

**COMMISSION ON HUMAN RIGHTS OF THE PHILIPPINES**

**INPUTS ON THE HUMAN RIGHTS OF OLDER WOMEN**

**30 April 2021**

1. The Commission on Human Rights of the Philippines (“The Commission”) submits to the Independent Expert on the enjoyment of all human rights by older persons its contribution to the latter’s upcoming 2021 thematic report on the human rights of older women.
2. This submission considers local and international reports from the government, civil society, the media, and international non-government organizations. This submission also utilizes the Commission’s own documentation of independent monitoring activities and statements on older persons, ageism, and discrimination that have undergone the internal deliberations of the Commission *En Banc*.
3. **The rights of older women in international, regional and national law, policies and programmes**
4. **What legal instruments, policies, and programs exist to address the particular challenges faced by older women, and how are they implemented and monitored?**
5. The Philippines has several international and domestic instruments, policies and programs that address the issues surrounding older persons. For the international instruments, we have the conventions signed and ratified by the Philippines. The provisions under these international treaties and conventions are implemented by the Philippine government by the enactment of localized legislation and measures that would serve to protect and promote the human rights of older persons.
6. By virtue of the acceded treaties, the Philippines regularly submits treaty reports to treaty bodies and committees on its progress in implementing the said provisions. Civil society and national human rights institutions such as the Commission on Human Rights (CHR) are likewise given the opportunity to submit parallel or alternative reports to reflect the human rights situation on the ground and to raise matters identified through independent consultations, review and documentation.
7. As for the domestic policies, the Philippines has several legislative measures and programs aimed at the protection of the rights of older persons as well as the promotion of substantive equality. Programs for older persons involve health and wellness programs, social protection programs and such other measures that ensure their full and productive participation in society and their protection and security. The access to and availment of laws and programs are ensured and monitored by national government and local government units through the office of senior citizen’s affairs. The CHR is likewise mandated to monitor the implementation of measures concerning older persons and older women in particular and to call out government should there be policies and programs inconsistent with human rights principles.
8. A brief rundown of the various international and domestic measures affecting older persons, particularly older women, are as follows:

**International Instruments**

1. International human rights treaties and conventions signed and ratified by the Philippines generally cover the rights of older persons. For instance, in the Convention on the Rights of Persons with Disabilities (CRPD), older persons are referred to in Article 25(b) on the right to health services, and in Article 28(2)(b) on the right to access to social protection and poverty reduction programs. Article 13 on access to justice mentions ‘age-appropriate accommodations’ while Article 16(2) mentions the right to ‘age-sensitive assistance’. Other articles in the CRPD that could potentially address challenges faced by older persons are Article 9 on accessibility, Article 19 on living independently and being included in the community, Article 20 on personal mobility, and Article 26 on habitation and rehabilitation. [[1]](#footnote-1)
2. The International Covenant on Economic Social and Cultural Rights (ICESCR) and the International Covenant for Civil and Political Rights (ICCPR) also provide for important specific rights in favor of older persons. ICESCR provides for work-related rights (Articles 6–7) and the rights to social security (Article 9) as well as the right to an adequate standard of living (Article 11). With regard to the ICCPR, Articles 18, 19, and 21 provide for ‘participation rights’ such as the rights to freedom of expression, assembly and association. Article 25 also recognizes the right of all to participate in the affairs of their own country.[[2]](#footnote-2)

**Domestic Policies**

1. With respect to the rights of women, the Philippines is one of the few countries with a gender provision enshrined in its Constitution. A gender provision in the constitution serves to ensure the equality in the rights of women and men in terms of access to services and resources as well as social, economic, civil and political protections. The Philippines is also one of the earliest signatories of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).
2. By virtue of the ratification of CEDAW in 1981, a comprehensive framework for the advancement of women has been established and mainstreamed in the Magna Carta of Women or Republic Act No. (RA) 9710[[3]](#footnote-3). The Magna Carta of Women provides explicit definitions for “Substantive Equality” and “Gender Equality” to capture equality and nondiscrimination as fundamental principles in the promotion and protection of the rights of women, regardless of age.
3. With respect to policies and programs, the Philippine Government has enacted laws that cater to the needs and provide privileges and benefits to older persons. Below are some laws, policies, and programs listed by the HelpAge Global Network in its publication, “Ageing Population in the Philippines[[4]](#footnote-4)”:
   1. **National policy on older people** 
      * RA 344 or the Accessibility Law of 1982 provides for the minimum requirements and standards to make buildings, facilities, and utilities for public use accessible to persons with a disability, including older persons who are confined to wheelchairs and those who have difficulty in walking or climbing stairs, among others.
      * RA 7876 entitled “An Act Establishing a Senior Citizens Center in all Cities and Municipalities of the Philippines, and Appropriating Funds Therefor” requires the establishment of Senior Citizens Centers to cater to older persons’ socialization and interaction needs as well as to serve as a venue for the conduct of other meaningful activities. The Department of Social Welfare and Development (DSWD), in coordination with other government agencies, NGOs, and people’s organizations, shall provide the necessary technical assistance in the form of social and recreational services, health and personal care services, spiritual services, livelihood services, and volunteer resource services.
      * RA 8425 institutionalizes and enhances the social reform agenda by creating the National Anti-Poverty Commission (NAPC). Through its multi-dimensional and cross-sectoral approach, NAPC provides a mechanism for older persons to participate in policy formulation and decision-making on matters concerning poverty alleviation.
      * RA 10155, known as “The General Appropriations Act of 2012”, under Section 28 mandates all government agencies and instrumentalities to allocate one percent (1%) of their total agency budget to programs and projects for older persons and persons with disabilities.
      * RA 9994, known as the “Expanded Seniors Citizen Act of 2010″, grants additional benefits and privileges to senior citizens, amending RA 7432 which aims to maximize the contribution of senior citizens to nation-building and to grant benefits and special privileges for them.
      * RA 10911 or the Anti-Age Discrimination in Employment Act was enacted in 2016 to promote employment on the basis of their abilities, rather than their age, prohibit arbitrary age limitations in employment, and promote the right of all employees and workers regardless of age.
   2. **Presidential Proclamations and Executive Orders related to older women**
      * Presidential Proclamation No. (PP) 470, Series of 1994, declaring the first week of October of every year as “Elderly Filipino Week”
      * PP 1048, Series of 1999, declaring a “Nationwide Observance in the Philippines of the International Year of Older Persons”
      * Executive Order No. (EO) 105, Series of 2003, approved and directed the implementation of the program providing for group homes and foster homes for neglected, abandoned, abused, detached, and poor older persons and persons with disabilities.
      * The Philippine Plan of Action for Senior Citizens (2011-2016) ensures giving priority to community-based approaches that are gender-responsive, with effective leadership and meaningful participation of senior citizens in decision-making processes, both in the context of family and community. This plan of action aims to ensure active aging for senior citizens where preventive and promotive aspects of health are emphasized in communities and where health services are accessible, affordable, and available at all times. Envisioning a self-sufficient and self-reliant population of senior citizens, this plan aims to promote financial security and financial independence of senior citizens by developing community-based local delivery systems to address their needs.
   3. **Local ordinance and circulars**

