

LEGAL GENDER RECOGNITION IN THE PHILIPPINES

A Legal and Policy Review



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II. Executive Summary

Despite being recognized as influential leaders during the pre-Hispanic era, transgender people are now largely misunderstood as a result of widespread conflation of the concepts of sex and gender, and gender identity and sexual orientation. This confusion is the context that governs many actions or omissions, policies and the absence of policies regarding the human rights of transgender people in the Philippines.

Community effort has produced some positive changes in media representations of transgender people, such as a TV show that showcased the life of transgender people and a laudable community-initiated style guide for more sensitive news reporting. However, full recognition of the gender identity of transgender people remains elusive. The initial media reporting of the death of Jennifer Laude showed some reporters' and writers' lack of understanding and reluctance to use a transgender person's preferred name and/or pronoun, preferring their birth name and the pronoun corresponding to their sex assigned at birth instead.

Politically, the triumph of the first ever transgender woman elected to the Philippine Congress, Congresswoman Geraldine Roman ushers in hope for more responsive legislations pertaining to sexual orientation and gender identity (SOGI). The change in administration, while viewed as highly polarizing, has resulted in the first Senate level hearing and a few Gender Committee hearings in the lower house for the Anti-Discrimination Bill (ADB) in the 17 year effort to pass such a law⁴.

At the local level, the years of waiting for anti-discrimination provisions have yielded several local ordinances in different parts of the country that seek to protect LGBT people from discrimination on the basis of Sexual Orientation and Gender Identity (SOGI). One such ordinance is in the city where the current Philippines President Rodrigo Duterte was the long term Mayor. This has led many to be more optimistic of the national law's passage. While the local laws have been an avenue for pushing for the human rights of transgender people, some challenges remain. In particular, Implementing Rules and Regulations (IRR) are required before a victim can claim redress under a local ordinance. To date, only the Quezon City Gender Fair ordinance has its own IRR. This underscores the need for the passage of the national ADB

In addition to the delayed ADB, the lack of hate crime law is also problematic. Its absence means that violence and discrimination committed against transgender people because of their gender identity remains invisible. This was evident in the finding of the court in the case of Jennifer Laude, where a "trans panic" defense was one of the grounds for reducing the charges from murder to homicide which carries a lesser sentence.

In terms of other governmental policies, the Magna Carta of Women has helped in progressing gender rights. Although, at the moment, it mostly accords rights to women based on sex assigned at birth. It has, however, given a significant mandate to the Commission on Human Rights (CHR), as Gender Ombud, to document and investigate instances of violence in a more encompassing manner, covering people of diverse gender identities and expressions.

For transgender people in the Philippines, the lack of gender recognition law has led to even more discrimination. In the workplace, gendered policies prevent transgender people from accessing facilities (such as comfort rooms) or wearing a uniform based on their gender identity, rather than their sex assigned at birth. In schools, despite several policies protecting students from discrimination on the basis of SOGI, a recent lower court case has been disappointing. It deemed that disciplinary measures employed by a principal, forcing a child to conform to a certain gender expression, was a valid exercise of the principal's authority and did not amount to child abuse.

Throughout the years before the Supreme Court's Silverio⁵ ruling, transgender women were able to amend the gender marker on their birth certificates and benefit from the resulting gender recognition. In the Silverio

⁴ In September 2017, the lower House approved the Anti-Discrimination Bill in the third and final reading. As the next step, the bill moves to the Senate and then to the President for his signature before it becomes a law. CNN Philippines. (23 September 2017). House approves anti-discrimination bill on 3rd and final reading. Available at: <http://cnnphilippines.com/news/2017/09/20/House-approves-anti-discrimination-bill-3rd-and-final-reading.html>

⁵ *Silverio v Republic of the Philippines* (22 October 2007) G.R. No. 174689

ruling, a transgender woman was denied the chance to change her first name and gender marker having undergone gender affirming surgery. As a result, things have changed for the worse for transgender people, and changing gender markers on birth certificates has become more difficult. Another pertinent Supreme Court ruling was in the Cagandahan case⁶ where it allowed an intersex person to use male gender markers. While this was a success for Cagandahan, put side-by-side with the Silverio ruling, it affirmed that the Court makes a distinction between a transgender person who has undergone gender affirmation surgery and an intersex person who is deemed in the eyes of the Court to have just allowed “nature to take its own course”. It allows gender recognition for the latter and not for the former.

Because of these constraints, accounts from the community describe government agencies compelling transgender women to change the way they look to conform to their sex assigned at birth, for example when renewing their documents. Some agencies ask for additional proof of identity, when such evidence is not required from people who are not transgender. There are also accounts of transgender men who are asked to produce before and after transition pictures to prove assigned sex at birth. Transgender people involved in this project shared accounts of harassment when travelling, because of the “discrepancy” between their passport and gender expression. This lead to authorities presuming a transgender person was committing identity fraud. Frequently, transgender women are assumed to be sex workers, which brings additional police surveillance as sex work is illegal in the Philippines

In the absence of a gender recognition law, there have been some attempts to address the lack of understanding of gender identity. While still inadequate, some government agencies have gender sensitivity training that includes SOGI components. Many activists consider such training as an essential first step in order to achieve gender sensitive policies. At the time of writing, the versions of the anti-discrimination bill in Congress and in the Senate also include such components. The bill identifies the need to build the government’s capacity in this area by providing knowledge and training on SOGI concepts and about the rights of LGBT people.

6 Republic of the Philippines v Jennifer Cagandahan (12 September 2008) G.R. No. 166676

Law Enforcement

Probably as a result of many civil society⁶³ engagements, the Philippine National Police has made some improvements in its gender policies over recent years.

Interviews conducted with the Women and Children Protection Center of the Philippine National Police⁶⁴ indicate that their Case Investigators' Trainings contain a module on SOGI, equipping police sensitivity in dealing with people of diverse sexual orientation and gender identities. The Center was unclear as to the frequency or consistency of this training. In addition, the head of the Department clarified that while the Women and Children Protection Desks will not accept complaints of violence reported by transgender women, their children however can access the desks. Since there is no policy on cases of transgender women, such complaints will still be received and dealt with only in the complaint desks available to the general public. As one of the most vulnerable groups prone to violence, this creates additional barriers for transgender women when they report gender-based violence and 'hate crimes'⁶⁵. Transgender men, on the other hand, would be able to file under these desks because they are viewed as "women" by the police, according to the interview.

Inquiring as to availability of disaggregated data on any cases lodged by transgender men, the head of the office indicated that they possess no data that are comprehensive enough, at this point in time.

Transgender women in the City of Arago, Cagayan Valley⁶⁶ through dialogues with the police, were able to use the Women and Children Protective Desks to lodge their complaints. Allowing for the possibility that efforts with local police could provide some redress.

Courts and Lawyers

While a cursory survey of a few of the Mandatory Continuing Legal Education (MCLE) providers⁶⁷ yielded a few subjects on LGBT rights, very little else has been done in the legal field to deepen understanding of the causes and legal concerns of transgender people. Most likely due to the absence of legal cases, discussions in the sessions are mostly on terminologies, rather than on legal concerns including gender recognition.

With regard to the judiciary, in 2012, focus group discussions were conducted among the LGBT community and the judges and court personnel in partnership with the Philippine Judicial Academy (PHILJA). The aim was to call attention to the gaps and areas in judicial decisions that needed revisiting, particularly the Supreme Court rulings on name and gender marker changes. The focus groups also enabled the judiciary to glimpse how their decisions affect the experiences of the LGBT community.⁶⁸ While the event aimed to integrate SOGI analysis into future training curriculum at PHILJA, contacts with the Office of the Court Administrator in the Supreme Court and in PHILJA confirm that there continue to be no specific modules for SOGI training.

63 A product of many years of engaging with the Philippine National Police in providing SOGI trainings and dialogues on LGBT issues, OutRight Action International launched on 24 June 2016, its Report on "Addressing Police Abuse and Discrimination Against Persons in the Philippines. Available at: <https://www.outrightinternational.org/content/special-report-philippines-national-police-undergo-lgbt-sensitivity-workshops-part-> (accessed 22 June 2016)

"From 2013 to 2016, OutRight Action International, in partnership with the PNP Human Rights Affairs Office provided learning opportunities for police officers about LGBTI concerns. The training module produced by OutRight on gender, sexuality and human rights for the police has formally been incorporated into the PNP Human Rights refresher seminar for PNP personnel as part of the promotion requirement for police officers of different ranks and from different operational units. Workshops facilitated by Ging Cristobal and Raymund Alikpala. Cumulated data released in a report last June, 2016. June, 2016. Philippines: Working Together to Change Police Attitudes and Conduct Towards the LGBT Community. Available at: <https://www.outrightinternational.org/content/police-attitudes-and-conduct-towards-lgbt-community> (accessed 22 June 2016)

Rainbow Rights Philippines likewise conducts sensitivity and SOGI trainings in the Visayas, among Police Officers from the Region, in particular those that belong to the Women's and Children's Protection Division conducted by Ms. Tisha Ylaya

64 In person interviews of Rosaura, A., Tamayo, C & Acio, R (14 June 2016) Philippine National Police, Camp Crame, Quezon City.

65 The Philippines, to date, still has no Hate Crime law. The media in covering crimes committed against members of the LGBT community often label them as typical crimes like physical injuries or homicide and simply include in the reports the victims Sexual Orientation and/or Gender Identity, regardless of its relevance to the incident. However, the local LGBT community understand and use the term "hate crime" in describing criminal acts against members of the community that are motivated and attended by nothing but prejudice and hate. The Philippine LGBT Hate Crime Watch in 2012 in its attempt to document violence perpetuated against LGBT persons for example use the term regardless of the lack of legislation defining it.

66 In the northern part of the Philippines

67 University of the Philippines Law Center, San Beda College of Law, Arellano Law etc.

68 UNDP, USAID (2014). Being LGBT in Asia: The Philippines Country Report. Bangkok.

Below are other examples of discrimination in accessing other kinds of services from the private sector. The first is a case of a transgender man who experienced discrimination from a money-remittance service provider and the case of basketball players whose gender expression were not conforming to the league's president's expectations of "women" basketball players.

A transgender man claiming remittance money from a parent abroad opts to go to the branches where there are only a few people, to avoid the embarrassment he often encounters. In one instance, in an unavoidably crowded branch, he was addressed as 'Sir' upon approaching the counter by the teller. Once the teller read his name, however, the teller kept referring to him as 'Miss' and despite his insistence to call him 'Sir', the teller, in a loud voice, deliberately shaming him in the crowd, kept using his legal name. He had no other choice but to suffer through this as all his IDs bear his feminine name.

On 31 March 2015, Commissioner Chito Narvasa of the Philippine Basketball Association (PBA) came out with a memo¹¹⁴ prohibiting women basketball players from playing in the league if they had "boy-cut" hairstyles. The Association argued that audiences were confused about whether they were looking at boy or girl players. As the Association is a private league, it can create its own uniform policies. Prescribed haircuts form a part of these policies. Narvasa, further asserting the Association's policy, argued that some of the players grew their hair anyway to comply so they could play. He reiterates that anyway, they weren't prohibiting short haircuts, ONLY BOY-CUTS.¹¹⁵

Without legal gender recognition, transgender people are at the risk of having their gender identity challenged as fraudulent deception. Such perceptions have been used to justify 'hate crimes', under the guise of a 'trans panic' defense. They are also inherently stigmatizing, transphobic and homophobic – implying that transgender women do not have the right to define their gender identity, denying their identity and justifying discrimination if their transgender status is revealed.

5. Ordinances related to accessing Public Comfort Rooms

Only a few ordinances¹¹⁶ deal with access to comfort rooms of individual choice. In the Angeles City version, transgender people are allowed to use the comfort room of their own choice. In the case of Quezon City, it provides "that all government agencies, private offices, and commercial/industrial establishments shall designate toilet rooms and lavatories labeled as 'all gender CR' after a lapse of time from the passage of the ordinance."

Transgender men and women encounter barriers to accessing comfort rooms based on their gender identity, or feel unwelcome or unsafe using these facilities. For example, often when transgender women enter public female comfort rooms, they are either told by other women or security guards that they are not allowed there.

6. Provisions related to accessing Permits and Licenses

Most of the ordinances also prohibit the use of a person's SOGI as a basis to discriminate against them when seeking a permit or license, or when registering an organization. It needs to be clarified here that these provisions in ordinances do not include change of names or personal details on those documents. It only prohibits discrimination when applicants who have submitted all required documents and complied with all regulations are prohibited from obtaining or renewing permits solely on the basis of their SOGI status. This is mainly because ordinances, being of local application, cannot contradict the national laws or be used to assert rights, such as legal gender recognition, that are not provided for in the national laws.

114 Badua, S. (10 June 2016). PBA under fire for 'discriminatory' rule banning boy-cut hairdos from women's league. Available at: <http://www.spin.ph/basketball/pba/news/pba-comes-under-fire-for-discriminatory-rule-banning-boys-haircuts-from-womens-league> (accessed 7 July 2016)

115 With Reports by Brancher, J. (11 June 2016). Narvasa explains 'boy-cut hairdos' memo for PBA women's 3x3. Available at: <http://www.rappler.com/sports/by-sport/basketball/pba/136105-commissioner-narvasa-explains-boy-cut-memo-women-3x3> (accessed 7 July 2016)

116 Quezon City's Gender Fair Ordinance and the Anti-Discrimination ordinance of Angeles City

「フィリピンにおける法的ジェンダー認定：法的・政策レビュー」

作成年月日：2018年

作成者：国際連合開発計画

(＊以下黄色のラインマーカ一部分のみ日本語訳)

(P12) II 要約

(略)

地方レベルでは、性的指向および性自認（SOGI）に基づく差別からLGBTの人々を保護するための複数の条例が、フィリピン各地で制定されてきた。その中でも特に注目されるのは、元大統領ロドリゴ・ドゥテルテ氏が長年市長を務めたダバオ市での条例だ。この進展により、全国的な反差別法の成立に対する期待が多くの人々の間で高まっている。現地の法律はトランスジェンダーの人々の人権を推進する手段となってきましたが、依然としていくつかの課題が残されています。特に、被害者が地方条例に基づき救済を請求するには、実施規則及び規程（IRR）が必要である。現在までに、ケソン市の「ジェンダーフェア」条例のみが独自のIRRを有している。この状態は、反差別法の立法が必要であることを示している。

遅延した反差別法（ADB）に加え、ヘイトクライム法の欠如も問題である。その不在は、トランスジェンダーの人々がそのジェンダーアイデンティティゆえに受ける暴力や差別が見えざるものとして存在し続けていることを意味する。ジェニファー・ラウデ事件における裁判所の判断からも明らかであったように、「トランス・パニック」を理由とする弁護が、刑罰がより軽い殺人罪への減刑の根拠の一つとなった。

(中略)

フィリピンにおけるトランスジェンダーの人々にとって、性別認定法の欠如はさらなる差別を招いている。職場では性別に基づく方針により、トランスジェンダーの人々は、出生時に割り当てられた性別ではなく、自身の性自認に基づいて施設（トイレなど）を利用することや制服を着用することが妨げられている。学校では、性的指向・性自認（SOGI）に基づく差別から生徒を保護する複数の政策があるにもかかわらず、最近の地方裁判所の判決は失望を招いた。ある校長が児童に特定の性表現への順応を強制した懲戒措置について、校長の権限の正当な行使であり児童虐待には当たらないと判断したのである。

最高裁のシルベリオ判決（脚注5）以前は長年にわたり、トランスジェンダー女性は出生証明書の性別表記を修正し、その結果としての性別認定の恩恵を受けることができた。シルベリオ判決においては、性別適合手術を受けたトランスジェンダー女性による、名前の変更と性別表記の変更は認められなかった。その結果、トランスジェンダーの人々にとって状況は悪化し、出生証明書上の性別表記を変更することがより困難になった。最高裁の別の関連判決はカガンダハン判決（脚注6）であり、そこでインターセックスの人物が男性としての性別表記を使用することを認めた。カガンダハンにとっては成功であったが、シルベリオ判決と並べてみると、裁判所が性別適合手術を受けたトランスジェンダーの人と、裁判所の見解では単に「自然の成り行きに任せた」とみなされるインターセックスの

人とを区別していることを裏付けた。後者には性別認定を認めるが、前者には認めないという立場である。

（脚注5：シルベリオ対フィリピン共和国（2007年10月22日）G.R. 第174689号）

（脚注6：フィリピン共和国対カガンダハン・ジェニファー氏（2008年09月12日）G.R. 第166676号）

こうした制約のため、コミュニティからの証言によれば、政府機関はトランスジェンダーの女性が書類更新の時などに、出生時に割り当てられた性別に従い外見を変えるよう強制している。一部の機関では、トランスジェンダーでない人々には求められない追加の身分証明を要求するケースもある。また、トランスジェンダーの男性に対し、出生時に割り当てられた性別を証明するため、性転換前後の写真を提出するよう求められる事例も報告されている。このプロジェクトに参加したトランスジェンダーの人々は、旅先でパスポートとジェンダー表現の「不一致」を理由に嫌がらせを受けた体験を共有した。これにより当局は、トランスジェンダーの個人が身分詐称を行っている と推定するに至った。トランスジェンダー女性はしばしば性労働者と見なされ、フィリピンでは性労働が違法であるため、警察による監視がさらに強化される。

(p24)

法執行

おそらく多くの市民社会との関与の結果として、フィリピン国家警察は近年、ジェンダー政策において一定の改善を図ってきた。フィリピン国家警察女性・児童保護センターへのインタビューによれば、同センターの事件捜査官研修にはSOGIに関するモジュールが含まれており、多様な性的指向や性自認を持つ人々への対応における警察官の感受性を養う内容となっている。ただし同センターは、この研修の実施頻度や継続性については明確に説明できなかった。さらに、同部門の責任者は、女性・児童保護窓口ではトランスジェンダー女性による暴力被害の申告を受け付けられないものの、その子供たちは同窓口を利用できることを明らかにした。トランスジェンダー女性に関する方針が存在しないため、こうした申告は一般市民向けの苦情窓口でのみ受け付けられ、対応されることになる。暴力に最もさらされやすい脆弱な集団の一つとして、トランスジェンダー女性はジェンダーに基づく暴力や「ヘイトクライム」（脚注65）を通報する際に、さらなる障壁に直面する。一方、インタビューによれば、トランスジェンダー男性は警察から「女性」と見なされるため、これらの事件として申告することが可能だという。

（脚注65：フィリピンには、現在に至るまでヘイトクライム法が存在しない。メディアはLGBTコミュニティのメンバーに対する犯罪を報道する際、身体的傷害や殺人といった典型的な犯罪として分類し、事件との関連性にかかわらず、単に被害者の性的指向や性自認を記事に含めることが多い。しかし、現地のLGBTコミュニティは、偏見と憎悪のみによって動機づけられ、実行されるコミュニティメンバーに対する犯罪行為を説明する際に、「ヘイトクライム」という用語を理解し、使用している。）

（以下、略）

(p34)

5 トイレの評価に関連する条例

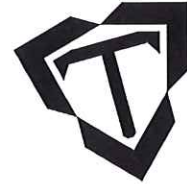
ごく少数の条例のみが、個人の選択によるトイレの利用に関する規定を設けている。アンヘレス市の条例では、トランスジェンダーの人々が自分の選択したトイレを使用すること

が認められている。一方、ケソン市の条例では、「すべての政府機関、民間オフィス、商業・工業施設は、条例の施行後一定期間を経て、『全性別対応トイレ（All Gender CR）』と表示されたトイレと洗面所を設置しなければならない」と規定されている。

最高裁判所及びフィリピン司法アカデミー（PHILJA）の裁判所事務局との連絡により、SOGI研修のための特定のモジュールが依然として存在しないことが確認された。

6 許可と免許の評価に関する条項

ほとんどの条例では、許可証や免許の取得、あるいは団体の登録において、SOGIを差別根拠とする行為も禁止している。ここで明確にすべきは、これらの条例規定には、当該書類における氏名や個人情報の変更は含まれない点である。これは、必要な書類を全て提出し、全ての規制を遵守した申請者が、SOGIのステータスだけを理由に許可の取得や更新を拒否される場合の差別のみを禁止するものである。これは主に、条例が地方自治体の適用範囲であるため、国家の法律と矛盾したり、国家の法律で規定されていない権利（法的性別認定など）を主張するために使用されたりすることはできないためである。



**UNIVERSAL PERIODIC REVIEW
JOINT SUBMISSION OF THE CIVIL SOCIETY ORGANIZATIONS
(CSOs)
on the Situation of Lesbian, Gay, Bisexual, Transgender,
Intersex and Queer (LGBTIQ) Persons in the Philippines (4th
Cycle, 2022)**

This Report is submitted by the following coalition members:

ASEAN Sexual Orientation, Gender Identity and Expression (SOGIE) Caucus

Ryan Silverio, Executive Director, (rsilverio@aseansogiecaucus.org)

ASEAN SOGIE Caucus is a regional organization aimed at advancing the human rights of LGBTIQ+ persons in the Southeast Asian region. The group supports the capacity of local organizations in seeking redress and in influencing local, regional, and global processes to develop human rights norms that are inclusive of SOGIE. It was created in 2011 as a network of activists; it obtained legal registration as a Philippines-based non-profit organization in 2015.

