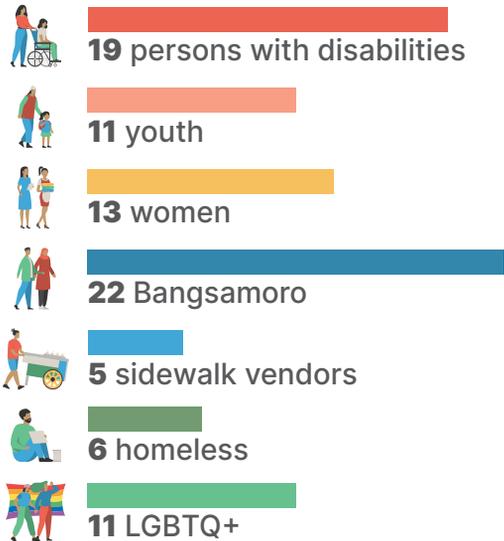
Focus group discussions (FGD) and key informant interviews (KII) were undertaken through face-to-face and online means from 8 July to 26 August 2021. Participants were drawn from vulnerable sectors, government agencies and CSOs in three cities in the National Capital Region (NCR) – Manila City, Marikina City and Quezon City.

A total of 14 FGDs were conducted with 87 participants including street dwellers (6), sidewalk vendors (5), LGBTQ+ (11), women (13), youth (11), persons with disabilities (19) and Bangsamoro people (22). There was: one (1) FGD each for street dwellers and sidewalk vendors in Manila; two (2) FGDs each for LGBTQ+, women and youth in Manila and Quezon City; and three (3) FGDs each for persons with disabilities and Bangsamoro people in Manila, Marikina, and Quezon City.

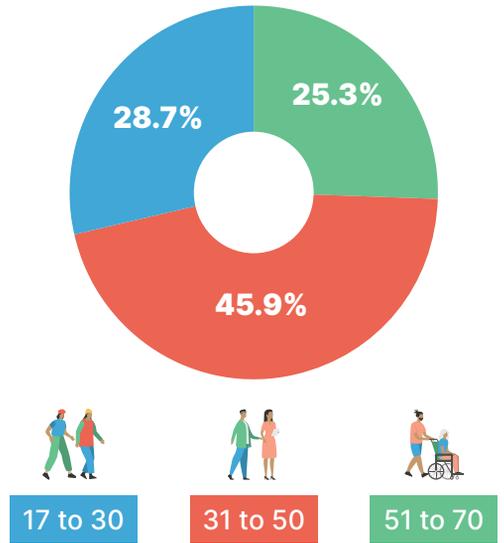
There were 53 female and 34 male participants, among whom were 14 LGBTQ+. By age group: 25 participants were aged 17-30 years old, 40

participants from 31-50 years old, and 22 participants aged 51-70 years old.

**FIGURE 1.** Profile of participants



**FIGURE 2.** Participants’ age



Many of the participants are either engaged in informal work (e.g., sidewalk vending, scavenging, gathering, and selling scrap materials, construction) or unemployed. A few worked in the health and wellness sector and business process outsourcing (BPO). For the youth, the majority are studying online and belong to middle-income households or higher.

The KIs with civil society were with representatives of fifteen (15) national, NCR-based, and local CSOs (**See Annex 1**). The KIs with government were with representatives from the National Commission for Muslim Filipinos (NCMF), National Commission for Disability Affairs (NCDA), and the office of a senator known to champion the CADB and related bills.

Time constraints, another long lockdown in August, and recurring uncertainty greatly affected primary data-gathering. Not all targeted FGDs and KIs were completed, and the number of respondents was reduced. Also, a planned survey of local government units (LGUs) and civil society organizations (CSOs) based in NCR for a more comprehensive view of pandemic response programs and implementation could not be conducted.

Secondary data-gathering involved reviewing numerous published government and CSO studies on the impact of COVID-19 on the Philippines, analysis of published government statistical data, and mapping of existing anti-discrimination policies.

### **The FGDs probed the following areas of concern:**

- 1.** conditions and experiences during the different levels of community quarantines (but especially during the strictest enhanced community quarantines);
- 2.** access to LGU health response (i.e., tests, quarantine and isolation, including hospitalization);
- 3.** access to cash and food assistance;
- 4.** relationship with their LGUs (i.e., responsiveness to requests for assistance and complaints, being properly informed about COVID-19 and aid programs);
- 5.** perception of the government's pandemic response and suggestions for improvement;
- 6.** probing of any experience with discrimination including awareness of any anti-discrimination laws and ordinances in their localities and of mechanisms to ensure their implementation (i.e., women's desk, persons with disabilities affairs office); and
- 7.** experience of other violations to their human rights during the period in review.

### **The KIs with CSOs probed the following:**

- 1.** their relief programs and the government's attitude to these;
- 2.** any assistance sought from the government and the corresponding government action;
- 3.** discrimination cases experienced by their constituencies and

- corresponding actions taken;
4. any experience of discrimination themselves;
  5. participation in implementing the government's anti-discrimination policies;
  6. recommendations to improve the government's pandemic response; and
  7. views on the comprehensive anti-discrimination bill (CADB) pending in Congress.

**The Klls with government representatives probed the following:**

1. government's pandemic response, their offices' part in this, and if their constituents were adequately served;
2. their efforts to ensure that policies were not discriminatory to their stakeholders;
3. recommendations to improve the government's pandemic response;
4. views on the CADB pending in Congress.

The first part of the report outlines the conceptual framework of human rights, discrimination, and social inclusion. It also includes a review of some relevant studies on discrimination and an overview of current policy issuances on discrimination.

The second part gives a brief overview of the Philippine government's pandemic response. This covers the main emergency laws passed and corresponding measures by line agencies and local government. The

section ends with the macro situation in terms of joblessness, hunger, and poverty since the onset of the pandemic and the lockdowns implemented.

The third part presents the results of the report's field research on discrimination in pandemic response organized according to specific vulnerable sectors. The section ends with a discussion on the role of CHR and why a comprehensive anti-discrimination bill is urgent.

The last part summarizes the report's main findings and policy recommendations from study participants.

“ **Gusto ko  
talaga mag-  
hanapbuhay  
pero  
hinuhuli  
naman  
kami.** ”

**Shirley**

street dweller, vendor



# HUMAN RIGHTS AND DISCRIMINATION

## Human rights .....

The United Nations defines **human rights** as inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work, right to education, right to housing, right to health, right to food, among many others. Every human being is entitled to these rights, without discrimination (United Nations).

The Universal Declaration of Human Rights (UDHR) provides a common standard of achievement of human rights for all peoples and nations. The Declaration spells out basic civil, political, economic, social, and cultural rights that all human beings should enjoy. The UDHR serves as the fundamental norms of human rights that everyone should respect and protect. The UDHR, together with the International Covenant on Civil and Political Rights (and its two Optional Protocols) and the International Covenant on Economic, Social and Cultural Rights, form the so-called International Bill of Human Rights. It lays down obligations which States are duty bound to respect.

As parties to international treaties, States assume obligations and duties under international law to respect, protect and fulfil human rights. The obligation to respect means that States or governments must refrain from interfering with or curtailing the enjoyment of human rights of individuals or groups. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfil means that States must take positive action to facilitate the enjoyment of basic human rights (United Nations).

Human rights allow individuals to develop and capacitate themselves to become productive members of society. It allows individuals the use of their agencies or capacities to meaningfully participate in governance, in decision making, and in the crafting of development policies and programs towards effectively contributing to the overall development of the economy and for nation-building. Any unequal treatment that deprives individuals and groups the enjoyment of their human rights is **discrimination**.

## Discrimination .....

In the consolidated version of the Comprehensive Anti-Discrimination Bill (CADB) at the House of Representatives of the 18th Congress of the Philippines, **discrimination** is defined as constituting any distinction, exclusion, restriction or preference or other differential treatment that is directly or indirectly based on the protected attributes or characteristics such as ethnicity, race, color, sex, gender, language, religion or belief, political or other opinion, national or social origin, property, birth and other status, and other protected attributes, including disability, age, nationality, marital and family status, sexual orientation, health status, place of residence, economic and social situation, maternity and pregnancy, which have the intention or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of political, civil, economic, social, or cultural rights. It also includes association with a person who has or is believed to have any of these attributes (Final Substitute Bill CADA, 2021).

Patterns of discrimination may also be determined vis-a-vis employment, livelihood opportunities, access to health services and assistance, and wages; likewise, through behavior, treatment, actions especially by duty bearers or persons of authority on individuals or groups based on the protected attributes or characteristics enumerated. It may be committed by individuals, groups, and institutions

(i.e., religious institutions, States) based on existing structures such as cultures, customs, and norms, as well as patterns of attitudes and behavior practiced in society (Fredman, 2011).

Discrimination may be direct and indirect. **Direct discrimination** occurs when an individual is treated less favorably than another person in a similar situation for a reason related to a prohibited ground. Direct discrimination also includes detrimental acts or omissions on prohibited grounds where there is no comparable similar situation (Final Substitute Bill CADA, 2021).

**Indirect discrimination** on the other hand, refers to laws, policies or practices which appear neutral at face value, but have a disproportionate impact on the exercise of civil, political, economic, social, and cultural rights as distinguished by prohibited grounds of discrimination (Final Substitute Bill CADA, 2021).

According to the UN Department of Economic and Social Affairs (UNDESA), discrimination affects people's opportunities, their well-being, and their sense of agency. A person's agency refers to one's capacity or ability to think, feel, and act independently, coherently, and decisively. One's agency may be affected variously by discrimination which may be inflicted by private individuals, organizations, state actors and influenced by institutional

structures. For example, gender norms that attribute submissive qualities to women and assign them domestic roles influence women's sense of agency and their willingness to exercise it (UNDESA, 2018).

Frequent experiences of discrimination can lead individuals to internalize the prejudice (bias) or stigma directed against them. This manifests in shame, lack of confidence or low self-esteem, feeling of fear and stress, and poor health. Discrimination is likewise associated with negative physical and mental health effects, with poor health, psychological distress, feeling of anxiety, depression, hypertension as well as potential disease risk factors, such as obesity and substance abuse (UNDESA, 2018).

People may also suffer from **multiple discrimination** because of the multiple or **intersectional** layers of their identity or having more than one protected

attribute (i.e., gender, sexual orientation, age, race, ethnicity, social status, disability, religion, political belief, or orientation, etc.). Multiple discrimination creates cumulative disadvantage for individuals and groups. This is especially true for women who may be discriminated based on their gender, sexual orientation, age, social status, religion including their political belief (Fredman, 2011).

Discrimination aggravates prevailing inequalities and existing institutional barriers and further inhibits social inclusion. Such barriers include behavior, norms and culture, laws, and institutions. However, development frameworks that tend to overly prioritize profits over people's welfare can also be barriers frustrating social inclusion and that instead perpetuate social exclusion which the majority of the country's vulnerable sectors already suffer structurally from (UNDESA, 2016).

## Social inclusion

The World Social Situation in 2016 report of the UN Department of Economic and Social Affairs (UNDESA) asserts that discrimination remains a fundamental problem globally. It says that growth can only be sustainable if it is inclusive. The report examined the linkages between exclusion, poverty, and employment trends. Significantly, it pointed out the country context as the most important determinant of discrimination - "a country's institutions,

history, and values are better predictors of tolerance and respect of others than an individual's level of education or employment. National institutions, both formal and informal, play a large role in determining and changing attitudes towards specific social groups and on overall levels of tolerance. Discriminatory norms and behaviors remain widespread and contributes to social exclusion" (UNDESA, 2016).

It noted that while formal institutional barriers encountered by vulnerable sectors can be easily identified, informal barriers such as those pertaining to protected attributes are often more subtle and which makes measuring or monitoring discrimination difficult (UNDESA, 2016). Much more so with multiple discrimination arising from the intersectionality of characteristics or attributes that elicits discriminatory behavior.

It is therefore necessary to come up with a policy covering all forms of discrimination taking into consideration its intersectional dimensions. The proposed Comprehensive Anti-Discrimination Act pending in both the House of Representatives and the Senate of the Philippines could well fill in the gaps in the existing statutes already in effect.

Social inclusion is again the focus of UNDESA's World Social Report in 2020 themed "Inequality in a Rapidly

Changing World". The report looked at how recent global trends such as urbanization, climate change, technological innovations and international migration are worsening inequalities. According to UNDESA, income and wealth are increasingly concentrated at the top where the share of income accumulated by the richest 1 percent of the population increased in 59 out of 100 countries between 1990 and 2015. Meanwhile, the poorest 40 percent earned less than 25 percent of income in all 92 countries with data.

The report pointedly underscores the fact that despite unities by member countries in adapting ways to genuinely eliminate poverty and inequality, policies and programs adopted by states still fail to achieve social inclusion. Recent years have seen increasing concern that overly market-oriented development frameworks that stress growth, profits and wealth generation tend to further marginalize and disenfranchise poor and vulnerable sectors.

## Relevant studies

There have already been many studies on the government's pandemic response with most focusing on the socioeconomic impacts. (Cho, et.al., 2020; UNDP, UNICEF, 2020) The CHR's 2020 Annual Report on the Human Rights Situation of the Philippines is notable for reporting on the human rights aspect of the COVID-19 pandemic and providing recommendations for government agencies, including non-state actors.

One study assessed the gender-sensitivity of the government's COVID-19 response, noting that while this was not completely gender blind it still neglected some aspects of gender issues especially from the intersectionality of women's concerns (Castillo, 2020). It for instance mentioned how as much as 96 percent of health workers are women and that they are among the most discriminated against despite being recognized as heroes and frontliners.

Barangay health workers and barangay nutrition scholars are mostly women and only get a meager allowance because they are considered volunteers. This is despite being part of the Barangay Health Emergency Response Team (BHERT) carrying out critical COVID-19 management tasks such as contact tracing, among others. They are also mothers and caregivers at home. At the start of the pandemic, many health workers reported being harassed, evicted from their boarding houses, or refused rides.

Another study probed the pandemic's socioeconomic impact on NCR households with children. The study took note of a range of indicators including employment, income, food consumption, food security, social protection, mental health, and gender equality. It also took note of the households' general welfare, access to education, access to essential health services, and child protection given the government's efforts to mitigate the impact of the crisis with emergency social assistance (UNDP and UNICEF, 2020).

Another report focused on the health aspect of the pandemic response (Quintos, 2020). It pointed to weaknesses in the country's public health system where privatization and commercialization resulted in underdeveloped public health infrastructure especially in the regions and provinces outside NCR. It recommended the strengthening of the public health system to make health services affordable and accessible, especially for the poor, and for the country to better respond to pandemics.

Civil society organizations have documented the impact of the government's pandemic response on their stakeholders (Amihan, 2020; Katribu, 2020). Indigenous people's communities in far-flung areas were not reached by emergency relief and health assistance. Mobility restrictions caused hunger and food insecurity. For instance, farmers were prevented from attending to their farms or unable to sell their produce, while others saw interruptions in their supply of farm inputs. "Food security frontliners" in rural areas such as the farmers, peasant women, fisherfolk, indigenous people and agricultural workers suffered significantly in being excluded from government and non-government relief efforts. Peasant women also decried the discriminatory guidelines of the social amelioration program (SAP) as implemented by the Department of Social Welfare and Development (DSWD).

A social listening report examined the online media coverage of human rights violations and acts of discrimination against vulnerable sectors during the pandemic (Tayco, et. al., 2021a). It noted that while such news was generally increasing since the start of the pandemic, with spikes during stricter enhanced community quarantines (ECQ), this was still disproportionate to the instances of such rights violations and discrimination – which bias can affect people's values, attitude, and perception on human rights. A subsequent report observed people's attitudes, beliefs, values, and behaviors towards human rights of the LGBTQ+, hate crimes, demolition, and clearing operations (Tayco, et. al., 2021b). Using

Twitter as its main data source, it found that LGBTQ+ related issues dominated the conversations.

Another study highlighted the importance of having a comprehensive understanding of both the impact of COVID-19 on marginalized sectors and the strategies used by communities to adapt to and manage these impacts (Impel Consultancy, 2021). It noted that grassroots-based data collection among communities and CSOs working alongside them can increase the visibility of marginalized and vulnerable sectors and individuals often overlooked by official data. This will help improve understanding of their situations and coping strategies for more responsive and effective policy responses. The report highlighted five common issues and impacts of COVID-19

responses among vulnerable sectors: access to health, income and livelihoods, food insecurity, education, violence, abuse, and discrimination.

Abroad, a study in Nepal looked at the impact of COVID-19 and the government's responses on CSOs (NGO Federation of Nepal, 2021). It highlighted the contributions of Nepalese CSOs to response and recovery during the pandemic, including the various challenges they had to deal with to continue serving their stakeholders. The study provided recommendations on how governments, CSOs and international funding agencies can more effectively work together to battle the COVID-19 pandemic.