* The Department of the Interior and Local Government (DILG)[[5]](#footnote-5)Memorandum Circular No. 2019-81 encourages all local government units to intensify its implementation of projects and programs for senior citizens to improve their living conditions to allow them to continue and enjoy productive and comfortable lives within the society.[[6]](#footnote-6)
* DILG Memorandum Circular No. 2005-63 provides for the establishment of Offices for Senior Citizens’ Affairs (OSCA) in every city and municipality in the Philippines and the appointment of a Senior Citizen as head of the OSCAs.[[7]](#footnote-7)
* The CHR co-drafted with DILG, NGOs, and sectoral representatives the [DILG Memorandum Circular No. 2020-110 entitled “Rule on the Mobility of Older Persons in Quarantine Situations as prescribed by the IATF-EID and the Role of OSCAs in these situations,” signed by the DILG Secretary on August 18, 2020](https://dilg.gov.ph/issuances/mc/Rule-on-the-Mobility-of-Older-Persons-in-Quarantine-Situations-as-prescribed-by-the-Inter-Agency-Task-Force-for-the-Management-of-Emerging-Infectious-Diseases-IATF-EID-and-the-Role-of-the-Office-for-Senior-Citizens-Affairs-OSCA-in-these-situations/3242).

1. **Health and care**

* The Department of Social Welfare and Development (DSWD) issued Administrative Order No. 4 series of 2010 or the “Guidelines on the Home Care Support Services for Senior Citizens”, establishing community-based health care services for older persons.
* RA 9994 provides health care services for poor older persons such as free medical services in government hospitals, discounted services in private hospitals and clinics, free vaccines, discounted medicines, and mandatory PhilHealth coverage.
* The Plan of Action on Ageing 1999-2004 includes health promotion and disease prevention for adults, by providing free flu vaccinations, osteoporosis screenings, and eye tests. The National Action Plan on Senior Citizens focuses on quality of life, such as living independently.
  1. **Older people’s associations**
     + The Philippine Constitution supports the formation of community-based organizations. The DSWD has facilitated the formation of older people’s associations (OPAs) in every city and municipality. They are also tasked to provide technical assistance to support and strengthen OPAs. The Philippine Plan of Aging includes the development of the Federation of Senior Citizens Associations of the Philippines throughout the country.
  2. **Social pension**
     + Social pension was introduced in 2011 by the DSWD. Those over 60 who are identified as poor by means-testing and not receiving any other pension or social insurance can receive Php 500.00 per month. The DSWD is the lead agency tasked with identifying and reviewing social pension beneficiaries.

1. It should be noted that there is currently no legislation that specifically addresses elder abuse; thus, there is a lack of protective mechanisms to prevent violence, abuse, and neglect against older persons, and to provide redress for such. Several Anti-Elder Abuse Bills have been filed in both the House of Representatives and the Senate during the 17th and 18th Congress.[[8]](#footnote-8) The bills seek to penalize elder abuse ranging from physical, psychological, economic, sexual, and neglect and abandonment.
2. Older women are protected and can seek redress under the Anti-Violence against Women and Children Act (RA 9262), but the law presupposes the existence of a relationship. The Magna Carta of Women (RA 9710) has a clearer provision on the protection of older women: “The State shall protect women senior citizens from neglect, abandonment, domestic violence, abuse, exploitation, and discrimination. Towards this end the State shall ensure special protective mechanisms and support services against violence, sexual abuse exploitation, and discrimination of older women.”[[9]](#footnote-9)
3. The National Commission of Senior Citizens, which is under the Office of the President, abolished the National Coordinating and Monitoring Board that was created by the Expanded Senior Citizens Act of 2010. The functions, activities, and programs of the DSWD for poor, vulnerable, and disadvantaged senior citizens are now lodged with this Commission.