Metro Manila Pride (MMPride)

Nicky H. Castillo, Overall Co-Coordinator, (hello@mmpride.org)

Metro Manila Pride is a volunteer-managed, non-partisan, not-for-profit organization dedicated to educating, equipping and empowering the Filipino LGBTQIA+ community to work towards a future that recognizes and respects the rights of persons to a dignified life without discrimination and prejudice. MMPride works towards this goal through community building, education and research, policy advocacy, and through the arts. The organization was formed in 2016 and formalized in 2017.

Pioneer Filipino Transgender men Movement (Pioneer FTM)

AR Arcon, Executive Director and Founder, (pioneerftm@gmail.com)

Pioneer FTM is a community of transgender masculine/ men with the principles of solidarity, self-acceptance, mutual respect, and effective action to promote and defend human rights, especially transgender rights. Its mission is to take action focused on recognition of transgender people's rights, identities and experiences through human rights education, participation in policy lobbying, and direct support for its membership. It was founded in the year 2011.

GALANG Philippines

Maroz R. Ramos, Executive Director, (galangphilippines@gmail.com)

GALANG Philippines is a feminist human rights organization aspiring to be a catalyst for the empowerment of economically disadvantaged Filipino lesbians, bisexual women, and transgender men. GALANG hopes to achieve this through grassroots community organizing, intensive capacity building, policy advocacy and networking, research, and institutional development and sustainability. GALANG was formed in 2008 by a small group of lesbian activists who saw that the LGBTQI sector in the Philippines was predominantly middle class.

Lagablab LGBT Network

Jap Ignacio, Secretary-General, (info@lagablab.org)

Lagablab LGBT Network is a coalition of organizations in the Philippines lobbying for LGBTQI-responsive national and local policies. The network has been spearheading campaigns and mobilizations in pursuit of its mandate since its formation in 1998. It has been revived in 2015 with more member organizations and renewed commitment to the cause for human rights, equality, and nondiscrimination.

Babaylanes, Inc.

Jap Ignacio, Executive Director, (info@babaylanes.org)

Babaylanes, Inc. is a non-profit organization established in 2008 and mandated to serve as an LGBTQI resource center by (1) developing SOGIESC-focused research and LGBTQI-responsive policies, (2) providing expertise in LGBTQI issues and human rights education, and (3) organizing networks for advocacy and campaigns. It is the alumni organization of the trailblazing, pioneering student LGBTQI organization from the University of the Philippines, UP Babaylan.

Transman Equality and Awareness Movement

Chase Go Tolentino, Founder, (team5cebu@gmail.com)

TEAM Cebu is a trans-led organization working to promote gender recognition, rights awareness and healthcare access for trans individuals. The organization was founded in 2014.

BISDAK Pride

Roxanne Omega Doron, Founder, (bisdakpride@yahoo.com)

Established since 2005, Bisdak Pride, Inc. is a product of the First Visayas-Mindanao LGBTQ Leadership Conference entitled, "In The Pink of Health" funded by the Royal Norwegian Embassy held in Davao City on September 25-27, 2005.

Mujer-LGBT Organization, Inc.

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Mujer-LGBT Organization, Inc is a volunteer-initiated and LGBT rights based organization in Zamboanga City, Island of Mindanao. The group provides paralegal, psychosocial, temporary shelter and HTC services to the LGBTQ+ community for free.

Side B Philippines

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Side B Philippines is a organization founded in 2016 majority of whose members identify as bisexual, with some who identify as other SOGIE. The organization actively advocates for Diversity, Equity, and Inclusion in the workplace, as well as SOGIESC Education and Bi-Visibility.

Rainbow Rights Philippines

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Rainbow Rights Philippines (RRights) is a non-governmental, non-profit, non-partisan organization focused on legal literacy and empowerment with respect to SOGIE and gender based laws and policies. It was first founded in 2008.

The Philippine LGBT Chamber of Commerce

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The Philippine LGBT Chamber of Commerce is an industry organization of businesses of, by, and for
Philippine LGBT. The thrust of the organization is business excellence and national economic
development via the efforts of its LGBT members and allies.*

Intersex Philippines

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*Intersex Philippines is the first intersex-led organisation in the Philippines aimed at advocating for the
rights of intersex people in the country. It was registered in the year 2019 with a view to acting as a
support group for intersex people.*

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1. INTRODUCTION

- 1.1. The Philippines signed and ratified various international human rights instruments.¹ Meanwhile, the 1987 Philippine Constitution (Article 2, Sections 11 and 15, and Article 3 Section 1) upholds the dignity, equality and human rights, and right to health of all persons.
- 1.2. Violations of the rights of LGBTIQ persons persist, and documentation remains a huge challenge for civil society organizations, especially when the COVID-19 pandemic hit the country. Denial of access to public services remained. Negative stereotypes against LGBTIQ persons are perpetuated through policies and practices of some government officials and private actors, despite the enabling laws and policies issued. Hate-related violence, heinous crimes including killings of LGBTIQ persons have been reported.

Meanwhile, the country lacks national laws, concretely prohibiting SOGIESC-based discrimination, and ensuring the provision of adequate services for LGBTIQ persons in difficult situations.²

- 1.3. During the previous UPR cycle, the Philippines received two SOGIESC-specific recommendations. The government of Australia recommended to the Philippine government to “consolidate its recent progress through implementation of comprehensive anti-discrimination legislation covering sex and sexual orientation, gender identity and intersex status”. This was not accepted by the government. On the other hand, the government of Mexico made recommendation to “take action to eradicate violence and discrimination against women and lesbian, gay, bisexual, transgender and intersex persons, primarily in educational institutions”. This was accepted by the government.

2. DESCRIPTION OF METHODOLOGY

- 2.1. Mindful of COVID-19 health protocols, LGBTIQ civil society organizations (CSOs) prepared this report after online consultative meetings to prioritize and consolidate issues and recommendations. Online references and case reports were initially requested from the concerned CSOs. A lead writer was engaged. A draft was circulated among CSOs for inputs, validation, revisions and approval.
- 2.2. This report was prepared based on the documented interviews with HRDs, existing CSO researches, media reports mostly based on CSO information, and official government records.

3. RIGHT TO EQUALITY AND NON-DISCRIMINATION BEFORE THE LAW

- 3.1. The 1987 Philippine Constitution affirms that every person has the right to equal protection before the law. However, the former does not explicitly mention SOGIESC, making subsequent policies and programs non-

responsive to the various forms of discrimination against LGBTIQ persons.

- 3.2. In the UPR 3rd Cycle report, relevant provisions of the Revised Penal Code such as Article 200 (on grave scandal), Article 201 (on offenses against decency and good customs), Article 202 (on vagrancy), Article 226 (on acts of lasciviousness) and Article 340 (on corruption of minors) were reported to have been used to criminalize LGBTIQ persons. Article 267 of the Revised Penal Code has been used, particularly towards lesbian, bisexual and transgender persons, who elope with their partners. Said laws are still in effect, hence risks and violations prevail in the current UPR cycle report. Similarly, the Anti-trafficking in Persons Act of 2003 and the Family Code of the Philippines (Executive Order No. 29) are still in effect and without revision, hence, risks of impacting and discriminating the LGBTIQ persons prevail.

- 3.3. Attempts to legislate anti-discrimination on the basis of SOGIESC took place during the 18th Philippine Congress (period of July 2019 - 2022).

In the Senate, various legislations were filed to address non-discrimination based on SOGIESC. These include: three (3) bills aimed at enacting a SOGIESC-specific anti-discrimination law³, three (3) bills on enacting a comprehensive anti-discrimination law that is inclusive of SOGIE⁴, one (1) bill on creating LGBT help desks in police stations⁵, and one (1) bill on recognizing the proposed National Day against Homophobia, Transphobia, and other related SOGIE-phobias⁶. Unfortunately, none of the said bills were approved.

Meanwhile in the House of Representatives, the following bills were filed: 14 separate bills authored by various legislators calling for a SOGIESC-specific anti-discrimination law⁷, one (1) bill on the prohibition of SOGIESC-based discrimination in employment⁸, one (1) bill to create LGBT help desks in police stations⁹, eight (8) bills calling for a comprehensive anti-discrimination law that covers SOGIESC as of the protected attribute¹⁰, and a bill to provide for a national commemoration of the IDAHOT¹¹. None of the aforementioned bills were approved by the House of Representatives.

- 3.4. A comprehensive anti-discrimination law is still lacking. During the 18th Congress, different bills have been filed in the Congress but none passed into law. At the House of Representatives, a bill calling for an anti-discrimination law that covers sexual orientation and gender identity was considered by the Committee on Human Rights and Committee on Appropriations together with other bills focusing on discrimination on the basis of race, religion, and ethnicity.¹² However, the outcome decision of the aforementioned committee reflected a consolidated bill which erased sexual orientation and gender identity in its scope.¹³

- 3.5. Legislative advocacy to include "intersex" in the definition of "sex" which could pave the way for legal recognition of intersex people in the country failed to gain support from legislators.

- 3.6. There are 27 local government units (LGU) that passed local anti-discrimination ordinances. While indicating a positive development, the ordinances remain limited in jurisdiction. These ordinances can only provide legal protection to less than 15% of the total population. Not all ordinances have implementing rules and regulations (IRR), thus the rest of LGUs have no clear direction on how these will be implemented.
- 3.7. Safe Spaces Act (SSA) or Republic Act No.11313 and its IRR were signed in 2019, which defines and penalizes all forms of sexual harassment in streets, public and online spaces, and educational and training institutions. Sexual harassment includes catcalling, misogynistic, transphobic, homophobic, and sexist slurs.¹⁴ The implementation at the local government level is stalled due to the ongoing pandemic.
- 3.8. In 2020, Philippine government agencies issued a joint memorandum for the Guidelines on the Localization of the Safe Spaces Act and its IRR, particularly on how the local LGUs shall implement this in streets and public spaces. A majority of the LGUs have not complied with the said guidelines.
- 3.9. The Civil Service Commission (CSC) issued in 2021 the Resolution No. 2100064, which amends relevant provisions in the 2017 Rules on Administrative Cases in the Civil Service (RACCS) to further deter sexual harassment in the public sector and to harmonize with RA 11313, which provides protection for LGBTIQ persons¹⁵. The penalty for sexual harassment ranges from a reprimand to outright dismissal from the government service.
- 3.10. In 2018, the Department of Education (DepEd) issued the Policy Guidelines on the Implementation of the Comprehensive Sexuality Education (CSE).¹⁶ CSE is anchored on cognitive, emotional, physical and social aspects of sexuality that are scientific, age- and developmentally appropriate, culturally and gender-responsive, and with a rights-based approach.

4. GENDER LEGAL RECOGNITION

- 4.1. Paramount to the well-being of transgender people or gender diverse people is the use of their lived names aligned with their gender identities. Thus, a law that recognizes their names and gender marker in legal documents remains vital. However, Philippine laws prevent them from using their lived names, and instead mandating the use of legally assigned names or known as “dead names” in legal documents. This has adverse effects on their mental health or can induce harm. The following are the problematic laws:

Revised Penal Code (Republic Act [RA] 3815), Article 178 (Paragraph 2): Any person who conceals his true name and other personal circumstances shall be punished by arresto menor or a fine not to exceed 200 pesos.

Civil Code of the Philippines (RA 386), under the following provisions: no person can change his name or surname without judicial authority (Article

376); the employment of pen names or stage names is permitted, provided it is done in good faith and there is no injury to third persons; pen names and stage names cannot be usurped (Article 379); and except as provided in the preceding article, no person shall use different names and surnames (Article 380).

Anti-alias Law (RA 6085) prohibits the use of pen names or aliases except for purposes of cinematic, television, radio, entertainment, literary, or athletic purposes. This requires the use of legally assigned names (dead names) as reflected in birth registration documents in all public or private transactions, private or public documents such as contracts. A fine of 5,000 to 10,000 PHP and imprisonment of 1 to 5 years may be imposed for violations of this law.

Clerical Error Law of 2001 (RA 9048) states that “no correction must involve the change of nationality, age, status or sex of the petitioner” without a judicial order. Hence, this makes it illegal for transgender persons in the Philippines to change their sex in their birth certificates.¹⁷ There are no significant updates on the petitions to the Supreme Court of the Philippines concerning the change of gender marker in legal documents, as reported in the previous UPR cycle.

The **Subscriber Identity Module (SIM) Card Registration Act** was recently passed by the congress, and is presently for veto/approval of the President. This law will require end-users to register their full name and complete address as it appears in government-issued IDs with photos. Likewise, this mandates social media users to use their real names and registered mobile numbers. This is potentially detrimental to the safety, security and privacy of transgender persons given the mandatory use of their dead names.

- 4.2. While national law provides protection for LGBTIQ persons against gender-based sexual harassment in public, online and various spaces, it fails to provide protection from the abuse and potential harm brought about by refusing to recognize the lived names of gender diverse people. The absence of legal gender recognition law fundamentally denies gender diverse people their right to use their lived names and the safety and security it brings.

Accessing public amenities is often a traumatic experience for gender diverse people. One incident documented by GALANG Philippines and their partner local lesbian, bisexual women, and transmen (LBT) people's organization was a transgender person who experienced discrimination on the basis of his gender identity and expression. This happened in a condominium at Quezon City where they stayed in February 2021. Despite his insistence on the use of his personal gender pronouns and lived name, he was repeatedly misgendered and dead named by condominium staff who relied on his ID on record containing his legal (dead) name and sex assigned at birth. He was also verbally instructed by staff to remove his cotton top at the poolside since men were only allowed to wear swimming shorts by/in the pool.

- 4.3. The absence of legal gender recognition legislation also presents a barrier to transgender peoples' right of freedom of movement. In April 2020,

Transgender Equality and Awareness Movement (TEAM) Cebu documented an incident where a transgender man in Cebu was stopped at a COVID-19 checkpoint.¹⁸ Seeing that the gender marker on his ID did not match his gender expression, the checkpoint officer demanded more identification and visually scrutinized the body of the transgender man, paying particular attention to the chest and genital area. As a response to a complaint filed by TEAM Cebu regarding the issue, the local government issued a written memorandum to the checkpoint officers to avoid discrimination on the basis of SOGIE.

- 4.4. Intersex people in the country also face similar challenges when it comes to recognition of legal gender in identity documents. Since birth, intersex children are given names based on binary understanding of their gender and sexuality. In this regard, it is instructive for the government to enact a law complying with the ruling of the Supreme Court of the Philippines in the case of *Republic of the Philippines v. Jennifer Cagandahan*. Recognizing the existence of intersex people, the Supreme Court said: "The current state of Philippine statutes apparently compels that a person be classified either as a male or as a female, but this Court is not controlled by mere appearances when nature itself fundamentally negates such rigid classification."¹⁹

5. RIGHT TO LIFE AND TO SECURITY AS A PERSON

- 5.1. The Philippines committed to uphold the right of all persons to life, security, and to protect them from torture, cruel, inhuman or degrading treatment or punishment. Unfortunately, violence against LGBTIQ persons remains prevalent. There is still no law defining, and criminalizing hate crimes. If circumstances and evidences point to hate or bias based on SOGIESC, government authorities treat or report these as ordinary crimes or murders. Moreover, there are no coordinated and comprehensive mechanisms that monitor the instances of discrimination and violence.
- 5.2. On May 23, 2017, a group of armed men allegedly affiliated with ISIS seized the entire city of Marawi. This resulted in massive displacements, destruction of property and deaths, which directly affected LGBTIQ persons. In May 2018, NGOs conducted a focused group discussion to gather evidence and generated the following findings.²⁰ First, the culture of gender policing that limits their freedom of expression (i.e. wearing of preferred floral printed shirt; putting on make up) was exacerbated. Second, various forms of threats to life ensued weeks prior to the siege (i.e. anonymous text messages to LGBTIQ persons working in salons relayed that bad things will happen to them for being "bakla" in Marawi). Third, during the siege, feminine presenting gay and transgender persons were given *kimon*, a traditional Muslim Maranao clothing for men, to help them pretend to be religious Muslim men in an effort to keep them safe from ISIS-linked militants who were specifically targeting Christians and LGBT persons. Fourth, when the ISIS-linked militants allowed people to evacuate Marawi, gay and transgender people had to act masculine, cut their hair or shave their head before crossing the check-points. An FGD participant relayed that some people were asked to separate while the others were

allowed to pass through the checkpoint, and the others (i.e. hairstylists) were asked to step back. Fifth, after the siege, the internally displaced persons (IDPs) lived in evacuation centers and alternative living arrangements with relatives as home-based IDPs. LGBTIQ persons in evacuation centers often heard lamentations from other IDPs that they were the cause of the siege, or as part of the "sins of Marawi".

- 5.3. In early 2022, a lesbian partner of GALANG Philippines was subjected to the unlawful implementation of war on drugs when she and her family were illegally arrested for possession of drugs, which was a planted evidence of the police officers in civilian clothes who had access to their house.²¹
- 5.4. From January 2021 to September 2021, sixteen (16) alarming murders of the following transgender persons were recorded by civil society organizations: Emy Yruma, Erika Endrina, Nicole Quilaneta, RR Bondoc, F. Escalante, L. E. Parama, Julie Catamin, Pet Galea Madrijanon, Ebeng Mayor, Jhie Bangkiao, S. Militante, Bryan Gallan, Cindy Jones Torres, Muslimah Hasim, R. Tamboong, and one unnamed case.²² This is the highest recorded number since official documentation of the murder of transgender persons in the Philippines began in 2008.
- 5.5. A self-identified gay and Muslim filmmaker and human rights defender became a target of online threats, including death threats, over his involvement in LGBTIQ advocacy. The threats started in December 2018 when he made public statements of LGBTIQ rights at a Pride demonstration in Mindanao. Online threats were amplified resulting from his production of a film, titled "Lupah Sug", that tackled the plight of LGBTIQ Muslim people in the Bangsamoro areas. The human rights defender submitted complaints to the Philippine government but no clear action was undertaken. He eventually sought redress from the UN Special Procedures. Despite the joint communication made by the mandate holders, the Philippine government did not take clear actions.²³
- 5.6. In June 2021, a community in Maguindanao province forcibly shaved the heads of six women aged 16 to 20 years old as a punishment for their sexual orientation.²⁴ Residents of the community issued prior warnings to the women, who were accused of being lesbians. The punishment was carried out in public and reportedly with the consent of the parents. Photos and videos of the act were posted online and went viral on social media. Consequently, the Bangsamoro Parliament adopted Resolution 176, "Resolution condemning the Public Shaming of the Six (6) Young Women whose heads were shaved in public view in the Province of Maguindanao".²⁵ This resolution was adopted on October 14, 2021. The resolution expressed condemnation of the violence but did not explicitly mention any undertaking to seek redress or to prevent recurrence of similar abuses.
- 5.7. On September 18, 2021, a bomb exploded during a volleyball game in Datu Piang, Maguindanao, where one person died and seven others were injured in a group of self-identified LGBTIQ persons.²⁶ There were reports that the bombing was carried out by the Bangsamoro Islamic Freedom Fighters

(BIFF), a splinter group from the MILF who wanted to continue the cause of separation and establishment of an independent Islamic state.²⁷ The day after the bombing, a lesbian woman was shot dead in her residence in Datu Piang by an unknown assailant on September 19, 2021. It remains unclear whether the attack was due to the victims' SOGIESC. Consequently, the Bangsamoro Parliament adopted Resolution 170, "Resolution condemning the violence, discrimination and murder committed against reportedly some members of the lesbian, gay, bisexual, transgender and queer (LGBTQ++) community in the Municipality of Datu Piang, Maguindanao last September 18 and 19, 2021". The resolution condemned the incidents and called on the Bangsamoro government (specifically the Office of the Chief Minister and relevant Local Government Units) to implement concrete measures to protect the human rights of LGBTIQ persons in their jurisdiction.²⁸

- 5.8. Various incidents of SOGIE-based violence were recorded in Zamboanga City. A viral video showed young men violently attacking a gay man without provocation on August 15, 2021 in Barangay Tentuan, Zamboanga City; in Barangay Putik a LGBTIQ person was assaulted without clear reason; and in Pagadian City an LGBTIQ person was murdered. Several attacks were also made on transgender women in the Zamboanga Peninsula. Civil society organizations report that at least one attack against transgender women was allegedly perpetuated by police officers; another involved five (5) transgender women who were allegedly beaten with paddles and whose hair was cut off by police officers on duty as punishment for violating COVID-19 curfews.²⁹
- 5.9. The murder of Jang Lucero with at least 50 stab wounds who was found in her car parked along Bucal Bypass Road in Calamba City.³⁰
- 5.10. Sexual assault and violent death of lesbian Monobo tribe member Lenie Rivas in the hands of soldiers claiming that she was one of the three (3) rebels killed in Lianga town of Surigao del Sur on June 15, 2021.³¹
- 5.11. As a punishment for violating the quarantine curfew, three (3) LGBTIQ people were singled out among curfew violators in Pandacaqui, Mexico, Pampanga. They were ordered by a village official (Barangay Chairperson) to kiss each other and do a sexy dance in front of a 15-year old minor on April 5, 2020. This order was caught on the official's Facebook account on live stream. When they did not perform the act, the official threatened to arrest and paddle the LGBTIQ persons if they did not appear for community service the next day.³²

6. RIGHT TO A HIGHEST ATTAINABLE STANDARD OF HEALTH

- 6.1. The Department of Health (DOH) consistently failed to protect and promote the sexual and reproductive health and rights of LGBTIQ persons.
- 6.2. The Reproductive Health Law and its corresponding programs are non-responsive to the reproductive health needs of lesbian women, transgender

persons and intersex persons. There is an absence of government-provided professional health services for transgender persons, which leads many transgender persons purchasing medicines and products from the black market and taking hormone replacement therapy without medical supervision. As a result, the lack of guidance on proper dosage, correct procedure and possible side-effects, the health and lives of transgender people are endangered by possible over-dosage.

