



Violence against Lesbians, Bisexual Women, and Trans People in the Philippines

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Presented by:

International Gay and Lesbian Human Rights Commission

Introduction

The International Gay and Lesbian Human Rights Commission (IGLHRC) is a non-governmental organization in special consultative status with the United Nations Economic and Social Council. IGLHRC works with activists throughout the world to advocate to end discrimination and abuse on the basis of actual or perceived sexual orientation, gender identity, and/or gender expression (SOGIE).

IGLHRC is submitting this communication, along with six others, to the Commission on the Status of Women (CSW) through its annual communications procedure. IGLHRC strongly urges the CSW to identify violence against lesbians, bisexual women, and trans individuals (LBT) people as an emerging trend and formulate appropriate policy responses.

In May 2014, IGLHRC's Asia and the Pacific Islands Program released a report, *Violence: Through the Lens of Lesbians, Bisexual Women, and Trans People in Asia* (The IGLHRC Asia report). A product of over two years of research by regional women's, gender, and sexual rights activists and over 370 interviews with LBT people and stakeholders, the report documents and examines violence directed towards LBT people in Japan, Malaysia, Pakistan, the Philippines, and Sri Lanka. A copy of the full report is available at this link: http://iglhrc.org/sites/iglhrc.org/files/LBT_ForUpload0614.pdf.

From March 2011 to February 2012, The Rainbow Rights Project Philippines (R-Rights), a Manila-based LGBT legal advocacy organization, interviewed 59 LBT people in the Luzon, Visayas, and Mindanao island groups to document their experiences with violence. Prior to this project, no comprehensive documentation of violence against LBT people in the Philippines existed. Highlighting R-Rights's main findings, this communication includes 16 case studies of violence against LBT people in the Philippines.

Due to a host of safety and privacy concerns, this communication uses pseudonyms for the victims mentioned. Many do not want the media, their government, communities, and/or families to know of their participation in the research project for fear of retribution. Many are not open about their gender identities and/or sexual orientations and wish to maintain their privacy to avoid further violence. Many victims who experience violence within the private sphere wish to remain anonymous to avoid public exposure of their families and intimate relationships. All names and information are on file with IGLHRC. Please contact us if you have any questions regarding the cases mentioned.

The need for this precaution further highlights the urgency of our petition. LBT people often are compelled to remain invisible to avoid further violence. As a result, violence against them remains severely under-documented and is largely overlooked by state governments and nongovernmental organizations.

Because the IGLHRC Asia report focuses on broad trends of violence against LBT people, many specific contextual details of our case studies, including exact times and dates of violent incidents, were not documented. Interviewers were primarily concerned with understanding the nuances of violence experienced by their respondents, including its overlapping forms and manifestations, root causes, and lasting effects on victims. All respondents have experienced violence multiple times in their lives; exclusive focus on an individual perpetrator or incident would have limited and flattened our analysis. Given the dearth of documentation of violence against LBT people in the Philippines, IGLHRC trusts that the CSW will find the information in this communication useful in its efforts to promote global gender equality.

Definitions

Bakla is the most commonly used term to denote Philippine people with non-normative SOGIE. In some contexts, it is considered to be extremely offensive.

Bi/bisexual people have sexual and romantic desires for both females and males.

Cis/cisgender people are individuals whose gender identity matches their birth sex.

Coming out is the process of revealing one's SOGIE to other people.

Gender expression refers to the ways people choose to express their gender. Some common mediums of gender expression include choices in hairstyle, clothing, behavior, speech, and gestures.

Lesbians are women who have sexual and romantic desires for other women.

MtF/transwomen are male-to-female (MTF) transgender or transsexual people who were assigned male at birth but identify as female.

SOGIE stands for sexual orientation, gender identity, and/or gender expression.

Trans/transgender people are individuals whose gender identity does not match their birth sex.

