



country advocacy brief

PHILIPPINES

COMPREHENSIVE SEXUALITY EDUCATION: THE WAY FORWARD

SECTION 1:

Introduction

The Republic of the Philippines is an archipelago country in Southeast Asia, composed of about 7,107 islands with a total land area of approximately 300,000 square kilometers. The country is divided into three (3) geographical divisions, namely Luzon, Visayas, and Mindanao. Presently, the country has a total population of 100,699,000 million, about 30% of which are projected to be composed of the youth population (10-24 yrs) equivalent to 30 million. Specifically, the age group 15-24 years old is approximately 20%.

However, according to the Youth in Nation-Building Act of 1994, which created the Philippine National Youth Commission, youth are classified as those between 15-30 years, which are typically divided into different population age groups during surveys.

The 2015 youth (15-24 yrs) data on literacy rates reported 98% for both sexes, 99% for females and 97% for males. Meanwhile, the age of majority for Filipinos is 18 years old, which means emancipation from parental authority, and responsibility for all acts of civil life (Republic Act No. 6908). However, a child who is 15 years old or younger at the time of the commission of the offense shall be exempt from criminal liability, but shall be subject to an intervention program.

As of 2013, one (1) in 10 young Filipino women aged 15-19 has started bearing children, while 8% are already mothers and another 2% are pregnant with their first child. In another survey, results showed that among youth who had experience with premarital sex, 13% used a condom during their sexual initiation while 9% used other methods, notably withdrawal. The rest (78%) were unprotected, leaving them vulnerable to unplanned pregnancies and contraction of sexually transmitted infections (STIs), including human immunodeficiency virus (HIV). This study also pointed out that despite the increasing levels of sexual activity, majority of the youth do not feel they have adequate knowledge about sex and reproduction--only 27% claimed they have enough knowledge about sex.

For only the month of June this year, there were 841 reported new cases of HIV antibody sero-positive individuals, which is 9% higher than the same period last year, and the highest number of cases reported since 1984. Among youth aged 15-24 years old, 226 (27%) are new HIV cases, and 94% of them were males. Ninety-six percent (216) of this age group were infected through unprotected sexual contact; and 4% (9) through needle sharing among injecting drug users (IDU), and 1% through mother-to-child transmission. It should also be noted that from January to June this year, 10 of the cases reported were youth who were less than 15 years old.



Building Community Strength.
Fueling Community Growth.

Organizational Profile

GALANG Philippines envisions a just and progressive society that treats all persons equally regardless of class, sex, gender identity, gender expression, and sexual orientation. GALANG's evidence-based advocacy work has always been grounded on the realities of lesbian, bisexual women, and trans men (LBTs) in the urban poor communities, where the impacts of intersecting forms/layers of discrimination on the basis of one's sexual orientation, gender identity and expression (SOGIE) are experienced on a daily basis. For the past eight (8) years, GALANG assisted four (4) people's organizations get organized and established in seven (7) barangays within Quezon City. We have consistently conducted annual capacity building programs, specifically on sexuality, community leadership, and organizational development.

Before the year 2015 ended, GALANG conducted its Well-Being Index (WBI) Project among 82 of its LBT partners residing in the seven (7) barangays. The project takes a look at how the participants evaluate their well-beings. The survey results showed that in relation to the Life Evaluation Index, 75.6 % (62 out of 82) of the LBT participants are struggling, worrying everyday on how to make ends meet. The WBI survey results guided us to pursue relevant intervention programs, such as the Family Acceptance and Diversity (FAD) Initiative--a project that seeks to address SOGIE-related violence and discrimination at the levels of the household and the barangay by capacitating families, friends and allies of LBTs in our communities about sexuality, SOGIE, relevant laws, among other pressing issues experienced by the LGBT sector.