- 6.3. While HIV/AIDs affects every person, LGBTIQ people are significantly affected by the growing epidemic, “not only because of the epistemology of the disease but because of the social and legal issues — human rights issues — that make them more vulnerable to infection.”³³ The Department of Health (DOH) reported that from January 1984 to December 2021, 29% of the reported cases of human immunodeficiency virus (HIV) were 15-24 years old.³⁴ Moreover, transgender women are part of the key population who are affected by HIV/AIDs. Government statistics pointed out that from 2018 to 2021 a total of 1,131 transgender women were diagnosed, which comprises 2.54% of the total number of cases for the said period.³⁵ There are around 175 medical or health centers and facilities that provide counseling, HIV testing and, in some cases, treatment as of December 2021.³⁶ However, activists pointed out that the number of such facilities remain inadequate given the constantly increasing reported cases. Services are also inaccessible due to being located mostly in city centers, and there are many cities and municipalities without medical facilities specializing in HIV/AIDs.

7. RIGHT TO A FAMILY

- 7.1. There is no law in the Philippines that criminalizes conduct of same-sex or transgender-heterosexual marriage ceremonies. But such unions, even when entered into by consenting parties of full age, are not given the same legal recognition as those between heterosexual couples. The Family Code, which governs family relationships, specifically states that marriage is between a man and a woman, which is taken to mean as man or woman based on sex assigned at birth.
- 7.2. Due to the absence of marriage equality, LGBTIQ Filipinos are treated unequally in a whole host of ways in comparison to heterosexual couples, including but not limited to rights of the spouse regarding hospital and prison visitations, making medical and burial decisions, transfer of joint properties, custody of children and insurance benefits.
- 7.3. During the onset of pandemic lockdown in March 2020, three (3) LBT couples among the partner communities of GALANG Philippines were not considered as household families by the local village (Barangay) government personnel, and as such were ineligible for relief goods and hygiene kit assistance. Despite the presence of a local ordinance in the city where the couples resided that prohibits discrimination on the basis of SOGIE, many of the village level personnel needed training on the said local law and the fundamentals of inclusive development and gender equality.

8. FREEDOM FROM DISCRIMINATION IN THE AREA OF EMPLOYMENT

- 8.1. There is no national policy requiring employers to undertake measures to ensure workplace inclusion. Some private companies have good practices such as in personnel recruitment, internal staff trainings, support for LGBTIQ organizations and activities in and outside the company, and extension of domestic partnership benefits like insurance coverage and leave incentives for same-sex or transgender-cisgender couples.
- 8.2. A research by Side B Philippines, which involves a sample of 433 respondents, revealed varying experiences of LGBT workers with regards enjoyment of inclusion measures: 35% of the respondents indicated that their workplace provide gender-neutral toilets (compared to 55% who reported the absence of gender-neutral toilets); 66% reported that they can wear uniforms reflecting their gender identity or expression (compared to 27% who cannot); 8% reported that their employers provide life insurance for their same-sex partners (compared to 78% who reported that it was not provided to them); and 14% reported that their employers provide health insurance for their same-sex partners (compared to 73% who reported that it was not provided to them).³⁷
- 8.3. With regards to job application, Side B Philippines reported that LGBT Filipinos experience some form of discrimination.³⁸ In their research which involved a sample of 670 respondents, LGBT workers generally felt comfortable when applying for jobs. However, many respondents disclosed some aspects of discrimination. On the issue of gender identity, 51% reported that they were not asked about their preferred pronouns, and 43% said their preferred/lived names were not asked during the interview. With regards disclosure of SOGIE, 55% reported that the employers asked about their SOGIE during the interview. Furthermore, 58% reported that they felt discriminated against during the job interview. A significant majority of the respondents pointed out that the passage of an anti-discrimination law will improve their chances of finding employment.
- 8.4. In 2018, the Philippine LGBT Chamber of Commerce conducted a research that involved a sample of 100 companies that employ more than 267,000 in the Philippines participated in the study.³⁹ The study found out that only 17% have anti-discrimination policies that explicitly reference "sexual orientation", "gender identity" and/or "gender expression". These companies are all from the business process outsourcing/ business process services (BPO/BPS) sector or are foreign-headquartered. These policies refer to explicitly prohibiting specific actions such as misgendering, "outing" (publicizing an employee's SOGIE without their consent), and making use of slurs against LGBTQIA+ employees. This means local companies and businesses are at a disappointing 0% when it comes to providing an inclusive and diverse environment for all employees, especially the LGBTQIA+ community. The lack of diversity, equity, and inclusion in the workplace is indeed an alarming

concern that needs to be addressed through a national laws or policies addressing discrimination on the basis of SOGIE.

- 8.5. There are no efforts undertaken by government nor the private sectors with regards addressing workplace discrimination faced by intersex people on the ground of sex characteristics.

9. RIGHT TO SOCIAL SECURITY AND ACCESS TO SOCIAL SERVICES AND FACILITIES

- 9.1. There is discrimination faced by LGBTIQ individuals in accessing social services due to the non-recognition of same sex partnerships.
- 9.2. The government-managed social security and health insurance benefits will not be awarded to the surviving same-sex spouse of the LGBTIQ person, since the laws governing such insurance do not recognise non-traditional families and thus the choice of LGBTIQ persons as to their dependents and beneficiaries are “severely restricted by the law’s heteronormative biases and traditions.”⁴⁰ Moreover, adoption in the Philippines is allowed for a single LGBTIQ person but not for two people who identify as same-sex or transgender-cisgender couple.
- 9.3. The Urban Development and Housing Act of 1992 (UDHA) was considered as a landmark reform initiative to formally recognize that members of the urban poor sector have certain rights before the law. However, the UDHA is applied disproportionately against persons on the basis of SOGIE. A report by GALANG Philippines noted that lesbian-headed households were systematically de-prioritized in resettlement of evicted informal settlers because their family arrangement is not legally recognized.⁴¹ For example, they reported that a lesbian couple was not entitled to a home in a relocation site because they were not considered as a family. GALANG Philippines also reported that in Quezon City, the Philippine National Housing Authority and other local NGOs conducted a survey of urban poor families who will then be qualified for resettlement housing. It was later found out that two lesbian-headed households, one involving an elderly lesbian couple and the other is a lesbian couple who were raising a biological child, were excluded from the potential list of grantees.
- 9.4. As illustrated by the following incidents, transgender persons are continuously denied access to public facilities due to their gender identity and expression:

Gretchen Custodio Diez, was detained by police due to an unjust vexation complaint by a mall personnel who barred Diez from using the women’s restrooms in the mall. Diez invoked the 2014 Quezon City Gender-fair Ordinance to file a complaint against the shopping mall.⁴² To date, no

penalties have been levied against the shopping mall by the local government for this incident.

On a similar note, Isla Reta Beach Resort in Samal Island, Davao del Norte was accused of discriminating against a transgender woman who was denied access to the resort's women's restroom by the staff and management. Meanwhile, the Department of Tourism (DOT) assured the public that they will conduct an investigation on the said incident and reiterated its stand against discrimination.⁴³

10. RIGHT TO EDUCATION

- 10.1. The Anti-Bullying Act of 2013 (Republic Act No. 10627) and Department of Education Order No. 40 (DepEd Child Protection Policy) guarantees the protection of children in schools from any form of violence, abuse, discrimination or exploitation, including on the basis of SOGIE. In the context of the COVID-19 pandemic, the monitoring and reporting of this mechanism may have been challenged, specifically in the digital space when the students shifted to online mode of classes.
- 10.2. Bullying and other forms of violence within schools or other educational settings is steered by institutional policies that discriminate against a person based on their SOGIE. In a school setting, LGBTIQ youth, in particular, face discrimination, through gender-insensitive curricula, SOGI-insensitive school policies (e.g. required haircuts and dress codes), and culture of bullying.
- 10.3. A survey conducted by Rainbow Rights Philippines and Metro Manila Pride from 2017 to 2019 shows that despite claims to changing attitudes, children are still especially vulnerable to bullying and harassment in schools. The 2019 version of this three year survey, which involved 400 respondents most of whom were aged 13-24 years old, found that 62% of those who identified as part of the LGBTIQ community experienced discrimination on the basis of their sexual orientation or gender identity. Of this group, 51% experienced SOGIESC-based discrimination in public school, 31% in the streets, 28% in private schools, 25% in their neighborhood, and 19% in their church.⁴⁴
- 10.4. The University of the Philippines (UP) Diliman, a state university, issued a policy that affirms the students' gender identity and enables them to freely express their gender through the use of lived names and pronouns in academic settings, including having these reflected in their university-provided email addresses. This policy can be a model for other universities across the country.⁴⁵
- 10.5. A state university-led research entailed evidence of SOGIESC violence experienced by students, faculty, and other university stakeholders.⁴⁶ The results showed that of the 70 victim-survivors of discrimination on the basis of SOGIESC, most were physical and sexual threats and abuse (22.9%), followed by voyeurism through photo or video and online bullying (20%). The third highest number of incidences were on discriminatory or stigmatizing

remarks (17.1%), and deadnaming or misgendering comes in fourth (8.6%). The research also showed limitations of policies to protect people with diverse SOGIESC and the limited (to non-existent) awareness of attending office were among the barriers considered when conceptualizing programs/services and handling cases effectively.

11. VIOLENCE AGAINST INTERSEX CHILDREN AND GENDER-DIVERSE CHILDREN

- 11.1. Discriminatory policies coupled by social stigma against LGBTIQ persons translate into acts of violence against gender-diverse children. Narratives of violence against children due to SOGIE have been reported by different organizations.
- 11.2. GALANG Philippines documented a case involving a queer person who was being physically and verbally abused by the father in their household.⁴⁷ It was also relayed that their mother and siblings were also being abused. After several attempts of reporting to various mechanisms at the Barangay (village) level and at the Philippine National Police, and City emergency services, the victim decided to not pursue the case further due to the lack of decisive action from these offices to address the situation.
- 11.3. Intersex children in Philippines continue to be at risk of forced medical interventions which aim to align their body with normative definitions of 'male' and 'female'. Healthcare professionals perform these surgeries without any prior and informed consent of the child. Such medical interventions are violative of the fundamental right to bodily integrity and physical autonomy. Still, there is no legislative protection against such surgeries.

12. RECOMMENDATIONS

- 12.1. Legislate a comprehensive anti-discrimination law which protects all persons from all forms of discrimination on the basis of sexual orientation, gender identity and gender expression and sex characteristics in all settings;
- 12.2. Adopt a legislation that criminalizes hate crimes and to consider crimes committed on the basis of SOGIESC as an aggravating circumstance;
- 12.3. Adopt a national policy that ensures SOGIESC-inclusive access to all social protection, social security, and humanitarian or emergency response programs;
- 12.4. Adopt a national SOGIESC-inclusive labor policy that includes prohibition of SOGIESC-based employment discrimination, and support for SOGIESC-affirmative programs in workplaces;

- 12.5. Ensure that community-based redress mechanisms, e.g. the Barangay Justice System, focal persons on violence against women, and the Barangay Council for the Protection of Children, are competent to address discrimination and violence against LGBTIQ persons;
- 12.6. Ensure that SOGIESC-protocols to address violence against LGBTIQ persons at the community-level, including case intake forms, are developed and cascaded to all barangays;
- 12.7. Strengthen the role of the Philippine Commission on Human Rights to monitor, document and investigate cases of SOGIESC-related human rights violations, and to provide adequate support for LGBTIQ persons whose rights have been violated.
- 12.8. Pursue education policies and school curricula that promote the human rights of LGBTIQ persons such as by removing all SOGIESC-based discriminatory content in textbooks and learning materials, providing SOGIESC-inclusive counselling services for students, and providing access to gender-neutral toilets in all schools and educational facilities;
- 12.9. Strengthen policy and redress measures to address SOGIESC-based violence in education institutions including, a) integrating SOGIESC policy guidelines and protocols in the school's GAD-related guidelines and anti-sexual harassment code; (b) undertaking capability-building activities within the school; (c) institutionalizing monitoring, documentation, reporting and coordination mechanisms; (d) establishing gender-responsive and inclusive facilities; (e) sustaining SOGIESC advocacy campaigns and the conduct of regular consultations for affirmative development and action.
- 12.10. Intensify public education and awareness on SOGIESC especially among public servants such as by conducting trainings at least twice a year in each government agency;
- 12.11. Strengthen implementation of the Reproductive Health Law (R.A. 10354) and other relevant policies and programs to address health concerns of LGBTIQ persons, including access to gender affirming healthcare services.

¹ These include International Covenant on Economic, Social and Cultural Rights (ICESCR), International Covenant on Civil and Political Rights (ICCPR), Convention on the Elimination of all Forms of Racial Discrimination (CERD), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention Against Torture (CAT), Convention on the Rights of the Child (CRC), International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), and Convention on the Rights of Persons with Disabilities (CRPD).

² LGBTIQ stands for lesbian, gay, bisexual, transgender, intersex and queer persons. The report recognizes that there may be other identities that are discriminated and marginalized based on their Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics (SOGIESC) that may not be explicitly referred to in the LGBTIQ acronym.

- ³ These pertain to the following Senate Bill Numbers 159, 412, and 689. The following are bills filed at the Senate of the Philippines, 18th Congress, and can be retrieved from <http://legacy.senate.gov.ph/>. Note that these bills were consolidated into one single bill, which is Senate Bill 1934, resulting from the positive appraisal by the Senate Committee on women, children, family relations, and gender equality.
- ⁴ These pertain to the following Senate Bill Numbers 137, 315, and 1675. The following are bills filed at the Senate of the Philippines, 18th Congress, and can be retrieved from <http://legacy.senate.gov.ph/>. Note that none of these bills covered sex characteristics.
- ⁵ This pertains to Senate Bill Number 480. The following are bills filed at the Senate of the Philippines, 18th Congress, and can be retrieved from <http://legacy.senate.gov.ph/>.
- ⁶ This pertains to Senate Bill Number 2213. The following are bills filed at the Senate of the Philippines, 18th Congress, and can be retrieved from <http://legacy.senate.gov.ph/>.
- ⁷ These pertain to the following House Bill Numbers 95, 134, 160, 258, 640, 865, 1041, 1359, 2211, 2870, 4470, 5818, 6294, and 7754. The following are bills filed at the House of Representatives, 18th Congress, and can be retrieved from <https://www.congress.gov.ph/legisdocs/?v=bills>.
- ⁸ This pertains to House Bill 8490. The bill was filed at the House of Representatives, 18th Congress, and can be retrieved from <https://www.congress.gov.ph/legisdocs/?v=bills>.
- ⁹ This pertains to House Bill 4369. The bill was filed at the House of Representatives, 18th Congress, and can be retrieved from <https://www.congress.gov.ph/legisdocs/?v=bills>.
- ¹⁰ These pertain to the following House Bill Numbers 136, 522, 4216, 4587, 4648, 5356, 5969, and 7217. The following are bills filed at the House of Representatives, 18th Congress, and can be retrieved from <https://www.congress.gov.ph/legisdocs/?v=bills>.
- ¹¹ This pertains to House Bill 7759. The bill was filed at the House of Representatives, 18th Congress, and can be retrieved from <https://www.congress.gov.ph/legisdocs/?v=bills>.
- ¹² This pertains to House Bill 522, titled "An Act Prohibiting Racial, Ethnic, Gender Identity, Sexual Orientation, and Religious Discrimination". The bill was filed at the House of Representatives, 18th Congress, and can be retrieved from <https://www.congress.gov.ph/legisdocs/?v=bills>.
- ¹³ Republic of the Philippines, House of Representatives, 18th Congress, Second Regular Session. Committee Report 689 [Recommending the approval of House Bill No. 8243 in substitution of House Bills 55, 487, 522, 1579, and 4586]. The Committee Report can be retrieved from <https://www.congress.gov.ph/legisdocs/?v=bills>.
- ¹⁴ Republic Act 11313, An Act Defining Gender-based Sexual Harassment in Streets, Public Spaces, Online, Workplaces, and Educational or Training Institutions, Providing Protective Measures And Prescribing Penalties Therefor, <https://www.officialgazette.gov.ph/2019/04/17/republic-act-no-11313/>; The Implementing Rules and Regulations of Republic Act 11313, <https://pcw.gov.ph/republic-act-11313/>.
- ¹⁵ Civil Service Commission, "CSC revises rules of sexual harassment", May 17, 2021, <http://www.csc.gov.ph/new-updates/2117-csc-revises-rules-on-sexual-harassment.html>; Civil Service Commission, Memorandum Circular No.11, S. 2021, Revised Administrative Disciplinary Rules on sexual Harassment Cases, <https://www.csguide.org/files/original/259027833793c59773eac9117504e00c.pdf>.
- ¹⁶ Department of Education, DepEd Order 31, S. 2018, Policy Guidelines on the Implementation of Comprehensive Sexuality Education, <https://www.deped.gov.ph/2018/07/13/do-31-s-2018-policy-guidelines-on-the-implementation-of-the-comprehensive-sexuality-education/>.
- ¹⁷ RA 9048 specifically states that "no correction must involve the change of nationality, age, status or sex of the petitioner." Republic Act 9048 (An Act Authorizing the City or Municipal Civil Registrar or The Consul General to Correct a Clerical or Typographical Error in an Entry and/or Change of First Name or Nickname in the Civil Register Without Need of a Judicial Order). Available from http://www.lawphil.net/statutes/repacts/ra2001/ra_9048_2001.html.
- ¹⁸ Documentation report by Transgender Equality and Awareness Movement (TEAM) Cebu.
- ¹⁹ Republic of the Philippines v. Jennifer Cagandahan, Supreme Court of the Philippines, Second Division (12 September 2008)
- ²⁰ ASEAN SOGIE Caucus, 2018. Focused Group Discussion on LGBT Issue in Marawi, May 7 to 8, 2018. Unpublished report.
- ²¹ Documentation provided by Galang Philippines (specific case details withheld to protect the security of the victim).

²² Transgender Europe, 2021. "Transrespect Vs. Transphobia Trans Murder Monitoring Update -

Trans Day of Remembrance 2021". Retrieved from https://transrespect.org/wp-content/uploads/2021/11/TvT_TMM_TDoR2021_Namelist.pdf.

²³ Mandates of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on freedom of religion or belief, [Communication to the Philippine Government], AL PHL 6/2019, November 25, 2019.

²⁴ "Maguindanao Community shaves women's heads to punish them for being lesbians", GMA News, June 10, 2021, <https://www.gmanetwork.com/news/topstories/regions/791070/maguindanao-community-shaves-women-s-heads-to-punish-them-for-being-lesbians/story/>.

²⁵ Republic of the Philippines, Bangsamoro Autonomous Region of Muslim Mindanao, Bangsamoro Parliament, Resolution 176, "Resolution condemning the Public Shaming of the Six (6) Young Women whose heads were shaved in public view in the Province of Maguindanao", October 14, 2021. Retrieved from: <https://parliament.bangsamoro.gov.ph/resolutions/>.

²⁶ "One dead in Maguindanao explosion", CNN Philippines, September 19, 2021, <https://www.cnnphilippines.com/regional/2021/9/19/datu-piang-explosion-pnp-wesmincom.html>.

²⁷ "Army, LGU execs say BIFF rebels behind Maguindanao blast", Philippine News Agency, September 20, 2021, <https://www.pna.gov.ph/articles/1154005>; "LGBT community members possible target of bombing in Maguindanao", ABSCBN News, September 20, 2021, <https://news.abs-cbn.com/news/09/20/21/lgbt-community-posibleng-target-ng-pambobomba-sa-maguindanao>.

²⁸ Republic of the Philippines, Bangsamoro Autonomous Region of Muslim Mindanao, Bangsamoro Parliament, Resolution 170, "Resolution condemning the violence, discrimination and murder committed against reportedly some members of the lesbian, gay, bisexual, transgender and queer (LGBTQ++) community in the Municipality of Datu Piang, Maguindanao last September 18 and 19, 2021", September 22, 2021. Retrieved from: <https://parliament.bangsamoro.gov.ph/resolutions/>; "Bangsamoro Resolution condemns violence against LGBTQ+ persons", Daily Tribune, October 11, 2021, <https://tribune.net.ph/index.php/2021/10/11/bangsamoro-resolution-condemns-violence-against-lgbtq-persons/>.

²⁹ Documentation report provided by Mujer-LGBT Organization, Inc. dated April 26, 2020; "Attacks on LGBTQ+ people disturb officials, advocates in Zamboanga". Rappler, August 23, 2021, <https://www.rappler.com/nation/attacks-lgbtq-people-disturb-officials-advocates-zamboanga/>.

³⁰ "Suspect allegedly behind Jang Lucero's killing arrested in Laguna". Coconuts Manila, July 8, 2020, <https://coconuts.co/manila/news/suspect-allegedly-behind-jang-luceros-killing-arrested-in-laguna/>.

³¹ "CHR, governor probe 'lumad' killings by soldiers in Surigao del Sur." Inquirer.net, June 19, 2021, <https://newsinfo.inquirer.net/1448037/chr-governor-probe-lumad-killings-by-soldiers-in-surigao-del-sur>.

³² "Barangay captain makes LGBTQ+ quarantine violators do lewd acts as punishment." Rappler, April 7, 2020, <https://www.rappler.com/nation/barangay-captain-lgbtq-quarantine-violators-lewd-acts-punishment/>.

