

Remarks addressing the United Nations Human Rights Commission on the Occasion of the 4th Periodic Review of the State of Philippines' compliance with the International Covenant on Civil and Political Rights (ICCPR)

Ging Cristobal, Project Coordinator, Asia and the Pacific Islands, International Gay and Lesbian Human rights Commission (IGLHRC)

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Thank you Madame Chair for the opportunity to speak today.

I am Ging Cristobal, a Filipino lesbian activist since 1996 and today I am speaking about the right to equality before the law and the right to be live free from discrimination (Articles 2 and 26).

Over sixteen years of activism we have personally and painfully collected data about 163 murdered Lesbian, Gay, bisexual and transgender persons (LGBT) who were brutally stabbed, shot, raped, strangled, suffocated, burned, tortured, poisoned, dismembered, and killed execution-style. Yet, even a token government statement condemning the death of an LGBT person in a hate crime has been non-existent.

In April of this year in Pasay City police officers illegally arrested, detained, robbed, and verbally and physically abused more than seventy transgender people and gay men. It was yet another occasion when the State applied the “Grave Scandal” law of the Revised Penal Code and the “Anti-Trafficking Law” against the LGBT community.

The Philippines National Army told us it might correct these two laws if only an LGBT person would file a complaint but we just want the State to commit to address the discriminatory and corrupt application of the law.

Based on its answers to the Committee’s List of Issues the State seems to be arguing that yes, there have been advances in LGBT rights, however, the State’s efforts have been too inconsistent for us to see evidence that our issues are taken seriously.

For example, in August of this year, the President of the Philippines removed “sexual orientation” from the list of groups protected from discrimination in the reproductive health bill currently pending before Congress.

In that same month the President’s failure to veto the recently amended “Clerical Error Law of 2001” which made it illegal for transgender and intersex persons to change their gendered first name and sex on their birth certificate – again demonstrated disregard for us.

And in the recent Philippines Universal Periodic Review (UPR), the government did not accept the only LGBT related recommendation that sought the passage of the anti discrimination legislation.

For the past twelve years the anti discrimination bill has been languishing in Congress. Yet today, we have a new opportunity. The anti discrimination law would take care of all these issues since there is a version pending in Congress right now awaiting harmonization between the House and the Senate versions.

We want LGBT rights named alongside other categories prohibited from discrimination. Please help us make this case to the government of the Philippines. Our lives are at stake.

Thank you, Madam Chair.