GALANG hopes that through its complementary programs that links with and capacitates various stakeholders on the core elements of Comprehensive Sexuality Education (CSE), the organization would be able to widen its sphere of influence as well as the 'web of protection' for partner LBTs and LGBT sector at large. As such, we are likewise pursuing an advocacy work towards integrating CSE in the Philippine educational system, including lobbying for policies to institutionalize integration of CSE to improve life skills, promote balance and overall well-being.

SECTION 2:

Comprehensive Sexuality Education in the National Context

The CSE may be integrated in the Philippine national context through the relevant provisions on enabling laws, policies and programs that may be invoked to support

enhancement and implementation of CSE in the country's education curricula, and relevant health and youth programs on gender, such as:

1. The Responsible Parenthood and Reproductive Health Act of 2012 (Republic Act 10354), which defines, clarifies and provides for concepts relevant to CSE, such as reproductive health care and reproductive health rights, however, the definition highlighted that this do not include abortion, and access to abortifacients. Among the most significant definitions in this law are:

- Reproductive health and sexuality education - lifelong learning process of providing and acquiring complete, accurate and relevant age-and-development-appropriate information and education on reproductive health and sexuality through life skills education and other approaches.
- Sexual health - to a state of physical, mental and social well-being in relation to sexuality. It requires a positive and respectful approach to sexuality and sexual relationships, as well as the possibility of having pleasurable and safe sexual experiences, free from coercion, discrimination and violence.
- Age- and Development-Appropriate Reproductive Health Education – education to adolescents which shall be taught by adequately trained teachers informal and nonformal educational system and integrated in relevant subjects such as, but not limited to, values formation; knowledge and skills in self-protection against discrimination; sexual abuse and violence against women and children and other forms of gender based violence and teen pregnancy; physical, social and emotional changes in adolescents; women's rights and children's rights; responsible teenage behavior; gender and development; and responsible parenthood.

2. Magna Carta of Women (MCW) of 2009 (Republic Act 9710) provides for "Gender and Development (GAD)" perspective and processes in the government that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and actualization of human potentials. This law "seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society's social, economic, and political structures and questions the validity of the gender roles they ascribed to women and men; contends that women are active agents of development and not just passive recipients of development assistance; and stresses the need of women to organize themselves and participate in political processes to strengthen their legal rights."

In MCW's implementing rules and regulations, among the delegated government agencies, the Department of Education (DepED) and the Commission on Higher Education (CHED) were to pursue and implement Comprehensive Health Information and Education, such as: age-appropriate adolescent health and sexuality education with emphasis to responsibility and respect for others; sexuality education for parents to be cooperators in adolescent health education and to enhance communication with their children; and conduct trainings for health service providers/educators towards gender-responsive, culture sensitive, non-discriminatory and non-judgmental behaviors and attitudes.

For DOH

Most importantly, this law directs all government entities' to have GAD programs that shall be at least five percent (5%) of the agency's or the local government unit's total budget appropriations. This is an enabling policy to fast-track "Gender Mainstreaming" in the government policies, plans, and programs at all levels.

3. The Youth in Nation-Building Act (Republic Act 8044) – This is the law creating the National Youth Commission (NYC), and establishing a National Comprehensive and Coordinated Program on Youth Development. The NYC shall be the sole policy-making coordinating body of all youth-related institutions, programs, projects and activities of the government. This law also declares that the National Comprehensive and Coordinated Program on Youth Development shall be based on the following principles:

- (a) Promotion and protection of the physical, moral, spiritual, intellectual and social well-being of the youth to the end that the youth realize their potential for improving the quality of life;
- (b) Inculcation in the youth of patriotism, nationalism and other basic desirable values to infuse in them faith in the Creator, belief in the sanctity of life and dignity of the human person, conviction for the strength and unity of the family and adherence to truth and justice;
- (c) Encouragement of youth involvement in character-building and development activities for civic-efficiency, stewardship of natural resources, agricultural and industrial productivity, and an understanding of world economic commitments on tariffs and trade and participation in structures for policy-making and program implementation to reduce the incidence of poverty and accelerate socioeconomic development; and
- (d) Mobilization of youth's abilities, talents and skills and redirecting their creativity, inventive genius and wellspring

of enthusiasm and hope for the freedom of our people from fear, hunger and injustice.