³³ UNDP, USAID (2014). "Being LGBT in Asia: The Philippines Country Report." Bangkok.

³⁴ Department of Health, HIV/AIDS and ART Registry of the Philippines, December 2021, https://doh.gov.ph/sites/default/files/statistics/EB_HARP_December_AIDSreg2021_withAdvisory.pdf.

³⁵ Department of Health, HIV/AIDS and ART Registry of the Philippines, December 2021, https://doh.gov.ph/sites/default/files/statistics/EB_HARP_December_AIDSreg2021_withAdvisory.pdf.

³⁶ Department of Health, HIV/AIDS and ART Registry of the Philippines, December 2021, https://doh.gov.ph/sites/default/files/statistics/EB_HARP_December_AIDSreg2021_withAdvisory.pdf.

³⁷ Side B Philippines, 2017, "Employment Equality in the Philippines" (unpublished report).

³⁸ Side B Philippines, 2018, "LGBT Talent Acquisition Experiences" (unpublished report).

³⁹ Philippine LGBT Chamber of Commerce, 2018. Philippine Corporate SOGIE Diversity and Inclusiveness Index 2018.

⁴⁰ Institute of Development Studies and GALANG Philippines Inc., 2013. "Policy Audit: Social Protection Policies and Urban Poor LBTs in the Philippines."

⁴¹ Institute of Development Studies and GALANG Philippines Inc., 2013. "Policy Audit: Social

Protection Policies and Urban Poor LBTs in the Philippines."

⁴² "Trans woman detained after being harassed for using ladies' toilet in QC mall." ABS-CBN News, August 14, 2019, <https://news.abs-cbn.com/news/08/13/19/trans-woman-arrested-after-prevented-from-using-womens-comfort-room-in-qc-mall>.

⁴³ "Resort accused of discrimination vs. transgender woman; DOT to investigate." ABS-CBN News, May 12, 2021, <https://news.abs-cbn.com/news/05/12/21/samal-resort-discrimination-transgender>.

⁴⁴ Metro Manila Pride and Rainbow Rights, 2019. "Metro Manila Pride 2019: Profiling Survey". (Unpublished report).

⁴⁵ University of the Philippines Diliman, 2021. Memorandum No. OVCAA-MTTP 21-029: Guidelines on affirming transgender and gender non-conforming (TGNC) students' names, pronouns, and titles. Retrieved from: <https://cws.up.edu.ph/?p=2060>.

⁴⁶ University of the Philippines Diliman Gender Office, 2021. SOGIESC Situation in the University of the Philippines Diliman, <https://dgo.upd.edu.ph/wp-content/uploads/2021/11/SOGIESC-UPD-1.pdf>.

⁴⁷ Documentation by Galang Philippines.

(*以下、原本の黄色のラインマーカ一部分を証拠とし、その段落のみ以下に日本語訳をしている)

「市民社会団体によるフィリピン LGBTIQ の状態に関する国連普遍的・定期的レビューへ提出した報告（第 4 段、2022 年）」

3.2. 第 3 段の国連普遍的・定期的レビューに、改正刑法の関連規定の第 200 条（重大な不道徳行為）、第 201 条（公序良俗違反）、第 202 条（浮浪）、第 226 条（わいせつ行為）、第 340 条（未成年者腐敗）などが、LGBTIQ の人々を犯罪化する目的で使用されていると報告された。改正刑法第 267 条は、特にパートナーと駆け落ちしたレズビアン、バイセクシュアル、トランスジェンダーの人々に対して適用されてきた。これらの法律は現在も有効であるため、現行の UPR サイクル報告書においてもリスクと権利侵害が蔓延している。同様に、2003 年人身取引防止法、及びフィリピン家族法（大統領令第 29 号）は改正されず現在も有効であるため、LGBTIQ の人々への影響や差別リスクが依然として存在する。

...

3.6. 27 の地方自治体（LGU）が地方反差別条例を可決した。前向きな進展を示す一方で、これらの条例の管轄範囲は限定的である。これらの条例が法的保護を提供できるのは総人口の 15%未満に過ぎない。全ての条例に実施規則及び規程（IRR）が整備されているわけではないため、残りの LGU はこれらをどのように実施すべきか明確な指針を持っていない。

3.7. 安全空間法（SSA）または共和国法第 11313 号とその実施規則及び規程（IRR）は 2019 年に署名され、路上、公共とオンライン空間、教育・訓練機関におけるあらゆる形態のセクシャルハラスメントを定義し罰則を定めている。セクシャルハラスメントには、キャットコーリング、女性蔑視的、トランスフォビア的、ホモフォビア的、性差別的な侮蔑的発言が含まれる。地方自治体レベルでの実施は、継続中のパンデミックにより停滞している。

3.8. 2020 年、フィリピン政府機関は安全な空間法及びその IRR の地方自治体における適用指針、特に地方自治体が道路や公共空間でこれを実施する方法に関する共同覚書を発行した。大多数の地方自治体は当該指針を遵守していない。

...

4. 性別に関する法的承認

4.1. トランスジェンダーの人々やジェンダー多様性を持つ人々の幸福にとって最も重要なのは、その人たちのジェンダーアイデンティティに沿った、実際に使用している名前を用いることです。したがって、法的書類において彼らの名前と性別表記を認める法律は依然として不可欠である。しかし、フィリピンの法律は彼らが実際に使用している「生きている名前」の使用を禁じ、代わりに法的に割り当てられた名前、いわゆる「死んだ名前」を法的書類で使用することを義務付けている。これは彼らのメンタルヘルスに悪影響を及ぼすか、あるいは危害を招く可能性がある

る。以下が問題のある法律である：

フィリピン改正刑法（共和国法第 3815 号）第 178 条第 2 項

自己の真の氏名その他の身分事項を秘匿した者は、アレスト・メノールの刑又は 200 ペソを超えない罰金に処せられる。

フィリピン民法（共和国法第 386 号）関連規定

* いかなる者も、裁判所の許可なく氏名又は姓を変更することはできない（第 376 条）。

* 筆名又は芸名の使用は、誠実に行われ、かつ第三者に損害を与えない限り認められる（第 379 条）。また、筆名及び芸名は冒用することができない。

* 前条に定める場合を除き、いかなる者も異なる氏名又は姓を使用することはできない（第 380 条）。

偽名取締法（共和国法第 6085 号）

筆名又は通称の使用は、映画、テレビ、ラジオ、芸能、文芸又は運動競技の目的に限り認められる。すべての公私の取引、契約その他の文書においては、出生登録証明書に記載された法的氏名（いわゆる「デッドネーム」）を使用することが義務付けられている。本法に違反した場合は、5,000 ペソから 10,000 ペソの罰金及び 1 年から 5 年の懲役に処せられることがある。

2001 年誤記訂正法（共和国法第 9048 号）

「訂正は、裁判所の命令なくしては、申立人の国籍、年齢、身分又は性別の変更を含んではならない」と定めている。したがって、フィリピンにおいては、トランスジェンダーの者が出生証明書上の性別を変更することは違法とされる。最高裁判所に対する性別記載変更に関する申立てについては、前回の国連 UPR サイクル以降、重要な進展は報告されていない。

SIM カード登録法

国会において可決され、大統領の拒否権行使又は承認を待っている段階にある。当該法律は、利用者に対し、顔写真付きの政府発行身分証明書に記載されたとおりの氏名及び住所を登録することを義務付けるものである。また、SNS 利用者に対しても、実名及び登録済み携帯電話番号の使用を義務付けている。この規定は、トランスジェンダー者に対して「デッドネーム」の使用を強制することになるため、その安全、安心及びプライバシーを著しく損なうおそれがある。

4.2. 国内法は公共の場、オンライン、様々な空間における性別に基づく性的嫌がらせから LGBTIQ の人々を保護しようとするが、ジェンダー多様性を持つ人々の生活上の名前を認めないことによる虐待や潜在的な危害からの保護は提供していない。ジェンダー認定法の欠如は、ジェンダー多様性を持つ人々が生きている名前を

使用する権利と、それがもたらす安全・安心を根本的に否定している。公共施設へのアクセスは、ジェンダー多様性を持つ人々にとってしばしばトラウマ的な経験となる。

公共施設の利用は、ジェンダー多様な人々にとってしばしば心的外傷を伴う経験となる。GALANG フィリピンと、そのパートナーである地元のレズビアン、バイセクシュアル女性、トランス男性（LBT）当事者組織によって記録されたある事例では、トランスジェンダーの人がジェンダー・アイデンティティおよびジェンダー表現に基づく差別を受けた。それは 2021 年 2 月、彼が滞在していたケソン市のあるコンドミニウムで発生した。本人が自らのジェンダー代名詞と日常で使用している名前を繰り返し主張したにもかかわらず、コンドミニウムの職員は、出生時に割り当てられた法的氏名（いわゆる「デッドネーム」）と性別が記載された身分証明書に依拠し、彼を何度も誤った性別で呼び、デッドネームを使用した。さらに、職員はプールサイドにおいて「男性は水泳用のショートパンツしか着用できない」として、彼に綿のトップスを脱ぐよう口頭で指示した。

4.3. ジェンダー認定法が存在しないことも、トランスジェンダーの人々の移動の自由の権利に対する障壁となっている。2020 年 4 月にはトランスジェンダー平等・啓発運動（TEAM Cebu）は、セブにおいてトランスジェンダー男性が COVID-19 の検問所で止められた事例を記録した。検問の警官は、身分証明書に記載された性別表記が彼のジェンダー表現と一致しないことを確認すると、さらなる身分証明を求め、トランスジェンダー男性の身体を目視で検査し、特に胸部や性器部分に注視した。この問題に関して TEAM Cebu が苦情を提出したことを受け、地元政府は SOGIE（性的指向・ジェンダー・アイデンティティおよび表現）に基づく差別を避けるよう、検問所の警官に対して文書による通達を発出した。

5.1. フィリピンは、すべての人の生命と安全の権利を保障し、拷問、残虐、非人道的または品位を傷つける取扱いもしくは処罰から保護することを約束している。しかしながら、LGBTIQ の人々に対する暴力は依然として蔓延している。ヘイトクライムを定義し、犯罪化する法律はいまだ存在しない。SOGIESC（性的指向・ジェンダー・アイデンティティ・ジェンダー表現・性的特徴）に基づく憎悪や偏見が状況や証拠から明らかな場合であっても、政府当局はこれを通常の犯罪や殺人として取り扱い、報告するにとどまっている。さらに、差別や暴力の事例を監視する統一的かつ包括的な仕組みも存在しない。

6.2. ... トランスジェンダーの人々に対する政府提供の専門医療サービスが不足しているため、多くのトランスジェンダーの人々が闇市場から医薬品や製品を購入し、医学的監督なしにホルモン補充療法を行っている。その結果、適切な投与量、正しい手順、および起こりうる副作用に関する指導の欠如により、過剰投与の可能性によってトランスジェンダーの人々の健康と生命が危険にさらされている。

6.3. HIV/エイズはあらゆる人々に影響を及ぼすが、LGBTIQ の人々は拡大する流行によって特に深刻な影響を受けている。「それは単にこの疾患の認識論的な特性によるだけでなく、感染リスクを高める社会的・法的問題—すなわち人権問題—が原因である」（脚注 33：UNDP と USAID の 2014 年報告）。保健省（DOH）の報告によると、1984 年 1 月から 2021 年 12 月までに報告されたヒト免疫不全ウイルス

(HIV) 感染者の 29%が 15～24 歳であった。さらに、トランスジェンダー女性は HIV/エイズの影響を受ける重点対象集団の一員である。政府統計によると、2018 年から 2021 年にかけて、合計 1,131 人のトランスジェンダー女性が診断され、これは当該期間の総症例の 2.54%を占めている。2021 年 12 月現在、カウンセリングや HIV 検査を提供し、場合によっては治療も行っている医療・保健センターや施設は約 175 か所存在する。しかし活動家らは、報告される症例が絶えず増加していることを考慮すると、こうした施設の数依然として不十分であると指摘した。また、サービスが主に都市中心部に集中しているためアクセスが困難であり、HIV/エイズ専門の医療施設がない都市や自治体も数多く存在する。

...

7.2. 結婚の平等が認められていないため、LGBTIQ のフィリピン人は異性愛カップルと比較して、病院や刑務所への面会権、医療・埋葬に関する決定権、共同財産の譲渡、子の親権、保険給付など、配偶者としての権利を含む（ただしこれらに限定されない）様々な面で不平等な扱いを受けている。

7.3. 2020 年 3 月のパンデミックによるロックダウン開始時、GALANG フィリピンのパートナーコミュニティに属する 3 組の LBT カップルが、地元のバランガイ（村）政府職員から世帯家族と認められず、救済物資や衛生キットの支援対象外とされた。カップルが居住する市には性的指向・性自認（SOGIE）に基づく差別を禁止する条例が存在したにもかかわらず、多くの村レベルの公務員は当該条例や包括的発展・ジェンダー平等の基本原則に関する研修を必要としていた。

...

11.3. フィリピンのインターセックスの子どもたちは、依然として「男性」または「女性」という二元的な性別の定義に身体を合わせることを目的とした強制的な医療介入のリスクにさらされている。医療専門家は、子どもの事前の十分な情報に基づく同意なしにこれらの手術を行っている。このような医療介入は、身体の完全性および身体的自律性という基本的権利を侵害するものです。それにもかかわらず、このような手術を防ぐための法的保護は存在していない。

THE REVISED PENAL CODE Revised Penal Code

(last revised 2021, Act No. 3815)

Article 200. Grave Scandal

The penalties of arresto mayor and public censure shall be imposed upon any person who shall offend against decency or good customs by any highly scandalous conduct not expressly falling within any other article of this Code.

ARTICLE 201. Immoral doctrines, obscene publications and exhibitions, and indecent shows. — The penalty of prision mayor or a fine ranging from six thousand to twelve thousand pesos, or both such imprisonment and fine, shall be imposed upon: (1) Those who shall publicly expound or proclaim doctrines openly contrary to public morals; (2) (a) The authors of obscene literature, published with their knowledge in any form; the editors publishing such literature; and the owners/operators of the establishment selling the same; (b) Those who, in theaters, fairs, cinematographs or any other place, exhibit indecent or immoral plays, scenes, acts or shows, it being understood that the obscene literature or indecent or immoral plays, scenes, acts or shows, whether live or in film, which are prescribed by virtue hereof, shall include those which (1) glorify criminals or

condone crimes; (2) serve no other purpose but to satisfy the market for violence, lust or pornography; (3) offend any race or religion; (4) tend to abet traffic in and use of prohibited drugs; and (5) are contrary to law, public order, morals, and good customs, established policies, lawful orders, decrees and edicts; (3) Those who shall sell, give away or exhibit films, prints, engravings, sculptures or literature which are offensive to morals. (As amended by Presidential Decree Nos. 960 and 969, July 24, 1976.)

ARTICLE 202. Vagrants and prostitutes --- Penalty. — The following are vagrants:

1. Any person having no apparent means of subsistence, who has the physical ability to work and who neglects to apply himself or herself to some lawful calling;
2. Any person found loitering about public or semi-public buildings or places or tramping or wandering about the country or the streets without visible means of support;
3. Any idle or dissolute person who lodges in houses of ill fame; ruffians or pimps and those who habitually associate with prostitutes;
4. Any person who, not being included in the provisions of other articles of this Code, shall be found loitering in any inhabited or uninhabited place belonging to another without any lawful or justifiable purpose;

5. Prostitutes;

For the purposes of this article, women who, for money or profit, habitually indulge in sexual intercourse or lascivious conduct, are deemed to be prostitutes.

Any person found guilty of any of the offenses covered by this article shall be punished by arresto menor or a fine not exceeding 200 pesos, and in case of recidivism, by arresto mayor in its medium period to prision correccional in its minimum period or a fine ranging from 200 to 2,000 pesos, or both, in the discretion of the court.

ARTICLE 336. Acts of lasciviousness. — Any person who shall commit any act of lasciviousness upon other persons of either sex, under any of the circumstances mentioned in the preceding article, shall be punished by prision correccional.

Article 340. Corruption of minors. — Any person who shall promote or facilitate the prostitution or corruption of persons underage to satisfy the lust of another, shall be punished by prision correccional, and if the culprit is a public officer or employee, including those in government-owned or controlled corporations, he shall also suffer the penalty of temporary absolute disqualification.

フィリピン刑法（最終改正 2021 年、Revised Penal Code, Act No. 3815）

第 200 条 重大な不道徳行為

本法典の他の条項に明示的に該当しない高度に醜悪なる行為をもって、品位又は善良の風俗を害した者は、アレスト・マヨール（中期の拘禁刑）及び公開の戒告をもって処罰に処する。

第 201 条 不道徳な教義、猥褻出版物及び展示並びに猥褻な興行

プリシオン・マヨール（長期の拘禁刑）又は六千ペソから一万二千ペソまでの罰金、もしくはその双方を併科して処罰する。処罰の対象は次の各号に掲げる者とする。

1. 公然と公序良俗に明白に反する教義を説き、又は宣伝する者。
2. (a) 猥褻なる文書の著作者であって、その刊行を認識しながら発表した者、かかる文書を出版した編集者、及びこれを販売する施設の所有者又は経営者。
- (b) 劇場、博覧会、映画館その他の場所において、猥褻又は不道徳なる劇、場面、行為若しくは興行を上演した者。ここにいう猥褻又は不道徳な文書、劇、場面、行為又は興行は、生演又は映画を問わず、次のものを含むものとする。
 - 1) 犯罪者を賛美し、又は犯罪を容認するもの。

- 2) 暴力、情欲又はポルノグラフィーの需要を満たすこと以外の目的を有しないものの。
 - 3) いかなる人種又は宗教をも冒瀆するもの。
 - 4) 規制薬物の流通及び使用を助長する傾向のあるもの。
 - 5) 法令、公序、道徳、善良の風俗、既定の政策、合法の命令、布告及び勅令に反するもの。
3. 猥褻なる映画、版画、彫刻、文書を販売し、贈与し、又は展示した者。

第 202 条 浮浪人及び売春婦

次の各号に掲げる者は、浮浪人とみなす。

1. 明白な生計手段を有せず、労働能力がありながら、正当な職業に従事することを怠る者。
2. 公共又は準公共の建物若しくは場所の周辺を徘徊し、又は正当な生活手段を有せずに街路や田野をさまよう者。
3. 遊惰にして放蕩なる者であって、悪名高き宿屋に宿泊する者、暴漢又は売春を媒介する者、並びに売春婦と常習的に交わる者。
4. 本法典の他の条項に該当しない者であって、他人の居住地又は非居住地に、正当又は合理的な目的なく立ち入っている者。

5. 売春婦。

本条の適用上、金銭又は利益のために、常習的に性交又は猥褻行為に従事する女子は、売春婦とみなす。

本条に基づく罪を犯した者は、アレスト・メノール（短期の拘禁刑）又は 200 ペソを超えない罰金に処する。再犯の場合には、アレスト・マヨール（中期の拘禁刑）の中期からプリシオン・コレクショナル（軽期の拘禁刑）の初期に至る刑、又は 200 ペソから 2,000 ペソまでの罰金、若しくは裁判所の裁量によりその双方を併科して処する。

第 226 条 猥褻行為（改正後 336 条）

前条に掲げる事情の下において、異性又は同性に対し、猥褻なる行為をした者は、プリシオン・コレクショナル（軽期の拘禁刑）に処する。

第 340 条 未成年者腐敗

未成年者をして、他人の情欲を満足させる目的のために、売春又は腐敗に従事することを助長し、又は容易ならしめた者は、プリシオン・コレクショナルに処する。

行為者が公務員、政府所有又は支配下にある法人の職員を含む政府職員であるとき

は、前項の刑に加えて、一時的絶対的失権刑に処する。



**2024 Philippines
National Survey on the
Mental Health of
LGBTQ+ Young People**



Key Findings

1. 3 in 4 (75%) LGBTQ+ young people have ever seriously considered suicide, and nearly half (46%) have ever attempted suicide. More than one in three (34%) attempted suicide in the past year.
2. The majority reported recent symptoms of depression (62%) and anxiety (62%), as well as engaging in self-harm in the past year (59%).
3. Nearly 1 in 5 (19%) LGBTQ+ young people reported being threatened with or subjected to conversion therapy, which was related to higher rates of mental health concerns.
4. Nearly two-thirds (63%) saw their LGBTQ+ identity as a burden and more than half (58%) did not feel comfortable interacting with others as their true selves, which were both related to higher rates of depression, anxiety, and self-harm.
5. Feeling affirmed in one's LGBTQ+ identity, living in an accepting community, receiving helpful therapy, and developing healthy coping strategies were all associated with lower rates of mental health concerns.

Methodology Summary

A quantitative cross-sectional design was used to collect data through an online survey platform between June 9, 2023 and June 30, 2023. The survey was offered in English, Filipino (Tagalog), Cebuano, and Hiligaynon. A sample of LGBTQ+ individuals aged 15 to 24 who resided in the Philippines was recruited via targeted ads on social media. Participants were asked questions about their mental health, as well as risk and protective factors. The analyses in this report include a final analytic sample of 5,515 LGBTQ+ young people.