Violence, as defined by the World Health Organization's (WHO) World Report on Violence and Health, is "the intentional use of physical force or power, threatened or actual...that results in or has a high likelihood of resulting in injury...psychological harm, maldevelopment, or deprivation." This communication refers to two analytical categories to examine violence:

1) Forms of Violence

- a) **Emotional violence** refers to mental and psychological abuse. Actions and behaviors that constitute emotional violence in this research are verbal abuse (e.g., insults, taunts, allegations of abnormality, etc.); threats (e.g., to disclose SOGIE to others, abandon, evict, imprison, harm self or others, etc.); controlling actions (e.g., restricting interactions, invading privacy, monitoring communication, etc.); silent hostility (e.g., non-verbal behaviors that express contempt, denial, or rejection of a person's SOGIE); neglect (e.g., withholding financial support, denying medical treatment, etc.); and discrimination (e.g., employment discrimination, refusal of access to gendered facilities, etc.).
- b) **Physical violence** involves bodily harm. Examples include battery (e.g., beating, hair-pulling, throttling, kicking, pushing, burning, tying-up, head-butting, etc.); physical confinement and imprisonment; deprivation of basic necessities (e.g., food, shelter, clothing, etc.); forced electro-shock therapy; assault; and more.
- c) **Sexual violence**, according to WHO, is “any sexual act, attempt to obtain a sexual act, or unwanted sexual comments or advances...using coercion, by any person regardless of their relationship to the victim.” Examples of sexual violence include threats to rape, forcibly showing sexual images, unwanted sexual touching, and more.

2) Sites of Violence

- a) The most common site of violence against LBT people is in the **private sphere**: households, families, intimate relationships, and tightknit communities. From a policy perspective, violence in the private sphere is particularly difficult to reduce because many perceive it to be a private matter without need for state protection or redress.
- b) Both State and non-State actors perpetuate violence in the **public sphere**. Examples of the former include violence by State institutions (police, immigration authorities, courts, welfare departments, passport control centers, educational centers, etc.) and violence facilitated by State policies, such as endorsement of harmful religious or cultural practices. The latter primarily refers to violence by passers-by in public or open spaces (i.e. streets, public transportation facilities, stores, restaurants, etc.), neighbors, members of ethnic and religious communities, co-workers and bosses, and classmates.

Violence against LBT People in the Philippines: At a Glance

Often justified with reference to religion (including Catholicism), social norms in the Philippines are largely premised on heterosexuality and gender identities and expression that conform to birth sex. LBT people challenge these norms and are thus commonly perceived to be unnatural and immoral. As a result, they are extremely vulnerable to various manifestations of violence, including verbal, physical, and sexual abuse by passers-by; intimate partner violence; rejection by friends and family; discrimination by state institutions; and more.

The family is the most common source of violence against LBT people in the Philippines. Family members often emotionally abuse LBT children and young people by interfering in their relationships; mocking them; ignoring them; pressuring them to participate in conventional, homosexual marriage; telling them they are sinful; and more. Some respondents indicated that family members physically and sexually abused them as well.

Emotional violence is the most common form of violence against LBT people in the Philippines. It occurs in both the public and private spheres, usually intensifies over time, and often precedes physical and/or sexual violence.

The Philippine government has not taken sufficient action to combat violence against LBT people. Although the Philippines is officially a secular state, laws tend to closely adhere to a socially conservative agenda that closely mirrors Vatican policy, disenfranchising LBT people.

Currently, no state-level anti-discrimination legislation exists for people with non-conforming sexual orientations, gender identities, and/or gender expression. Articles 336 (Acts of Lasciviousness) and Article 340 (Corruption of Minors) of the Revised Penal Code (RPC) have been frequently used as a pretext to arrest, detain, charge, convict, and sentence transgender women and *bakla* who are found guilty of having sexual contact with a male.¹ Article 267 (Kidnapping and Serious Illegal Detention) of the RPC has been used by parents of daughters who have eloped with lesbian or transgender men partners to charge them of abducting and kidnapping their daughters.² The Anti-Trafficking in Persons Act of 2003 is often used to justify surprise searches of establishments frequented by transwomen and *bakla* and harass, extort, and arbitrarily arrest patrons and staff.³

¹ Rainbow Rights Project, “Kwentong Bebot: Lived Experiences of Lesbians, Bisexual and Transgender Women in the Philippines,” *IGLHRC Asia Report*, page 187.

² Rainbow Rights Project, “Kwentong Bebot: Lived Experiences of Lesbians, Bisexual and Transgender Women in the Philippines,” *IGLHRC Asia Report*, page 188.

³ Oscar Atadero, “Opening communication lines with fingers crossed,” *Outrage Magazine*, July 27, 2012, <http://outragemag.com/online/opening-communication-lines-with-fingers-crossed>.

Case Studies

Svetlana is a transwoman living in the Philippines. Passers-by often make derogatory comments to Svetlana and physically harm her. One approached Svetlana and slapped her in the face. Another kicked Svetlana and punched her friend, another transwoman. At a community festival, when Svetlana and her friends were laughing, a man stared at Svetlana, approached her, grabbed her, and told her to stop laughing. Once at nighttime, a male passer-by grabbed Svetlana violently and attempted to rape her.