## On policy issuances on discrimination

There are many laws, guidelines, ordinances, and orders by the national government and local government units (LGUs) specifically aimed at protecting and promoting the rights and welfare of women and children, of persons with disabilities, and other vulnerable groups. In addition, many laws also have specific provisions in consideration of vulnerable sectors.

For instance, the pandemic is a specific type of disaster. The Philippine Disaster Risk Reduction and Management (DRRM) Act of 2010 (Republic Act or RA 10121) recognizes the imperative for gender-responsive approach in DRRM. The

Harmonized Gender and Development Guidelines of the Philippines Commission on Women also provides a checklist for national government agencies and LGUs to ensure that DRRM plans, and projects are gender-sensitive and gender-responsive.

Existing laws also already require the establishment of mechanisms to implement measures protecting vulnerable groups such as violence against women (VAW) desks in every barangay; persons with disability affairs office (PDAO) in every province, city and municipality, or the designation of a focal person who shall perform the functions

of a PDAO in fourth, fifth and sixth class municipalities; and Muslim consultative councils in all LGUs (Alampay, et.al. 2017, NCMF 2021, Philippine Commission on Women).

The rights of women informal workers are covered by the Magna Carta for Women and Children and discrimination against them is supposedly among the purview of the women's welfare desk (Philippine Commission on Women, 2019).

Recent laws passed such as the Anti-Bullying Law (RA 10627) and the Safe Spaces Act of 2019 (RA 11313) covers protection of the LGBTQ+ and mentions sexual orientation, gender identity, and gender expression or SOGIE. If not in the laws themselves, SOGIE is mentioned in the implementing rules and regulations (IRR) which includes persons with diverse SOGIE as people who can be victims of harassers. There are anti-discrimination ordinances (ADO) for SOGIE in place in 43 provincial, city, municipal and barangay LGUs to guard against LGBTQ+ discrimination – although their effectiveness apparently depends heavily on the commitment of the LGUs implementing them (UPGLPP, 2021).

These legal measures are extremely valuable even if implementation has tended to be uneven, with implications even on how pandemic response has played out.

A recent review of several LGU disaster responses noted how DRRM responses remain gender blind (Castillo, 2021). Many barangays still do not have VAW desks –

as of 2019 June, only 37,686 out of 42,045 barangays have established VAW desks (Philippine Commission on Women). Women's group Gabriela's Metro Manila chapter reports that even when there are VAW desks, the persons assigned do not seem to be aware of their responsibilities.

Meanwhile, only six out of 10 LGUs had PDAO with more than half of the provinces (58 percent) and over two-thirds (68 percent) of higher income municipalities are actually non-compliant (Alampay, et.al. 2017).

The problem of invisibility also aggravates the discrimination suffered by certain sectors. According to the CHR's report on the Human Rights Situation in the Philippines in 2020, it is hard to track cases of discrimination and violence against LGBTQ+ because there is no standardized legal definition of what constitutes the LGBTQ+ and there are no formal mechanisms to document relevant statistics, among other factors. Hate crimes against the LGBTQ+ is also undefined in Philippine laws which makes it possible that cases against them are unrecorded (CHR, 2020).

This study's respondents frequently expressed frustration with ground level implementation even when there are already well-developed laws and guidelines. Often heard were lamentations about the lack of coordination among lead agencies, lack of clear guidelines, and sometimes even lack of understanding the statutes themselves.

“ Our right to education was violated. Ang daming hindi nakapag-aral. Ang gastos ng online classes. Ang iba sa amin nagtrabaho na lang.

More than 20 of my classmates dropped out of school.”

**Aiko**  
online tutor



# THE PHILIPPINE GOVERNMENT'S PANDEMIC RESPONSE

## COVID-19 response .....

At the onset of the pandemic, the United Nations' Office of the High Commissioner on Human Rights (OHCHR) issued a guidance on how to respond to the ensuing health and the economic crisis according to a human rights-based approach (HRBA), keeping in mind country commitments on the 17 Sustainable Development Goals (SDGs) aiming to eradicate poverty and inequality by 2030. This was meant for governments and institutions, including civil society. The guidance reminded stakeholders to ensure the welfare of vulnerable sectors are not neglected (e.g, the homeless and inadequately sheltered, workers in the informal sector and workers in general, persons with disabilities, women, youth, the elderly including indigenous peoples) and included the welfare of persons deprived of liberty (United Nations, 2020).

The COVID-19 guidance recognized the need for emergency powers to enable governments to act decisively to contain the pandemic and take the necessary public health and economic measures. But it stressed that there should be clear information provided to citizens for their informed participation

and that emergency powers should not be abused (United Nations, 2020).

The guidance recognized existing poverty and inequalities, that these would worsen with the pandemic, and that these would be aggravated by discrimination – which in turn would make the UN Agenda 2030 even more unattainable.

The government's main measures for COVID-19 response have been through the "Bayanihan to Heal as One" Act (RA 11469, also called Bayanihan 1) and the "Bayanihan to Recover as One" Act (RA 11494, Bayanihan 2). These laws covered a wide range of fiscal and monetary measures to enhance the capacity of the country's health care system and reduce the adverse socioeconomic impact of the pandemic. These are aside from any reorientation of existing programs to also respond to COVID-19.

Bayanihan 1 and Bayanihan 2 had embedded human rights components to ensure no one is discriminated against and left behind dealing with the crisis. These include: 1) prioritization of vulnerable sectors of society, non-

discrimination; 2) rights of the poor and social amelioration measures; 3) labor rights, including the rights of health workers; 4) right to property; 5) right to food; 6) right to freedom of contract; 7) right to freedom of movement; and 8) right to water, sanitation, and hygiene (CHR, 2020). National government agencies and LGUs issued corresponding guidelines for implementation. Moreover, LGUs also undertook initiatives within their mandates to complement national policies.

The government was able to give a respectable Php286.3 billion worth of emergency assistance in 2020, spanning COVID-19-specific response and using pre-existing regular relief programs, but this fell to just Php65.4 billion in 2021 and only a marginally higher Php 68.1 billion in 2022 (IBON, 2021b). This has been widely seen as insufficient to compensate for economic distress due to the protracted lockdowns.

## Protecting the vulnerable .....

In response to the call of the UN and echoed by the CHR to ensure that the rights of vulnerable sectors are upheld and protected, various memorandum circulars (MC) were released. These include:

1. MC No. 2020-068 issued by the Department of Interior and Local Governance (DILG) on April 2, 2020 directing all Provincial Governors, City and Municipal Mayors, DILG Regional Directors, BARMM Minister of Local Government, Punong Barangays, and all other concerned individuals to postpone all Administrative Demolition and Eviction Activities during the Enhanced Community Quarantine and State of National Emergency. Where demolitions may be necessary, the LGUs should provide shelter and assistance to the displaced families. This circular also directed LGUs to provide interim shelter facilities to all

homeless families and/or individuals in their respective jurisdiction, provide appropriate financial assistance, relief, and other basic services.

2. MC No. 2020-066 also by the DILG issued on March 31, 2020 ensuring that all persons with disabilities will have access to adequate food taking consideration of their nutritional needs, medicines, vitamins, and access to transportation. MC 2020-066 provided guidelines on providing proper welfare of persons with disabilities during the enhanced community quarantine due the Corona Virus 2019 pandemic. The MC is directed to guide all DILG Regional Directors and Field Officers, Provincial Governors, City/Municipal Mayors, Punong Barangays, BARMM Chief Minister, including all others concerned.

3. Joint MC No. 2020-001 issued by the DILG Council for the Welfare of Children on April 1, 2020 directing Provincial Governors, City and Municipal Mayors, DILG Regional Directors, Regional Committees and Sub-Committees for the Welfare of Children, BARMM Minister of Local Government, and all other concerned individuals to put special emphasis on following the protocols on reaching out to children, including those in street situations, in need of special protection, children at risk, and children in conflict with the law during the enhanced community quarantine.
  
4. DSWD MC 2020-009 or the Omnibus Guidelines in the Implementation of the Emergency Subsidy Program of the Department of Social Welfare and Development issued by the DSWD setting out the guidelines for the distribution of the SAP or Emergency Subsidy Program (ESP), Assistance to Individuals in Crisis Situation (AICS) and Livelihood Assistance Grants (LAG). MC 2020-009 harmonized earlier MC Nos. 4, 6, and 7.

Under this circular, requirements for recognizing the eligibility of individuals to receive assistance were enumerated, to wit: barangay certification or from the provincial, municipal, or city social welfare and development office (PSWDO/MSWDO/CSWDO) for homeless families and other vulnerable groups; certification from the NCIP or the tribal chieftain or council of elders for indigent indigenous peoples; and

any of the following documents for informal workers – driver’s license, certification of membership from the organization/association, certificate of public convenience, certification from the Barangay/Municipality for Tricycle Operators and Drivers Association (TODA); employment ID, kasambahay ID, certificate of employment/separation from or suspension of work from the employer; proof of business; any other proof showing employment/occupation/enterprise.

The guidelines made special mention of persons with disabilities taking note that their nutritional needs along with those of pregnant and lactating mothers will be attended to. The guidelines also specified that should a household comprise several families, each of the families will be provided a social amelioration card. However, in item E of the MC, it stated that “for the purposes of the guidelines and only for the implementation of the SAP, the term household referred to in R.A. No. 11469 shall be referred to as a ‘family’.

LGUs also implemented mechanisms to help ease the impact of the pandemic on their constituents (DILG, 2020). The DILG documented the various efforts of LGUs across the country and in the National Capital Region (NCR), these include:

1. Comprehensive Support Services for Local Frontliners (Pasig City)
2. Mobile Palengke (Pasig City)
3. Go Manila! Mobile App: Shifting to E-Payment to Flatten the

- COVID-19 Curve (Manila City)
4. Using Monitoring Information System to #BeatCOVID-19 (Makati City)
  5. Localized Targeted Mass Testing (Valenzuela City)
  6. Provision of Healthy and Nutritious Food Packs to Fight COVID-19 (Mandaluyong City)
  7. Mobile Botika, Libreng Gamot: Ensuring Access to Medicines (Caloocan City)
  8. Marikina Molecular Diagnostics Laboratory (Marikina City)
  9. Telemedicine: Project that Promotes Health and Wellness of Locals in Accordance with Strict Social Distancing Protocol Amid COVID-19 Crisis (Taguig City)

The DILG, in collaboration with the World Bank, also published a guide for rehabilitation and recovery from COVID-19 for the LGUs' reference in planning responses specifically for COVID-19 (DILG and World Bank, 2021).

These are all on top of existing anti-discrimination policies already in place to look after the plight of the vulnerable sectors (**See Annex 2**).

Notwithstanding Bayanihan 1, Bayanihan 2, and other health and economic measures, the Philippine government most of all relied on protracted community quarantines (colloquially called lockdowns) as a major strategy for containing the spread of COVID-19 pending eventual herd immunity through vaccinations. The Oxford COVID-19 Government Response Tracker (OxCGRT) notes that the Philippines is among the countries with the most consistently stringent restrictions

on mobility and social interactions in Southeast Asia and the world.

The NCR and its surrounding regions contain among the most congested cities in the country and correspondingly, have the greatest risk of COVID-19 spreading. In the absence of more systematic mass testing and contact tracing and of more targeted quarantines, NCR in particular has seen the most frequent and longest lockdowns in the country whenever cases started to surge and threaten to overwhelm health facilities.

Quarantine classifications were basically, from least to most restrictive: modified general community quarantine (MGCQ), general community quarantine (GCQ), modified enhanced community quarantine (MECQ), and enhanced community quarantine (MECQ). There was confusion with some permutations within these (e.g., "bubble", GCQ "with heightened restrictions") but this is more or less the range.

The NCR has been on at least GCQ from the start of the pandemic in March 2020 until data-gathering for the study. Around half of that time however has been under much stricter quarantine conditions: ECQ and MECQ (March 16-May 31, 2020), MECQ (August 4-18, 2020), MECQ and ECQ (March 22-May 14, 2021), GCQ "with heightened restrictions" (May 15-July 31, 2021), ECQ (Aug 6-20, 2021), and MECQ (Aug 21-31, 2021). These restrictions lasting for around a year-and-a-half already have had significant adverse effects on the mobility, livelihoods, and well-being of the population.

## Discriminatory impact of pandemic response .....

More than COVID-19 itself which has infected some 2.8 million or around 2.5 percent of the population (and caused around 42,000 deaths) as of end-October, the lockdowns have arguably had more far-reaching effects and caused significant distress for tens of millions of Filipinos especially among the poorest and most vulnerable groups. This considers not just the daily difficulties they faced but also their prospects given substantial economic scarring.

The blunt measure of lockdowns to contain the pandemic is itself discriminatory in nature in being applied haphazardly over populations regardless of their specific pre-existing conditions and vulnerabilities. Higher income families and larger formal enterprises, for instance, have much greater capacities to deal with emerging health problems and to absorb any disruptions to economic activity. The resulting indirect discrimination is considerable.

## Joblessness and hunger .....

As elsewhere in many parts of the world, the onset of the pandemic in early 2020 was immediately met with strict lockdowns, restrictions on mobility, stay-at-home directives, and limits on work in non-essential sectors. The lockdowns in the Philippines were however among the strictest and longest with correspondingly among the harshest effects on the economy in the world.

The -9.6 percent (negative) growth in gross domestic product (GDP) was the biggest contraction in recorded Philippine economic history, and the biggest in Asia (IBON, 2021c). The country also had the biggest percentage point increase in unemployment and the highest unemployment rate in at least Southeast Asia. Unemployment peaked in April with a record 17.7 percent unemployment rate and 7.2 million

jobless (PSA, 2020). Some 99,575 micro, small, and medium enterprises (MSMEs) closed while 458,043 were operating only partially (IBON Foundation, 2021a).

The disruption to work is particularly damaging to livelihoods considering that up to 29.3 million or seven out of ten jobs (69.9 percent) in the economy even before the pandemic, in 2019, was estimated to be informal consisting of the self-employed and those in irregular work in private establishments (IBON, 2021f). By August 2021, over 19 million jobs, or more than four in ten jobs, were in informal self-employment, small family farms or businesses, domestic help, or unpaid family workers aside from around 13 million more irregular workers in private establishments (IBON, 2021d). Women tend to be overrepresented in the informal sector.

**TABLE 1.** Approximated income loss per decile in Philippines, 2018

Decile	Baseline mean monthly income (Php, 2018)	Cumulative families	Cumulative pax (million)	At 10% income loss for 10 mos Mar-Dec 2020	At 5% income loss for 7 mos Jan-Jul 2021	Approximated income loss over 17 months
1st	9,109	2,474,717	10.6	9,109	3,188	12,297
2nd	11,458	4,949,435	21.2	11,458	4,010	15,468
3rd	13,253	7,424,152	31.7	13,253	4,639	17,892
4th	15,207	9,898,870	42.3	15,207	5,322	20,529
5th	17,620	12,373,587	52.9	17,620	6,167	23,787
6th	20,095	14,848,304	63.5	20,095	7,033	27,128
7th	24,041	17,323,022	74	24,041	8,414	32,455
8th	28,970	19,797,739	84.6	28,970	10,140	39,110
9th	37,689	22,272,457	95.2	37,689	13,191	50,880
10th	69,365	24,747,174	105.8	69,365	24,278	93,643

**SOURCES:** IBON calculations on FIES 2018 data from PSA and on household savings data from BSP

The poorest 70 percent of families, or about 17.3 million families, is estimated to have lost an average of Php13,000-32,000 since the start of lockdowns (IBON, 2021e) (**See Table 1**). In the National Capital Region, some 2.3 million families lost an average of Php24,000-

53,000 (**See Table 2**). These estimates are consistent with Bangko Sentral ng Pilipinas' (BSP) data that households without savings and thus completely dependent on immediate earnings or debt increased to 74.8 percent (18.7 million) nationwide in the third quarter of 2021

**TABLE 2.** Approximated income loss per decile in NCR, 2018

Decile	Baseline mean monthly income (Php, 2018)	Cumulative families	Cumulative pax (million)	At 10% income loss for 10 mos Mar-Dec 2020	At 5% income loss for 7 mos Jan-Jul 2021	Approximated income loss over 17 months
1st	17,610	331,847	1.3	17,610	6,164	23,774
2nd	22,045	663,693	2.7	22,045	7,716	29,761
3rd	25,415	995,540	4	25,415	8,895	34,310
4th	28,049	1,327,386	5.4	28,049	9,817	37,866
5th	31,229	1,659,233	6.7	31,229	10,930	42,159
6th	34,236	1,991,079	8.1	34,236	11,983	46,219
7th	39,285	2,322,926	9.4	39,285	13,750	53,035
8th	43,510	2,654,772	10.8	43,510	15,229	58,739
9th	52,992	2,986,619	12.1	52,992	18,547	71,539
10th	89,285	3,318,465	13.5	89,285	31,250	120,535

**SOURCES:** IBON calculations on FIES 2018 data from PSA and on household savings data from BSP

(BSP, 2021a). In NCR, almost two out of three (65.8 percent) households or some two million did not have any savings.