Other relevant laws may also be invoked to emphasize the need to implement CSE-themed education, such as: Anti-Violence Against Women and their Children (VAWC) Act of 2004 (RA 9262); Child Abuse Law (RA 7610); Anti-Bullying Act of 2013; An Act Declaring Sexual Harassment Unlawful in the Employment, Education or Training Environment (RA 7877); Anti-Rape Law of 1997 (RA 8353 and 8505); and Philippine AIDS Prevention and Control Act of 1998 (RA 8504), among others.

In the approved curricula of the DepEd, the K-12 Basic Education Health Curriculum for primary and secondary education, such as Health subjects aim to assist the Filipino learner in attaining, sustaining and promoting life-long health and wellness. The learning experience through the program provides opportunities for the development of health literacy competencies among students and to enhance their over-all well-being. Also, in terms of Life Skills Education (LSE), these are integrated in the curriculum on Edukasyon sa Pagpapakatao (Education on Humanity/Being Human) to shape, cultivate ethics of students to achieve macro skills on understanding, meditation, consultation, decision-making, open-mindedness and values for self, family, and community.

Specifically, Grade five (5) (approximately ages 10-12 years old) curriculum on Health is about Growth and Development /Personal Health, which covers topics on: Changes during Puberty; Puberty-related Health Myths and Misconceptions; Puberty-related Health Issues and Concerns including Early and Unwanted Pregnancy and Sexual Harassment; Self-care and Management of Puberty-related Health Issues and

"While there is a law (MCW) that enforced mainstreaming of gender equality in the flagship programs of the government agencies, local government units, and government-owned-and-controlled corporations...[it's] predominantly on stereotypical and heteronormative notions of gender, which in effect exclude other statuses of women in terms of their sexuality."

Concerns, Sex and Gender including concepts on Gender Identity (girl/woman, boy/man or transgender); and Gender Roles (masculine, feminine, androgynous).

Meanwhile, Grade eight (8) (approximately ages 15-17) curriculum on Family Health I and II, and Prevention and Control of Diseases and Disorder cover the following topics: Gender and Human Sexuality (Correlate with Values Education; coordinate with Guidance Counselor); Teenage concerns (discussing Identity crisis, Sexual identity and Sexual behaviours, Pre-marital sex, teenage pregnancies); Development of decision-skills in managing sexuality related issues; Dating, courtship, and marriage; Maternal Health concerns; Responsible parenthood; and Sexually Transmitted Infections (STIs), HIV and AIDS.

SECTION 3:

Comprehensive Sexuality Education According to International Standards and Where Does the Country Stand

Among the international conventions ratified by the Philippines, CSE fulfills provisions on education rights, such as the Universal Declaration of Human Rights (UDHR), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The former specifies that (Article 26, Section 2) education be “directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms”. Meanwhile, CEDAW (Article 10, c) called for the “elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging co-education and other types of education” that can help achieve such direction. In 2010, the UN Rapporteur on the Right to Education declared that States must ensure that they respect, protect and implement the human right to comprehensive sexuality education by acting with due diligence and taking all measures necessary to ensure its effective enjoyment, without discrimination from the early stages of life.

Based on The Essence of Innovative Programme for Young People in Southeast Asia--a position paper on CSE that elaborates on seven (7) essential elements to develop life skills, the said elements are deemed integrated in the Philippine national laws, policies and programs, specifically in the areas of gender equality; human rights; sexual and reproductive health and HIV; and violence. However, the context of sexual rights and sexual citizenship; pleasure; diversity; and relationships are absent and non-existent in the existing K-12 curricula, and even on relevant national policies mentioned above.