The Department of Foreign Affairs forced Svetlana to “look like a man” for her passport photo. An airport immigration officer once accused Svetlana of travelling abroad to be a sex worker and demanded a bribe to let her through security. Svetlana was once kicked out of the female section of a Manila Light Rail Transit (LRT) train. She has also been denied access to female public toilets. Once, security guards blocked Svetlana from entering her university because she was wearing a bra. Several bars in Manila have denied Svetlana entry because she was wearing feminine clothing.

Interviewed between March 2011 and February 2012.

At the time of interview, **Sam** was a 24 year-old masculine bisexual woman living in the Philippines. When her mother learned of her sexual orientation, she screamed violently at Sam and slapped her. She revealed Sam’s sexual orientation to all of their relatives without Sam’s permission, making Sam feel deeply hurt. In secondary school, Sam’s mother suspected that Sam was romantically involved with girls on the basketball and volleyball teams and forced her to quit both sports. To this day, Sam’s mother pressures her to not post pictures with her girlfriend on Facebook to avoid embarrassing their family. She also refuses to speak with Sam’s girlfriend. Her mother and brothers pressure her to marry a man and have children, badgering her on when she will be “done” with same-sex relationships.

Sam’s mother’s boyfriend sexually abused Sam from childhood through secondary school. Sam’s mother did not believe Sam when she told her, insisting that her boyfriend would not harass a “lesbian” like Sam.

Sam’s friends and mutual friends often ask her prying questions about her bisexuality that make her uncomfortable, including “Why can’t [you] just date a guy” and “Why can’t [you] just date a girl?”. Some of Sam’s friends began ignoring her once they learned of her sexual orientation.

Interviewed between March 2011 and February 2012.

At the time of interview, **Candy** was a 22 year-old transwoman living in Bagbaguin, Caloocan. Passers-by often make extremely offensive comments to Candy, including “horse-face *bakla*.” Some have even touched Candy inappropriately and asked her intrusive questions, such as “Do you have a vagina yet?” Candy’s boyfriend has beat her up on several occasions and once attempted to rape her. Once, Candy was arrested alongside her boyfriend when he got involved in a street fight. She was forced to use the male restroom in prison. Prison wardens took Candy’s jewelry and never returned it to her.

Interviewed between March 2011 and February 2012.

At the time of interview, **Stef** was a 24 year-old transwoman living in Quezon City. Stef’s parents disapprove of her gender identity. They commonly ask her demeaning questions such as “Why do you look this way?”; “Can’t you be more masculine?”; “Can’t you be more discreet”; and “Can’t you have shorter hair?”. At a 2010 Christmas gathering, Stef’s father asked her some of these questions in front of her relatives, humiliating her.

In secondary school, one of Stef’s cisgender male classmates tried to pressure her into having sex with him. Stef is currently a student at a Catholic university. Her professors have often told her she should cut her hair. Recently, the university dean instituted a new policy forcing transwomen to wear their hair in buns and prohibiting them from wearing makeup. Due to the violence and discrimination she has faced at home and at school, Stef has suffered from depression.

Interviewed between March 2011 and February 2012.

At the time of interview, **Madalane** was a 27 year-old transwoman living in Cebu City. Coming from a traditional Catholic household, Madalane was taught that non-normative SOGIE is sinful, causing her to reject her gender identity for much of childhood. Growing up, her mother beat her regularly for wearing feminine clothing. Many of Madalane’s friends distanced themselves from her once she came out, making her feel isolated. Madalane was denied a job at the Qualfon call center because of her feminine clothing. The Department of Foreign Affairs forced her to identify as a male on her passport.

Passers-by have raped Madalane three times in public streets. One time, the perpetrator used a knife to coerce Madalane into having sex with him. Passers-by have also thrown stones towards Madalane and slapped her. Once, when Madalane was waiting for a bus in Naga, a passer-by approached her and punched her forcefully. In dance clubs, people have cut Madalane with pocket-knives and burned her with cigarettes. Passers-by also make offensive comments towards Madalane and laugh at her scornfully. These experiences make Madalane feel “fearful for [her] life.” She believes that society views her as a “worthless sex object.”

Interviewed between March 2011 and February 2012.