Recommendations

Based on the findings, the report strongly emphasizes the urgent need for prioritizing the mental health of LGBTQ+ young people in the Philippines. Recommendations include fostering supportive and accepting environments, particularly from family and friends, as important protective factors against mental health issues and suicide. The report advocates for accessible, LGBTQ+ affirming health care and community services, recognizing these as fundamental to managing stress and promoting healing. Given the high cost of mental health services and the prevalence of unsupportive or financially incapable families, it becomes critical to ensure independent access to mental health care for LGBTQ+ young people. Addressing the harmful practice of conversion therapy, the report calls for complete eradication of this dangerous and discredited practice. Additionally, the report highlights the necessity for access to gender-affirming care for transgender and nonbinary youth,

RESULTS

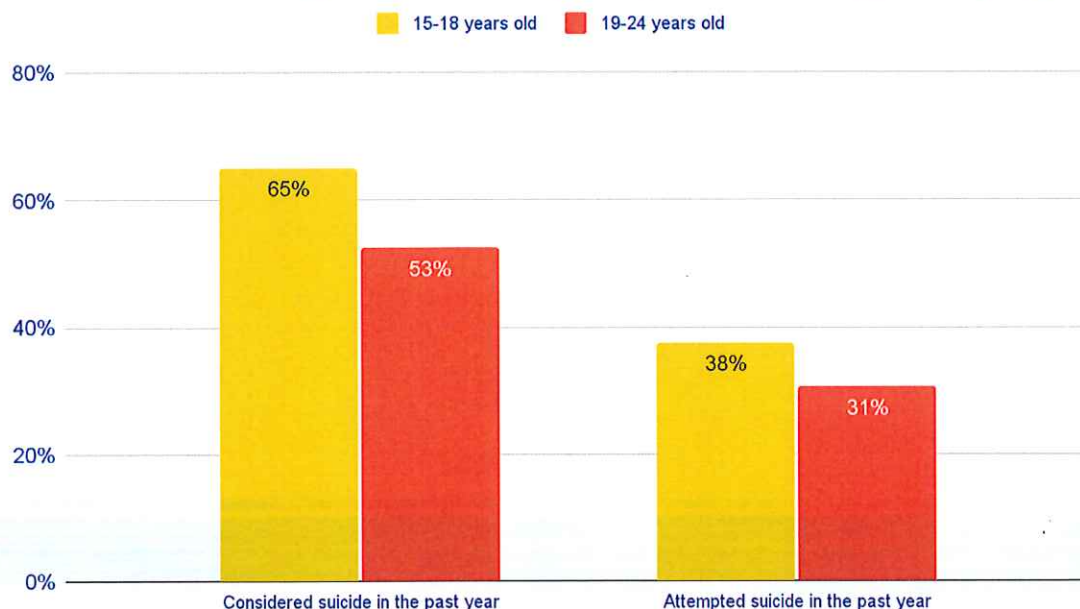
Mental Health & Suicide Risk

Suicide Risk

Three-quarters of LGBTQ+ young people (75%) in the Philippines have ever seriously considered suicide. Over half (59%) considered suicide in the past year. Nearly half (46%) attempted suicide at some point, with more than one-third (34%) attempting suicide in the past year. We found significant differences in suicide risk among different subgroups of LGBTQ+ young people in the Philippines:

- By age, more LGBTQ+ young people in the Philippines 15 to 18 years old reported having ever considered suicide (78%) compared to those 19 to 24 years old (71%). Of these, 65% of LGBTQ+ young people aged 15 to 18 years reported considering suicide in the past year compared to those aged 19 to 24 years (53%). Similarly, more LGBTQ+ young people aged 15 to 18 years reported having ever attempted suicide (48%) than those aged 19 to 24 years (44%). More LGBTQ+ young people in the 15 to 18 age group reported attempting suicide in the past year (38%) than LGBTQ+ young people aged 19 to 24 years (31%).

Suicide Risk Among LGBTQ+ Young People in the Philippines by Age

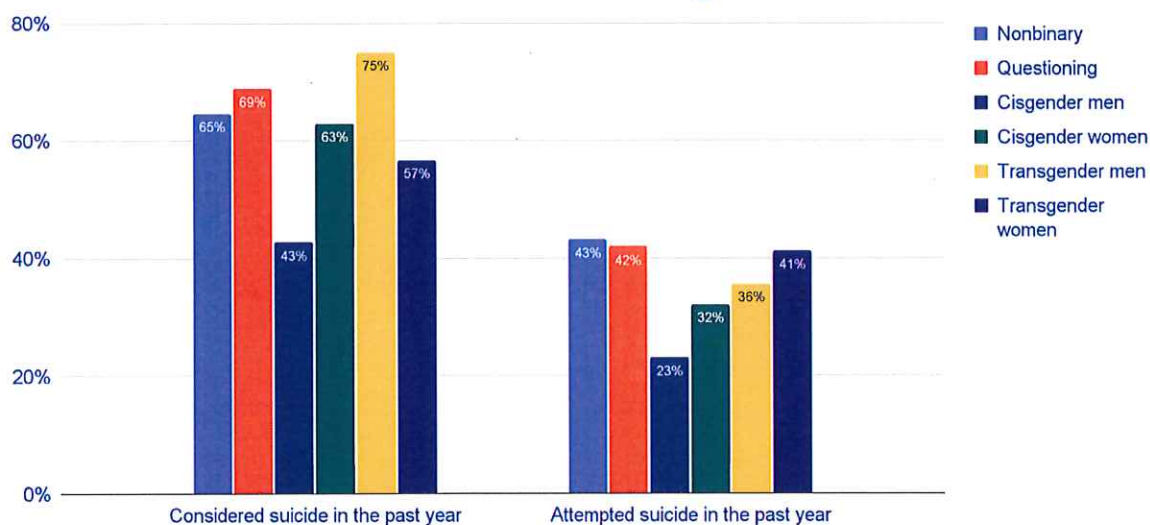


- By sexual orientation, more LGBTQ+ young people in the Philippines who identified as sexually fluid or pansexual reported considering suicide in the past year (both 72%)

than other sexual orientation subgroups, including those who identified as gay (44%), lesbian (68%), bisexual (57%), queer (65%), asexual (70%), or questioning (64%). Similarly, more LGBTQ+ young people who identified as sexually fluid or pansexual reported attempting suicide in the past year (48% and 46%, respectively) than other subgroups, including those who identified as gay (24%), lesbian (41%), bisexual (34%), queer (32%), asexual (34%), or questioning (32%).

- By gender identity, more transgender young men reported considering suicide in the past year (75%) than young people who identified as nonbinary (65%), questioning (69%), cisgender men (43%), cisgender women (63%), and transgender women (57%). Similarly, more nonbinary young people reported attempting suicide in the past year (43%) than young people who identified as questioning (42%), cisgender men (23%), cisgender women (32%), transgender men (36%), and transgender women (41%).

Suicide Risk Among LGBTQ+ Young People in the Philippines by Gender Identity



- By ethnicity, more Tagalog and Waray LGBTQ+ young people reported considering suicide in the past year (both 61%) compared to other ethnic groups, including Bicolano (57%), Bisaya (60%), Cebuano (55%), Ilocano (56%), Ilonggo (56%), Kapampangan (58%), and other ethnicities including Maranao and Tausug (58%).
- By religion, more LGBTQ+ young people in the Philippines who reported having no religious affiliation reported considering suicide in the past year (70%) than LGBTQ+ young people from other religious groups, including Roman Catholic (56%), Protestant (43%), Iglesia ni Cristo (63%), other Christian denominations (60%), and

other religious groups, such as Aglipay and Islam (65%). Additionally, more LGBTQ+ young people belonging to other religious groups reported attempting suicide in the past year (41%) compared to Roman Catholic (33%), Protestant (24%), Iglesia ni Cristo (40%), other Christian denominations (35%), and those with no religious affiliation (37%).

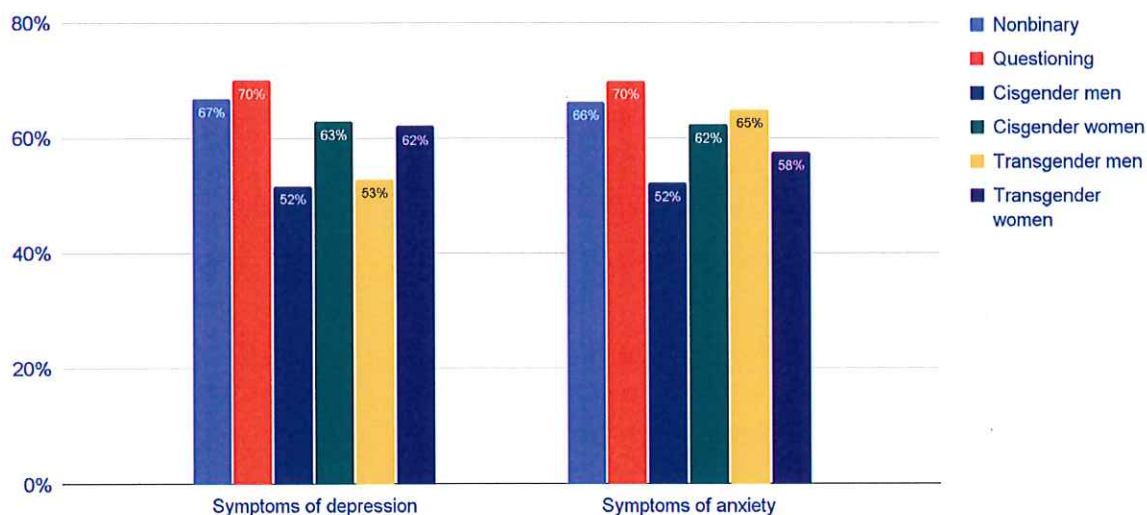
- By socioeconomic status, more LGBTQ+ young people in the Philippines who reported experiencing food insecurity also reported considering suicide in the past year (62%) than LGBTQ+ young people who reported being food secure (53%). Similarly, more of those who reported experiencing food insecurity also reported attempting suicide (39%) compared to LGBTQ+ young people who reported being food secure (25%).

Mental Health

The majority of LGBTQ+ young people in the Philippines reported recent symptoms of depression (62%) and recent symptoms of anxiety (62%) in the past two weeks. Within every subgroup, at least 50% of LGBTQ+ young people reported experiencing symptoms of depression and anxiety in the past two weeks. We found differences in symptoms of depression and anxiety across various subgroups of LGBTQ+ young people in the Philippines:

- By age, younger LGBTQ+ young people 15 to 18 years old reported more depressive symptoms (65%) and more anxiety symptoms (64%) than LGBTQ+ young people 19 to 24 years old (58% for depressive symptoms and 59% for anxiety symptoms).
- By sexual orientation, asexual young people and pansexual young people reported more symptoms of depression and anxiety than their peers of other sexual identities, with more than 70% of LGBTQ+ young people in both groups reporting higher rates of depression and anxiety.
- By gender identity, those questioning their gender identity reported higher rates of depression (70%) and anxiety (70%) than other gender identity groups.

Mental Health Among LGBTQ+ Young People in the Philippines by Gender Identity



- By socioeconomic status, those who reported experiencing food insecurity reported higher rates of depression (67%) and anxiety (67%) compared to those who reported being food secure (50% for depression; 52% for anxiety).
- By religion, more LGBTQ+ young people in the Philippines who reported their religion as Iglesia ni Cristo (66%) and other religious groups including Aglipay and Islam (66%) reported recent symptoms of depression than those who identified as Roman Catholic (60%), Protestant (57%), other Christian denominations (64%), and those who indicated having no religious affiliation (65%).

Self-Harm

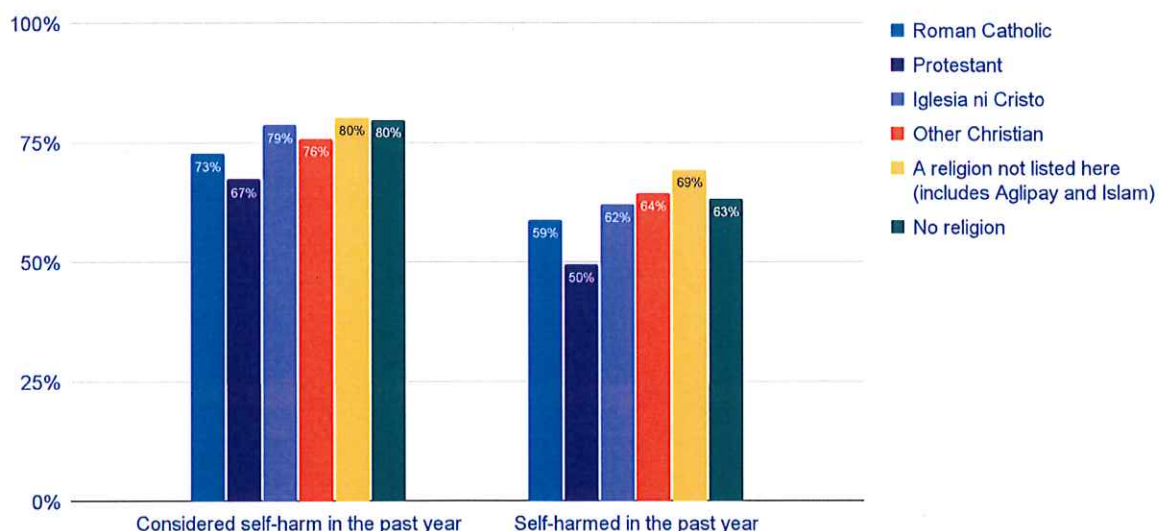
Three-quarters of LGBTQ+ young people (75%) in the Philippines reported considering self-harm in the past year. Of those, 59% reported self-harming in the past year. We also found significant differences in self-harm among different subgroups of LGBTQ+ young people in the Philippines:

- By age, more LGBTQ+ young people in the Philippines 15 to 18 years old reported considering self-harm in the past year (80%) than LGBTQ+ young people 19 to 24 years old (69%). Of those, more LGBTQ+ young people ages 15 to 18 years reported engaging in self-harm in the past year (68%) than those aged 19 to 24 years (53%).
- By sexual orientation, more LGBTQ+ young people in the Philippines who identified as asexual and sexually fluid reported considering self-harm in the past year (88% and 87%, respectively) compared to other groups, including those who identified as gay

(59%), lesbian (84%), bisexual (74%), queer (81%), pansexual (84%), and questioning (77%). However, more LGBTQ+ young people who identified as lesbian and sexually fluid reported self-harming in the past year (73% and 75%, respectively) than those of other sexual orientations, including those who identified as gay (43%), bisexual (60%), queer (68%), pansexual (71%), asexual (68%), or questioning (61%).

- By gender identity, more transgender men reported considering self-harm in the past year (87%) than those of other gender identity groups, including young people who identified as nonbinary (80%), questioning (84%), cisgender men (59%), cisgender women (80%), and transgender women (66%). Similarly, more transgender young men reported self-harming in the past year (72%) than young people of other gender identity groups, including young people who identified as nonbinary (67%), questioning (71%), cisgender men (43%), cisgender women (65%), and transgender women (55%).
- By socioeconomic status, more LGBTQ+ young people in the Philippines who reported experiencing food insecurity reported considering self-harm in the past year (77%) compared to those who reported being food secure (70%).
- By religion, young people who identified with the religions Aglipay, Islam, or another religion reported the highest rates of considering self-harm in the past year (80%) and self-harming in the past year (69%).

Self-Harm Among LGBTQ+ Young People in the Philippines by Religion



- By geographic region, more LGBTQ+ young people in the Philippines living in the Luzon region reported considering self-harm in the past year (76%) than LGBTQ+ young people living in the Visayas region (75%) and the Mindanao region (71%).

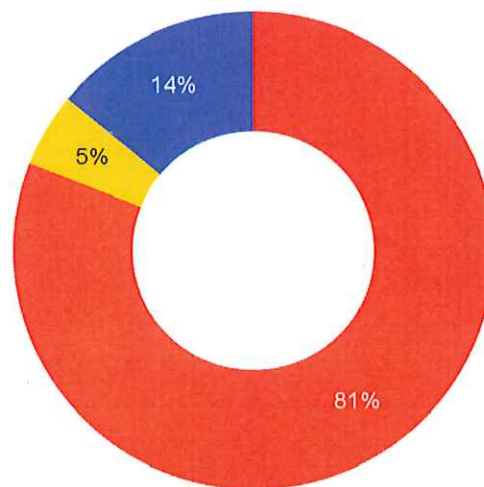
Risk Factors

Conversion Therapy

Nearly 1 in 5 LGBTQ+ young people in the Philippines (19%) reported having ever been threatened with or subjected to conversion therapy. Conversion therapy refers to a range of dangerous and discredited practices aimed at changing one's sexual orientation or gender identity or expression.

Conversion Therapy Among LGBTQ+ Young People in the Philippines

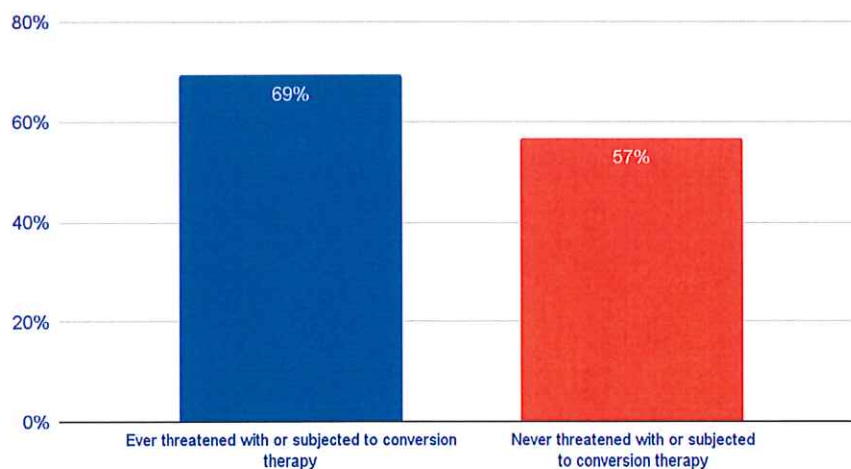
- Never threatened with or subjected to conversion therapy
- Ever threatened with conversion therapy
- Ever subjected to conversion therapy



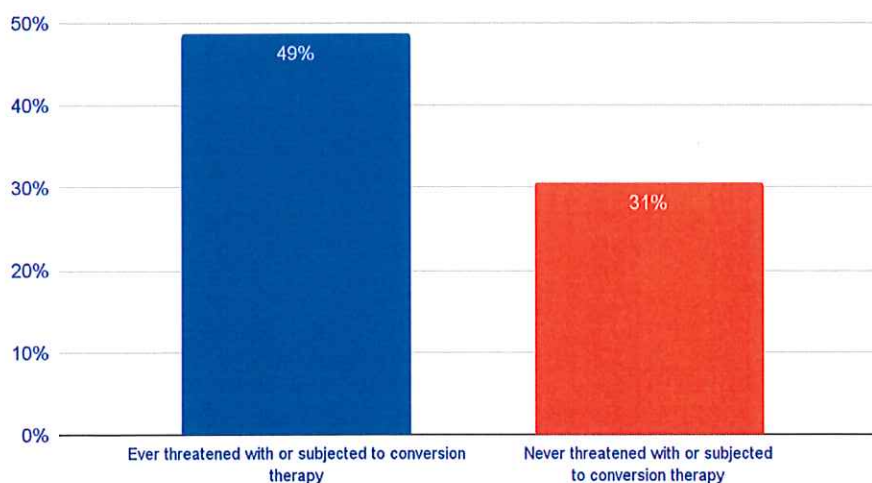
LGBTQ+ young people who reported having ever been threatened with or subjected to conversion therapy reported greater suicide risk, higher rates of mental health concerns, and higher rates of self-harm than young people who had never been threatened with or subjected to conversion therapy.

Those who reported having been threatened with or subjected to conversion therapy also reported considering (69%) and attempting suicide more in the past year (49%) than those who had reported not experiencing attempts to change their sexual orientation or gender identity (57% for considering suicide and 31% for attempting suicide, respectively).

LGBTQ+ Young People in the Philippines Who Considered Suicide in the Past Year, Comparison Across Conversion Therapy



LGBTQ+ Young People in the Philippines Who Attempted Suicide in the Past Year, Comparison Across Conversion Therapy



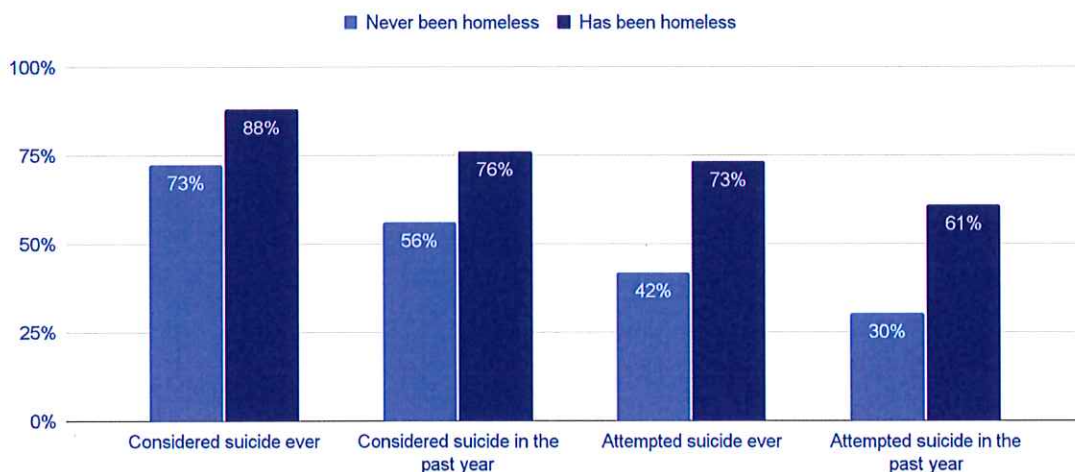
Similarly, being threatened with or subjected to attempts to change one's LGBTQ+ identity was associated with higher rates of recent symptoms of depression (67%), anxiety (68%), and self-harm in the past year (75%).