Supply chain disruptions have been relatively minor and the drastic income losses have been the major factor in increasing hunger. As it is, a Rapid Nutrition Assessment Survey conducted from 3 November to 3 December in 2020 found that 62.1 percent of families (equivalent to 15 million families) experienced having little to no food at all (FNRI-DOST, 2020 December).

Of the 5,717 households involved in the survey, more than half or 56.3 percent reported having a problem accessing food during the community quarantine period due to the lack of money, limited public transportation, the loss of livelihood, and limited food stores. Food insecurity was mostly felt in households with children (74.7 percent) and pregnant members (80.8 percent). About 72 percent of respondents said they were forced to borrow money to buy food, while 66.3 percent said they asked food from their relatives, neighbors, and friends. Some 30.2 percent swapped their possessions for food while 21.1 percent adults reduced their food intake to feed their children more.

## Persistent poverty

The lockdown-driven collapse in livelihoods came on top of persistent poverty, low wages, and unemployment. (See Charts 2, 3 and 4) Official figures showing improvement in poverty has been criticized as using an unrealistically

**TABLE 3.** Price comparison of selected food items, 2016 and 2020

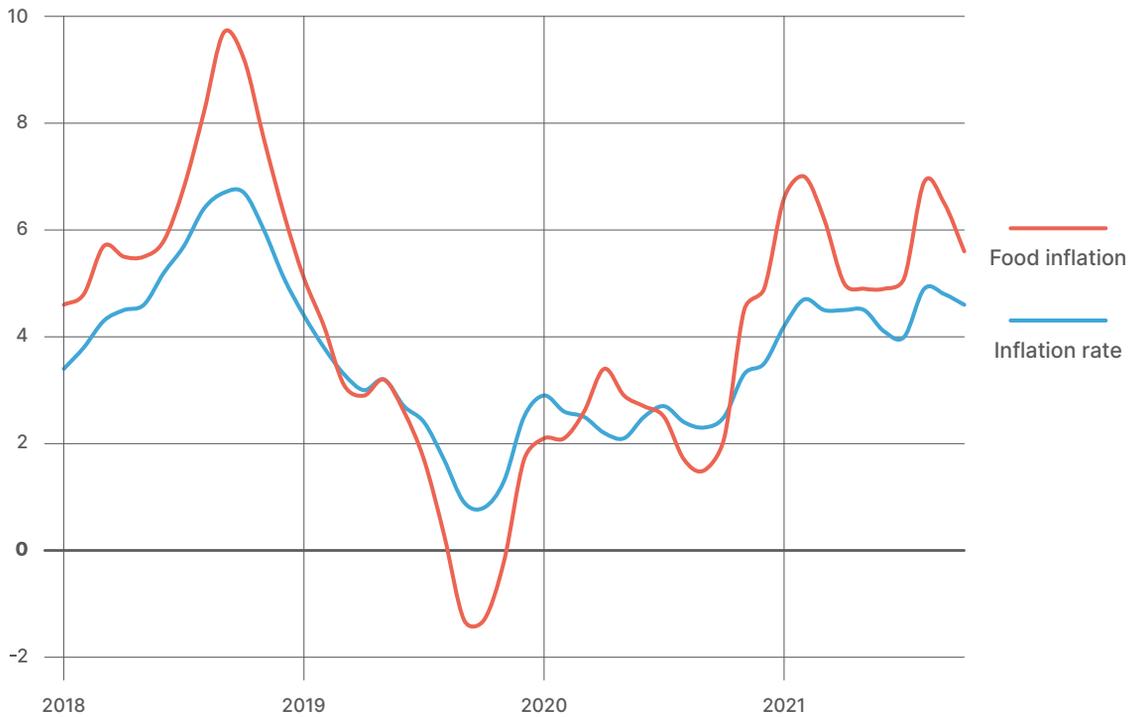
Selected products	Price in Dec 2016 (Php)	Price in Dec 2020 (Php)
Bangus	120	200
Galunggong	140	280
Pork liempo	200	340
Chicken	140	170
Sitao	70	140
Cabbage	100	200
Tomato	60	160
Onion	80	180
Eggplant	80	180
Habitchuelas	80	200

SOURCE: PSA

Income losses were aggravated by rising food prices, such as from December 2016 to December 2020 (See Table 3). By August 2021, the inflation rate including for food rose to its highest in 32 months since December 2018 (BSP, 2021b) (Chart 1).

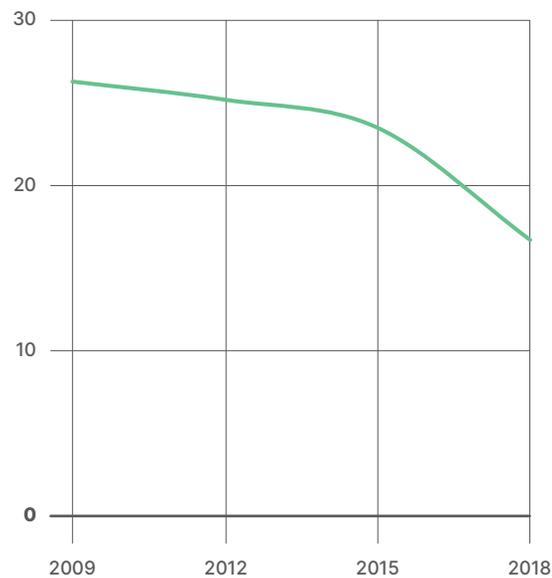
low poverty threshold. Similarly, seeming improvements in unemployment have been pointed out as largely due to a change in the methodology for counting the unemployed since 2005 rather than actual reductions in jobless Filipinos.

**CHART 1.** Trend in inflation rate for all households in the Philippines, January 2018-October 2021 (2012=100; in percent)



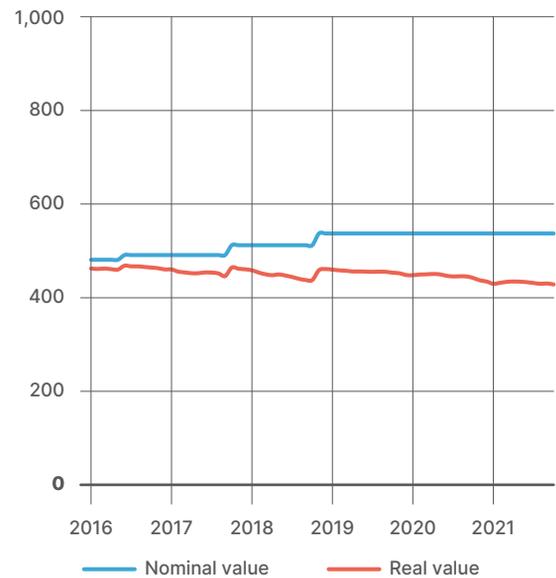
SOURCE: PSA

**CHART 2.** Trends in poverty incidence, 2009-2018 (in percent)



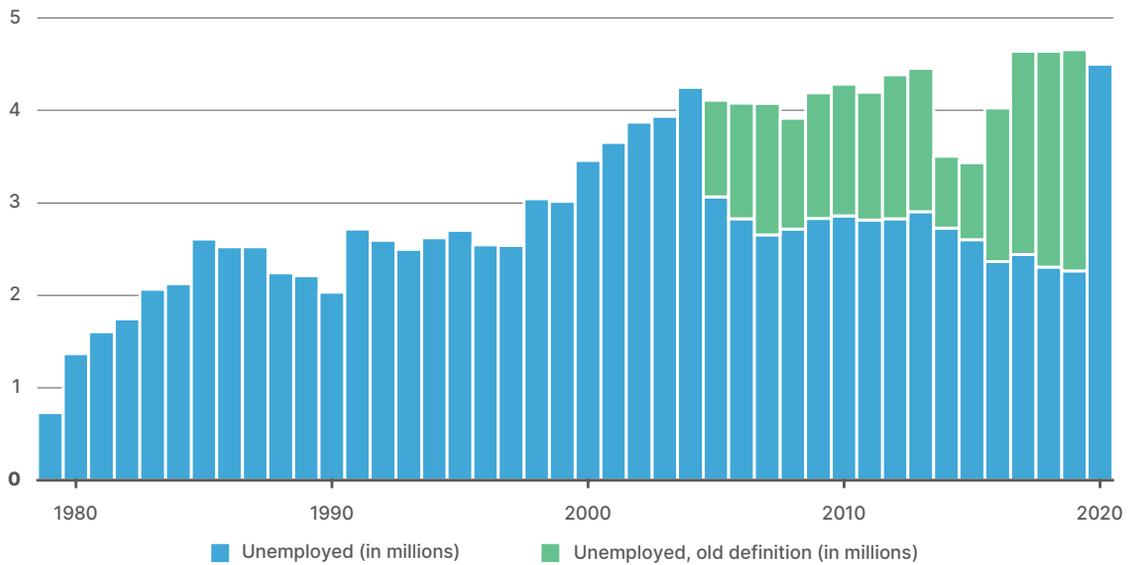
SOURCE: PSA

**CHART 3.** Wage rates in the NCR, January 2016-October 2021 (in Php)



SOURCES: NWPC, PSA

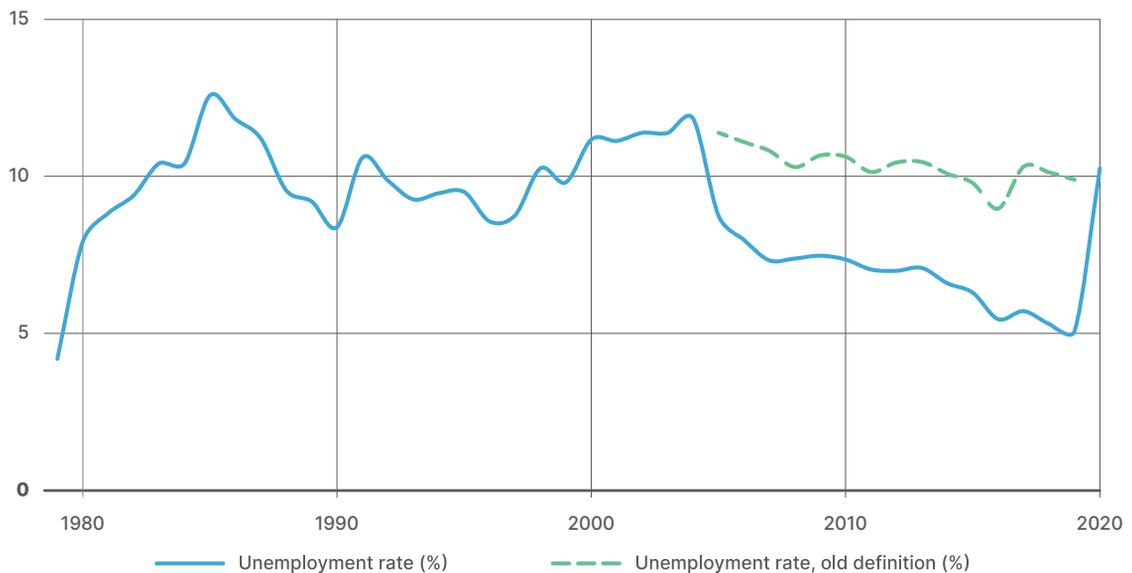
**CHART 4.** Number of unemployed persons, 1979-2020\* (in millions)



\*2005-2019 show data based on the old unemployment criteria to make comparisons with previous periods. These estimates are based on PSA's microdata sets on the LFS rounds for the said period.

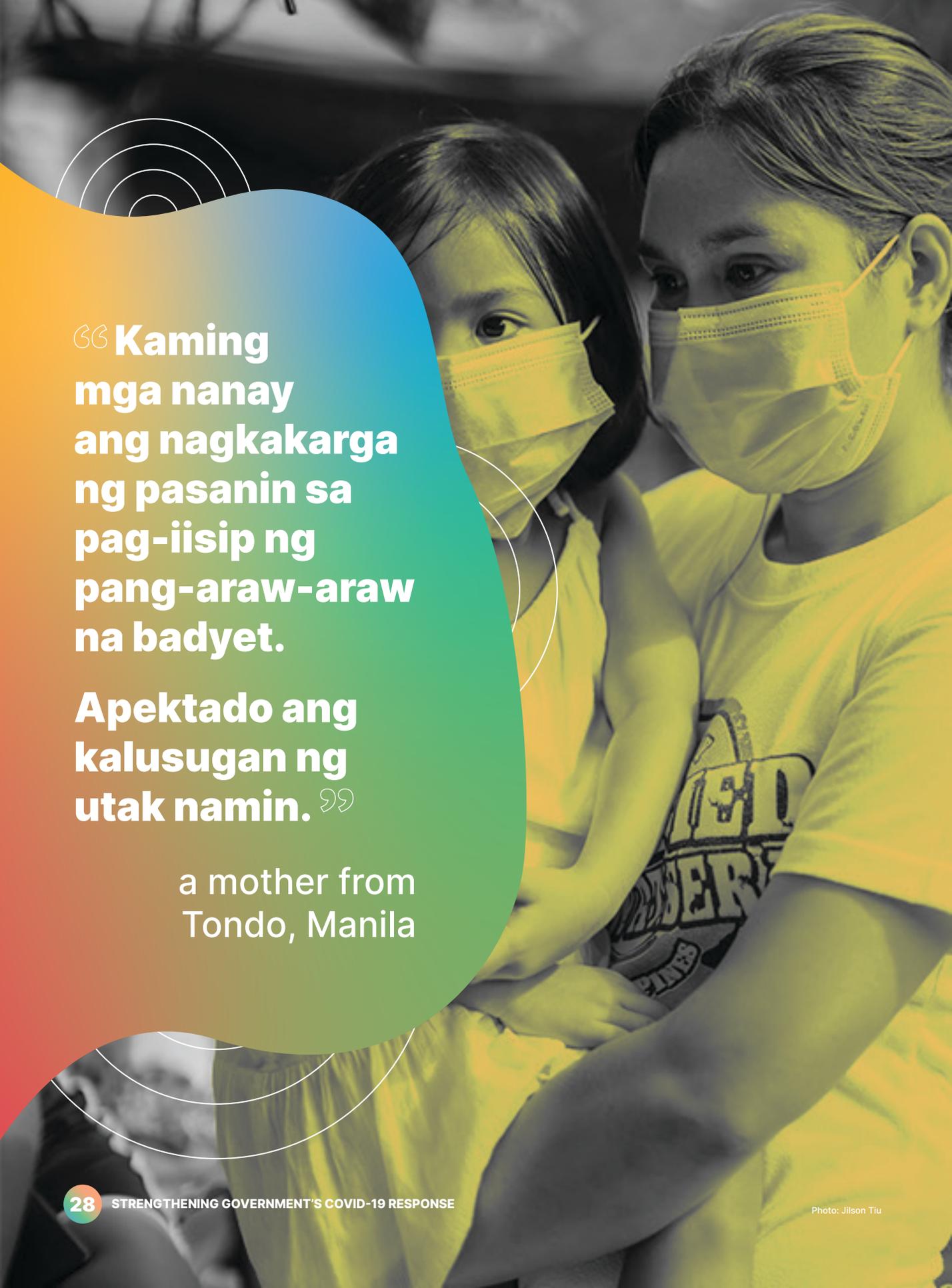
**SOURCE:** PSA LFS

**CHART 4a.** Unemployment rate, 1979-2020\* (in percent)



\*2005-2019 show data based on the old unemployment criteria to make comparisons with previous periods. These estimates are based on PSA's microdata sets on the LFS rounds for the said period.

**SOURCE:** PSA LFS



“**Kaming mga nanay ang nagkakarga ng pasanin sa pag-iisip ng pang-araw-araw na badyet.**

**Apektado ang kalusugan ng utak namin.**”

a mother from  
Tondo, Manila

# DISCRIMINATION IN PANDEMIC RESPONSE

The responses from the focus group discussions (FGDs) and key informant interviews (KIIs) were overwhelmingly consistent with and supported the aggregate statistical data that considerable indirect discrimination is taking place in the government's pandemic response.