At the time of interview, **Krizia** was a 19 year-old lesbian living in Dumaguete. Since childhood, Krizia's family members, all traditional Catholics, have told her that homosexuality is a sin. When Krizia came out to her father, he told her that homosexuals like her "would not be saved on Judgment Day." When she came out to her mother, her mother touched her inappropriately to "prove" that she is lesbian. Krizia's family continues to tease her for her sexual orientation regularly.

Interviewed between March 2011 and February 2012.

At the time of interview, **Cindy** was a 27 year-old transwoman living in the Philippines. Many of Cindy's relatives started ignoring her after she came out. At a concert in Ayala, passers-by kicked Cindy violently because of her feminine demeanor. Passers-by also often touch Cindy inappropriately and make harmful comments to her, including "you're too female looking." At a Super Mall, an employee angrily told Cindy that she was not allowed inside the women's restroom. Cindy's supervisor prohibited Cindy from using the female bathroom at work, telling her "cross-dressers are not allowed." Cindy has been rejected from various jobs because of her gender identity and expression.

Interviewed between March 2011 and February 2012.

At the time of interview, **Jelay** was a 31 year-old transwoman living in Kaybiga, Caloocan. Jelay's father has scolded her multiple times for dressing femininely. She has been sexually abused on several occasions by her uncle and various intimate partners, sometimes so violently that she bleeds. Jelay fears speaking out and feels obligated to obey her perpetrators' commands.

Passers-by often insult Jelay, using pejoratives such as "*bakla*." Once, when Jelay and five other transwomen were walking in Manotoc Subdivision, Quezon City at nighttime, a group of men told Jelay and her friends that they looked like dogs. When Jelay asked them to stop, the men stripped her of her clothes and punched her for a period of five minutes, breaking a few of her ribs.

To cope with the violence she faces on the basis of her gender identity, Jelay began smoking and drinking.

Interviewed between March 2011 and February 2012.

At the time of interview, **Germaine** was a 40 year-old masculine lesbian living in Quezon City. Germaine is a victim of domestic violence. Her former partner, a

cisgender woman, regularly cussed at Germaine, threatened her, and tormented her for being masculine. She prohibited Germaine from attending family gatherings, monitored her cellphone activity, broke her cellphone sim cards, and often locked her out of their home. She scratched, pinched, pushed, slapped, punched, kicked, and sexually abused Germaine, leaving several scars on her body. Even though the couple separated three years prior to the interview, Germaine's former partner continues to harass and stalk her, making Germaine feel unsafe. These experiences have diminished Germaine's self-esteem and left her feeling depressed and anxious.

Germaine feels discriminated against at the law firm she works at -- her boss prioritizes men with families over her for promotions.

Interviewed between March 2011 and February 2012.

Brigite is a transwoman living in the Philippines. Brigitte's ex-partner stalks her regularly, making her feel extremely unsafe. He calls her, sends her emails, sends messages to her current boyfriend, and attended an Ultimo Icono LGBT beauty pageant that she participated in.

People regularly insult Brigitte in the public sphere. An employee at the Department of Foreign Affairs once told her that she had to look like a man in her passport photograph. Many security guards and taxi drivers sing and whistle homophobic songs when they encounter her. Even though Brigitte has a feminine gender expression, many people, including cashiers at stores, often misgender her, calling her "sir" instead of "madam." She has also been denied access to female restrooms on a number of occasions.

Up to 2008, Brigitte worked as a sex worker. During this period, many of her clients raped her and one attempted to coerce her into participating in a pornographic film. In 2008, Brigitte began studying to become a nurse. That year, the CEO of Rose Princess Polyclinic in Laguna denied Brigitte an internship to avoid embarrassment of the hospital. This made Brigitte feel "humiliated and devastated." Brigitte suffers from depression and smokes to cope with the violence she has faced.

Interviewed between March 2011 and February 2012.

Robyn is a 39 year-old masculine lesbian living in the Philippines. Robyn's family members, traditional Catholics, believe that homosexuality is sinful and regularly make homophobic comments, making her feel "ashamed" of her sexual orientation. When Robyn came out to friends, most started ignoring her and some told her it was a "waste" for her to "turn [out] this way." Largely due to feeling rejected by family and friends, Robyn attempted suicide by overdosing on prescription drugs when she was younger. In her recovery period, she saw a

psychiatrist who instructed her to “not accept that [she] is a tomboy.” Recently, Robyn’s mother confronted Robyn’s ex-girlfriend and convinced her to break up with Robyn.