Homelessness

More than 1 in 10 (12%) of LGBTQ+ young people in the Philippines reported having been homeless due to running away from home or being kicked out by their parents or caregivers. Of those who ran away or were kicked out, slightly less than 1 in 3 (30%) reported that it was due to their LGBTQ+ identity. Experiencing homelessness, specifically due to one's LGBTQ+ identity, was associated with greater suicide risk, higher rates of mental health concerns, and higher rates of self-harm among LGBTQ+ young people in the Philippines.

- Among LGBTQ+ young people in the Philippines, those who had experienced homelessness reported higher rates of considering (76%) and attempting (61%) suicide in the past year than those who had never been homeless (56% for considering suicide and 30% for attempting suicide, respectively).

Suicide Risk Among LGBTQ+ Young People in the Philippines and Experiences of Homelessness



- Similarly, LGBTQ+ young people who had experienced homelessness reported higher rates of recent symptoms of depression (73%) and anxiety (72%) than those who had never been homeless (60% for both depression and anxiety symptoms).
- We found similar trends for self-harm among those who had experienced homelessness, with higher rates of considering (85%) and engaging in self-harm in the past year (78%) compared to those who had never been homeless (73% reported considering self-harm, 58% reported self-harming in the past year).
- For those who reported their homelessness was directly due to their LGBTQ+ identity, rates of considering (83%) and attempting suicide (72%) in the past year were higher than for those whose homelessness was not related to their sexual orientation or gender identity.

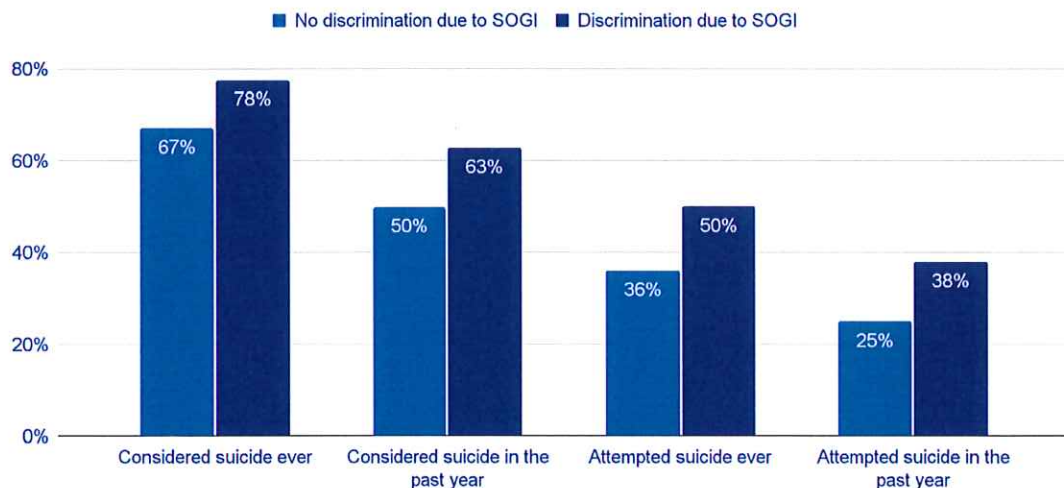
- LGBTQ+ young people who experienced homelessness due to their sexual orientation or gender identity also reported higher rates of recent depressive symptoms (79%), recent anxiety symptoms (80%), self-harm ideation in the past year (90%), and self-harm in the past year (84%).

Anti-LGBTQ+ Discrimination and Victimization

Nearly three-quarters (74%) of LGBTQ+ young people in the Philippines reported that they had ever been discriminated against due to their sexual orientation or gender identity. More than one-third (34%) of LGBTQ+ young people reported being physically threatened or abused due to their sexual orientation or gender identity. These experiences of discrimination and victimization are associated with higher rates of mental health concerns and greater suicide risk for LGBTQ+ young people in the Philippines.

- LGBTQ+ young people in the Philippines who had been discriminated against because of their sexual orientation and/or gender identity reported higher rates of suicide ideation (63%) and suicide attempts (38%) in the past year than LGBTQ+ young people who had not reported discrimination.

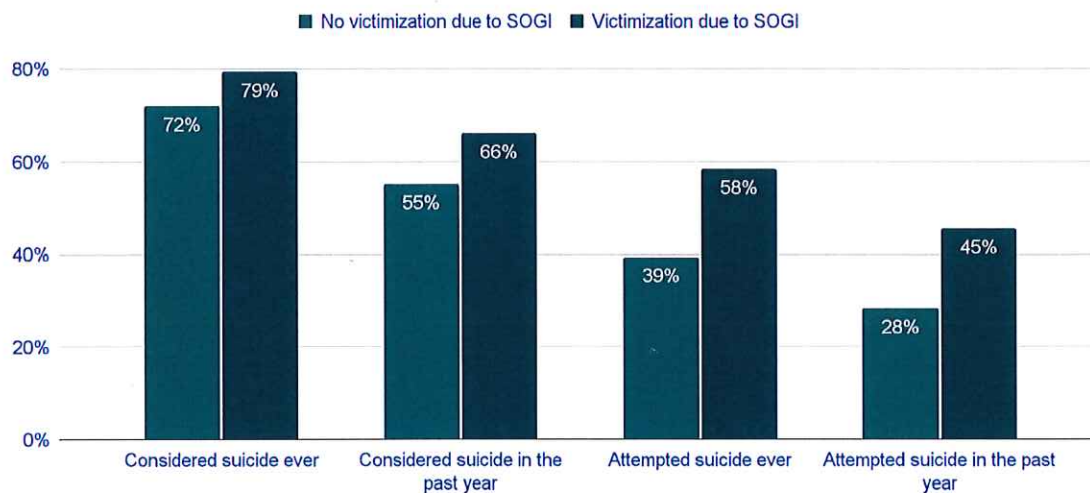
Suicide Risk Among LGBTQ+ Young People in the Philippines and Anti-LGBTQ+ Discrimination



- Similarly, more LGBTQ+ people who reported experiencing discrimination also reported recent symptoms of depression (64%) and recent symptoms of anxiety (64%) than young people who had not reported discrimination.

- Self-harm ideation (77%) and engaging in self-harm (64%) in the past year were more frequently reported among LGBTQ+ young people who had experienced discrimination because of their sexual orientation and/or gender identity.
- LGBTQ+ young people in the Philippines who reported experiencing physical victimization due to their sexual orientation and/or gender identity reported higher rates of suicide ideation (66%) and suicide attempts (45%) in the past year. These rates were higher than suicide ideation and suicide attempt rates for LGBTQ+ young people who had not reported victimization.

Suicide Risk Among LGBTQ+ Young People in the Philippines and Anti-LGBTQ+ Victimization



- Similarly, more LGBTQ+ people who reported experiencing victimization also reported recent symptoms of depression (68%) and recent symptoms of anxiety (69%) than young people who were not victimized.
- Both past-year self-harm ideation (79%) and past-year self-harm engagement (69%) were higher for LGBTQ+ young people in the Philippines who had experienced being victimized.

Self-Stigmatization

Nearly two-thirds (63%) of LGBTQ+ young people in the Philippines view their sexual orientation or gender identity as a burden. Over half (58%) of LGBTQ+ young people reported that they do not feel comfortable interacting with others as their true selves. Conversely, the majority of LGBTQ+ young people in the Philippines (79%) believe that their sexual orientation and/or gender identity allowed them to enjoy their rights and

privileges as a person. Similarly, the majority of LGBTQ+ young people also stated that they did not believe that they would be happier if they were different. Self-stigmatization is associated with higher rates of mental health concerns and self-harm, as well as greater suicide risk for LGBTQ+ young people in the Philippines.

- LGBTQ+ young people who perceived their sexual orientation or gender identity to be burdensome on others reported more suicide ideation (61%) than those who did not report similar feelings (54%). Similarly, rates of recent depressive symptoms (64%) and recent anxiety symptoms (65%) were higher for those who believed that their LGBTQ+ identity was a burden than for those who did not (57% for depressive symptoms and 54% for anxiety symptoms). Those who believed their LGBTQ+ identity was a burden reported more self-harm ideation (78%) and self-harm engagement (64%) in the past year than those who did not view their LGBTQ+ identity as a burden (69% for self-harm ideation and 54% for self-harm engagement).
- LGBTQ+ young people in the Philippines who believed that their LGBTQ+ identity kept them from enjoying all their rights and privileges as a person reported higher rates of considering suicide in the past year (66%) and self-harming in the past year (63%) than those who did not (56% for considering suicide and 59% for self-harm).

Access to Care

Despite 77% of LGBTQ+ young people in the Philippines indicating that they had ever wanted emotional counseling or therapy in the past, only 15% reported that they had ever received mental health care. Of those who ever wanted emotional counseling or therapy, only 8% received care and said that they found it helpful. The majority of LGBTQ+ young people (88%) reported that they wanted emotional counseling or therapy in the past year, however, only 9% actually received care in the past year. For LGBTQ+ young people in the Philippines, finding therapy helpful is associated with lower rates of mental health concerns and lower suicide risk. LGBTQ+ young people who reported receiving counseling or therapy and finding it helpful reported lower rates of considering (63%) and attempting (39%) suicide in the past year than those who received counseling or therapy but did not find it helpful.

(*以下は原本のアンダーラインを引いた部分のみの日本語訳)

2024年度LGBTQ+若者のフィリピン全国調査

主な調査結果

1. LGBTQ+の若者の4人に3人（75%）が真剣に自殺を考えたことがあり、ほぼ半数（46%）が自殺を試みたことがある。3人に1人以上（34%）が過去1年間に自殺を試みた。
2. 過半数が最近抑うつ症状（62%）や不安症状（62%）を報告し、過去1年間に自傷行為（59%）を行った。
3. LGBTQ+の若者の約5人に1人（19%）が、転換療法の脅威にさらされたり実際に受けたりしたと報告しており、これはメンタルヘルスの問題の高率と関連していた。
4. 約3分の2（63%）が自身のLGBTQ+アイデンティティを負担と感じ、過半数（58%）が本当の自分として他者と関わることに不安を抱いており、いずれも抑うつ・不安・自傷行為の発生率上昇と関連していた。
5. 自身のLGBTQ+アイデンティティを肯定されること、包括的なコミュニティでの生活、有益なセラピーの受診、健全な対処法の開発は、いずれもメンタルヘルス問題の発生率低下と関連していた。

方法論の概要

2023年6月9日から6月30日にかけて、オンライン調査プラットフォームを通じてデータを収集するため、定量的横断研究デザインを採用した。調査は英語、フィリピン語（タガログ語）、セブアノ語、ヒリガイノン語で提供された。フィリピン在住の15歳から24歳のLGBTQ+個人を対象に、ソーシャルメディア上のターゲティング広告を通じてサンプルを募集した。参加者には、メンタルヘルスに関する質問に加え、リスク要因と保護要因についての質問が行われた。本報告書の分析には、最終的な分析対象サンプルとして5,515名のLGBTQ+若年層が含まれる。

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結果

精神保健と自殺リスク

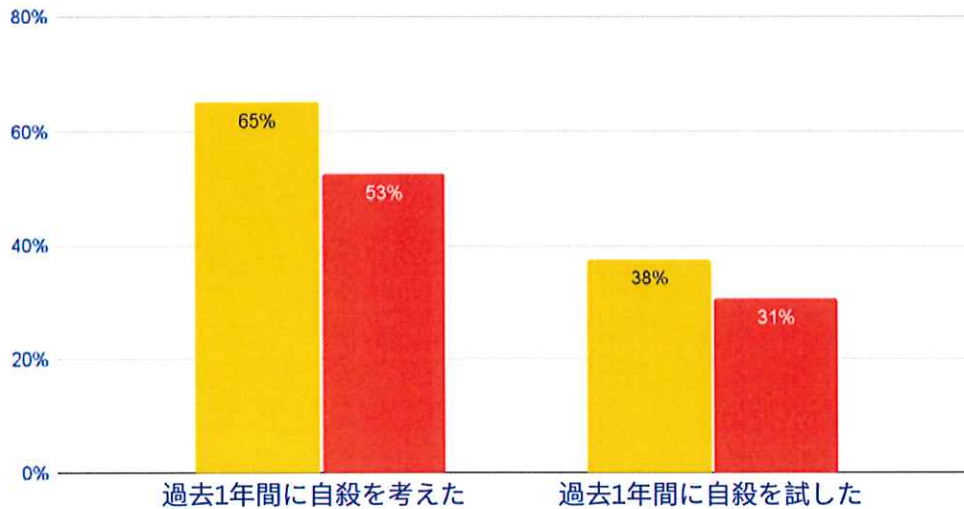
自殺リスク

フィリピンのLGBTQ+若者の4分の3（75%）が真剣に自殺を考えたことがある。半数以上（59%）が過去1年間に自殺を考えた。ほぼ半数（46%）が過去に自殺未遂を経験しており、3分の1以上（34%）が過去1年間に自殺未遂を起こしている。フィリピンのLGBTQ+若者の異なるサブグループ間で自殺リスクに顕著な差異が認められた。

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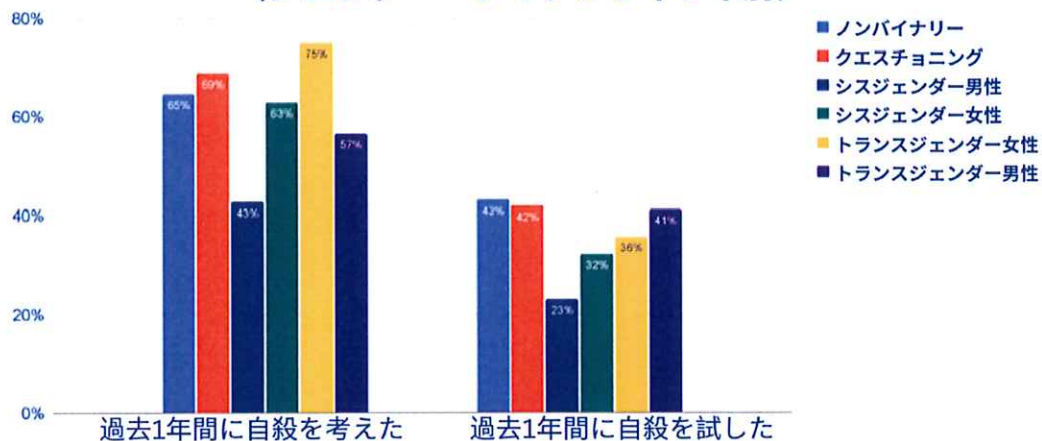
フィリピンのLGBTQ+の若者の自殺リスク（年齢別）

■ 15オー18才 ■ 19オー24才



- ジェンダー・アイデンティティ別では、トランスジェンダーの若い男性が過去1年間に自殺を考えたと報告した割合（75%）が、ノンバイナリーを自認する若者（65%）、クエスチョニング（69%）、シスジェンダー男性（43%）、シスジェンダー女性（63%）、トランスジェンダー女性（57%）よりも高かった。同様に、過去1年間に自殺を試みた経験があると報告した若者は、クエスチョニング（42%）、シスジェンダー男性（23%）、シスジェンダー女性（32%）、トランスジェンダー男性（36%）、トランスジェンダー女性（41%）よりも、ノンバイナリー（43%）の方が多かった。

フィリピンのLGBTQ+の若者の自殺リスク（ジェンダー・アイデンティティ別）

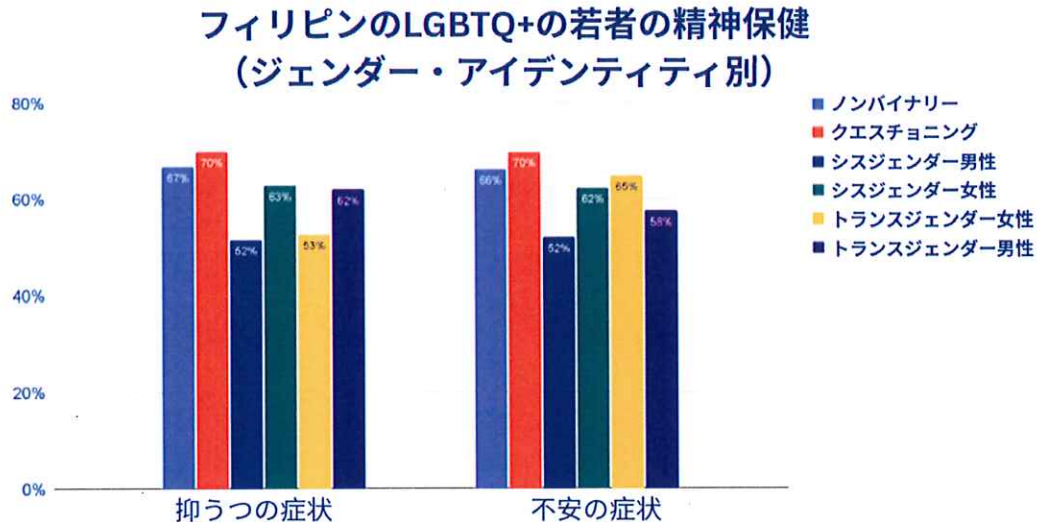


- 社会経済的地位別では、フィリピンでは食料不安を経験したと報告したLGBTQ+の若者のうち、過去1年間に自殺を考えたことがあると報告した割合（62%）が、食料安全保障があると報告したLGBTQ+の若者（53%）よりも高かった。同様に、食料不安を経験したと報告した者のうち、自殺未遂を経験したと報告した割合（39%）も、食料安全保障があると報告したLGBTQ+の若者（25%）よりも高かった。

精神保健

フィリピンのLGBTQ+若者の大半が、過去2週間に抑うつ症状（62%）および不安症状（62%）を経験したと報告した。各サブグループにおいて、LGBTQ+の若者の少なくとも50%が過去2週間に抑うつ・不安症状を経験したと報告している。

...



- ・ 社会経済的地位別では、食料不安を経験したと報告した人々は、食料安全保障があると報告した人々（うつ病50%、不安52%）と比較して、より高い割合でうつ病（67%）と不安（67%）を報告した。

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自傷行為

フィリピンのLGBTQ+の若者の4分の3（75%）が、過去1年間に自傷行為を考えたことがあると報告した。そのうち59%が、過去1年間に実際に自傷行為を行ったと報告している。

...