The schematic diagram (**see Figure 3**) presents the concepts and issues taken up in the succeeding discussion. There is structural discrimination from the prevailing culture, norms, and religious beliefs which affects how vulnerable and discriminated populations are treated. The sectors covered in the study were the urban poor (especially homeless/street dwellers and informal workers particularly street vendors), Bangsamoro people, women, LGBTQ+, persons with disabilities, and youth. Rights defenders, not normally treated as a discriminated sector, were also included because of the observation of specific instances of discrimination against them.

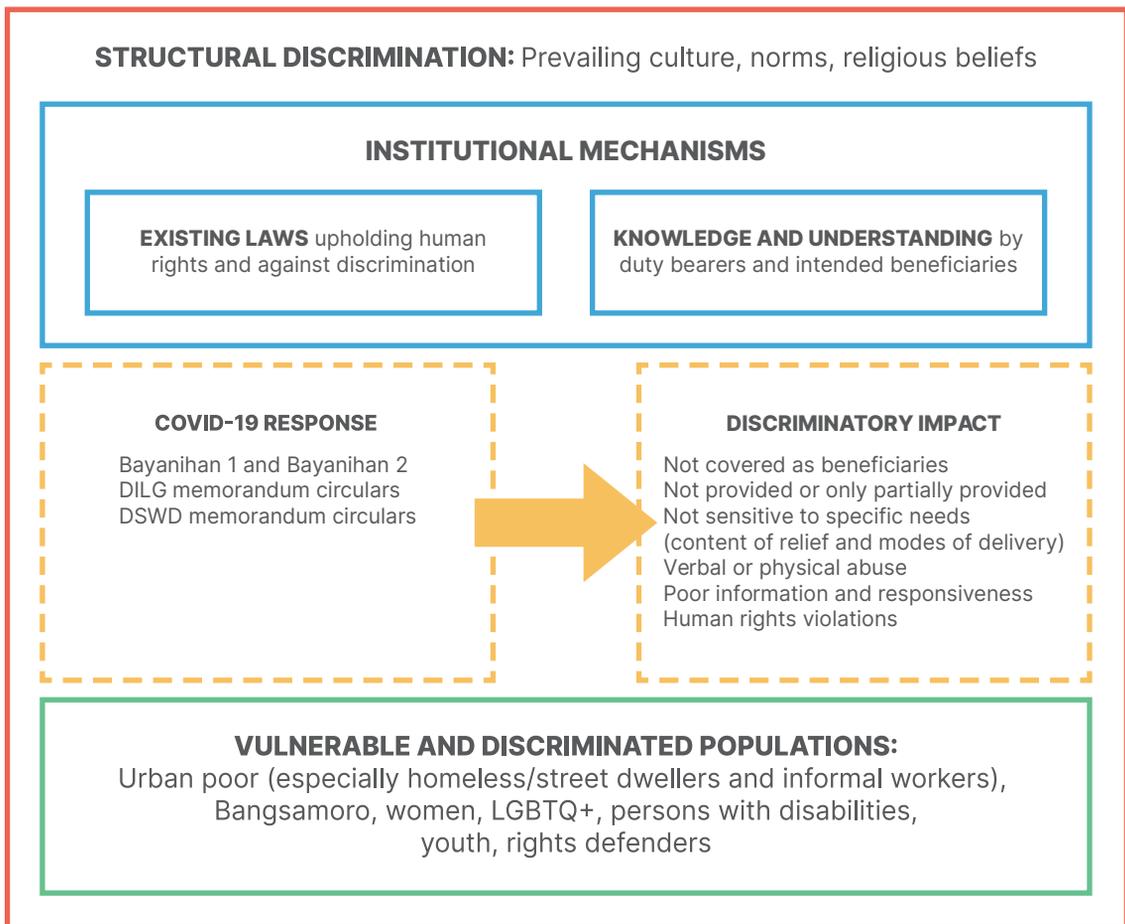
The relevant institutional mechanisms which can be seen to be modified to steadily correct structural discrimination consist of 1) existing laws upholding human rights and against discrimination; and 2) the knowledge and understanding of these

laws by duty bearers and intended beneficiaries. Taken together, they are crucial in upholding the rights and welfare of vulnerable sectors especially during economic crisis and pandemics.

The study specifically looked into the impact of COVID-19 response measures contained in the Bayanihan 1 and Bayanihan 2 laws and various DILG and DSWD memorandum circulars. In particular, their impact on the vulnerable sectors in the context of structural discrimination and existing institutional mechanisms was investigated. Discriminatory impact was observed in terms of the coverage, content, appropriateness, and responsiveness of relief measures as well as instances of abuse and human rights violations.

The narratives of the vulnerable sectors about their experiences are provided to help the national government, LGUs, policy makers and duty bearers enhance understanding of the specific vulnerabilities of the poor during the pandemic and identify key areas for improvement in terms of policy responses.

**FIGURE 3.** Conceptual framework



## Cross-cutting discriminatory impact on vulnerable groups

Conditions of the vulnerable sectors unanimously worsened during the lockdown. The majority had interrupted or lost livelihoods – including being laid off – and fell into debt. A number used up all their savings with some even driven out of their rented houses. Many reported experiencing hunger. Many also reported falling ill and having mental health issues, with a number contracting COVID-19. All had difficulty in mobility and a few experienced

having to pay fines for alleged violation of health protocols.

Some students had to stop schooling with a number forced to work to help pay for their families’ accumulating debts incurred to pay bills and for their daily sustenance. The homeless and sidewalk vendors suffered greatly from demolitions and street clearing operations, having been given no alternatives after being displaced.

**Disproportionate burdens.** The experiences of respondents confirmed the structural bias where poor and vulnerable groups face specific difficulties that higher income and well-off groups do not.

Women respondents reported difficulty finding ways to feed their children and families under lockdown conditions. The loss of income, meager cash assistance and sparse food relief from LGUs combined with high prices of food and insecure tenure (e.g., threats of demolition and clearing operations) weigh heavily on poor households. These in turn affected their mental health.

Limited mobility caused anxiety and depression to persons with disabilities and the youth. Persons with disabilities had difficulty accessing medication and therapy because of the lockdown. Many Bangsamoro respondents complained of having experienced hunger and

of their families going bankrupt and having to sell their appliances to be able to buy food and basic necessities.

Sidewalk vendors complained of having to leave their rented houses and either transferred to other makeshift houses in urban poor settlements where rent is cheaper or slept in the streets from not being able to afford rent. Some of the LGBTQ+ respondents went back to live with their families because they can no longer afford to rent their own place. Some experienced being forced by their landlords to move out of their rented apartments because they could no longer pay rent.

The street dwellers had it worst wherein their push carts or karitons, which also serve as their homes in the streets, were confiscated by LGU clearing operations even during the pandemic. Many respondents complained about being reprimanded by the authorities, made to sit under the scorching heat of

**FIGURE 4.** Word cloud on experienced deprivations during lockdowns



the sun, being fined Php300-500, and having to spend the night in cramped prison cells.

The pandemic underscored the housing problem in the country. There are some 16.3 million informal settler Filipinos or 3.7 million informal settler families as of May 2021, according to data from the Department of Human Settlement and Urban Development or DHSUD. The number includes families which require land tenurial upgrading, homeless families, displaced households, and those occupying both public and private buildings (Cureg, et.al., 2021).

It also underscored the vulnerability of informal workers and the homeless. Their lack of security of tenure and access to social protection normally offered by formal employment makes them doubly vulnerable to health and economic shocks. Making things worse is the institutional discrimination they experience with LGUs continuing with demolitions and clearing operations amid the pandemic. These aggravate their health and security vulnerabilities.

A daycare teacher and health worker recounted how police mistreated the youth – hitting them on their heads and kicking them. Many were accosted when trying to work during the lockdown period to buy food for their families. Urban poor participants said that the police have a quota of the number of persons to be accosted only after which will they stop apprehending alleged violators. According to the Joint Task Force COVID-Shield, some 308,859

individuals were reportedly accosted by the police from March 17 to August 10, 2020. This contrasts with officials caught openly and blatantly violating quarantine protocols but who are left unpunished (Casilao, 2020; Panti, 2020; San Juan, 2021).

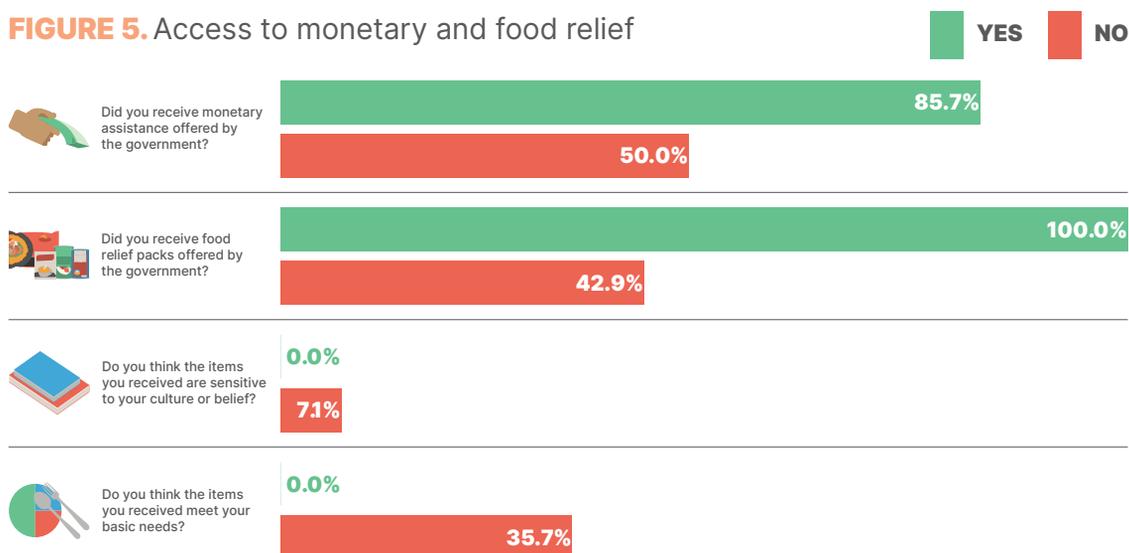
### **Insufficient emergency assistance.**

Respondents were thankful for whatever cash and food relief assistance was given but the majority still lamented that this was not enough and could only be stretched so far. The government cash assistance was mainly under its social amelioration program (SAP).

Not everyone received the full amount of SAP and many reported getting only one of two tranches. The same is true for promised food relief packs. Some did not receive assistance at all which LGUs explained was due to the fact they are not registered voters, not considered head of the family, not listed as a family because they are living alone, or because there was not enough to give to everyone in need. In some instances, the barangay or Municipal Social Welfare and Development Office or the DSWD did not give any reason at all.

Many respondents complained that the SAP was being unequally distributed and biased in favor of friends, relatives, and political allies of barangay officials. Several respondents also suspected incidences of corruption. Reports by the Commission on Audit (COA) on mismanagement of COVID-19 funds gives credence to these concerns.

**FIGURE 5.** Access to monetary and food relief



The COA has also reported that the Department of Health (DOH) mismanaged Php67.3 billion COVID-19 funds while the DSWD returned Php780.71 million in undistributed funds (Commission on Audit, 2020).

Volunteer teachers in day care centers and health workers moreover complained of insufficient allowances. Volunteer health workers who are also part of the BHERT said that they were not included in the special risk allowance or health risk allowance distribution in their barangay.

**Inadequate health support.** Respondents reported inadequate services across many aspects of the health system.

Most reported that free COVID-19 swab tests and antigen testing was unavailable in their LGUs. These were usually provided by expensive private providers. Testing on a wide scale was only mentioned to have been done in Marikina.

Most of the participants opted to self-isolate and self-quarantine in their homes. For many, this was because of limited quarantine and isolation facilities with none in their barangays and only in LGU designated areas. Others also said that they are afraid to report their sickness fearing further infection in hospitals or being stigmatized. A few reported being turned away by hospitals.

Many participants raised how non-COVID-19 health concerns have been neglected, such as managing mental health. Many respondents, especially women and youth, were vulnerable to mental distress from various pandemic- and lockdown-related stressors – unemployment, low incomes, hunger, disconnectedness, and lack of socialization. This is consistent with many previous studies (Cho, Yoonyoung et.al. 2020; Castillo, 2020; Tomacruz, 2018). A DoH National Mental Health Program survey reported some 3.6 million Filipinos suffering from mental disorders amid the pandemic while the National Center for Mental Health

**FIGURE 6.** Experience on health services



also noted a 50 percent increase in calls in 2020 from the year before (Esguerra, 2020).

One mother lost her youngest child because hospitals refused to admit her one-year-old. They were rejected four times and when admitted on the fifth try, the child’s condition was already critical, and it was too late for the child. A pregnant woman was likewise turned away by several hospitals. Some women complained about having a hard time getting an appointment for their prenatal check-ups.

**Poor information and responsiveness.**

Many respondents mentioned the lack of information on COVID-19 including on the assistance available, which they expected from their LGUs. Those who made requests or complained formally said these were

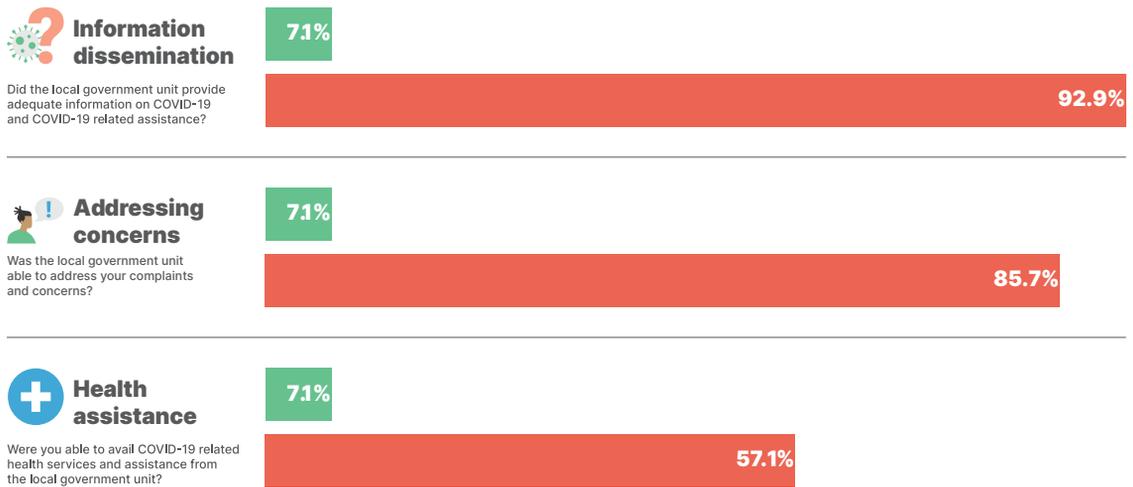
not acted on and they were still unable to get relief or health assistance. The right to correct information especially during the pandemic was underscored by the United Nations and the CHR in their guidance for governments in their pandemic response.

Respondents with disabilities also strongly felt against not being consulted in the planning and implementation of the pandemic response in their areas and blamed this for the inadequate response to their specific needs.

Youth respondents noted that while government assistance was limited, uniformed and armed military and police were however very visible especially at the height of lockdowns which caused them anxiety.

**FIGURE 7.** Interaction with the local government

**YES** **NO**



## Discriminatory impact and treatment

People are in different circumstances. The study found that the pandemic response has not been thorough in addressing the impact of the lockdowns on different groups given their specificities (with vulnerabilities particularly among lower income families as opposed to higher income families). In many instances, it has been actively discriminatory against certain groups.

**On Discrimination.** Respondents were unanimous in feeling discriminated against in the government’s pandemic response in terms of the cash and food relief being given. They felt discriminated against in not being able to operate their micro-businesses (e.g., sari-sari stores, vending food or whatever goods) and in their access to livelihood assistance, health services, and education. They expressed being discriminated against for their disabilities, religion, SOGIE or sexual

orientation, gender, age, having COVID-19, and even political belief or orientation.

**On other human rights violations.** The majority of the respondents felt that their rights to information, work and livelihoods, food, health, education and housing were violated. Many said that they did not feel that they were consulted and so their right to participate in development and governance was violated. Some also said that their rights to freedom of speech, assembly, movement, privacy, and due process were violated.

The respondents also expressed a lack of knowledge on policies at the LGU down to barangay level against discrimination. Only a few said they were aware of anti-discrimination policies to uphold their rights. Awareness of LGU policies against discrimination and for protecting women’s and children’s rights was relatively highest

among the women, youth and LGBTQ+ participants; similarly for the persons with disabilities and Bangsamoro people.

While some acknowledged the existence of supposed desks for women's and Muslim concerns, they said that these are not really functioning as they should. This could be due to a lack of understanding and appreciation of relevant policies by local officials including the police.