C**OVID-19 Policies affecting older women and older persons in general**

1. Since March 2020, the imposition of community quarantine and stringent social distancing measures caused restrictions in mobility among people, suspension of operations, closure of business establishments, implementation of alternative work arrangements in government and private offices, and stoppage of mass public transportation. These developments caused severe disruption in economic activities all over the country, strongly affecting the means of livelihood and subsistence of low-income households, most especially senior citizens, among others.[[10]](#footnote-10)
2. During the height of COVID-19 in 2020, the Philippine government issued several policies that have direct impact on older women and older persons in general:
   * The Department of Transportation (DOTR) implemented a ban on older persons from riding the major trains in the country’s capital region, Metro Manila. With the limited public transportation options in the country while the community quarantine was still in force, older persons were left with limited options to travel. In one instance which became viral on social media, an older person almost passed out after walking for an hour to ride the train, only to be turned away because of the ban.[[11]](#footnote-11) In a statement by the CHR last June 2, 2020, the Commission urged the DOTR to allow senior citizens to board the MRT and LRT as the prohibition “does more harm than good” and that “the DOTR should consider factors as to why senior citizens need to go out of their homes, especially if they are breadwinners of their families.”[[12]](#footnote-12)
   * At the onset of the COVID-19 pandemic, the government, through the DSWD, provided emergency subsidies under the Social Amelioration Program or SAP to help alleviate the needs of citizens while on lockdown. However, civil society groups and older persons organizations “lamented” this policy and called for the inclusion of all older persons in SAP as varying interpretations of the guidelines led to the exclusion of pensioners from those entitled to receive under the SAP.[[13]](#footnote-13)
   * The DOH recently amended its guidelines on the grant of 20% discount and tax exemption (value added tax) on medicines and drugs by and for older persons to include vitamins and minerals.[[14]](#footnote-14) The guidelines were issued on May 5, 2020 and required a 30-day publication for them to take effect. During the online consultation and dialogue organized by the CHR, older persons asked the DOH to disclose whether the publication requirement had been met. The DOH representative was unable to clarify the issue. The guidelines also state that for the discount and the tax exemption to be applied, there must be a medical prescription from a physician. Older persons and medical professionals alike call for the DOH to remove this requirement, at least for vitamins and mineral supplements.[[15]](#footnote-15)
   * Last April 2020, the Commission issued a statement recommending the relaxation of the rules in the general community quarantine scheme. We mentioned that older people should not be “prohibited,” but only “discouraged” from going outside their homes. This not only respects the autonomy of older people to decide for their own, but would also protect them from the punitive aspects of the enforcement of the community quarantine.[[16]](#footnote-16)
3. **What type of statistical data are collected on older women, if any, and is it disaggregated by age, gender, and other relevant factors? How are older women defined for the purposes of law, policy, and data collection?**
4. The Philippine Statistics Authority (PSA) is the government agency primarily conducting data collection involving the Philippine population. Statistical data published by the PSA involving the older population are predominantly focused on population projections, poverty indices, economic deviations, access to social security benefits and the like. These data are usually disaggregated by age, sex, and economic status. For purposes of data collection, older persons or senior citizens are defined as those over the age of 60.[[17]](#footnote-17)
5. Some of the previous indices published by the PSA reflecting the situation of older persons are as follows:
   * + Philippine Statistics Authority, “2010 Census-based Population Projections in Collaboration with the Inter-Agency Working Group on Population Projections”[[18]](#footnote-18)
     + Philippine Statistics Authority, Women, and Men in the Philippines Statistical Handbook (2016)[[19]](#footnote-19)
     + Philippines Statistics Authority, “2014 Annual Poverty Indicator Survey”[[20]](#footnote-20)
     + Philippine Statistics Authority, Philippines National Demographic and Health Survey 2017[[21]](#footnote-21)
6. **Please indicate how older women take part in participatory mechanisms?**