- ・ ジェンダー・アイデンティティでは、トランスジェンダー男性が過去1年間に自傷行為を考えたと報告した割合（87%）が、他の性別自認グループ（ノンバイナリーを自認する若者80%、クエスチョニング84%、シスジェンダー男性59%、シスジェンダー女性80%、トランスジェンダー女性66%）よりも高かった。同様に、過去1年間に自傷行為を行ったと報告したトランスジェンダーの若年男性（72%）は、他の性別自認グループの若者（ノンバイナリーを自認する若者67%、クエスチョニング71%、シスジェンダー男性43%、シスジェンダー女性65%、トランスジェンダー女性55%）よりも多かった。
- ・ 社会経済的地位別では、食料不安を経験したと報告したフィリピンのLGBTQ+の若者が、食料安全保障があると報告した者（70%）と比較して、過去1年間に自傷行為を考えたと報告した割合が高かった（77%）。

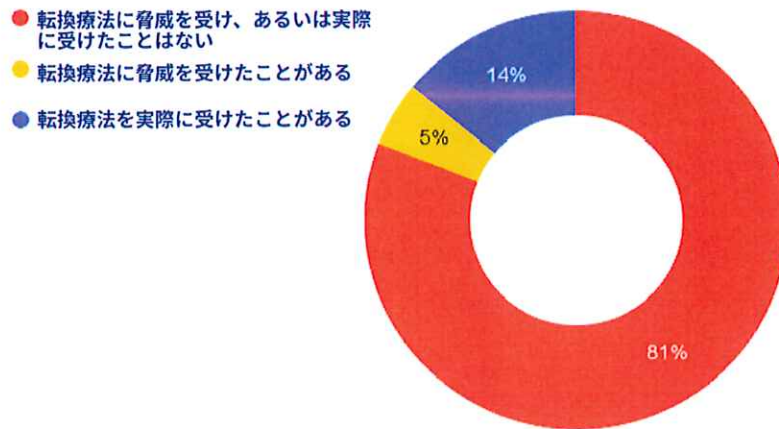
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危険因子

転換療法

フィリピンのLGBTQ+若者のほぼ5人に1人（19%）が、転換療法の脅威にさらされたり、実際に受けさせられたりした経験があると報告している。転換療法とは、個人の性的指向や性自認、性表現を変えようとする危険で疑われている一連の行為を指す。

フィリピンのLGBTQ+の若者の転換療法の経験



LGBTQ+の若者のうち、転換療法の脅威を受けたことのある者や実際に受けた者は、転換療法の脅威を受けたことのない若者や実際に受けたことのない若者と比べて、自殺リスクが高く、メンタルヘルスの問題の発生率が高く、自傷行為の発生率も高いことが報告されている。

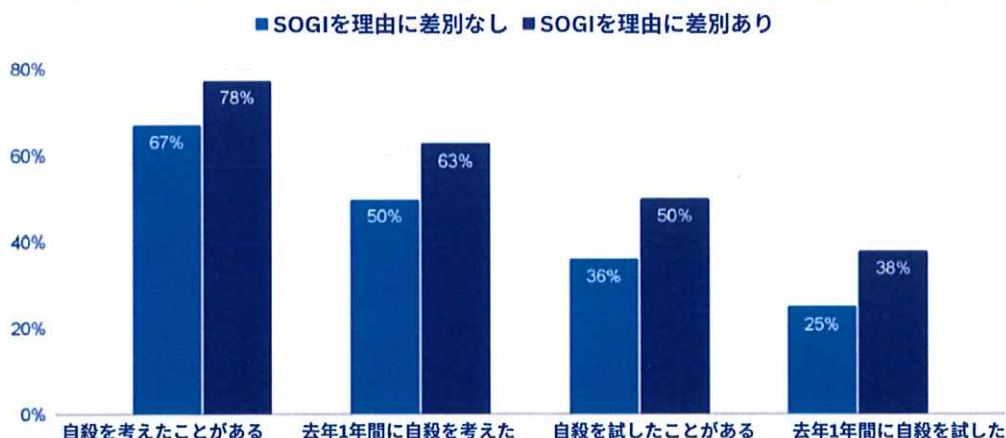
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LGBTQ+に対する差別と被害

フィリピンのLGBTQ+若者のほぼ4分の3（74%）が、性的指向やジェンダー・アイデンティティを理由に差別を受けたことがあると報告している。LGBTQ+若者の3分の1以上（34%）が、性的指向やジェンダー・アイデンティティを理由に身体的脅迫や虐待を受けたと報告している。こうした差別や被害体験は、フィリピンのLGBTQ+若年層におけるメンタルヘルス問題の発生率上昇や自殺リスクの増大と関連している。

- フィリピンにおいて性的指向および／またはジェンダー・アイデンティティを理由に差別を受けたLGBTQ+の若者は、差別を受けていないLGBTQ+の若者と比較して、過去1年間に於ける自殺念慮（63%）および自殺企図（38%）の発生率が高いと報告されている。

フィリピンのLGBTQ+の若者の自殺リスクと反LGBTQ+差別



- 同様に、差別を経験したと報告したLGBTQ+の人々は、差別を経験していない若者よりも、最近の抑うつ症状（64%）および最近の不安症状（64%）を報告する割合が高かった。
- 性的指向および／またはジェンダー・アイデンティティに基づく差別を経験したLGBTQ+の若者において、過去1年間の自傷行為の念慮（77%）および自傷行為の実行（64%）がより頻繁に報告された。
- フィリピンにおける性的指向および／またはジェンダー・アイデンティティを理由に身体的被害を経験したと報告したLGBTQ+の若者は、過去1年間に自殺念慮（66%）および自殺企図（45%）を経験した割合がより高かった。これらの割合は、被害を報告しなかったLGBTQ+の若年層の自殺念慮および自殺企図の割合よりも高かった。

フィリピンのLGBTQ+の若者の自殺リスクと反LGBTQ+差別



- 同様に、被害を経験したと報告したLGBTQ+の人々は、被害を受けていない若者よりも、最近の抑うつ症状（68%）および最近の不安症状（69%）を報告する割合が高かった。
- 被害を受けた経験のあるフィリピンのLGBTQ+の若者において、過去1年間の自傷行為の念慮（79%）と自傷行為の実行（69%）の両方がより高い割合を示した。

自己スティグマ化

フィリピンのLGBTQ+若者の約3分の2（63%）が、自身の性的指向やジェンダー・アイデンティティを負担と感じている。過半数（58%）が、ありのままの自分で他者と交流することに不安を抱えていると報告した。一方で、フィリピンのLGBTQ+若者の大多数（79%）は、自身の性的指向やジェンダー・アイデンティティが人間としての権利や特権を享受する機会をもたらしたと信じている。同様に、大多数のLGBTQ+若者は「自分が違っていたらより幸せになれるとは思わない」とも述べている。自己スティグマ化は、フィリピンのLGBTQ+若年層において、メンタルヘルスの懸念や自傷行為の発生率上昇、ならびに自殺リスクの増大と関連している。

- 性的指向やジェンダー・アイデンティティが他者にとって負担であると認識した LGBTQ+の若者は、同様の感情を報告しなかった者（54%）よりも自殺念慮を報告する割合が高かった（61%）。同様に、LGBTQ+アイデンティティが負担だと考える人々は、そうでない人々（抑うつ症状57%、不安症状54%）と比べて、最近の抑うつ症状（64%）および不安症状（65%）の発生率が高かった。自身のLGBTQ+アイデンティティが負担であると信じる人々は、過去1年間における自傷行為の念慮（78%）および自傷行為の実行（64%）を、自身のLGBTQ+アイデンティティを負担と見なさない人々（自傷行為の念慮69%、自傷行為の実行54%）よりも多く報告した。
- フィリピンにおけるLGBTQ+の若者のうち、自身のLGBTQ+としてのアイデンティティが人間としての権利や特権を享受する妨げになっていると考える者は、過去1年間に自殺を考える割合（66%）および自傷行為を行う割合（63%）が、そう考えていない者（自殺を考える割合56%、自傷行為59%）よりも高かった。

治療へのアクセス

フィリピンのLGBTQ+の若者の77%が過去に心理カウンセリングやセラピーを必要としたことがあると回答したにもかかわらず、実際にメンタルヘルスケアを受けたことがあると報告したのはわずか15%だった。心理カウンセリングやセラピーを必要としたことがある人の中で、実際にケアを受け「有益だった」と答えたのは8%のみであった。LGBTQ+の若者の大多数（88%）が過去1年間にカウンセリングやセラピーを希望したと報告したにもかかわらず、実際にケアを受けたのはわずか9%であった。フィリピンのLGBTQ+の若者において、セラピーが有益であると認識されることは、メンタルヘルス上の懸念や自殺リスクの低減と関連している。カウンセリングやセラピーを受け有益と感じたと報告したLGBTQ+の若者は、有益と感じなかった者よりも、過去1年間の自殺の考慮（63%）や自殺企図（39%）の割合が低かった。

Call us by our names: Trans Filipinos demand legal gender recognition

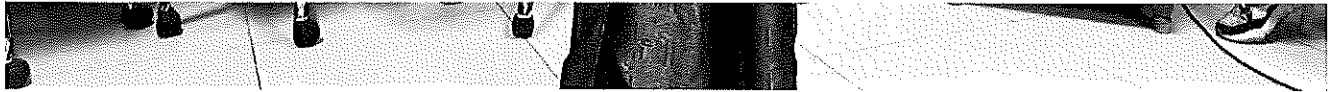
jalindogano344

MANILA, Philippines – The LGBTQ+ community has long pushed for laws that protect their right to life and dignity. Now, another critical measure is being eyed after several organizations advocating for transgender rights drafted a bill that gives legal recognition to people's self-determined gender identity.

Society of Trans Women of the Philippines (STRAP), Transmasculine Philippines, Pioneer Filipino Transgender men Movement (Pioneer FTM), and Relentlessly Chase introduced the Simplified Legal Gender Recognition Bill in a press conference on June 30, at the UP Diliman Center for Women's and Gender Studies.

According to Vashti Ortego, executive director of STRAP and lead drafter of the bill, the measure seeks to establish clear and faster judicial and administrative procedures allowing transgender people "to legally change their name and gender marker based on a self-determined gender identity."





THE LEAD DRAFTER. Vashti Ortego of STRAP shares their journey in drafting the Legal Gender Recognition Bill for the trans community. Photo by Joan Alindogan.

The bill will allow Filipinos, including minors with consent, to apply for legal gender recognition and choose a gender marker other than male or female, such as X or nonbinary.

“The lack of a clear, accessible process to recognize the gender of trans people leads to social exclusion, invasion of privacy, discrimination, and violence,” said Chase Go of Relentlessly Chase, the bill’s first drafter.

The bill was shaped by years of studying global gender recognition practices, consulting with LGBTQ+ friendly countries like Thailand, and listening to the real-life experiences of the trans community

For many, the passage of the bill is not just paperwork; it is key to survival, especially in the Philippines, where the lack of protection leaves them vulnerable to violence and harassment.

This year alone, a series of killings of transpinays have shaken the community, with the Commission on Human Rights (CHR) calling it a “disturbing pattern of transfemicide.”

During Pride Month, human rights advocate Ali Macalintal was shot in an acupuncture clinic, while 18-year-old student Kierra Apostol was found lifeless in a river days after going missing. Earlier this year, beauty salon owner Ren Tampus was also gunned down.

These killings and continued delays in passing anti-discrimination bills have strengthened calls to advance the Simplified Legal Gender Recognition Bill in Congress.

Why the Simplified Legal Gender Recognition Bill matters

Beyond safety, the bill also addresses the everyday struggles the trans community encounters.

Chase, founder of Transman Equality and Awareness Movement, helps educate the community on the costly and difficult process of changing their names. But without a law to change gender markers, their safety, dignity, and opportunities remain at risk.

Janlee Dungca, managing directress of Castro PR, recalled being denied a job despite her qualifications because the institution wasn’t ready to hire a trans woman.

Miss Trans Philippines 1st runner-up Mardy Mabalda faced a similar rejection: “I was told to cut my hair and wear male attire to proceed with my application.”





TESTIMONIES OF TRANSPINAYS. Janlee Dungca (left) and Mardy Mabalda (right) share their lived realities under legal invisibility. Photo by Joan Alindogan.

Both also shared difficult experiences with immigration.

Janlee was detained twice at immigration due to mismatched documents, an experience common to many trans travelers.

Janlee later learned they were detained because their appearance didn't match the gender marker or photo on their IDs, and they lacked documents to prove their identity — a reality Mardy confirmed.

"I had a friend who was denied entry to another country just because the gender marker on her passport didn't match how she looked," Mardy also shared.

ID mismatches are common for trans people, often leading to suspicion or denial of basic services beyond immigration.

"As a trans person, all of these aspects of my identity are being questioned, and it's painful because you worked hard to become a professional and to succeed in life," Arjhay Puod, advocacy officer of Pioneer FTM, shared in a mix of Filipino and English.

But discrimination isn't the whole story; there is also trans joy.

Mikee Inton-Campbell, former STRAP board member, shared that when she applied for a driver's license in California, a clerk who was a trans ally handed her an additional form to change her legal name and gender.

"She gave me a legal name change and gender change form without even prompting," Mikee said. "I didn't ask for it; it was just given to me," she added in Filipino.

Mikee hopes for the same openness she experienced in California to be reflected in the Philippines, where such rights are still denied.

Next steps for Simplified Legal Gender Recognition Bill

There was once hesitation within the trans community to prioritize the bill.

“The focus was first on passing anti-discrimination bills and ordinances because pushing the LGR bill might derail the various anti-discrimination measures proposed by our community,” said Arjhay in a mix of English and Filipino.

During Rappler’s Be The Good episode with Bataan 1st District Representative Geraldine Roman and Akbayan Representative Percival Cendaña, Roman echoed the same sentiment.

“I’m afraid that my colleagues in Congress might have too much to handle. The anti-discrimination bill, the SOGIESC Equality Bill, might be overshadowed,” she said in a mix of Filipino and English, responding to criticisms over her inability to pass such a law as the first trans woman in Congress.

As the community prepares to endorse the bill to their allies in the 20th Congress on July 28, allies voiced their support.

In a speech, Fayda M. Dumarpa of the CHR pledged support for the measure, while Gabriela Women’s Party vice chairperson Sarah Elago committed to formally receiving the bill and building support within Congress.

Although support is strong, advocates are also preparing for backlash.

“We want to assume what could be the possible arguments against the proposed bill and what could be the community’s counter-argument,” Rocky Rinabor of Pioneer FTM said during a roundtable discussion.

To do this, they planned a community review where each provision will be scrutinized, discussed, and refined based on feedback from the LGBTQ+ community and legal experts.

They also emphasized the need to build coalitions with labor rights groups, not just with women and the LGBTQ+ community, drawing on shared struggles in demanding basic human rights. –

Rappler.com

名前と呼んでほしい——フィリピンのトランス当事者が法的性別認識を求める

作成者：Rappler 誌（Joan Alindogan 記者）

作成年月日：2025 年 07 月 04 日

<https://www.rappler.com/moveph/transgender-filipinos-demand-legal-gender-recognition/>

LGBTQ+コミュニティは長らく、生命と尊厳を守る法律を求めてきた。いま、新たな重要な課題として、人々の自己決定した性自認を法的に認める法案が視野に入っている。

フィリピンのトランス女性協会（STRAP）、Transmasculine Philippines、Pioneer Filipino Transgender Men Movement（Pioneer FTM）、Relentlessly Chase が、6 月 30 日にフィリピン大学ディリマン校の女性・ジェンダー研究センターで記者会見を開き、「簡素化された法的性別認識法案」を発表した。

STRAP の事務局長であり法案の主任起草者であるヴァシュティ・オルテゴによれば、この法案は、トランスジェンダーの人々が「自己決定した性自認に基づき、法的に名前と性別欄を変更できるようにする」ため、明確かつ迅速な司法・行政手続きを確立することを目的としている。

この法案は未成年者を含むフィリピン人が、保護者の同意のもとで法的性別認識を申請でき、また男性・女性以外の性別記号（X やノンバイナリー）を選択することを可能にする。

Relentlessly Chase のチェイス・ゴー（法案の最初の起草者）は語る——「トランスの人々の性を認める明確でアクセス可能な手続きが存在しないことが、社会的排除、プライバシー侵害、差別、暴力を招いている」。

法案は世界各国の性別認識制度の調査や、タイのような LGBTQ+ に友好的な国との協議、そしてトランスコミュニティの実体験を踏まえて形成された。

多くの当事者にとって、この法案の成立は単なる事務手続きではなく、生存にかかわる問題だ。法的保護が欠如するフィリピンでは、暴力や嫌がらせにさらされやすいからだ。今年に入ってからトランス女性殺害事件が相次ぎ、フィリピン人権委員会（CHR）はこれを「懸念すべきトランスフェミサイドの連続」と呼んでいる。

プライド月間には、人権活動家アリ・マカリントルが鍼灸院で銃撃され、18 歳の学生キエラ・アポストルは行方不明の数日後に川で遺体となって発見された。年初には美容院経営者レン・タンパスも射殺された。

こうした殺害事件や反差別法案の停滞は、「簡素化された法的性別認識法案」を国会で進めよという声を強めている。

なぜこの法案が重要なのか

安全の問題だけではない。法案はトランスコミュニティの日常的な困難にも対処する。

トランスマン・イコーリティ & アウェアネス・ムーブメントを創設したチェイスは、改名手続きの費用や困難さについて啓発活動を行っている。だが性別欄を変更する法律がなければ、当事者の安全も尊厳も機会も危険にさらされたままだ。

広報会社キャストロ PR の経営者ジャンリー・ダンカは、資格があっても「トランス女性を雇う準備ができていない」という理由で採用を拒否された経験を語った。

ミス・トランス・フィリピン準優勝者のマルディ・マバルダも同じ目に遭った——「髪を切って男性用の服を着なければ応募を続けられない」と告げられたのだ。

二人はまた、出入国管理での苦難を共有した。ジャンリーは書類不一致のため二度拘束された。見た目とパスポートの性別欄・写真が一致せず、本人確認の書類が不足していたためだった。マルディも同様に、友人が性別欄と見た目の不一致で入国拒否された事例を語った。ID の不一致はトランスに共通の問題であり、出入国に限らず日常的に疑惑やサービス拒否を招く。

「トランスとして、私のアイデンティティのあらゆる側面が常に疑われる。専門職として努力して成功してきたのに、それを否定されるのはつらい」と、Pioneer FTM のアルジェイ・ブオドは訴えた。

それでも、トランスの喜びも存在する。元 STRAP 理事のマイキー・イントン＝キャンベルは、カリフォルニアで運転免許を申請した際、トランスの支援者である窓口職員から、改名と性別変更の申請書を「聞かれる前に」渡されたという。「頼んでいないのに、ただ渡された。そういう開かれた姿勢がフィリピンにも根づいてほしい」と語った。

今後の行方

当初、トランスコミュニティ内部にはこの法案を優先すべきかどうか迷いがあった。

「まずは反差別法案や条例を通すことに重点が置かれていた。LGR 法案を押し出せば、それらの取り組みが脱線しかねないと考えた」とアルジェイは振り返る。

国会で最初のトランス女性議員となったジェラルディン・ロマン下院議員も、「同僚たちが抱える課題が多すぎて、反差別法案（SOGIESC 平等法案）が影に隠れてしまう恐れがある」と語っていた。

しかし現在、7月28日に第20議会へ法案を提出する準備が進む中で、支持の声も広がっている。

CHRのファイダ・M・ドゥマルパは支持を表明し、ガブリエラ女性党の副代表サラ・エラゴは、法案を正式に受け取り議会内で支持を広げていくと約束した。

一方で、反発に備える必要もある。Pioneer FTMのロッキー・リナボルは「想定される反対論を予測し、コミュニティとして反論を用意しなければならない」と述べ、条文一つひとつをLGBTQ+コミュニティと法専門家で精査・討議・改訂するレビューを計画している。

さらに、女性団体やLGBTQ+団体だけでなく、労働権団体との連帯も不可欠だと強調した。基本的人権を求める闘いは共通しているからだ。

FEATURES

Ang Ladlad loses Comelec accreditation

In Resolution 9932, promulgated on February 12, Ang Ladlad was one of the 39 partylist organizations delisted by Comelec for not getting a seat in the second round of seat allocation for the partylist system in the last two preceding elections.



By OutrageMag.com Staff
Published Feb 24, 2015



NOW THEREFORE, by virtue of the powers vested in it under Republic Act No. 7941, the Commission resolves to **DELIST AND CANCEL THE REGISTRATION** of the following party-list groups or organizations:

	ACRONYM	PARTY-LIST
16	AKO BAHAY	<i>Adhikain at Kilusan ng Ordinaryong Tao para sa Lupa, Pabahay, Hamapahay at Kaunlaran</i>
17	ALIM	<i>Action League of Indigenous Masses</i>
18	ALLUMAD	<i>Alyansa Lumad Mindanao</i>
19	ALYANSA NG OFW	<i>Alyansa ng OFW Party</i>
20	AMS	<i>Alyansa ng Media at Showbiz</i>
21	ANG LADLAD	<i>Ang Ladlad LGBT Party</i>
22	ANG MINERO	<i>Sectoral Party of Ang Minero</i>
23	ADAI	<i>Association for Righteousness Advocacy in</i>

	ACRONYM	PARTY-LIST
1	IGANAP / GUARDIANS	I Guardians Nationalist of the Philippines
2	AAMA	Alliance of Advocates in Mining Advancement for National Progress
3	AANI	Ang Agrikultura Natin Isulong
4	ABA	Alyansang Bayanihan ng mga Magsasaka, Manggagawang-Bukid at Mangangisda
5	ABANTE KA	Abante Kalutubo, Inc.

	ACRONYM	PARTY-LIST
6	A BLESSED Party-List	Blessed Federation of Farmers and Fishermen International, Inc.
7	ABP-Bicolnon	Alliance of Bicolnon Party
8	ABROAD	Action Brotherhood for Active Dreamers, Inc.
9	ADA	Agrarian Development Association
10	ADAM	Adhikain ng mga Dakilang Anak Maharlika
11	AFPSECCO	Alliance for Philippines Security Guards Cooperative
12	AGILA	Agila ng Katulubong Pinoy
13	AKAP BATA	Akap Bata Sectoral Organization for Children, Inc.
14	AKMA-PTM	Aksyon Magsasaka-Partido Tinig ng Masa
15	AKO	Ako Ayoko sa Bawal na Droga, Inc.
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23	ARAI	Association for Righteousness Advocacy in

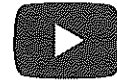
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Ang Ladlad, the political party that attempted to represent the LGBT community in the House of Representatives through the partylist system, was delisted by the Commission on Elections (Comelec).

Resolution 9932, promulgated on February 12, Ang Ladlad was one of the 39 partylist organizations delisted by Comelec for not getting a seat in the second round of seat allocation for the partylist system in the last two preceding elections.

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Under Section 6 (8) of Republic Act No. 7941 (or the Party-List System Act), Comelec may cancel the registration of a party, organization, or coalition for failure to participate in the last two preceding elections or fails to obtain at least two per centum (2%) of the votes cast under the partylist system in the two preceding elections for the constituency in which it has registered.

Comelec also cancelled the registration of the organization.

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Meet Deaf, LGBTQ+, Ghanaian adult content creator Kofi who's turning his career into a lifeline for his village



London Underground makes traveling convenient, but not necessarily safer for LGBTQIA+ people

House of Representatives from marginalized or underrepresented parties, organizations or individuals registered with the Comelec.

It is part of the electoral process that enables small political parties and marginalized and underrepresented sectors to obtain possible representation in Congress.

Ang Ladlad particularly made waves in 2009, when it was refused accreditation by Comelec to run in the May 2010 elections because the LGBT partylist "tolerates immorality which offends religious beliefs". At that time, Comelec also specifically cited verses in the Bible and in the Koran to justify its refusal to accredit Ang Ladlad.

The Supreme Court (SC) overturned Comelec, paving the way for Ang Ladlad to seek Congressional seat/s. In its ruling, the SC stated that "moral disapproval, without more, is not a sufficient governmental interest to justify exclusion of homosexuals from participation in the party-list system. The denial of Ang Ladlad's registration on purely moral grounds amounts more to a statement of dislike and disapproval of homosexuals, rather than a tool to further a substantial public interest".