**Street dwellers, informal workers, and urban poor.** Quezon City, Marikina, and Manila street dwellers and sidewalk vendors became emotional as they recalled the hardships they experienced during the lockdowns, including their ordeal of countless clearing operations by LGUs wherein their means of livelihood (e.g., karitons, pedicabs) and personal belongings were confiscated or destroyed. The karitons of street dwellers, for instance, cost Php1,500-3,000 pesos each.



Many respondents lamented not being able to access assistance from LGUs because according to the latter, they were not in qualified lists or registered voters. Some also observed arbitrariness and

biases by barangay officials on who to give and not give relief assistance to.

Respondents also mentioned that it was very difficult to see their families go hungry due to their unemployment and not finding alternative means of livelihood due to lockdown restrictions. Many were driven to borrow from usurious informal lenders. This is on top of how the homeless are exposed to typhoons, intense heat of the sun, are vulnerable to petty crimes, and risk abuse on women and their daughters.

Kariton Coalition, a group of individuals from various churches, civil society, and faith-based organizations advocating for the rights of homeless street dwellers, lamented how local officials are not sensitive in communicating with the homeless. There is also a lack of gender sensitivity and the layout of tents in temporary shelter facilities do not make safe spaces for women and children.

Respondents from Manila strongly felt that the government is denying them their right to incomes and livelihoods. Some related how they were prevented from setting up stalls only to find that the LGU had allowed others to do so instead of them. They said that they tried filing complaints but there were no concrete action on these. Some complainants of harsh treatment by demolition teams did not pursue their grievances because authorities warned them against this during clearing operations.

Families involved in informal work (e.g., sari-sari stores, junk shops, small eateries or karinderya) felt that the government

discriminated against their right to earn a living because they were not allowed to operate even as other larger establishments like restaurants, salons, and malls were allowed.

The urban poor's right to housing is also violated as demolitions and clearing operations continued amid the pandemic. Respondents from Manila narrated how they were among 1,760 to as much as 5,000 families that will be forced to relocate to give way to the construction of three 19-storey housing buildings with 770 residential units. Women respondents lamented the lack of assurance that they would be given space in the new buildings or relocated properly.

**Bangsamoro people.** The Bangsamoro respondents felt discriminated against because of their religion in the delivery of services. For instance, food relief assistance in Marikina and Manila often still contains non-halal food which they are forced to accept for lack of options. Manila and Quezon City respondents also recounted how they were not always informed of schedules for relief distribution. They were also disregarded in the distribution of relief goods by a nearby church because they were neither Christians nor churchgoers.

They also lamented the stereotyping of Bangsamoro people as criminals and drug addicts. They said they were afraid to complain, however, fearing that retaliatory cases might be filed against them no matter how baseless or unfounded. They also worried that complaining about a relative unjustly put in jail might just

lengthen the latter's incarceration. Some experienced being discriminated against in job interviews based merely on their name.

The Bangsamoro respondents from Quezon City recalled that when they picketed the local government to allow them to start selling their wares again, officials accused them of being terrorists. A family said their right to privacy was also violated by state authorities when, at the start of the lockdowns in March 2020, members of the Quezon City Task Force Disiplina forcefully broke down the barriers they set up around their compound to prevent their children from going out when the elders are busy with their work.



**Women.** The adverse effects of gender norms on women have become heightened under pandemic conditions – loss of incomes and livelihoods, greater domestic work, and pressures, increasing incidence of gender-based violence, and reduced access to sexual and reproductive health services.

The mothers complained that their barangays do not act on the concerns

of women such as not assisting victims of domestic violence or on complaints of child molestation. These are dismissed as domestic problems to be resolved within the families. They also recounted the ordeal of a young mother accosted by the police for not wearing a face mask and then threatened to be raped if they ever catch her violating health protocols again. They also related how adolescents are physically abused whenever they are caught and while in detention.

The women respondents said they feel belittled with the contents of LGU food relief packs. Containing the usual canned goods and instant noodles, they said that these are insensitive to the needs of nursing mothers and their infants, including toddlers who need milk formula. These also do not meet the needed dietary requirements to keep families healthy or boost their immune system.

In Manila, the women complained of being profiled by state forces because of their active involvement in their local organizations. Police took photos of the women leaders without their permission and asked them about their activities. They are also asked if certain barangay councilors are members of the women's organization, Gabriela.

Women respondents in another barangay in Quezon City complained that their right to privacy was violated when non-uniformed police forcefully barged into their homes in the dead of the night and brought their husbands to jail without any warrant of arrest. A mother complained that her son whom she requested to buy

bread was picked up by the police chasing suspected criminals in their community. She had to run and followed the police to get her son back.

**LBGTQ+.** The prevailing conservative culture on gender discriminates against the LBGTQ+ and perpetuates homophobia. Respondents related experiences of how LBGTQ+ breadwinners and LBGTQ+ households are discriminated against and not included in beneficiary lists for relief assistance, despite also suffering the economic consequences of the lockdowns.



Some narrated how the elderly women in charge of distribution in their LGUs did not include LBGTQ+ in the list of qualified beneficiaries because of their conservative view on gender. An LBGTQ+ couple with adopted children also said that they did not get assistance because they were not considered a family; they attribute this to how the DSWD's household surveys do not include questions for LBGTQ+.

The transgender woman spokesperson of LBGTQ+ group Bahaghari lamented how attacks against the LBGTQ+ community

persists. She told of how members of Bahaghari, Metro Manila Pride, children's and women's organizations were illegally arrested by Manila police during their pride march in June 2020 despite observing health protocols. They were detained for five days and suffered mental torture and sexual harassment. She says that she and her family are under surveillance by state forces. Other LGBTQ+ members complained that their right to peaceful assembly and right to express grievance and seek redress and right to freedom of expression were violated.

LGBTQ+ especially transgenders, women, and young women are cat-called even by police officers. Transgenders are regarded as sex objects and being preoccupied with sexual thoughts. Some LGBTQ+ students are forced to enroll in alternative learning schools (ALS) because they got kicked out of their previous schools which disallow cross-dressing.

### **Persons with disabilities (PWD).**

Respondents complained of a systematic insensitivity to their specific circumstances across many aspects of the pandemic response. They feel that the LGU and barangay officials are insensitive to their plight.

Parents and under-parents (referring to guardians or caretakers of persons with disabilities who may also be their parents) of PWDs complained about the latter not being counted as eligible or legitimate beneficiaries for special assistance. Children with disabilities have also been excluded from beneficiary lists because their needs are supposedly already met

by the assistance provided to the family or household they belong to. On the other hand, there are also households that did not receive SAP because their family member with disability already received his/her cash assistance.



They also lament not being prioritized in the same manner that senior citizens are given due assistance. Accessibility is a special concern for PWDs as they are also required to wait in long lines to avail of the SAP and food relief instead of the goods being brought to their residence. PWDs also noted how LGU food relief packs are insensitive to their specific nutritional needs.

KAINAKAP Manila (Kaisahan ng Nag Aaruga at may Kapansanan) also narrated how they felt when they were discriminated against, as PWDs, in availing spaces at the local market to sell their goods. Their barangay also did not provide them assistance during the group's food relief distribution and did not provide tents and chairs that were requested.

**Youth and students.** Youth respondents strongly felt that the government is

impeding their right to education. They complained about being confined to their homes and forced to attend school through distance education and blended learning arrangements. They also narrated how they suffered from mental health problems due to the imposition of blended learning, with some accounts of student suicides.

Respondents also divulged how many of them were forced out of school to find work to help their families who lost incomes and livelihoods because of the lockdowns. Pleas to resume face-to-face classes were unheeded. The students felt that there were no consultations on the actual needs of students and teachers.

Additionally, assistance for their online education needs has not been enough. For instance, while the Quezon City LGU provided a tablet and gives monthly internet allowance of Php150 per student, there is no provision for the repair of tablets and the load allowance is not enough such as when they need to watch videos for school. The Manila City LGU meanwhile provides monthly cash assistance of Php1,000 for students enrolled in state colleges (i.e., Pamantasan ng Lungsod ng Maynila and Unibersidad ng Maynila).

**COVID-19 patients.** Respondents also pointed out discrimination against patients infected with COVID. They mentioned that the practice of placing a marker on a house with a COVID patient to warn people has a stigmatizing effect. Likewise, recovered residents returning home from a long hospital confinement are sometimes still treated by neighbors as having the virus despite already being COVID-19-negative.

Some respondents shared their anxiety and discomfort from being avoided by their neighbors for months afterwards.



Dr. Joshua San Pedro, co-convenor of the Coalition for People's Right to Health or CPRH, said that their urban poor stakeholders are stigmatized by the national government whenever statements are made, blaming them and their supposed misbehavior for the spread of COVID-19. CPRH also related how some urban poor residents lived with the fear that their settlements would be demolished if they were found to have the COVID-19 virus.

**CSOs and rights defenders.** Civil society organizations, private groups and individuals have tried to bridge perceived gaps in the government's pandemic response as well as press for reforms and improvements in implementation. These included organizing feeding programs, community kitchens, distributing food relief and health packs, giving cash assistance, providing PPEs, setting up hotlines for pandemic concerns, and other efforts helping many thousands daily. Many of these mobilized assistance come from among their respective

communities themselves such as the National Commission for Muslim Filipinos (NCMF) getting support from Muslim business groups, community pantries tapping solidarity from residents rich and poor, and more.

Respondents said that many LGUs welcomed such initiatives but also that the controversial red-tagging campaign of the national government including against organized relief assistance often overrides this.

Respondents also said they felt that the right of the people to development and humanitarian assistance is violated from discriminatory restrictions against their efforts to help left out in the government's response. They expressed how they felt discriminated against in participating in development work because of their political beliefs. Respondents shared how the call for mass testing was even criticized by the national government as merely instigating the people to question the government and its pandemic response.

Youth respondents related how a student-organized community kitchen set up in Quezon City in May 2020 was harassed

by state security forces because they also called for more government aid and mass testing. A number of organizers were jailed and, although released after a few days, the trauma from the experience haunts them (Umil, 2020). They also shared having anxieties from how false information about youth organizations critical of government policies is being spread to discredit their efforts.

Disaster relief organizations like the Citizens' Disaster Response Center (CDRC) also said that explicit national directives against "unauthorized" humanitarian assistance from CSOs, private groups and even individuals have interfered with their relief work. They narrated how even otherwise supportive LGUs were forced to stop some of their food distribution and other efforts in the provinces. In NCR, community pantries set up were profiled by the police and publicly vilified.

Manila-based St. Arnold Janssen KALINGA Center (AJKC) told of how their efforts to feed some 1,000 homeless people daily has been harassed and was even threatened for closure on the pretext of not following social distancing health protocols. The homeless were also stigmatized as spreaders of the virus.



- Maginhawa -  
Community  
Pantry

1. BATAKAS ST  
2. KALAYAN AVE  
3. BANGALUA

AGBIGAY SA  
KAYANG

# THE ROLE OF THE COMMISSION ON HUMAN RIGHTS

As the country's National Human Rights Institution (NHRI), the Commission on Human Rights (CHR) monitors the government's performance on its obligations under domestic law and international treaty obligations. The CHR provides legal assistance, advice to Filipino citizens who seek their assistance, and how to proceed with complaints. CHR offices also give trainings on sexual orientations, gender identities, gender expressions and sex characteristics or SOGIESC and the Safe Spaces Act, among others.

In terms of policies, the CHR support the anti-discrimination bills and the passage of ADOs. It also submits reports to international bodies if the government fails to perform its duty under the law and under its treaty obligations. The CHR has been facing challenges given Pres. Rodrigo Duterte's vocal antagonism to human rights but remains undeterred and committed to performing its mandate to promote and uphold the Filipino people's rights and welfare (UPGLPP, 2021; CHR, August 16, 2020).

The CHR also documents cases reported to their regional units but says not all rights violations and discrimination are being reported.

The foregoing observations show how the government's pandemic response has fallen short of meeting the basic and, especially,

specific needs of the poor and vulnerable sectors. Policies, memorandum circulars, and ordinances appear to take CHR human rights guidelines into consideration but their implementation depends on how well implementing agencies and LGUs ensure that policies are understood at every level of response. The study also noted how existing structural biases on gender, religion, political beliefs, and opinions contributes to discriminatory allocation of assistance and even specific instances of abuses. Greater access to correct information as well as wider participation in policy making and implementation will provide checks and balances and help prevent prejudice in access to goods and services.

The rights and well-being of vulnerable sectors still not covered by legislation are also more likely to be compromised especially while existing laws and policies lack strength to cover all rights abuses and acts of discrimination that may be committed whether by duty bearers and non-duty bearers.

The CHR, CSOs, and many policy makers and church people are pushing for the passage of a comprehensive anti-discrimination law to cover acts of discrimination and rights still not covered in existing laws. The need for such a law especially during the extreme economic and health crisis is ever more urgent.



## Urgency of a Comprehensive Anti-Discrimination Law

A Comprehensive Anti-Discrimination Bill (CADB) is currently pending in Congress. The CHR is among those strongly supporting this. In a position paper, they stressed the importance of the measure and said that: “[it] will help enforce the constitutional guarantee against discrimination by defining specific acts or omissions that constitute discrimination as well as by defining positive acts by which both the State and non-state actors may promote

equality and fight discrimination; transcending mere penal legislation and takes a more holistic approach to truly reshaping societal attitudes” (CHR, 2020b).

The CHR further explained: “Equality and non-discrimination are basic principles that underpin the rule of law and the human rights framework. These two principles are embedded in the international human rights

obligations of the Philippines as a State-Party to the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (ICMW), the International Convention on the Rights of Persons with Disabilities (CRPD), and other international human rights laws. These principles are also at the core of the Universal Declaration of Human Rights (UDHR) and the 1987 Constitution” (CHR, 2020b).

Unfortunately, many vulnerable groups do not have specific legislation protecting them against discrimination – informal workers, sidewalk vendors, homeless people, and LGBTQ+ – which contributes to more pronounced discrimination against them (CHR, 2020b).

The CSOs and government representatives interviewed by the study fully support the CADB.

Kariton Coalition proposes that the bill explicitly define the homeless/street dwellers towards greater recognition as a sector of Philippine society to be accorded social protection and support. For its part, in response to reports of

discriminatory acts committed against homeless during the pandemic, the CHR issued an advisory on the rights of the street dwellers emphasizing the need for humane treatment.

The No Eviction Unity (NEU) and United Vendors Alliance (UVA) in Manila, Quezon City, and Caloocan City also adds that such recognition can pave the way to a deeper understanding of how development policies adopted by the government are unable to create sufficient regular and decent-paying work for the majority of Filipinos. Thus, we have a vast number of informal workers who actually make up majority of the country’s employed.

The Moro and Christian People’s Alliance (MCPA) recommends that the NCMF be included as one of the agencies that can submit complaints of discrimination against the Bangsamoro or Muslim Filipinos. MCPA also suggests improving the definition of “stigma” particularly to take account of how the government and its security forces are often implicated. They argue that such discrimination backed by the force of the state is exceptionally systematic and cruel.

The NCMF regards the CADB as a good initiative to end discrimination. The NCMF representative noted how divisions between Muslims and Christians persist especially today with terrorism being associated with Muslims. The legislation can contribute to correcting historical biases and erroneous anti-terrorist sentiments.

The Life Haven Independent Living Center (LHI) stresses the discrimination against persons with disabilities when support services and reasonable accommodation are not accessible. While there are laws such as Batas Pambansa 344 of 1982 requiring certain buildings, institutions, establishments, and public utilities to install appropriate facilities and other devices, accessibility for persons with disabilities remain a big issue.

Accessibility is however just one of many issues concerning persons with disabilities. Other issues are their right to access basic social services such as education, health, transportation and fare subsidies, auxiliary aid and services, participation in development and governance. The 1992 Magna Carta for Persons with Disabilities (R.A. 7277) promotes a barrier-free society framework covering all social, cultural, economic, environmental, and attitudinal barriers that are prejudicial to persons with disabilities. The law ensures that the rights of persons with disabilities not to be discriminated against are ensured by guaranteeing their rehabilitation, self-development, and self-reliance, and by developing their skills and potentials to compete favorably for available opportunities. Yet many of the law's provisions are still to be fully implemented and enjoyed by the country's growing number of persons with disabilities (R.A. 7277, 1992).

In 2011, the UN established the Partnership for the Rights of Persons with

Disabilities and created the Multi-Partner Trust Fund (MPTF) to help accelerate the implementation of the 2006 UN CRPD by governments. It identified six preconditions for disability inclusion to ensure that persons with disabilities can access services necessary for their development and well-being: equality and non-discrimination; service delivery; accessibility; participation in governance and development, CRPD-compliant budgeting and financial management; and accountability and governance. Particular to accountability and governance is the importance of systematized collection of relevant information including statistical and research data to inform policies, national implementation and monitoring systems, and for effective coordination across sectors (UNPRPD).