**Economic, social and cultural realities lived by older women**

1. Article II, Section 9 of the 1987 Philippine Constitution provides that the government must “promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.”
2. RA 9994 under Sections 4 and 5 also guarantees the older persons’ right to pursue economic security or development through discounts, tax exemptions, educational support, social services, housing support, social pension and social safety nets. In addition, RA 10911 or the Anti-Age Discrimination in Employment Act, which was enacted in 2016, mandates employers to remove age discriminations in hiring, developing, and retaining individuals. This law also opens more opportunities for older persons to continue working for as long as they can or want and be self-sustaining even in old age.
3. These national legislations ensure economic security for older persons in the country but they still need to be properly implemented and honored so that Filipino older persons can fully access their rights and privileges.
4. Older persons are less economically active compared to younger age groups[[22]](#footnote-22) given the limited opportunities, existing ageism or age discriminations, and challenges in policies and programs confronting older persons.
5. According to the 2015 Census of Population of the PSA, majority or 80% of the older population do not have college degrees. Around four million older persons have attained or completed elementary education. Moreover, 437 thousand or 5.2% of the total older person population in 2017 are in the bottom income decile. The same study also shows that only 43.8% of senior citizens have a job or business at the time they participated in the survey[[23]](#footnote-23).
6. According to the Coalition of Services of the Elderly (COSE), a non-government organization working with the older person’s sector, “three million out of the eight million Filipino older persons do not have any form of pension. Most of them are from the informal sector who do not have regular income or contributions, or who do not have any source of income and are dependent on support from their families.” COSE also reported in this study that 58% of older people receive incomes from their children within the country and 21% from their children who are outside the country.
7. The enactment of the Tax Reform for Acceleration and Inclusion (TRAIN) law in 2017 also affected the majority of the older population. Although the government provided additional P200 a month unconditional cash support in the first year, such amount was still insufficient to augment the basic needs of older persons and only benefits existing social pension beneficiaries.
8. Economic stability and development of older persons have also become more challenging because of the COVID-19 pandemic and the series of lockdowns imposed in the Philippines. Due to stringent health measures, older persons have been banned from going outside their homes regardless of the need to work or buy basic needs due to their vulnerabilities and high risk of contracting the virus. There were also reported delays in the release of SSS pensions due to changes in the payout system in the time of the COVID-19 pandemic[[24]](#footnote-24).
9. On governance, according to the Philippine millennium Development Goals Progress report, the participation of women in the legislature is only at 25.9%. Older women among this number is not publicly known. Nevertheless, there is a senior citizen party seat in the current Congress with a male representative.
10. **What are the specific challenges and concerns faced by older women, including on the basis of their accumulated life experience as compared to older men, in enjoying their economic, social and cultural rights (for example in terms of social protection, health, education, work, an adequate standard of living, land and property ownership)? Please provide related data and statistics, including disaggregated data, where available.**
11. Older persons in the Philippines have historically relied on their children for support in their old age, including financial support especially for health expenses. Intergenerational transfers from adult children to their older parents have rather fallen over time in the Philippines as children have found it less necessary to provide such support and older persons have lowered their expectations in receiving such. This decline in intergenerational support may affect older women more than older men as while men are likely to rely on their spouses for support, older women are more reliant on their children as their primary caregivers when they are encountering health problems.[[25]](#footnote-25)
12. According to a report of the Economic Research Institute for ASEAN and East Asia (ERIA) and the Demographic Research and Development Foundation, Inc. on Ageing and Health in the Philippines, the decrease of intergenerational support yields mixed disadvantages for women and men. Disadvantages of women include poorer dental hygiene, greater rates of depression, and a higher rate of self-reported pain. In the case of men, there are high rates of smoking which result in higher rates of morbidity. There also appears to be no substantial gender differences in relation to disability.[[26]](#footnote-26)
13. With respect to the involvement of older persons in the care of their grandchildren, women are reported to be more involved as compared to men, although men are not so far behind. [[27]](#footnote-27)
14. With respect to assets, income, and liabilities, significantly more men than women reported earnings from their work, farm, and property and real estate rentals. More women than men are likely to derive income from family businesses. There is no significant difference by sex with regard to pension as a source of income. However, data shows that because wives are more likely to survive than their husbands, of whom they are beneficiaries, more widows receive pension than widowers. [[28]](#footnote-28)
15. With respect to activities, social isolation, and information technology in the Philippines, older women are experiencing higher levels of loneliness despite having a stronger social network which may be due to unmet psychological needs, whereas older men are using their social relationships to alleviate loneliness; more women than men are also unsatisfied with their lives.[[29]](#footnote-29)
16. **What forms of gender-based discrimination and inequality experienced by women throughout the life cycle have a particular impact on the enjoyment of their human rights in older age?**
17. High fertility is one factor that affects women’s economic status. Women lack access to reproductive health services and information. Universal access to sexual and reproductive health education, information, and services improves health, saves lives, and reduces poverty. [[30]](#footnote-30)
18. Women are less likely to be employed than men. The average rate of Filipino women’s participation in labour-force activities has been remarkably stable for the last 25 years. This affects older women’s receipt of pension benefits and accumulation of assets in their old age. [[31]](#footnote-31) It should be noted that the definition used by the National Statistics Office or NSO (now the PSA) to identify persons in the labour force “effectively excludes women who take care of their families but whose work is not counted”.[[32]](#footnote-32)
19. Domestic and care duties affect women’s work more than men’s. 31% of working-age Filipino women said they were unable to join the labour force due to household and family obligations while only 3% of men reported the same experience.[[33]](#footnote-33)
20. On decision-making and autonomy and a living environment, a report[[34]](#footnote-34) shows there are more women senior citizens living alone than males. A substantial number of our senior citizens live with their children or with different family or relative compositions. Many older persons say they want to live alone or with their spouse rather than with their children to retain autonomy. As a result, they lose their own time and space. [[35]](#footnote-35)
21. **Has the COVID-19 pandemic affected older women differently than older men and how?**
22. The imposition of strict 24-hour mandatory quarantine for older persons posed a challenge, especially for older persons who head households (In the Philippines, older women frequently play a dominant role in running the household until the death of their spouses). **[[36]](#footnote-36)**
23. Some older people face additional vulnerabilities at this time. The spread of COVID-19 in care homes and institutions is taking a devastating toll on older people’s lives, with distressing reports indicating instances of neglect or mistreatment. Older persons who are quarantined or locked down with family members or caregivers may also face higher risks of violence, abuse, and neglect. Older persons living in precarious conditions – such as refugee camps, informal settlements and prisons – are particularly at risk, due to overcrowded conditions, limited access to health services, water and sanitation facilities, as well as potential challenges accessing humanitarian support and assistance. Furthermore, older persons are also often among the caregivers responding to the pandemic, increasing their risk of exposure to the virus. This is particularly true of older home-based carers – the vast majority of whom are women who provide care for older persons, especially in contexts where health systems and long-term care provisions are weak.[[37]](#footnote-37)
24. On social and economic well-being: The virus is not just threatening the lives and safety of older persons, it is also threatening their social networks, access to health services, jobs, and pensions. Those who normally receive care at home and in the community – such as women over 80 years of age who are more than twice as likely to live alone as men – risk being disproportionately affected by physical distancing measures. Prolonged periods of isolation could have a serious effect on the mental health of older persons, with older persons less likely to be digitally included.[[38]](#footnote-38)
25. Majority of Filipinos with disabilities and older people belong to poor families with minimum wage earners experiencing a “no work, no pay” scheme. They do not have enough money to stock up on basic food items, medicines, and other essentials, such as hygiene kits for women. In addition, equal access to additional financial aids and relief goods is crucial to reducing the risk of persons with disabilities, older people, and their families from falling into greater vulnerability and impoverishment. [[39]](#footnote-39)
26. **Please share examples of how older women participate in and contribute to economic, social and cultural life, including inter-generational solidarity and support.**
27. According to the report of ERIA on Ageing and Health in the Philippines, with regard to intergenerational support and due to the culture of extended families, older persons still provide support to their children. However, compared to older persons’ receipt of support, older parents tend to be more dependent on their children for financial and material needs. In return, they are more commonly relied upon for companionship and consultation or emotional support.
28. In terms of gender, overall, mothers tend to be beneficiaries of assistance from their children more than fathers. One justification could be that mothers tend to be the source of financial support for children as most mothers in Filipino household’s act as the managers of family wealth.
29. With respect to participation and contribution in economic life: According to Tsao Foundation’s 2018 report on Financial Security of Older Women: Perspectives from South East Asia, key findings from the 2007 PSOA survey and re revent Labor Force Survey (LFS) reveal that in the Philippines, significant gender difference is evident in the work status of older persons. While generally, older persons continue to be economically productive, only a third of older women are working compared to nearly half of older men. The report also notes, in particular, that most of the older women are not working because of family responsibilities. Moreover, it shows that older women are more likely to be in informal and vulnerable work with lower or no income than men. Data from PSOA 2007 also reveals that older women are more likely to be blue collar workers.[[40]](#footnote-40)
30. With respect to social and cultural life: The 2019 report of ERIA on Ageing and Health in the Philippines[[41]](#footnote-41) states that “Older Persons (OPs) generally engage in sedentary leisure activities such as watching TV whilst others engage in physical exercise and gardening. About one in three attends social activities at least once a month. The majority attend religious services outside the home. 3 in 4 OPs consider religion very important in their lives. Slightly more than 3 in 10 OPs are members of non-religious organizations, most commonly organizations of retired OPs and business, professional, or farm associations. 14% of OPs are engaged in volunteer work, either in church or the community; this is more common amongst females and younger cohorts.”
31. **Forms of discrimination against older women and gender-specific abuses**
32. **How do intersectional factors exacerbate the combined effect of ageism and sexism, including the perspective of older LGBTI women, older women with disabilities, older migrant women, older women belonging to indigenous and minority groups, etc.?**
33. Older persons face intersecting forms of discrimination. Discrimination on the basis of age may intersect with class, gender, sexual orientation and gender identity, or ethnicity. According to the Philippine Commission on Women, the most disadvantaged and marginalized senior citizens are senior women from urban depressed communities, rural areas, indigenous peoples communities, and Muslim communities; senior women in detention; senior women who live alone; and senior gay men, lesbians, and transgender persons who live alone.[[42]](#footnote-42)
34. Women face societal and economic barriers which prevent them from living a fulfilled life. Because of the patent sex-segregation of work, women are usually confined into working in their households and communities while women having the opportunity for gainful employment are burdened by household support. These factors affect women’s financial stability and ownership of assets as they grow older. Furthermore, more women than men, in their young age, face interruptions in education as they are tied into the fulfillment of household duties which are often unpaid. In effect, older women are likely to depend on their children for financial support in their old age. This phenomenon is further exacerbated in the case of older persons with disabilities because of the implication of dependency. According to the Philippine Commission on Women, “feminization of poverty and discrimination means that the most vulnerable and marginalized groups tend to end up in the informal economy.”
35. During the UN women webinar entitled older women:vulnerabilities and securities highlighted during the COVID 19 pandemic held last 7 July 2020, the participants discussed “how the COVID19 virus imposes an extra challenge to women who already face multiple intersectional disadvantages, mostly informal rural workers with more limited pension and social protection coverage.” It was mentioned that “in some cases, elder women are excluded from government cahs aid as their husband already receives contributory pension or if their children work overseas, putting them at risk of poverty, debt, and further exclusion.”[[43]](#footnote-43)
36. **What forms do gender-based violence and abuse against older women take and how is such violence prevalent? Please share available data and statistics, including in relation to femicides.**
37. The abuse, violence, and neglect faced by older people is an invisible issue. There is little data available on elder abuse due to underreporting and a dearth of research on the issue.
    * + The invisibility of elder abuse does not mean that it is not taking place. A 2004 study found that 40% of respondents have experienced abuse ranging from physical and verbal abuse, ridicule and discrimination, and negligence. Verbal abuse is the most common type of abuse faced by older persons. Perpetrators of elder abuse are most often the children and other family members of older persons. Of those who experienced abuse, only 2% reported it to the authorities; 11% of victims turned to their families for support, and 21% sought no support or refuge. [[44]](#footnote-44)
      + Now, with the COVID-19 pandemic, cases of abuse of older persons are expected to increase due to the imposition of lockdown measures which keeps older persons mostly inside their households.
38. Based on reports from the media, various social media channels, and stakeholders or partners of the Commission on Human Rights, there has been an increase in the number of reports of domestic violence during the quarantine. A vast number of them involve at-risk older persons, particularly the disabled and care dependent. [[45]](#footnote-45)
39. Last March 2021, the Commission on Human Rights (CHRP) took notice of the case of Nanay Felicia’s unfortunate plight with the Metro Rail Transit (MRT). Due to the train ban imposed in light of the general community quarantine measure of the government, Nanay Felicia was refused to board the train. According to the Commission, the said train ban denies senior citizens of essential services such as public transport without regard to their personal situation, as such, the measure should be lifted for being plain discriminatory.
40. During the online consultation and dialogue organized and held by the Commission, the following issues and concerns were shared by older people participants who represent older people’s organizations:
41. *Violence -* The participants called for the monitoring and tracking of cases of domestic violence to ensure they are addressed.
42. *Ageism and human rights:* The participants called out ageism in all its forms. They denounced the negative stereotypes attached to old age. They also called on other older people to recognize internalized ageism. They are concerned that ageism has permeated government prioritization of programs. The participants advocated for the use of the human rights framework (vs. welfare-based approach) in the discourse on older persons. Lastly, the participants recognized the role of the NCSC to promote a human rights-based approach on older persons issues and concerns and in combating ageism in the society. Thus, they called for the NCSC’s immediate organization as mandated by law.
43. **Please share information about reporting, accountability, remedy and protective mechanisms available and targeted to older women victims of gender-based violence and discrimination**
44. Addressing Elder Abuse is one of the priority areas under the Philippine Plan of Action for Senior Citizens (2012-2016). In line with this, in 2016, the DSWD pilot-tested a project dubbed as Reporting System and Prevention Program for Elder Abuse Cases (ReSPPEC) which aims to “protect the rights of older persons against all forms of abuse through the establishment of local reporting mechanisms and access to necessary services for their full rehabilitation and recovery.” Four local government units were recognized as partners for the pilot, namely: San Carlos City, Pangasinan in Region I; Lambunao, Iloilo in Region VI; Maco, Compostela Valley in Region XI; and Valenzuela City in the National Capital Region. The DSWD is working on improving its accreditation requirements for facilities and institutions that cater to older persons who have experienced abuse.
45. In April 2020, the Commission on Human Rights launched an online system where people could report incidents of gender-based violence (GBV). The Commission also has a Gender-Based Violence Observatory, which aims to make GBV visible and to facilitate access to resources on GBV. It is a repository of data on GBV, not only of treaties, laws, and jurisprudence, but also of women’s lived experiences. It aims to collate data for the protection and promotion of women, girls, and LGBTQIs’ human rights.[[46]](#footnote-46)
    * + Link to e-report sa Gender Ombud: <https://www.gbvcovid.report/>
      + Link to the Commission on Human Rights GBV Observatory: <https://chr-observatories.uwazi.io/page/x4zyavfe0g>
46. Additionally, on January 27, 2020, training and consultations on elder abuse were conducted with the Commission’s officials and staff. The consultations were implemented with the aim of not only increasing awareness on elder abuse among key offices of the Commission, but also for the purpose of mapping out existing protection and prevention services related to elder abuse and identifying gaps, if any, in these services and drawing recommendations to address them. The Commission, as a National Human Rights Institutions (NHRI) plays a crucial role in the protection and promotion of the rights of everyone, especially the marginalized, vulnerable, and disadvantaged. This includes older persons whose rights are being violated because of their age and other compounding factors.[[47]](#footnote-47)
47. On 28 to 29 May 2020, the Commission conducted an Online Consultation and Dialogue on the Human Rights of Older Persons amid the COVID-19 Crisis. The objectives of the consultation were to address issues on ageism vis-a-vis the COVID-19 crisis responses of the government and the private sector. The dialogue also aimed to educate older persons and other stakeholders on ageism, provide a venue for older persons to discuss their issues and concerns, and to encourage discussion among duty-bearers and rights-holders to address the issues and concerns of older persons.
48. Given the magnitude of issues and concerns affecting older persons, the Commission released a human rights advisory and press statements, and sent correspondence to the different executive agencies of the government, reminding them of the need for the issuance of guidelines with utmost consideration for older persons. The following is a list of the Commission’s resource and advocacy materials for the protection and promotion of the human rights of older persons in the Philippines amid the COVID-19 crisis:

* CHR Advisory on the Human Rights of Older Filipinos Amid the Coronavirus Disease 2019 pandemic, available at <https://bit.ly/3aLOgcM.> This advisory discusses the different risks faced by older Filipinos and provides recommendations to the government on how to respond to their needs and concerns. The advisory also emphasizes the need for crisis responses to take into consideration the differential needs and challenges faced by older persons, as a “one-size-fits-all” response tends to overlook the specific, yet wide-ranging risks faced by older people in emergency contexts.
* Press Statement of Commissioner Karen S. Gomez-Dumpit (Focal Commissioner on Ageing and the Rights of Older Persons) on the Simple Application of Chronological Age as a basis for Policy Response Against COVID-19, [available at https://bit.ly/2VPhl2Z.](https://bit.ly/2VPhl2Z.) The Commission recommended the relaxation of the rules in the general community quarantine scheme. Older people should not be “prohibited,” but only “discouraged” from going outside their homes. This not only respects the autonomy of older people to decide for their own, but would also protect them from the punitive aspects of the enforcement of the community quarantine.
* Press Statement of Commissioner Karen S. Gomez-Dumpit (Focal Commissioner on the Rights of Older Persons and Women) on the Proposed LRT and MRT Ban for Older Persons and Pregnant Women during the Implementation of the General Community Quarantine Scheme in Metro Manila [(available through this link).](http://chr.gov.ph/statement-of-commissioner-karen-s-gomez-dumpit-focal-commissioner-on-the-rights-of-older-persons-and-women-on-the-proposed-lrt-and-mrt-ban-for-older-persons-and-pregnant-women-during-the-implementa/)
* Press Statement of Commissioner Karen S. Gomez-Dumpit (Focal Commissioner on Ageing and the Human Rights of Older Persons) on the Train Ban in Metro Manila under GCQ [(available through this link).](http://chr.gov.ph/statement-of-commissioner-karen-s-gomez-dumpit-focal-commissioner-on-ageing-and-the-human-rights-of-older-persons-on-the-train-ban-in-metro-manila-under-gcq/)