As discussed in the previous section, there have been many laws that protect and promote women’s health and

rights, however, the government is clearly challenged by the capacities of agencies mandated to implement such, specifically the policy makers, school administrators, teachers, and professors who were educated based on old curricula that are not inclusive of or have not been taught of the essential elements of CSE. Hence, said duty bearers are still ingrained with conventional and often conservative views on the scope and age-appropriate content of sexuality education.

While there is a law (MCW) that enforced mainstreaming of gender equality in the flagship programs of the government agencies, local government units, and government-owned-and-controlled corporations, the discussions among the staff and decision makers are predominantly on stereotypical and heteronormative notions of gender, which in effect exclude other statuses of women in terms of their sexuality. Thus, this limits and narrow down possibilities of including important elements of CSE, such as diversity, gender equality, and sexual rights and sexual citizenship, among others.

SECTION 4:

Recommendations to Your Governments

The UN General Assembly on its 65th plenary meeting indicated that UDHR remains a relevant ethical compass that guides nations and peoples in addressing the challenges being faced. The Philippines may have enacted protective laws, policies and programs to pursue gender equality, however, given the gaps in terms of CSE and the current progress in achieving relevant indicators in the Millennium Development Goals (MDGs), the following recommendations may help the Philippine government in satisfying MDG indicators, specifically on gender equality and women empowerment, maternal and reproductive health, and combatting HIV/AIDS. While it is a known fact that UN recently adopted the Sustainable Development Goals (SDGs) for 2030, the recommendations below may likewise proactively address specific SDG indicators (no.3 and 5) to ensure healthy lives and promote well-being for all at all ages; ensure inclusive and equitable quality education and promote lifelong learning opportunities for all; and achieve gender equality and empower all women and girls.

In general, the duty bearers may find it efficient to engage in dialogues or opportunities that can further their capacities and resources, and likewise promote rights-based approach to all aspects of its plans, and programs. Specifically, to

- Intensify capacity building activities for activities for teachers, professors, trainers, guidance counsellors, school administrators, and allied professions, especially those who will teach health/sexuality related subjects/topics to children and youth;

- Sensitize members of parent-teachers associations on sexual and reproductive health rights including relevant laws that complement the themes of CSE;
- Ensure effective implementation of laws and teaching/training curricula, and its periodic evaluation through specific key government agencies (i.e. DepEd, CHED, DOH);
- Formulate or endorse CSE standards and consistently implement such curricula in the public, private, formal and nonformal educational institutions/schools;
- Pass SOGIE-based/comprehensive Anti-Discrimination Bill that can address issues on sexual rights, diversity, relationship, and further address gaps on implementing anti-VAWC laws;
- Update policies and programs to combat HIV/AIDS prevalence in the country;
- Include of CSE themes across all gender-related capacity building activities of government institutions/units;
- Engage the National Youth Commission and key youth organizations to actively promote and participate in sexuality discussions; and barangay(village)-level local governments, especially those handling Violence Against Women and Children related functions; and
- Encourage mandate holders to actively engage civil society organizations, NGOs, People's Organizations and health practitioners to contribute in crafting, implementing, monitoring, and evaluating relevant processes.

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ABOUT THE ADVOCACY BRIEF

This Advocacy Brief was developed by GALANG Philippines, Inc. The publication has been produced as part of the regional strategising meeting, “Integrating Sexual and Reproductive Health and Rights within the Post-2015 Sustainable Development Agenda.” This project is being implemented in Philippines in partnership with the Asian-Pacific Resource and Research Centre for Women (ARROW). Electronic copies are available at www.galangphilippines.org and www.arrow.org.my.

This advocacy brief has been published with support from ARROW.

ABOUT GALANG PHILIPPINES, INC.

GALANG Philippines is a feminist human rights non-government organization which aspires to be a catalyst for the empowerment of economically disadvantaged Filipino lesbians, bisexual women, and trans men (LBTs). GALANG hopes to achieve this through its working model that involves grassroots community organizing, intensive capacity building, policy advocacy and networking at both local and national levels, research, and institutional development and sustainability.

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