The CPRH meanwhile underscores how comprehensive anti-discrimination legislation can go far in making the public health system more responsive. The pandemic highlighted how the health system can still work against lower income and the various discriminated groups in terms of affordability and accessibility, aside from exacerbating pre-existing biases. Anti-discrimination legislation astride strengthening the public health system is seen as significantly advancing the people's right to health.

The representative of Gabriela-Metro Manila also supports the CADB while also strongly recommending a reform of the country's justice system. It was pointed out that there is already a vast

legal regime of potentially beneficial human rights-based measures yet, aside from non-implementation, even outright violations can go unpunished.

Bahaghari pointed out that various bills on LGBTQ+ rights have been filed in Congress which have been lobbied for tirelessly by the LGBTQ+ community and advocates. Given the intersectionality and multiplicity of discrimination that individuals may suffer especially among women and the LGBTQ+ a comprehensive anti-discrimination law should be passed.

During the 18th Congress of the Philippines, the House of Representatives (HOR) Committee on Human Rights approved the consolidated version of the Comprehensive Anti-Discrimination Bill which is now awaiting debates and further refinements. The bill includes discrimination based on SOGIE as well as age, racial or ethnic origin, religious belief or activity, political inclination or conviction, social class, marital or relationship status, disability, HIV status, health status or medical history, language, and physical features – all of which are in the International Bill of Rights. Correspondingly, the law covers all rights enshrined in the Philippine Constitution. Refinements will still be proposed based on the

recommendations of the various vulnerable sectors covered in this study (Talabong, 2021; Mercado, 2021; CHR, 2020b).

In the Senate, the Comprehensive Anti-Discrimination Act of 2020 (Senate Bill 1675) is currently pending with the Senate Committee on Cultural Communities. The Committee already conducted a hearing on 29 July 2020 and three technical working groups (TWGs) regarding the CADB and similar bills were already held on 29 September 2020, 28 October 2020, and 19 January 2021. There is also the consolidated SOGIESC bill sponsored by eight (8) senators.

Urgent policy reforms upholding people's rights and welfare such as the CADB have been set aside for years. Several bills have even lain idle in Congress for decades and are just routinely refiled. The CADB is still far from being legislated despite being an important step to addressing structural barriers to achieving equality and inclusion. Other factors contributing to inequality and discrimination should also be addressed. The passage of the CADB and other recommendations for policy action can help resolve these barriers.



# SUMMARY AND RECOMMENDATIONS

The study contributes to qualitative evidence on discriminatory tendencies in the impact of the government's pandemic response policies and mechanisms. It is also one of the first studies on discrimination against vulnerable sectors during the pandemic in the context of the developing world.

The various FGDs and KIs surfaced narratives that can hopefully contribute to post-pandemic development strategies to ensure social inclusion. The importance of ensuring genuine people's and CSO participation in crafting and implementing economic policies and programs to ensure that nobody is left behind – and of genuine partnership in development to eradicate poverty and inequality – are emphasized.

The study's data-gathering from FGDs, KIs, and review of various other reports clearly establishes that the poor and vulnerable sectors have experienced discrimination in varying forms and degrees during the government's pandemic response. This despite existing policies meant to ensure their rights and welfare. There are many layers of challenges. Existing structures in the sense of the prevailing culture, norms, religious beliefs, and convictions strongly influence behavior and perceptions resulting in discrimination. Institutional

mechanisms can go far in modifying this behavior and perceptions such as, but not only, during exceptionally large government programs like the unprecedented pandemic response since 2020. Indications however say that these institutional mechanisms have not only fallen short of attending to the needs of vulnerable groups but have also in many instances even reinforced pre-existing biases.

The many laws, policies, memorandum circulars, ordinances, and other issuances by national and local government agencies upholding the rights of informal dwellers and workers, women, youth and children, persons with disabilities, Bangsamoro, LGBTQ+ and other vulnerable groups are very important. This consciousness has clearly also informed the Bayanihan 1 and Bayanihan 2 COVID-19 response including that of LGUs. The framework for ensuring that people's rights and welfare are upheld especially among the vulnerable sectors already exists even if there are still many evident areas for improvement.

The problem of inconsistent policies and, in many instances, even inconsistent implementation from the national to the local government levels, especially at the barangay level, however persists. Even granting pre-existing biases and gaps in current laws, it appears that much clearer guidelines on implementation and

stronger mechanisms for accountability and redress will go far in improving implementation and services provided to vulnerable groups.

Guidelines and mechanisms are also presumed to function better if informal workers (especially street or sidewalk vendors) and street dwellers, persons with disabilities, elderly, and LGBTQ+ were not so invisible in official recording and statistical systems. Many government services including social protection are premised on reasonably systematic recognition and quantification.

There also appears to be a lack of basic understanding and appreciation of laws and ordinances. For instance, the setting up of welfare desks for women and children, persons with disabilities, senior citizens, including ADOs in several LGUs and at the barangay level are concrete expressions. However, respondents noted unevenness in how these function with many proving ineffective or unresponsive during the pandemic.

Many respondents also felt that patronage politics and corruption are persistent at the level of their barangays up to the national level. This was frequently blamed for the inadequacy of financial assistance and relief packages and for the perceived selectivity in beneficiaries. It has been raised how application of the Civil Service Commission's code of ethics for public servants and penalties for violations thereof can be strengthened to ensure that the country's duty-bearers (from the barangay up to the highest levels of public service) are consistently made

accountable for any violations of the law. The respondents from organized civil society organizations in particular, articulated frustrations with the non-inclusiveness of pandemic response decision-making and implementation. They pointed to how the country's Inter-Agency Task Force for COVID-19 Response (IATF) did not have any representation from civil society – whether as observers or much less as members – aside from how the composition under-represents health expertise and over-represents officials with mainly military and police backgrounds or narrow economic perspectives. Greater involvement of civil society is seen to help ensure a more people-centered and human rights-based pandemic response.

Community and expert respondents all affirmed the need for legislation providing comprehensive coverage of all protected attributes against discrimination and human rights identified in the International Bill of Rights. This should cover the rights of all vulnerable sectors, including rights defenders, not covered under existing laws. The consolidated Comprehensive Anti-Discrimination Bill recently approved for debates at the House of Representatives and whose counterpart bill at the Senate of the Philippines is awaiting deliberations is recommended.

The discussions with study participants surfaced a number of recommendations for improving current COVID-19 response – some of which may become less relevant as the brunt of the pandemic winds down and the country transitions to the so-called new normal – but also for

improving the government infrastructure for upholding the rights especially of poor and marginalized groups:

## **1. Improving social protection mechanisms**

### **a. Improving response during pandemic**

- i. Restore and raise livelihoods
  - Provide livelihood support (e.g., start-up capital for sidewalk vendors and micro-enterprises)
  - Provide sidewalk vendors with spaces to sell their goods
- ii. Ensure essential goods and services for all
  - Provide cash assistance and food relief before lockdowns start to mitigate any sudden loss of income and prevent hunger
  - Provide adequate cash and food assistance especially during strict lockdowns
  - Regulate prices of basic goods, especially food
- iii. Pass key pending legislation
  - House Bill 9089, Php10,000 Ayuda Bill
  - House Bill 8220, An Act Providing for the Universal Disability Support Allowance for Persons with Disabilities and Appropriating Funds Therefor

### **b. Improving relief program coverage**

- i. Identification of beneficiaries (by national agencies and LGUs)
  - Develop a unified database with gender-, age-, and disability-disaggregated data
  - Use disability data/registry to locate persons with disabilities. Also improve existing data

registry to include barriers to development of persons with disability through a disability data management system.

- Ensure that vulnerable older persons particularly older women are included
  - Incorporate LGBTQ indicators in DSWD's Listahanan survey towards including them in the list of beneficiaries of government assistance
  - More rigorously include street dwellers as beneficiaries of government assistance
- ii. Provide assistance per family rather than per household as households may comprise more than one family

### **c. Improving relief packages**

- i. For LGUs to check the actual needs of families especially those with special needs such as persons with disabilities and households with infants (e.g., include infant milk and vitamin supplements for weaning mothers).
- ii. Improve content of food relief packs – apart from canned goods and instant noodles, also include vegetables, fruits, and other agricultural products sourced from farmers (to also support farming communities)

### **d. Improving accessibility of relief services**

- i. Train health providers to be able to assist persons with disabilities (e.g., communicate with the deaf)
- ii. Make web-based services accessible for persons with disabilities (especially the deaf and

blind) while ensuring privacy and confidentiality of health-related information

**e. Pass key pending legislation**

- i. House Bill 3806, Anti-Elder Abuse Bill or An Act Instituting Mechanisms to Protect the Elderly Against Abuse, Exploitation and Abandonment or Neglect, Establishing A Home for the Elderly In Every Region, Providing Penalties For Any Violation Thereof and Appropriating Funds Therefor

**2. Strengthening the public health system** (Government should prioritize health response by increasing budgetary support to develop the country's public health system)

**a. Improving response during pandemic**

- i. Ensure a more wholistic approach to pandemic response with health as primary focus
- ii. Conduct targeted mass testing and more systematic contact tracing to enable selective quarantines least disruptive to mobility, livelihoods, and schooling
- iii. Make self-quarantines easier for close contacts and infected persons (e.g., income support, more accommodating enterprises, better quarantine facilities)
- iv. Provide PPEs to patients in hospitals
- v. Prioritize persons with disabilities and under-parents, caregivers and personal assistants in the national immunization programs
- vi. Ensure that health services for non-COVID 19 patients are not compromised

**b. Increase the number of health workers (e.g., doctors, nurses, technicians)**

**c. Build more health facilities to improve the delivery of affordable and accessible health services**

**d. Pass key pending legislation**

- i. House Bill 7909, Paid Pandemic Leave Bill

**3. Ensuring the right to education**

**a. Improving response during pandemic**

- i. Increase assistance to students (e.g., Php10,000 cash assistance)
- ii. Allow face-to-face classes in areas with low COVID-19 infections

**b. Pass key pending legislation**

- i. House Bill 9494, An Act Providing Financial Assistance to Subsidize Education Costs and Providing Other Forms of Relief During Times of National Emergencies and Crises and Appropriating Funds Therefor

**4. Improving conditions of informal workers**

**a. Provide street dwellers with alternative places to stay**

**b. Pass key pending legislation**

- i. Various House Bills filed at the House of Representatives for the Magna Carta for Informal Workers

**5. Improving government capacity and responsiveness**

**a. Improving response during pandemic**

- i. Set up a one-stop assistance center for COVID-19 response

- towards avoiding patronage-driven and patriarchal delivery of services
- ii. Set up a centralized feedback mechanism to act on citizen complaints about pandemic response
- iii. Ensure compassionate treatment of all especially the poorest and most marginalized who are most prone to abuse or denial of service
- b. Make process more inclusive**
  - i. Recognize CSOs as rights holders and development partners, stop harassment and attacks according to political orientation
  - ii. Ensure a consultative process including all stakeholders especially from vulnerable sectors for a well-planned and more effectively implemented human rights-based crisis response
- c. Ensure effective implementation of laws, policies, ordinances, and other relevant issuances on gender equality, human rights and anti-discrimination**
  - i. Give all national level and local government officials and employees regular trainings and capacity-building on these laws and policies
  - ii. Ensure penalties for violations of laws and non-compliance with laws and policies
  - iii. Inform and orient civil society and communities on these laws and policies, including on guidelines for their involvement
- d. Ensure adequate budget allocations promoting equal protection and the welfare of all citizens**

- i. For agencies on special concerns so they can respond more effectively to the needs of their stakeholders especially during crisis periods (e.g., NCMF)
- ii. For the proper implementation of relevant laws and issuances

## **6. Improving community capacity and responsiveness**

- a. Establish community-based disaster/crisis management to capacitate communities to respond and to help in the delivery of the government's disaster/crisis response**

## **7. Promoting public awareness on human rights and discrimination issues**

- a. Include courses and subjects on gender equality, human rights, and anti-discrimination in curriculums at the primary, secondary, and tertiary levels to ensure Filipino citizens are educated and aware of their rights as well as of institutional mechanisms to uphold these rights**

## **8. Protecting rights and improving accountability**

- a. Pass Senate Bill 179 on the Human Rights Defenders Bill**
- b. Pass House Bills 15, 161 and 240 on Human Rights Defenders Bill**
- c. Reform the country's justice system and hold erring government officials accountable for violating the country's laws and policies**



# ANNEXES

## ANNEX 1

### List of key informant interviewees

#### CSOs

Name	Organizational Affiliation
Ms. Hanna Fiel	Deputy Executive Director, Citizen's Disaster Response Center
Dr. Joshua San Pedro, M.D.	Co-Convenor, Coalition for People's Right to Health; Community Physician of the Council for Health and Development
Ms. Amirah Ali Lidasan	Secretary General, Moro-Christian People's Alliance
Ms. Rose Bihag	Vice Chairperson, Gabriela Metro Manila Chapter
Mr. John Louis Gonzales	Student Aid Network; National Union of Students in the Philippines; National Congress of VetMed Students
Ms. Rey Kristoffer Valmores-Salinas	Spokesperson, Bahaghari National
Mr. Jose M. Miralpes, Jr.	Chairperson, Kadamay – NCR; Convenor, No Eviction Unity Convenor; United Vendors Alliance in Manila, Quezon City and Caloocan
Ms. Mimi Esguerra	President, Kaisahan ng Nag Aaruga at may Kapansanan (KAINAKAP-Manila)
Mr. Abner Manlapaz	Council Member for NCR. National Anti-Poverty Council Persons with Disabilities Sector; President, Life Haven's Center for Independent Living based in Valenzuela City
Mr. Ericzon Dy	Life Haven's Center for Independent Living based in Valenzuela City
Mr. Timothy Pasicolan	Martha's Hot Kitchen; Member, Kariton Coalition
Mr. Lemuel David Salvo	Martha's Hot Kitchen; KMBI Development Foundation Inc.; Member, Kariton Coalition
Mr. Tim Ngo	Street Believers; Member, Kariton Coalition
Mr. Ed Billones	Tres Maria Seminaries; Member, Kariton Coalition
Mr. Vincent Eugenio	Member, Kariton Coalition
Fr. Flavie Villanueva, SVD	Founder, Project Paghilom of the Arnold Janssen Kalinga Center

#### Government

Name	Organizational Affiliation
Engr. Emerito L. Rojas	Executive Director, National Council on Disability Affairs
Mr. Cosanie Decorongan	Director, Bureau of Peace and Conflict Resolution; Cooperation and Quick Reaction Team Lead, National Commission for Muslim Filipinos Inter-Agency Task Force on COVID-19
Office of Sen. Juan Edgardo "Sonny" M. Angara	Legislator, 18th Congress of the Philippines

## ANNEX 2

### Policies to ensure rights and welfare of vulnerable sectors

#### Women, Children, Youth

Year	Policy No.	Title / Description
1989	R.A. 6725	An Act Strengthening the Prohibition on Discrimination Against Women with Respect to Terms and Conditions of Employment
1990	R.A. 6949	An Act to Declare March Eight of Every Year as A Working Special Holiday to Be Known as National Women's Day
	R.A. 6955	Anti-Mail Order Bride Law, outlaws the practice of matching Filipino women for marriage to foreign nationals on a mail-order basis
	R.A. 6972	Barangay-Level Total Development and Protection of Children Act. Mandates the establishment of day care centers in every barangay
1991	R.A. 7160	Local Government Code of 1991, introduced a mechanism for women's participation at the local government level
1992	R.A. 7192	Women in Development and Nation Building Act, provided the legal basis for equal opportunities for women and men in political and civic life. It specifically mandated the formulation of a Philippine Plan for Gender-Responsive Development (PPGD) 1995-2025
1994	R.A. 7688	An Act giving representation to women in the Social Security Commission
1995	R.A. 7877	The Anti-Sexual Harassment Act. Declared all forms of sexual harassment in the employment environment as well as in the education and training environment as unlawful
	R.A. 7941	Paty-list System Act
1997	R.A. 8353	Anti-Rape Law of 1997, broadened the definition of rape which may be committed by having carnal knowledge of a woman under certain circumstances or by committing acts of sexual assault
1998	R.A. 8505	An Act Providing Assistance and Protection for Rape Victims, Establishing for the Purpose A Rape Crisis Center in Every Province and City
	R.A. 8972	Solo Parents' Welfare Act, aims to develop a comprehensive program of social development and welfare services for solo parents and their children
	R.A. 9208	Amended Anti-Trafficking in Persons Act, strengthens the power of the authority to prosecute pre-empted acts of trafficking; eliminates the privacy clause previously enjoyed by traffickers; penalizes the confiscation of travel documents such as passports and working permits from trafficked persons
	R.A. 9262	Anti-Violence Against Women and Their Children Act. Penalizes the commission of violence against women and their children (VAWC) in the context of domestic violence or violence in intimate relationships
	R.A. 9344	Juvenile Justice Welfare Act
	R.A. 9710	Magna Carta of Women. comprehensive women's rights law that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling, and promoting the rights of Filipino women, especially those in the marginalized sectors
2012	R.A. 10354	The Responsible Parenthood and Reproductive Health Act or the Reproductive Health Law. Provides for a national policy on responsible parenthood and reproductive health
	R.A. 10361	The Domestic Workers Act or Batas Kasambahay, institutes policies for the protection and welfare of domestic workers
2013	R.A. 10398	Declaring November 25 of every year as 'National Consciousness Day for the Elimination of Violence Against Women and Children
2018	R.A. 11058	An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties for Violations Thereof