Ang Ladlad failed to win enough votes during the 2010 elections, receiving only 113,187 votes (0.37%), which was below the two percent threshold needed for a partylist to get a seat in Congress.

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For the May 2013 elections, Ang Ladlad again failed to win a single seat in Congress, ending up with 100,666 votes

Comelec's Resolution 9932 was signed by Christian Robert S. Lim, acting chairman, and commissioners Al. A. Parreno, Luie Tito F. Guia, and Arthur D. Lim.

In this article: Ang Ladlad, COMELEC, Ladlad Partylist, lgbt, LGBT Philippines, Resolution 9932



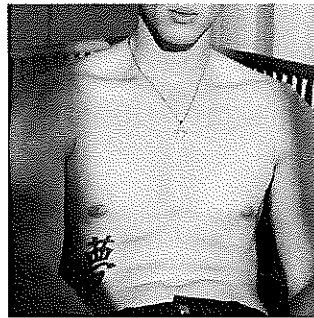
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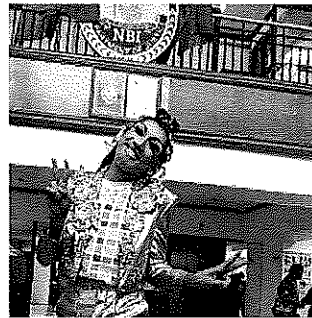
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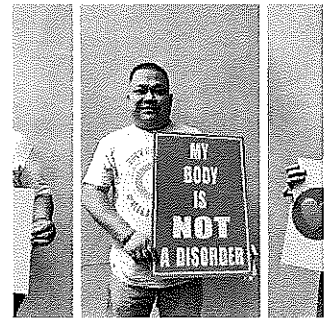
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Stop 'fixing' intersex bodies, protect bodily integrity and ensure full legal recognition instead

Contributing Writer ⌚ 6
days ago

「Ang Ladlad、選挙委員会（Comelec）による承認取り消し」

NOW THEREFORE, by virtue of the powers vested in it under Republic Act No. 7941, the Commission resolves to **DELIST AND CANCEL THE REGISTRATION** of the following party-list groups or organizations:

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「よって、共和国法第7941号に基づき、委員会は以下の政党リストグループまたは組織の登録を抹消し、取り消すことを決議する。」

選挙委員会（Comelec）は、政党リスト制度を通じて下院でLGBTコミュニティを代表しようとした政党Ang Ladladの登録を抹消しました。

2月12日に公布された決議9932では、Ang Ladladは、直近の2回の選挙における政党リスト制度での議席配分の第2ラウンドで議席を獲得できなかったため、選挙委員会によって登録を抹消された39の政党リスト組織の1つとなりました。

共和国法第7941号（または政党リスト制度法）の第6条（8）項に基づき、選挙委員会は、直近の2回の選挙に参加しなかった、または登録した選挙区で政党リスト制度の下で投じられた票の少なくとも2%を獲得できなかった場合、政党、組織、または連合の登録を取り消すことができますとされています。選挙委員会はまた、同組織の登録も取り消しました。

政党リスト制度とは、選挙委員会に登録された、周縁化された、または十分に代表されていない政党、組織、または連合から下院議員を選出するための比例代表制の仕組みです。これは、

小さな政党や周縁化された、また十分に代表されていないセクターが議会で代表権を獲得することを可能にする選挙プロセスの一部です。

特に、Ang Ladladは2009年に波紋を呼びました。選挙委員会が、そのLGBT政党が「宗教的信念を侵害する不道徳を容認している」という理由で、2010年5月の選挙への立候補承認を拒否したためです。当時、選挙委員会は、Ang Ladladの承認を拒否する正当な理由として、聖書とコーランの特定の節を明確に引用しました。

最高裁判所（SC）は選挙委員会の決定を覆し、Ang Ladladが議席を求める道を開きました。その判決で、最高裁判所は次のように述べました。

『それ以上の何もない道徳的な不承認は、同性愛者が政党リスト制度に参加することを正当化するのに十分な政府の利益ではない。純粹に道徳的な根拠に基づいたAng Ladladの登録拒否は、実質的な公共の利益を推進する手段というよりも、同性愛者に対する嫌悪と不承認の表明にすぎない。』

Ang Ladladは、2010年の選挙で十分な票を獲得できず、わずか113,187票（0.37%）しか得られませんでした。これは、政党リストが議会で議席を得るために必要な2%の閾値を下回っていました。

2013年5月の選挙でも、Ang Ladladは再び議会で議席を獲得できず、100,666票（0.35%）に終わりました。これは2010年に獲得した票より0.04ポイント少ないものでした。

選挙委員会の決議9932には、議長代行のクリスチャン・ロバート・S・リム、および委員のアル・A・パレーニョ、ルイ・ティト・F・ギア、アーサー・D・リムが署名しました。

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There is a bill against discrimination based on sex, gender, and expression, and the Philippine Congress just let it languish for 25 years

MANILA, Philippines – As the 19th Congress of the Philippines adjourned, key equality and anti-discrimination bills were again sidelined, with their fate now returned to the committee level.

✕

While Congress passed 40 priority bills under the Marcos administration's legislative agenda, the ^{NEWS} sexual orientation, gender identity or expression, and sex characteristics (SOGIESC) equality bill and other protective measures for the LGBTQ+ community remain excluded from the list.

Despite two decades of clamor, legislators have repeatedly evaded and stalled its passage for a staggering 25 years, surpassing even the once-controversial reproductive health bill, which took 15 years to become law.

TIMELINE: SOGIE equality in the Philippines

The fight for equality and anti-discrimination for the LGBTQ+ community is one that has known almost two decades of legal struggle



0

Transactional dynamics, delays

LGBTQ+ groups, advocates, and champions say efforts to pass it have been consistently delayed, blocked, or avoided often by procedural moves, lack of political will, or opposition, alongside continuous disinformation campaigning against what the bill is supposed to do.

In the June 27 Be The Good episode with outgoing Bataan 1st District representative Geraldine Roman and re-elected Akbayan representative Percy Cendaña, they noted that the measure has been repeatedly pushed back in the 19th Congress, always under the lower chamber's 'unfinished businesses.'

Roman alleged that there might have been prominent figures who are against the bill who have become prominent on other issues that were prioritized by the House leadership.

"Not just in [the 19th] Congress, but in past ones too. There are transactional dynamics at play. You know, those closer to the kitchen get more of the feast. Those who are favored, get more favors," she added.

"Since May [2024], It's been more than one year of 'unfinished business' on the floor. And I kept reminding our rules committee. 'When will we discuss?'" Roman recalled how the SOGIESC equality was always left out of the agenda.

The SOGIESC equality bill, originally filed as an anti-discrimination measure as early as the 11th Congress in

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「SOGIESC 法の可決はなぜこんなに遅れている？」

フィリピン、マニラ市。フィリピン第 19 回国会が閉会した際、主要な平等・反差別法案は再び棚上げされ、その行方は委員会レベルに戻された。

マルコス政権の立法議題のもとで議会が 40 の優先法案を可決した一方で、性的指向・性自認・性表現・性徴（SOGIESC）平等法案やその他の LGBTQ+ コミュニティ保護措置は依然としてリストから除外されたままである。

20 年にわたる議論にもかかわらず、立法者たちはその成立を驚くべき 25 年間も繰り返し回避し、遅延させてきた。これはかつて論争を呼んだ生殖健康法案が法律となるまでに要した 15 年間さえも上回るものだ。

取引的な過程、遅延

LGBTQ+ 団体、支援者、擁護者らは、この法案の成立に向けた取り組みが、手続き上の動き、政治的意志の欠如、反対勢力によって一貫して遅延・阻止・回避され、同時に法案の目的に対する虚偽情報キャンペーンが継続的に展開されていると指摘している。

6 月 27 日放送の「Be The Good」番組において、退任予定のバターン第 1 区選出議員ロマン・ジェラルディンと再選されたアクバヤン党選出議員センダニャ・パーシは、この法案が第 19 期国会において繰り返し先送りされ、常に下院の「未処理案件」に分類されてきたと指摘した。

ローマン氏は、この法案に反対していた有力者たちが、下院指導部が優先した他の問題で台頭した可能性があるかと主張した。

「第 19 議会だけでなく、過去の議会でも同様です。そこには取引的な過程が働いています。ご存知でしょう、台所に近い者ほど宴会でより多く食べさせられる。恩恵を受ける者ほど、より多くの恩恵を得るのです」と彼女は付け加えた。

「2024 年 5 月以来だ。議場では 1 年以上も『未解決事項』が放置されたままだった。私は規則委員会に繰り返し訴えた。『いつ議論するのか？』と」とローマン氏は、SOGIESC の平等が常に議題から外されていた経緯を回想した。

SOGIESC 平等法案は、元々 2000 年の第 11 期国会において差別禁止措置として提出されたもので、本質的には危険にさらされている人々を差別から保護し、強制的な開示、サービスの拒否、学校からの排除、その他の虐待形態といった有害な慣行を罰することを目的としている。

...

法案反対派による遅延戦術に対抗する別の手段として、優先法案としての認定が挙げられる。センダニャ氏は、これが「フェルディナンド・マルコス・ジュニア大統領の平等と LGBTQ+ コミュニティへのコミットメントを示す究極の措置となる」と述べた。

「では、ボンボン・マルコス大統領への公の挑戦として、このプライド月間、あるいはプライド月間後も、あなたの国政演説において、性的指向・性自認の平等法案を緊急法案として認定することを宣言してください。」

マルコスはジェンダー権利と反差別を支持する姿勢を示し、2023 年には LGBTQ+ の権利も支持したが、SOGIESC 平等法案は依然として彼の優先立法から除外されている。

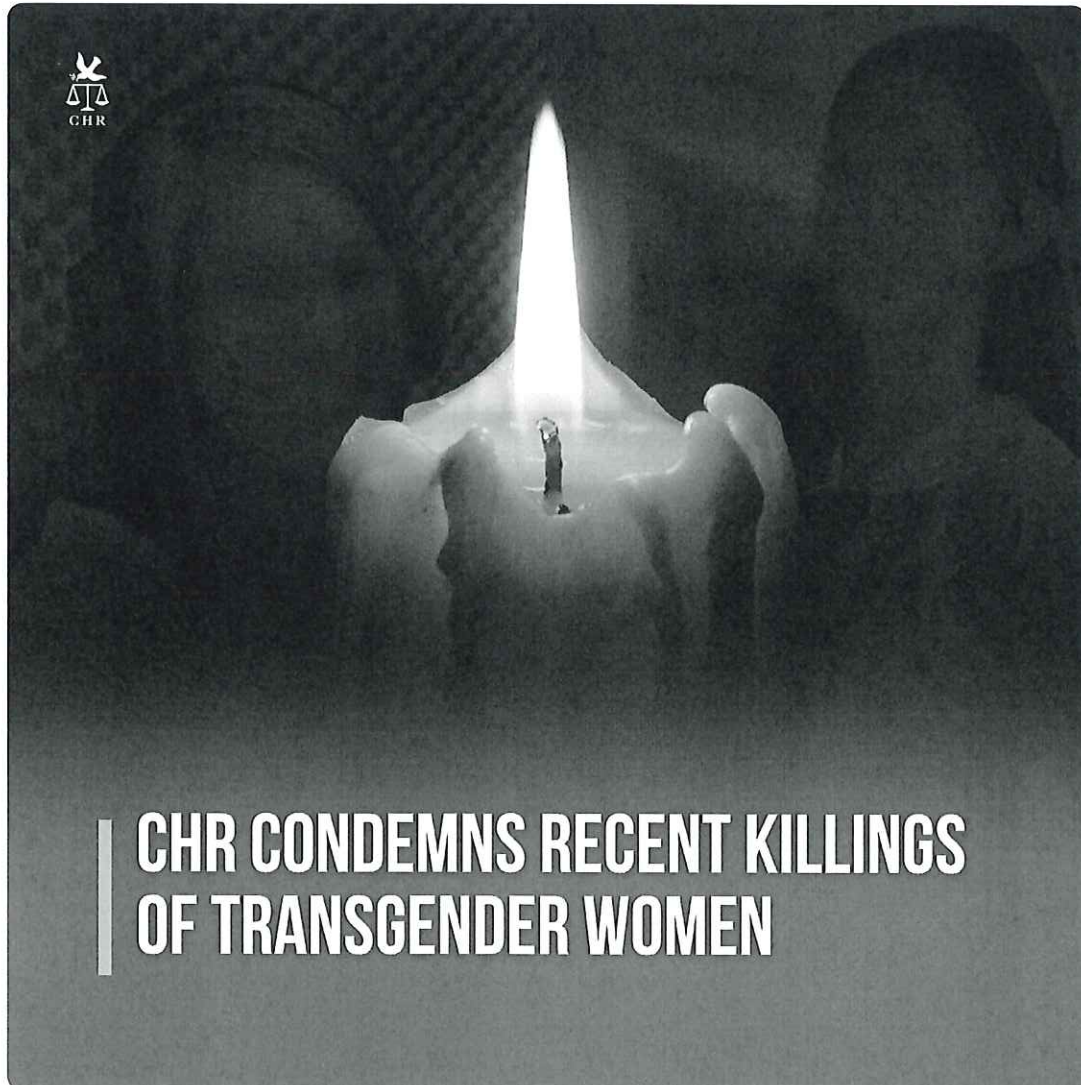


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PRESS STATEMENT, STATEMENTS

STATEMENT OF THE COMMISSION ON HUMAN RIGHTS CONDEMNING THE RECENT KILLINGS OF TRANSGENDER WOMEN

📅 June 27, 2025 ⌚ 9:13 AM

The Commission on Human Rights (CHR) strongly condemns the recent killings of two transgender women. On 23 June 2025, Ali Macalintal, a transgender woman and former broadcaster, was gunned down at her workplace. On the same day, the lifeless body of Gian Molina, a proud and outspoken transgender woman, was found in a river.

Reports confirm that Macalintal, a human rights advocate, was shot in General Santos City by an unidentified assailant who fled the scene with a motorcycle. Despite being rushed to the hospital, she was declared dead on arrival after sustaining three gunshot wounds. Her death, among other attacks on media workers, serves as a grave reminder of the risks faced by those working at the intersection of media and human rights.



Meanwhile, Molina's body was discovered in the Cagayan River near San Isidro, Iguig. Authorities have launched an investigation into the circumstances of her death, though no confirmation has been made regarding the possibility of foul play.

Early this year, two transgender women have also fallen victim to violence: Ren Tampus, a 35-year-old beauty salon owner, who was gunned down in January in General Santos; and Shalani, who was found dead and dismembered in February in Caloocan City.

These killings, marked by cruelty and impunity, reflect a disturbing pattern of transfemicide—the gender-based killing of transgender women—driven by misogyny, transphobia, and the systemic belief that their lives are disposable. It is imperative that our society name this violence for what it is.

On its part, the Commission has endorsed these cases to the respective CHR Regional Offices for investigation. As the country's Gender Ombud, we remain relentless in our call to advocate for policies and laws which protect the rights of the LGBTQIA community.

As the beginning of the 20th Congress draws close, the CHR calls for the urgent passage of the Sexual Orientation, Gender Identity, Gender Expression, or Sex Characteristics (SOGIESC) Equality Bill and the Comprehensive Anti-Discrimination Bill. The passage of these bills do not grant special privileges to the LGBTQIA community; rather, ensure safe and just environment where they can live and thrive without fear. We also recall our No More Missing Out campaign – highlighting how stigma, discrimination and hate crimes deprive LGBTQIA persons with a life of equal dignity and rights – reiterating the urgent call to pass the 25-year-old SOGIE Equality Bill and CADB.

While inclusion and acceptance have slowly become the norm, incidents similar to this remind us that there is much to be done to finally put a stop on the culture of transphobia, homophobia and discrimination in the country. These acts further highlight the need for the Philippine government to directly address gender discrimination issues, while ensuring accessible redress mechanisms for victims and their families.

The Commission urges law enforcement agencies to conduct swift and impartial investigations into the deaths of Macalintal and Molina. It is imperative that those responsible for these violent acts be held accountable to end the culture of impunity surrounding violence against marginalized communities.

We also urge law enforcement agencies and other relevant institutions to respect the gender identity of victims in all official records, reports, and public communications. Misgendering and erasure of transgender individuals' identities in documentation further perpetuate violence and discrimination.

Furthermore, the CHR reiterates its commitment to strengthen its internal mechanisms to monitor and document killings of transgender persons—especially those misclassified, unreported, or excluded from mainstream media coverage due to the lack of legal gender recognition. Ensuring accurate and inclusive data is critical to accountability and long-term protection.

CHR reaffirms that transgender individuals deserve to live without fear, and a life of equal dignity and rights. Together, we call for urgent and sustained efforts to ensure their safety, dignity, and equal protection under the law.

This Pride Month, let us remember that beyond being a colorful celebration of identity and diversity, it is a protest—a call to confront structural violence and reclaim the right to exist in dignity. ###



(<https://chr.gov.ph/2025/statements/chr-isry-on-the-rights-of-internally-displaced-children/>)

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「最近のトランスジェンダー女性殺害事件を非難する人権委員会声明」

2025 年 06 月 27 日

人権委員会（CHR）は、最近発生したトランスジェンダー女性 2 名の殺害事件を強く非難する。2025 年 6 月 23 日、トランスジェンダー女性で元放送局員のアリ・マカリントル氏が職場で銃撃され死亡した。同日、誇り高く率直なトランスジェンダー女性ジャン・モリーナ氏の遺体が川で発見された。

人権擁護活動家マカリントル氏がジェネラル・サントス市で、身元不明の襲撃者に銃撃され、犯人はバイクで現場から逃走したことが確認された。3 発の銃弾を受けた彼女は病院に緊急搬送されたものの、到着時に死亡が確認された。メディア関係者に対する他の襲撃事件と同様に、彼女の死はメディアと人権の交差点で活動する者たちが直面する危険性を痛烈に想起させるものである。

一方、モリーナの遺体はイググ市サン・イシドロ付近のカガヤン川で発見された。当局は彼女の死の経緯について調査を開始したが、他殺の可能性については現時点で確認されていない。

今年初め、トランスジェンダーの女性 2 名も暴力の犠牲となった。1 月にはジェネラル・サントス市で 35 歳の美容院経営者レン・タンパス氏が銃撃され死亡し、2 月にはカロオカン市でシャラニ氏の切断されていた遺体で発見された。

これらの殺害は、残忍さと処罰されないことが特徴であり、女性嫌悪、トランスフォビア、そしてトランスジェンダー女性の命は使い捨て可能だという体系的な信念によって駆動されるトランスフェミサイド——トランスジェンダー女性に対するジェンダーに基づく殺害——という憂慮すべきパターンを反映している。私たちの社会がこの暴力をその本質として明確に認識することが極めて重要である。

委員会としては、これらの事件を各人権委員会地域事務所に調査のため付託した。

国家のジェンダー・オンブズマンとして、LGBTQIA コミュニティの権利を保護する政策と法律の提唱に向け、我々は断固たる姿勢を貫く。

第 20 回国会開幕を目前に控え、CHR は性的指向・性自認・性表現・性特性

（SOGIESC）平等法案及び包括的反差別法案の緊急可決を要請する。これらの法案可決は LGBTQIA コミュニティに特権を与えるものではなく、彼らが恐怖なく生活

し繁栄できる安全で公正な環境を確保するものである。我々はスティグマ、差別、憎悪犯罪が LGBTQIA の人々から平等な尊厳と権利を剥奪する実態を浮き彫りにした「ノー・モア・ミッシング・アウト」キャンペーンを想起する。この運動は、25 年も滞っている SOGIE 平等法案と包括的反差別法案の成立を改めて緊急に求めるものである。

包摂と受容が徐々に標準となりつつある一方で、このような事件は、国内におけるトランスフォビア、ホモフォビア、差別という文化を根絶するために、まだ多くの課題が残されていることを改めて認識させる。こうした行為は、フィリピン政府がジェンダー差別問題に直接取り組む必要性をさらに浮き彫りにすると同時に、被害者とその家族が利用可能な救済手段を確保すべきであることを示している。

委員会は、マカリントラル氏とモリーナ氏の死亡事件について、法執行機関が迅速かつ公平な調査を実施するよう強く求める。暴力行為の責任者を必ず追及し、社会的弱者コミュニティに対する暴力にまつわる不処罰の風潮を終わらせることが不可欠である。

また、法執行機関およびその他の関連機関に対し、公務記録、報告書、公的コミュニケーションにおいて被害者の性自認を尊重するよう強く要請する。文書におけるトランスジェンダー個人の性別誤認やアイデンティティの抹消は、暴力と差別をさらに永続させる。

さらに、委員会はトランスジェンダーの人々に対する殺害事件——特に法的性別認定の欠如により誤分類され、報告されず、主流メディアの報道から除外される事例——を監視・記録するための内部メカニズム強化への取り組みを改めて表明する。正確かつ包括的なデータの確保は、説明責任と長期的な保護にとって極めて重要である。

委員会は、トランスジェンダーの人々が恐怖なく、平等な尊厳と権利のある生活を送るに値することを改めて確認する。私たちは共に、彼らの安全、尊厳、そして法の下での平等な保護を確保するための緊急かつ持続的な取り組みを要請する。

このプライド月間、私たちは思い起こそう。これは単なるアイデンティティと多様性を祝うカラフルな祭典ではなく、抗議の行動である——構造的暴力に立ち向かい、尊厳をもって存在する権利を取り戻すための呼びかけなのだ。