Robyn works at a government office. Her coworkers, mostly cisgender males, tease her for not wearing makeup and for walking too brusquely. They also often flirt with her, making her feel uncomfortable. Nevertheless, she hides her sexual orientation from her coworkers -- she fears they would treat her poorly if they knew she is not attracted to them.

One of Robyn’s ex-girlfriends was extremely abusive. For about eight months, she regularly cussed at Robyn, hit her, choked her, and slammed her against walls, leaving several bruises. She also pressured Robyn to lend her over \$3,000 USD to finance a trip to New York and never paid her back.

Interviewed between March 2011 and February 2012.

Del is a transwoman living in the Philippines. Her mother constantly asks her why she “forces” herself to be like a girl and tries to convince her that she is a gay man, not a girl. Del’s brother sometimes calls her a “child of a whore *bakla*,” an extremely derogatory comment targeting her identity as a transwoman. When Del interviewed for a job at a call-center in Makati, her interviewer told her that hiring cross-dressers was against company policy, deeply upsetting Del. Classmates and passers-by have often made offensive comments to Del. Once, a woman tried to force Del to leave a female bathroom, insisting that she belonged in the male bathroom.

Interviewed between March 2011 and February 2012.

Green is a lesbian living in the Philippines. Her mother does not accept her sexual orientation and often harasses Green’s girlfriends. She disclosed Green’s sexual orientation to their relatives without Green’s permission. Soon afterwards, one of Green’s uncles slapped her for being a lesbian.

A few years ago, Green was in an extremely abusive relationship. Her former partner, a cisgender female, repeatedly shoved, pinched, bit, strangled, punched, and kicked Green. Within a span of two weeks, Green’s partner left Green two black eyes. She closely monitored Green’s cell phone activity and prohibited her from leaving their house on several occasions. When Green decided to separate from her partner, her partner began harassing Green. She left over two hundred missed calls on Green’s cellphone, called Green’s mother, and stalked Green at her university. She violently knocked on the door to Green’s university’s prayer room, cussed at her in front of her classmates, and threatened to fight her publicly. When Green was called in to her university’s discipline office following

this incident, she was too scared to tell the truth – it is a traditional Catholic school that condemns homosexuality.

One of Green's cisgender male friends tells her that being a lesbian is a "waste." Most of her friends tell her to "quit" being a lesbian and start participating in conventional heterosexual relationships. When Green showed one of her former professors in university a picture of her girlfriend, the professor tore the picture and told her to "forget about all of that."

Interviewed between March 2011 and February 2012.

Blu is a lesbian living in the Philippines. Her family members do not approve of her sexual orientation and refuse to discuss it. One of Blu's friends told her that she would pray for Blu to be heterosexual, making her feel extremely uncomfortable. AMA Computer University in Quezon City refused to hire Blu because of her sexual orientation. She was told that AMA is open to hiring gay men but not lesbian women.

Interviewed between March 2011 and February 2012.

At the time of interview, **Angel** was a 42 year-old masculine lesbian living in the Philippines. Coming from a traditional Catholic background, Angel rejected her sexual orientation for much of her life and kept it hidden from her family. When Angel was 32, her family discovered that Angel was in a relationship with a woman. Angel's sister accused her of being immoral and selfish for exposing her children (Angel's nieces and nephews) to her immorality. Angel's brother was so angry about Angel's sexual orientation that he shot their dog with a gun. As a result, Angel ran away without any money and began living at her partner's house.

In the public sphere, Angel regularly faces violence. She often encounters difficulties when using female toilets and suspicious looks when she accesses healthcare services. Passers-by taunt her regularly for being masculine.

Interviewed between March 2011 and February 2012.

At the time of interview, **Rain** was a transwoman living in Manila. Rain's parents had a difficult time accepting Rain's gender identity for much of her life. Passers-by on the streets commonly make extremely demeaning comments to Rain targeting her gender expression. One time, when Rain's sister featured a video of Rain performing at a pageant on her online blog, several people commented with transphobic and homophobic slurs, deeply upsetting Rain. At the Department of Foreign Affairs, Rain was forced to dress as a man for her passport photo.

When Rain applied for a job at a local call center, she had to explain her gender identity to her interviewer. Once the interview ended, her interviewer gave her a note in a sealed envelope saying “LOOKS CAN BE DECEIVING! HAHAHA!” This made Rain feel “mocked” and “crushed.”

Interviewed between March 2011 and February 2012.