2019	R.A. 11313	Safe Spaces Act or “Bawal Bastos” Act addresses gender-based sexual harassment in public areas such as streets, privately-owned places open to the public, and public utility vehicles, among others. It also extends the protection even to cyberspace and provides for prohibited acts and their corresponding penalties.
	R.A. 11210	Expanded Maternity Leave Law or An Act Increasing the Maternity Leave Period to One Hundred Five (105) Days for Female Workers With an Option to Extend for an Additional Thirty (30) Days Without Pay, and Granting an Additional Fifteen (15) Days for Solo Mothers, and for Other Purposes
	R.A. 9344	Juvenile Justice Welfare Act, Comprehensive Juvenile Justice and Welfare System, Creating The Juvenile Justice and Welfare Council Under the Department of Justice, Appropriating Funds Therefor and for Other Purposes

## Persons With Disabilities

Year	Policy No	Title / Description
1954	R.A. 1179	An Act to Provide for the Promotion of Vocational Rehabilitation of the Blind and Other Handicapped Persons and Their Return to Civil Employment. Creation of vocational and rehabilitation office for the blind and persons with disabilities
1982	B.P. 344	Accessibility Law. Ensures the accessibility of private and public infrastructure for persons with disabilities
1992	R.A. 7277	An Act Providing for the Rehabilitation, Self-Development and Self-Reliance of Disabled Person and Their Integration or the Philippine Magna Carta for Disabled Persons. Stipulates the rights of persons with disabilities, auxiliary social services, accessibility, and anti-discriminatory provisions.
	R.A. 9442	Amendments to R.A. 7277. Adds other privileges and incentives for persons with disabilities and prohibitions on verbal, non-verbal ridicule and vilification against persons with disabilities
2010	R.A. 10070	Establishing Institutional Mechanism to Ensure the Implementation of Programs and Services for Persons with Disabilities in Every Province, City and Municipality, Amending Republic Act No. 7277, Otherwise Known as The Magna Carta for Disabled Persons, As Amended, and for Other Purposes. Provided for the establishment of Persons with Disability Affairs Office or PDAO
2016	R.A. 10754	Amendments to R.A. 7277. Further expanded the benefits and privileges of persons with disabilities. Specifically, the 20 percent discount and exemption from the value-added tax (VAT), if applicable, on the sale of certain goods and services.

## LGBTQ+

Year	Policy No	Title / Description
2013	R.A. 10627	Anti-Bullying Act. Although not mentioned in the law itself, SOGIE is included in the IRR
2019	R.A. 11313	Safe Spaces Act
2019	E.O. 100	Institutionalizing The Diversity and Inclusion Program, Creating an Inter-Agency Committee on Diversity, and Inclusion, and For Other Purposes. Establishes the DIP as a national program of the government to consolidate all efforts and implement existing laws, rules, and issuances against the discrimination of persons based on protected attributes enshrined in the International Bill of Rights towards the identification and adoption of best practices in the promotion of diversity and inclusion.
Various years	Anti-Discrimination Ordinance (ADO)	For the protection and promotion of rights and welfare of the LGBTQ community

## Indigenous Peoples

Year	Policy No	Title / Description
2017	R.A. 8371	Indigenous Peoples Rights Act, recognizes, protects, and promotes the rights of indigenous cultural communities/indigenous peoples, creating National Commission on Indigenous Peoples, establishing implementing mechanisms, appropriating funds therefor, and for other purposes. An important part of this law is the free, informed, and prior consent or FPIC.

## Senior Citizens

Year	Policy No	Title / Description
1991	R.A. 7432	An Act to Maximize the Contribution of Senior Citizens to Nation-Building, Grant Benefits and Special Privileges and for Other Purposes provides for the granting of a 20-percent discount for senior citizens on fares for domestic transportation, and the availment of services from hotels, lodging houses, restaurants, theaters, recreation centers, and purchase of drugs and medicines anywhere in the country. It also exempts senior citizens from payment of individual income tax and establishes the Office of Senior Citizens Affairs (OSCA) at the city or municipal mayor's office.
2003	E.O. 105	Approved and directed the implementation of the program providing for group homes and foster homes for the neglected, abandoned, abused, detached and poor older persons and persons with disabilities
	R.A. 9257	Expanded Senior Citizens Act of 2003, expands the coverage of the benefits and privileges for senior citizens by making it mandatory for business establishments to grant the 20-percent discount on goods and services. It also installs a process for organizing the OOSCA and the selection of the OSCA head. But, more important, it provides for a comprehensive system for senior citizens to foster their capacity to attain a more meaningful and productive aging
2010	R.A. 9994	Further expanded to laws on privileges and benefits for senior citizens, including 20 percent discount and 12-percent value-added tax exemption, free services and/or training fees; Discount on "essential medical supplies, accessories, equipment," free flu and pneumonia vaccines; Additional government assistance, i.e., social pension, mandatory PhilHealth coverage, social-safety nets, death benefit assistance; The Department of Trade and Industry now part of the National Coordinating and Monitoring Board (NCMB); Clearer and "stricter" appointment procedure and requirements for OSCA Heads; and Honoraria for OSCA head equal to SG10.
2019	R.A. 11350	National Commission of Senior Citizens Act establishes the National Commission of Senior Citizens to ensure the full implementation of laws, policies, and programs of the government pertaining to senior citizens." It is also supposed to make policies that will promote and protect the rights of senior citizens. It transferred the functions, activities, and programs of the DSWD for poor, vulnerable, and disadvantaged senior citizens

## ANNEX 3

### Participants' life stories

**Shirley Orosa** (not her real name), a senior citizen and street vendor aged 70, currently lives on the street banks of Maria Orosa St. in Manila. For her, being a street vendor is her only means of providing for her everyday needs, something that the COVID-19 pandemic took away from her starting with the first hard lockdown back in March 2020. She recalls struggling so much during this time. Aside from the pandemic halting their operations, any chance they get to finally start earning again is being met by Manila LGU officials trying to enforce the Mayor's zero-vendors policy. She shares countless moments of being captured by Moreno's authorities, running away from them, or them destroying and confiscating whatever kariton and goods she has. "*Gusto ko talagang mag hanapbuhay pero hinuhuli naman kami*" (I really want to earn a living, but they keep on apprehending us.) said Shirley as she recalls her experiences in frustration.

Like other sidewalk vendors, Shirley is no stranger to these kinds of operations but since Moreno assumed office as the Mayor of Manila City, these clearing operations became more frequent and intense. Back in February this year, while she was just stepping out of the Barangay Hall after getting food packs, one of her friends told her that her kariton was confiscated and destroyed by the Dept. of Engineering and Public Works of the LGU and was taken to Harrison Plaza. She was not the only victim that day., She recalls that there were other sidewalk vendors who suffered the same fate as hers. Frustration, anger, and tiredness resonates with her eyes as she says "*Kahit umiyak ako anong gagawin ko, sira na*" (Even if I cry there is nothing I can do, it's already broken.). Shirley got her kariton from a DOLE program and after the incident, she did not complain to the LGU or even to DOLE for fear that no one will listen to her complaints. Now, whenever an authority figure scolds her, she talks to them carefully because she is afraid that something might happen to her while she is trying to escape and run away from them.

With her main source of income gone for the most part of the pandemic and Moreno's forces trying to extinguish whatever chance vendors like her get to start selling on the streets of Manila again, eating became less and less for Shirley. She recalls just eating bread and coffee for the day just to have something to eat or "*panlaman tiyan*" (something to fill your stomach) as she calls it. She feels dejected as she is denied ayuda or aid from the government. Since the pandemic started, she has only received three food packs that came from the LGU. She did not receive any aid in the form of cash and was not a beneficiary of SAP from Bayanihan 1 due to their Barangay Hall not giving them any form and classifying them as homeless. At times, she couldn't help but feel envy over her friends who have received cash aid. "*Parang may pinipili lang*" (it seems they are only choosing whom to give assistance to), was how Shirley describes the pandemic response of the government and those who are giving aid.

Right now, Shirley sells umbrellas from time to time, but she does not own one so whenever it rains or during a storm, she seeks shelter at the fast-food joint across the street. Shirley is just one among the many faces who have been failed by the government's pandemic response.

From afar, **Alma Quinabano**'s sidecar seems like a typical pizza cart but at night it transforms into a sleeping place for her and her kids if they need to sleep on the streets of Kalaw, Manila City at night. Alma is a 42 year-old single mother who is desperately trying to raise her two kids during the pandemic one pizza box at a time. Like many informal vendors who are heavily hit by the lockdown-centric response of the Philippine Government to the COVID-19 pandemic, Alma has her fair share of feeling confused and hopeless as to how they will survive a lockdown with no source of income. She recalls facing several struggles before the lockdown happened due to the eruption of Taal Volcano that made her lose customers to her small sari-sari store business on a side car in Kalaw; and the February 3, 2020 clearing last year where her side car, store equipment, money, and even the goods that she's selling were confiscated by authorities as part of clearing operations under Manila Mayor Isko Moreno's zero-vendors policy. These two predicaments put her at a greater disadvantage when the first hard lockdown was imposed back in March 2020.

*"Nitong lockdown walang wala talaga kami ni singkong duling"* (We don't have anything, not even a single cent during the lockdown). That's how Alma described their situation during the lockdown while trying hard to fight back her tears. As a street vendor, Alma's livelihood depends so much on being in public spaces but the enforcement of the first lockdown was a curve ball to their livelihood that they have no idea how to handle. The lockdown prevented sidewalk vendors like Alma from going out to operate and their usual passerby customers are stuck in their homes too. It was around the first week of May last year when she was finally able to go out of her house and this is when she started operating a pizza cart where she earns on a percentage basis. Per box of pizza, Alma earns Php 17 pesos and before, she used to sell these pizza in Divisoria and sells around 10-12 boxes of pizza per day. However, the authorities became strict in Divisoria so she had to go back to Kalaw.

Alma is no stranger to clearing operations but since Moreno's announcement of his zero-vendor policy, the number of clearings, harassment, and repulsion they get from Moreno's authorities (Hawkers, DPS, Engineering, and police force) have increased significantly. There are instances that even after they are being demolished by authorities in Kalaw, they would still follow be followed by members of the demolition teams and chase them for several minutes as they try to run or pedal away. For vendors like Alma, the biggest question for them is "where do they fit in Moreno's version of Manila? Zero vendors *pero saan kami pwede magtinda? Willing naman kami kung saan niya kami pwedeng ilagay para makapagtinda*". She offers Moreno a piece of her mind by suggesting he should have alternative programs on where he will place vendors.

The details of the everyday struggles of Alma and her two children during the lockdown is painful and depressing. With tears running down her cheeks, Alma shares that she and her kids ate survived days on lugaw (rice porridge) from the rice and salt she asks from her neighbors. They stayed in the small unventilated room a kindly landlady allowed her to rent on deferred payment.

Alma is one of the many Filipinos who were not reached by the government's relief assistance from the Bayanihan 1. She was not given any food packs from Brgy. Delpa since she is not a registered voter there and she doesn't have a quarantine pass. Desperation to have something to eat even drove her to violate quarantine restrictions to go back to Brgy 66 where she is registered

as a voter to ask for rice and food packs. *“Habang kumakain kami ng lugaw tumutulo ang luha ko. Hindi ko alam kung saan ako pupunta para humingi ng tulong, magreklamo kung bakit di ako nasali sa SAP na sinasabi ay para sa pamilya. Pero bakit ako, di nila ako napapansin”* (Tears stream down my face as we're eating porridge. I don't know where to go to ask for help, to ask why I wasn't included in the SAP that was supposed to be for families. But me, I'm being ignored) recalls Alma as she wipes away her tears. Right now, they turn to the feeding program of the priests at the Adamson University to cover their lunch.

Aside from being a street vendor, Alma also had to juggle her duties as a mother to her two kids ages 7 and 10. The lockdown forced her not to enroll her 10 years old son while here 7 years old daughter is currently enrolled in an elementary school in Montalban, Rizal under a modular type of learning. Alma has to travel from Manila to Montalban and back again to Manila every two weeks just to submit her daughter's modules to her school and get a new set. The commute for these travels costs her Php300.00 all in all which is a significant amount deducted to her already very small income from selling pizzas. On top of this, she has to assume the role of being the teacher to her daughter whenever she needs help on her modules.

Alma's story is one of the many faces of struggle made worst by this pandemic and how it was handled. It's a classic story of a mother desperately trying to make ends meet and survive as she tries to struggle against two enemies, one of them is visible while the other one is invisible.

*“Tatlong beses akong nawalan ng sidecar. Yung dalawang insidenteng nakuha ang sidecar ko, napalitan ko pa. Yung una Php1,500.00 at yung pangalawa Php1,800.00. Sa patatlong sidecar na nakuha, di ko kinayang mapalitan dahil wala na akong pampuhunan pa, nawala lahat ng paninda ko pati mga kagamitan. Sinubukan kong kunin, nagmakaawa ako pero binantaan akong kukunin nila ang anak ko at kakasuhan akong 'nanlaban' kapag nagpumilit ako. KInuha kasi nila ang bread knife na gamit ko sa pagtitinda ng tinapay at palaman nito.”* (The two times I lost my sidecar to clearing operations, I was able to buy a replacement. The first replacement cost Php1,500.00 and the second cost Php1,800.00. But the third time they took my sidecar, I can no longer afford to buy another. I lost all the goods. I tried to retrieve my sidecar and goods for selling but they threatened to take my son away if I insisted. They said they will file charges against me. They took the bread knife which I use for selling sandwiches, as evidence that I fought back).

**Artemio Tamse** hails from Cagayan de Oro. He is a skilled carpenter and used to earn Php650.00 a day when he migrated to Paranaque three years ago. Back in Cagayan De Oro he was only paid Php300.00 for his carpentry skills. He left home because he felt he has become a burden to his nephew's household when his contract ended. During the lockdowns, he along with other street dwellers were rounded up and brought to the nearby DSWD center in Paco, Manila.

He stayed there for three months to see if they would help him with his respiratory illness. When nothing seems to be happening while his illness worsened, he asked if he could go to the hospital. The front desk staff just gave him water and did not offer to bring him to the hospital nor refer him to a doctor.



**Joey Eriga de Leon**, 36, was born with cerebral palsy, a brain disorder developed at an early age that affects muscular strength, movement and functioning of other body parts. Joey is wheelchair-bound, is unable to speak and utilize his fingers. To communicate, Joey uses his mobile phone by tapping his toes on the keyboard.

Despite his disability, Joey is team captain of the Philippine boccia (pronounced “bosha”) team. Boccia is a sport developed for wheelchair-bound players. The sport develops the players’ concentration, control, and coordination which, consequently, enhances their motor skills. With boccia, Joey discovered he can achieve something despite his disability, and his engagement with the sport boosted his self-esteem.

Luisa, Joey’s mother, says her son has been playing boccia for only about five years. He went to a tryout organized by the Cerebral Palsy Association of the Philippines and Joey has since been joining boccia tournaments organized during National Cerebral Palsy Awareness and Protection Week, held every Sept. 16-22. Joey’s first international competition was the ASEAN Para Games 2017 in Malaysia where he beat the Thai athlete who was ranked no. 14 in the world in the BC1 category.

The Philippines was scheduled to host the 10th ASEAN Para Games at the New Clark City Athletics Stadium in Tarlac last March 2020. This biennial multisport event for athletes with disabilities includes swimming, athletics, target sports, aquatics and ball and racquet sports, and will introduce triathlon and cerebral palsy football.

But the COVID-19 pandemic happened. The restrictions on people’s mobility imposed by the long lockdowns and the threat of contracting the virus kept Joey inside the confines of their home. He cannot go out to get the morning sun, exercise, and practice boccia with his friends. He became sickly because of lack of exercise. Anxiety and depression aggravated his sickness. But with his mother’s assistance herself suffering from disability, together with the support of his father, friends and supporters Joey still struggles to keep a positive disposition. The family hopes the government will provide better assistance to persons with disabilities and improve its pandemic response by considering the recommendations put forward by their sector.