**Studies available online:**

|  |  |
| --- | --- |
| Title | Links/citation |
| Senior Citizens during COVID-19 crisis in the Philipines: Enabling Laws, Current issues, and Shared Efforts (2021) | Cahapay, M. (2021). Senior Citizens during COVID-19 Crisis in the Philippines: Enabling Laws, Current Issues, and Shared Efforts. *Research on Ageing and Social Policy, 9*(1), 1-25. http://10.4471/rasp.2021.6066 |
| Gender Differences in Access to Health Care Among the Elderly: Evidence from Southeast Asia (2021) | ADB, Gender Differences in Access to Health Care Among the Elderly: Evidence from SouthEast Asia (2021), <https://www.adb.org/sites/default/files/publication/677981/ewp-633-gender-health-care-elderly-southeast-asia.pdf> |
| Inputs of the Commission on Human Rights of the Philippines to the Report to the General Assembly of the United Nations Independent Expert on the Enjoyment of All Human Rights by Older Persons (2020) | Inputs of the Commission on Human Rights of the Philippines to the Report to the General Assembly of the United Nations Independent Expert on the Enjoyment of All Human Rights by Older Persons, 5 June 2020, <https://www.ohchr.org/Documents/Issues/OlderPersons/Submissions/COVID-19/Commission-on-Human-Rights-Philippines.docx> . |
| Older Filipino Women among the most likely to suffer from COVID19 (2020) | UN Women, Older Filipino Women among the most likely to suffer from COVID19, July 7, 2020, *available at* <https://asiapacific.unwomen.org/en/news-and-events/stories/2020/07/older-filipino-women-among-the-most-likely-to-suffer-from-covid-19> |
| Ageing and Health in the Philippines (2019) | Cruz, Cruz and Saito, Ageing and Health in the Philippines (2019), available at <https://www.eria.org/uploads/media/Books/2019-Dec-ERIA-Ageing-And-Health-In-The-Philippines.pdf> , last accessed February 23, 2021). |
| Financial Security of Older Women: Philippines (2019) | Sevilla, Financial Security of Older Women: Philippines (2019), available at <https://cose.org.ph/wp-content/uploads/2020/12/Financial-Security-of-Older-Women_Perspectives-from-Southeast-Asia.pdf> (last accessed Feb 23, 2021). |
| Silver linings for the elderly in the Philippines: Policies and programs for senior citizens (2019) | Reyes, C., Arboneda, A., & Asis, R. (2019, September). Silver Linings for the Elderly in the Philippines: Policies and Programs for Senior Citizens. Philippine Institute for Development Studies. <https://www.econstor.eu/bitstream/10419/211083/1/1678591343.pdf> |