## REFERENCES



- Alampay, Erwin Gaspar et.a. (2017). *Enabling the Disabled: Assessment of Local Mechanisms for Programs and Services for Persons with Disabilities – Focus on Persons with Disabilities Affairs Office (PDAO)*. Project Report. By Australian Aid, Asia Foundation Partnerships in the Philippines, Coalition for Change Program. Retrieved from [https://localgov.up.edu.ph/uploads/1/4/0/0/14001967/0\\_clrg\\_pdao\\_project\\_report\\_only.pdf](https://localgov.up.edu.ph/uploads/1/4/0/0/14001967/0_clrg_pdao_project_report_only.pdf)
- Bangko Sentral ng Pilipinas (2021a). *Consumer Expectations Survey – Third Quarter 2021*. Retrieved from [https://www.bsp.gov.ph/Lists/Consumer%20Expectation%20Report/Attachments/20/CES\\_3qtr2021.pdf](https://www.bsp.gov.ph/Lists/Consumer%20Expectation%20Report/Attachments/20/CES_3qtr2021.pdf)
- Bangko Sentral ng Pilipinas (2021b). *Consumer Price Index, Core Inflation, Inflation Rate & Purchasing Power of the Peso*. Retrieved from <https://www.bsp.gov.ph/Statistics/Prices/prices2012.xls>
- Barangay VAW Desk. Philippine Commission on Women. Accessed at <https://pcw.gov.ph/barangay-vaw-desk/>
- Castillo, Michelle C. (July 2021). *Is the Philippine Government COVID-19 Response Gender-Blind?* NCPAG Working Paper 2021-02. Retrieved from [https://ncpag.upd.edu.ph/wp-content/uploads/CASTILLO\\_Covid\\_Gender\\_07262021.pdf](https://ncpag.upd.edu.ph/wp-content/uploads/CASTILLO_Covid_Gender_07262021.pdf)
- Casilao, Joahna Lei. (2020 August 11). Over 300,000 quarantine violators apprehended — Eleazar. *GMA News*. Retrieved from <https://www.gmanetwork.com/news/news/nation/750868/over-300-000-quarantine-violators-apprehended-eleazar/story/>
- Cho, Yoonyoung et.al. (2020). *The Impact of the COVID-19 Crisis on Low Income Households in the Philippines: Deepening Distress despite Rebounding Economy*. COVID-19 Low Income HOPE Survey Note No. 2. World Bank and Australian Aid. Retrieved from <https://documents1.worldbank.org/curated/en/768871611898266913/pdf/The-Impact-of-the-COVID-19-Crisis-on-Low-Income-Households-in-the-Philippines-Deepening-Distress-Despite-Rebounding-Economy.pdf>
- CNN Philippine Staff. (2020 December 3). Accessibility still a big issue for PWDs, says NCD. *CNN Philippines*. Retrieved from <https://www.cnnphilippines.com/news/2020/12/3/ncda-persons-with-disabilities-accessibility.html>
- Commission on Audit Reports, 2020. Retrieved from <https://coa.gov.ph/index.php/reports/annual-audit-report>
- Commission on Human Rights of the Philippines, (2020a). *Rights During A Pandemic: The 2020 Annual Report on the Human Rights Situation in the Philippines*. Commission on Human Rights of the Philippines (CHR). Retrieved from <http://chr.gov.ph/wp-content/uploads/2020/07/CHRP-2020-Report-on-the-Situation-of-Human-Rights-Defenders.pdf>
- Commission on Human Rights of the Philippines. (2020b, October 19). Position Paper on the Comprehensive Anti-Discrimination Bill at the House of Representatives, 18th Congress of the Philippines. Retrieved from [https://chr.gov.ph/wp-content/uploads/2020/11/SIGNED-Position-Paper\\_CADB\\_House-copy.pdf](https://chr.gov.ph/wp-content/uploads/2020/11/SIGNED-Position-Paper_CADB_House-copy.pdf)
- Cureg, Elyzabeth F. and Ignacio, Juan Gabrielle R. (July 2021). *Confronting the Philippine Housing Situation and Scanning Potential Solutions*. Congressional Policy and Budget Research Department House of Representatives Policy Brief (CPBRD) No. 2021-07. Retrieved from <https://cpbrd.congress.gov.ph/2012-06-30-13-06-51/2012-06-30-13-36-45/1362>

- Department of Interior and Local Government. (2020, March 31). *Guidelines on Providing Proper Welfare of Persons with Disabilities During the Enhanced Community Quarantine Due to the Corona Virus 2019 (COVID-19) Pandemic*. Memorandum Circular No. 2020-066. Retrieved from <https://drive.google.com/file/d/1zuDKdCaa7O3DADnCQK1cQunn3B6gHNOB/view>
- Department of Interior and Local Government. (2020, April 2). *Postponement of all Administrative Demolition and Eviction Activities during the Enhanced Community Quarantine and State of National Emergency*. Memorandum Circular No. 2020-068. Retrieved from <https://dilg.gov.ph/issuances/mc/Postponement-of-all-Administrative-Demolition-and-Eviction-Activities-during-the-Enhanced-Community-Quarantine-and-State-of-National-Emergency/3191>
- Department of Interior and Local Government and Council for the Welfare of Children. (2020 April 6). *Reiteration of Protocols on Reaching Out to Children, Including Those in Street Situations, In Need of Special Protection, Children at Risk, and Children in Conflict with the Law During the Enhanced Community Quarantine*. Joint Memorandum Circular 2020-001. Retrieved from <https://drive.google.com/file/d/1xF7RCEdLTxVBr9AwC5qLyhgftdotc8G9/view>
- Department of Interior and Local Government and The World Bank. (2021). *LGU Guide for Rehabilitation and Recovery from COVID-19*. Published by the World Bank, Global Facility for Disaster Reduction and Recovery, and the DILG. Retrieved from [https://dilg.gov.ph/PDF\\_File/reports\\_resources/dilg-reports-resources-2021624\\_dd4d5c6d5f.pdf](https://dilg.gov.ph/PDF_File/reports_resources/dilg-reports-resources-2021624_dd4d5c6d5f.pdf)
- Department of Interior and Local Government. (2020) *Rising Above the Challenge of Addressing the COVID-19 Pandemic, Documentation of LGU Good Practices Against COVID-19*. Published by the Bureau of Local Government Development, Department of Interior and Local Government. Retrieved from [https://dilg.gov.ph/PDF\\_File/reports\\_resources/dilg-reports-resources-2020730\\_12b13b1e1b.pdf](https://dilg.gov.ph/PDF_File/reports_resources/dilg-reports-resources-2020730_12b13b1e1b.pdf)
- Department of Social Welfare and Development. (2020, April 9). *Omnibus Guidelines in the Implementation of the Emergency Subsidy Program of the Department of Social Welfare and Development*. DSWD MC 2020-009. Retrieved from [https://www.dswd.gov.ph/issuances/MCs/MC\\_2020-009.pdf](https://www.dswd.gov.ph/issuances/MCs/MC_2020-009.pdf)
- Amihan Peasant Women. (2020, May 3). *Duterte's pandemic response plagues the Filipino peasant women* [Press Release]. Retrieved from <https://amihanwomen.org/2020/05/03/dutertes-pandemic-response-plagues-the-filipino-peasant-women/>
- Esguerra, Darryl John. (2020 October 14). Around 3.6 million Filipinos suffering from mental disorders — DOH. *Philippine Daily Inquirer*. Retrieved from <https://newsinfo.inquirer.net/1347619/doh-around-3-6-million-filipinos-suffering-from-mental-disorders>
- Final Draft Substitute Bill on the Comprehensive Anti-Discrimination Act, An Act Prohibiting Discrimination on the Basis of Ethnicity, Race, Color, Sex, Gender, Sexual Orientation, Gender Identity, Gender Expression, Sex Characteristics, Language, Religious Belief Or Expression, Political or Other Opinion, National or Social Origin, Property, Birth and Other Status, and Other Protected Attributes, and Providing Penalties Therefor (2021). House of Representatives, 18th Congress of the Philippines.
- Food and Nutrition Research Institute–Department of Science and Technology. (2020, December). *Rapid Nutrition Assessment Survey November to December 2020*. Retrieved from <http://enutrition.fnri.dost.gov.ph/site/uploads/RNAS%20Virtual%20Dissemination%20to%20Partners.pdf>

- Fredman, Sandra. Edited by Craig, Paul. (2011). *Discrimination Law*. Clarendon Law Series, Oxford University Press, New York. Retrieved from <http://library.lol/main/0803cdc9each68d4b6b9f57b40fb4a4f>
- IBON Foundation. (2021a, August 10). *Q2 rebound isn't recovery, will fade without real stimulus* — IBON. Retrieved from <https://www.ibon.org/q2-rebound-isnt-recovery/>
- IBON Foundation. (2021b, August 30). *Still only token ayuda in 2022 budget* — IBON. Retrieved from <https://www.ibon.org/still-only-token-ayuda-in-2022-budget-ibon/>
- IBON Foundation. (2021c, September 1). *COVID-19 Response: Stimulus Packages* [PowerPoint Presentation]. Southeast Asia COVID-19 Financial Stimulus Packages training, on-line organized by Philippine Center for Investigative Journalism (PCIJ)
- IBON Foundation. (2021d, September 30). *Worsening joblessness and informal work can be fixed with immediate ayuda, stimulus*. Retrieved from <https://www.ibon.org/worsening-joblessness-and-informal-work-can-be-fixed-with-immediate-ayuda-stimulus/>
- IBON Foundation. (2021e, October 16). *On World Food Day: Widespread hunger justifies more ayuda* — IBON. <https://www.ibon.org/on-world-food-day-widespread-hunger-justifies-more-ayuda/>
- IBON Foundation. (2021f, October 21). *Challenge for the Next Administration: Fixing the Philippine Economy*.
- Impel Consultancy. (2021, July). *An Unequal Pandemic: Insights and Evidence from Communities and Civil Society Organisations*. Global Partnership for Sustainable Development Data and International Civil Society Centre. [https://www.data4sdgs.org/sites/default/files/file\\_uploads/UnequalPandemic\\_FINAL\\_spreads-min.pdf](https://www.data4sdgs.org/sites/default/files/file_uploads/UnequalPandemic_FINAL_spreads-min.pdf)
- Mercado, Neil Arwin. (2021 May 20). Comprehensive Anti-Discrimination Bill gets House panel OK. *Philippine Daily Inquirer*. Retrieved from <https://newsinfo.inquirer.net/1434336/comprehensive-anti-discrimination-bill-gets-house-panel-ok>.
- NGO Federation (2021). *COVID-19 and Nepalese Civil Society Organizations: Impact, Responses, and Opportunities*. NGO Federation & FHI 360, Kathmandu, Nepal. Retrieved from [https://dpnet.org.np/public/uploads/files/07072021%20Report%20Final%20\\_COVID-19%20Impact%20on%20CSOS%202021-08-10%2006-18-24.pdf](https://dpnet.org.np/public/uploads/files/07072021%20Report%20Final%20_COVID-19%20Impact%20on%20CSOS%202021-08-10%2006-18-24.pdf)
- Panti, Llanesca T. (2020 May 13). DILG: NCRPO chief Sinas' birthday celebration was a mañanita, not deliberate partying. *GMA News*. Retrieved from <https://www.gmanetwork.com/news/news/nation/738044/dilg-ncrpo-chief-sinas-birthday-celebration-was-a-mananita-not-deliberate-partying/story/>
- Philippine Commission on Women (2019). *Enacting a Magna Carta of Workers in the Informal Economy*. Policy Brief No. 10. Women's Priority Legislative Agenda for the 18th Congress. Retrieved from <https://pcw.gov.ph/assets/files/2019/10/PCW-WPLA-PB-10-Magna-Carta-of-Workers-in-the-Informal-Economy.pdf?x95147>
- KATRIBU. (2020, June). *Phil. IPs amidst Covid-19 pandemic: From north to south Indigenous Peoples are battling against discrimination, militarization and worsening human rights situation*. Katribu Special Report, 2020, June. Retrieved from <https://aippnet.org/wp-content/uploads/2020/06/IPs-and-Covid-19-Katribu-Special-Report.pdf>

- Philippine Statistics Authority. (2020, November 11). *Employment Situation in April 2020*. Reference Number: 2020-344 [Press Release]. Retrieved from <https://psa.gov.ph/statistics/survey/labor-and-employment/labor-force-survey/title/Employment%20Situation%20in%20April%202020>
- Quintos, Paul. (2020, July). *The Philippines' COVID-19 Response: Symptoms of Deeper Malaise in the Philippine Health System*. Policy Paper. Published online by the National College of Public Administration and Governance, University of the Philippines. Retrieved from <https://www.ncpag.upd.edu.ph/wp-content/uploads/covid19response.pdf>
- San Juan, Joel R. (2021 January 21). Pimentel off the hook on violation of quarantine protocol complaint. *Business Mirror*. Retrieved from <https://businessmirror.com.ph/2021/01/21/pimentel-off-the-hook-on-violation-of-quarantine-protocol-complaint/>
- Talabong, Rambo. (2021 May 21). Debates set after House panel approves anti-discrimination bill. *Rappler*. Retrieved from <https://www.rappler.com/nation/house-plenary-debates-set-anti-discrimination-bill>
- Tamayo, Atty. Jazz. (2021 July 3). *Rights and Remedies Against Discrimination, Harassment, and Bullying on the Basis of SOGIESC*. GLPP Workshop Series 2021. Protecting LGBTQI+ Families under the Current Legal Framework. University of the Philippines Gender Law and Policy Program (UPGLPP). Retrieved from [https://www.facebook.com/uplawofficial/videos/819141975406838/?extid=NS-UNK-UNK-UNK-AN\\_GK0T-GK1C&ref=sharing](https://www.facebook.com/uplawofficial/videos/819141975406838/?extid=NS-UNK-UNK-UNK-AN_GK0T-GK1C&ref=sharing)
- Tayco, Frances Claire et.al. (2021a) *Online News Coverage of Human Rights and Discrimination during the COVID-19 Pandemic*. UNDP Pintig Lab.
- Tayco, Frances Claire et.al., (2021b). *Understanding Online Sentiment and Attitude Towards Certain Discrimination Issues*. UNDP Pintig Lab.
- Tomacruz, Sofia. (2018, September 11). A cry for help: Mental illness, suicide cases rising among youth. *Rappler*. Retrieved from <https://www.rappler.com/newsbreak/in-depth/suicide-cases-mental-health-illness-youth-rising-philippines>
- Umil, Anne Marxze. (2020, May 3). QC prosecutor orders 18 youth, relief volunteers freed for lack of evidence. *Bulatlat*. <https://www.bulatlat.com/2020/05/03/18-youth-relief-volunteers-released-on-bail/>
- United Nations Development Programme and United Nations International Children's Emergency Fund. (2020, December 10). *The Impact of the COVID-19 Crisis on Households in the National Capital Region of the Philippines*. United Nations publication. Retrieved from <https://www.unicef.org/philippines/reports/impact-covid-19-crisis-households-national-capital-region-philippines>
- United Nations Guidance COVID-19. 2020, May 13. Accessed at [https://www.ohchr.org/Documents/Events/COVID-19\\_Guidance.pdf](https://www.ohchr.org/Documents/Events/COVID-19_Guidance.pdf)
- United Nations Department of Economic and Social Affairs Division for Social Policy and Development. (2016). *Leaving no one behind: the imperative of inclusive development: Report on the World Social Situation 2016*. United Nations publication. Retrieved from <https://www.un.org/esa/socdev/rwss/2016/full-report.pdf>
- United Nations Department of Economic and Social Affairs Division for Social Policy and Development. (2018). *Prejudice and discrimination: Barriers to social inclusion*. Social Development Brief #4, 2018 February. United Nations publication. Retrieved from [https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2018/02/RWSS-Policy-Brief-Option-4\\_6Feb.pdf](https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2018/02/RWSS-Policy-Brief-Option-4_6Feb.pdf)

United Nations. Human Rights. Accessed at <https://www.un.org/en/global-issues/human-rights>

United Nations (2020). *World Social Report 2020: Inequality In A Rapidly Changing World*. United Nations publication. Retrieved from <https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2020/02/World-Social-Report2020-FullReport.pdf>

United Nations Partnership on the Rights of Persons with Disabilities. Annex 2. Briefing to support UNPRPD MPTF Strategic Operational Plan 2020-2025. Accessed at <https://unprpd.org/sites/default/files/library/2020-08/Annex%20%20UNPRPD%204th%20Funding%20Call%20Preconditions%20to%20disability%20inclusion%20ACC.pdf>





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