1. Biggs, *The Rights of Older Persons,* August 2012, *available at* <https://social.un.org/ageing-working-group/documents/fourth/Rightsofolderpersons.pdf> (last accessed March 29, 2021) [↑](#footnote-ref-1)
2. Id. [↑](#footnote-ref-2)
3. Sevilla, A., Financial Security of Older Women: Perspectives from South East Asia, Pg. 139, 2018, available at <https://asiawomen.org.sg/news-events/financial-security-of-older-women-perspectives-from-southeast-asia> , (last accessed 17 February 2021). [↑](#footnote-ref-3)
4. HelpAge Global Network, *Ageing Population in the Philippines, available at* <https://ageingasia.org/ageing-population-philippines/#:~:text=In%20the%20Philippines%2C%20the%20number,growth%20in%20the%20total%20population.&text=In%20two%20decades%2C%20this%20has,8.6%25%20of%20the%20total%20population> (last accessed 17 February 2021). [↑](#footnote-ref-4)
5. The Department of the Interior and Local Government is mandated by law to assist the President in the exercise of general supervision and monitoring over local governments. Its functions also include the promulgation of policies, rules, regulations and other issuances on the general supervision over local governments and on public order and safety. [↑](#footnote-ref-5)
6. Department of the Interior and Local Government (DILG) Memorandum Circular No. 2019-81, May 27, 2019 , available at <https://dilg.gov.ph/PDF_File/issuances/memo_circulars/dilg-memocircular-2019527_e384b609d7.pdf> (last accessed March 29, 2021). [↑](#footnote-ref-6)
7. Department of the iNterior and Local Government (DILG) Memorandum Circular No. 2005-63, June 28, 2005, available at <https://dilg.gov.ph/PDF_File/issuances/memo_circulars/MC2005-063.pdf> (last accessed March 29, 2021). [↑](#footnote-ref-7)
8. In the House of Representatives, House Bill 7030 was passed on the third and final reading in February 2019 under the 17th Congress, but was left untouched after Congress went to recess for the 2019 midterm polls. Several counterpart bills have been filed both in the House and in the Senate, but none has passed the third and final reading; Gabriel Pabico Lalu, “Congress urged to pass bill severely penalizing elder abuse,” Inquirer, 11 March 2020, *available at* <https://newsinfo.inquirer.net/1239758/gab_nation-chr-grandparents-week> (Last accessed: 8 April 2021). [↑](#footnote-ref-8)
9. Sec. 33, RA 9710. [↑](#footnote-ref-9)
10. Commission on Human Rights of the Philippines, Inputs of the Commission on Human Rights of the Philippines to the Report to the General Assembly of the United Nations Independent Expert on the Enjoyment of All Human Rights by Older Persons, 5 June 2020. [↑](#footnote-ref-10)
11. OneNews, “Give COVID-19 Cash Aid to All Senior Citizens - Advocates,” available at <https://www.onenews.ph/give-covid-19-cash-aid-to-all-senior-citizens-advocates> [↑](#footnote-ref-11)
12. Commission on Human Rights of the Philippines, Statement of Commissioner Karen S. Gomez-Dumpit, Focal Commissioner on Ageing and the Human Rights of Older Persons, on the Train Ban in Metro Manila under GCQ, June 2, 2021, available at <http://chr.gov.ph/statement-of-commissioner-karen-s-gomez-dumpit-focal-commissioner-on-ageing-and-the-human-rights-of-older-persons-on-the-train-ban-in-metro-manila-under-gcq/>. [↑](#footnote-ref-12)
13. OneNews, “Give COVID-19 Cash Aid to All Senior Citizens - Advocates,” available at <https://www.onenews.ph/give-covid-19-cash-aid-to-all-senior-citizens-advocates> [↑](#footnote-ref-13)
14. Department of Health, Administrative Order No. 2012-0007-A, “Amendment to Include Vitamins and Minerals Supplements in the Scope of Administrative Order No. 2012-0007, Entitled ‘Guidelines on the Grant of 20% Discount to Senior Citizens on Health-Related Goods and for Other Purposes,” issued 5 May 2020, *available at*<https://dmas.doh.gov.ph:8083/Rest/GetFile?id=653187> (last accessed 3 June 2020). [↑](#footnote-ref-14)
15. Supra 7 [↑](#footnote-ref-15)
16. Press Statement of Commissioner Karen S. Gomez-Dumpit (Focal Commissioner on Ageing and the Rights of Older Persons) on the Simple Application of Chronological Age as a basis for Policy Response Against COVID-19, available at https://bit.ly/2VPhl2Z  [↑](#footnote-ref-16)
17. Philippine Statistics Authority, *Facts on Senior Citizens, Result of the 2015 Census of Population: Population Characteristics,* 2015, *available at,*  <https://psa.gov.ph/system/files/2015%20Fact%20Sheets%20on%20Senior%20Citizen_pop.pdf?width=950&height=700&iframe=true#:~:text=Senior%20Citizen%20is%20defined%20as,the%20Philippines%3A%202000%20to%202015> (last accessed March 29, 2021). [↑](#footnote-ref-17)
18. Philippine Statistics Authority, *“2010 Census-Based Population Projections in Collaboration with the Inter-Agency Working Group on Population Projections”*. <https://www.psa.gov.ph/content/highlights-2010-censusbased-Population-projections> . Accessed March 29, 2021. [↑](#footnote-ref-18)
19. Philippine Statistics Authority, “Women and Men in the Philippines Statistical Handbook (2016) [↑](#footnote-ref-19)
20. Philippine Statistics Authority, “2014 APIS: Annual Poverty Indicators Survey, 2014, <https://psa.gov.ph/sites/default/files/2014%20APIS%20Final%20Report.pdf> [↑](#footnote-ref-20)
21. Philippine Statistics Authority, Philippine National Demographic and Health Survey 2017, <https://psa.gov.ph/national-demographic-health-survey> [↑](#footnote-ref-21)
22. Reyes, C., Arboneda, A., & Asis, R. (2019, September). Silver Linings for the Elderly in the Philippines: Policies and Programs for Senior Citizens. Philippine Institute for Development Studies. <https://www.econstor.eu/bitstream/10419/211083/1/1678591343.pdf> [↑](#footnote-ref-22)
23. Id. [↑](#footnote-ref-23)
24. Coalition of Services of the Elderly. (2018, February 9). Universal Social Pension Better Than P200 Subsidy For Poor Older Persons – COPAP, COSE [Press release]. <https://cose.org.ph/universal-social-pension-better-than-p200-subsidy-for-poor-older-persons-copap-cose/> (last accessed February 23, 2021). [↑](#footnote-ref-24)
25. Ageing and Health in the Philippines (2019), <https://www.eria.org/uploads/media/Books/2019-Dec-ERIA-Ageing-And-Health-In-The-Philippines.pdf>

    ADB, Gender Differences in Access to Health Care Among the Elderly: Evidence from SouthEast Asia (2021), <https://www.adb.org/sites/default/files/publication/677981/ewp-633-gender-health-care-elderly-southeast-asia.pdf> [↑](#footnote-ref-25)
26. Cruz, Cruz and Saito, Ageing and Health in the Philippines (2019), available at <https://www.eria.org/uploads/media/Books/2019-Dec-ERIA-Ageing-And-Health-In-The-Philippines.pdf> , last accessed February 23, 2021). [↑](#footnote-ref-26)
27. Id. pg. 41 [↑](#footnote-ref-27)
28. Id. pg. 108 [↑](#footnote-ref-28)
29. Id.pg. 169 [↑](#footnote-ref-29)
30. Sevilla, Financial Security of Older Women: Philippines (2019), *available at* [*https://cose.org.ph/wp-content/uploads/2020/12/Financial-Security-of-Older-Women\_Perspectives-from-Southeast-Asia.pdf*](https://cose.org.ph/wp-content/uploads/2020/12/Financial-Security-of-Older-Women_Perspectives-from-Southeast-Asia.pdf) *(*last accessed Feb 23, 2021). [↑](#footnote-ref-30)
31. Id. [↑](#footnote-ref-31)
32. Id. [↑](#footnote-ref-32)
33. Id. [↑](#footnote-ref-33)
34. 2010 NSO Census on population data on the living arrangement of senior citizen (as cited in the Philippine Plan of Action for Senior Citizens, 2012-2016). [↑](#footnote-ref-34)
35. Guiding Questions for the “A” status NHRIs, GANHRI and its Regional Networks Eight Session-Working Group, 5-7 July 2017, Responses from the Commission on Human Rights of the Philippines, available at <http://cdn.ipsnews.net/Library/2020/06/Elder-Abuse-CommissionHumanRights_Philippines.pdf> (last accessed Feb 23, 2021). [↑](#footnote-ref-35)
36. Commission on Human Rights of the Philippines, *Human Rights National Situation Report 2020.*  [↑](#footnote-ref-36)
37. Id. [↑](#footnote-ref-37)
38. Id. [↑](#footnote-ref-38)
39. Id. [↑](#footnote-ref-39)
40. Sevilla, Financial Security of Older Women: Philippines (2019), available at <https://cose.org.ph/wp-content/uploads/2020/12/Financial-Security-of-Older-Women_Perspectives-from-Southeast-Asia.pdf> (last accessed Feb 23, 2021). [↑](#footnote-ref-40)
41. Cruz, Cruz and Saito, Ageing and Health in the Philippines (2019), available at <https://www.eria.org/uploads/media/Books/2019-Dec-ERIA-Ageing-And-Health-In-The-Philippines.pdf> , last accessed February 23, 2021). [↑](#footnote-ref-41)
42. Philippine Commission on Women, Women’s Empowerment, Development and Gender Equality Plan2013 - 2016, page 135 [↑](#footnote-ref-42)
43. UN Women, Older Filipino Women among the most likely to suffer from COVID19, July 7, 2020, *available at https://asiapacific.unwomen.org/en/news-and-events/stories/2020/07/older-filipino-women-among-the-most-likely-to-suffer-from-covid-19 (last accessed 28 April 2021).*  [↑](#footnote-ref-43)
44. Commission on Human Rights of the Philippines, 2020 National Human Rights Situation of Older Persons (Unpublished) [↑](#footnote-ref-44)
45. Inputs of the Commission on Human Rights of the Philippines to the Report to the General Assembly of the United Nations Independent Expert on the Enjoyment of All Human Rights by Older Persons, 5 June 2020, https://www.ohchr.org/Documents/Issues/OlderPersons/Submissions/COVID-19/Commission-on-Human-Rights-Philippines.docx . [↑](#footnote-ref-45)
46. Commission on Human Rights of the Philippines, *Gender-Based Violence Observatory*, available at <https://chr-observatories.uwazi.io/page/x4zyavfe0g> (last accessed Apr. 12, 2021) [↑](#footnote-ref-46)
47. Karen Gomez-Dumpit, Commissioner, Commission on Human Rights of the Philippines, Opening Remarks at the Elder Abuse Consultation with Commission on Human Rights of the Philippines via zoom (Jan. 27,2020). [↑](#footnote-ref-47)