Inside Stories: A Report on the Situation of Women Deprived of Liberty from Select Detention Facilities
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### Acronyms

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<tr>
<td>BJMP</td>
<td>Bureau of Jail Management and Penology</td>
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<tr>
<td>CGEWR</td>
<td>Center for Gender Equality and Women’s Rights</td>
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<td>CHR</td>
<td>Commission on Human Rights</td>
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<td>DSWD</td>
<td>Department of Social Welfare and Development</td>
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<td>FGDs</td>
<td>focus group discussions</td>
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<td>GCTA</td>
<td>good conduct time allowance</td>
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<td>LBT</td>
<td>lesbian, bisexual, transmen and transwomen</td>
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<td>LGU</td>
<td>local government unit</td>
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<td>MCW</td>
<td>Magna Carta of Women</td>
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<td>NPM</td>
<td>National Preventive Mechanism against Torture</td>
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<td>PDLs</td>
<td>persons deprived of liberty</td>
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<td>SGN</td>
<td>specific gender needs</td>
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<td>SGI</td>
<td>strategic gender interests</td>
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<td>SOGIE</td>
<td>sexual orientation, gender identity, and gender expression</td>
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<td>WDLs</td>
<td>women deprived of liberty</td>
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<td>WWD</td>
<td>women with disabilities</td>
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I. Background and Objectives of the Study

The Philippines has 933 prisons nationwide with an ideal capacity of 20,653 detainees. The national government’s “War on Drugs,” also known as “Operation Tokhang,” led to a surge in arrests of many individuals beginning in 2016 (Khidhir, 2019), in addition to brutal killings of thousands. About 67% of the inmates were detained due to drug-related charges and that 13% of this number are women.

The Philippine Bureau of Jail Management (BJMP) reported a 612% congestion in 2017 (Panti 2018). The ideal capacity of jail population is 20,653, however, it has reached up to 146,302 which is 126,493 more than its capacity. The 2018 World Prison Brief by the Birkbeck University of London and the Institute for Criminal Policy Research places the country at number one for having the most inmates across the globe with a total population of 188,278 of which 75.1 percent are pre-trial detainees.

Neither infrastructure nor detention operations is sufficient in ensuring safety and well-being among the growing number of detainees. At the Manila City Jail alone, it is estimated that there is only one correctional officer for every 528 inmates, a far discrepancy from the recommended 1:7 ratio of correctional officers to inmates (Almendral, 2019). The detention facilities themselves fall short in complying with the United Nations minimum standard of treatment of prisoners. The latter ideally accords a jail inmate at least 4.7 square meters of space (OHCHR 2014).

While there is no question that men outnumber women in places of detention, women face gender specific risks and vulnerabilities during detention including physical and sexual abuse, mental and health issues and the general insensitivity of prison systems and their failure to take into account women’s specific needs and experiences.

Gendered Nature of Detention

Literature show that detention is gendered. This is manifested not only in the biological and physiological differences between men and women requiring different needs during detention, but also due to the nature of prison regimes, the kinds of crimes typically committed by women, the relations of gender inequality and the incarceration of women, and in the vulnerability of women during detention (OHCHR 2014). It is a fact that majority of prisoners are men, and globally, women consist only 2-10% of prison populations (OHCHR 2014). Because of this, prison systems and prison regimes have historically been designed for men – from the architecture of prisons, to security procedures, to facilities for healthcare, family contact, work and training. Consequently, only a small number of prisons meet the specific needs of women prisoners. This meant that women’s gendered needs and specific circumstances are often invisible and unaddressed, rendering them more vulnerable and at risk during detention.
The adoption of the United Nations Rules for the Treatment of Female Prisoners and Non-Custodial Measures for Women Offenders (Bangkok Rules) in 2011 is a recognition of the gendered needs of women in detention and of the need to set and follow standards in recognition of those needs. While adoption by States and by detention facilities has been slow, it is nevertheless recognized as standards and are benchmarks in advocating for gender sensitive detention facilities. Bangkok Rules are crucial in protecting the rights of women offenders and prisoners and in explicitly recognizing and addressing the different needs of women, including that of parents in prison with their children. Together with the Nelson Mandela Rules, these standards ensure the protection of rights of women in detention.

The Role of the Commission on Human Rights

Under the 1987 Philippine Constitution, the Commission on Human Rights (CHR) is mandated to exercise visitorial powers over jails, prisons, and other detention facilities. With its role under the National Preventive Mechanism (NPM) against torture, the Commission is responsible for monitoring conditions of places of detention and the situation of persons deprived of liberty (PDLs). As the designated Gender and Development Ombud (Gender Ombud) under the Magna Carta of Women (RA 9710, MCW), the Commission is also mandated to undertake advocacies that promote and protect women’s human rights. This includes overseeing government compliance with the Act in terms of protecting women’s rights and responding to needs of women “living in especially difficult circumstances” among which are women deprived of liberties (WDLs).

The Commission works hand-in-hand with concerned government agencies, instrumentalities, and mechanisms in fulfilling its functions under the MCW. Among the most recent initiatives of the Commission through its Center for Gender Equality and Women’s Rights (CGEWR) and its 16 regional offices is the monitoring of the situation of women in detention and the capacity building of detention officers on Bangkok and Mandela Rules. The program was conducted in collaboration with the Bureau of Jail Management and Penology (BJMP) and selected Women’s Correctional facilities. Specifically, the initiative seeks to surface lived experiences of WDL, by hearing their own stories and their own accounts of their situation while in detention, highlighting intersections of gender and their context as incarcerated women.

To surface women’s lived experiences, focus group discussions (FGDs) were held with WDLs, there were separate FGDs for the elderly/senior citizens, for women of reproductive age, and for persons with diverse sexual orientation, gender identity and expression (SOGIE). To enhance protection of the rights of WDLs, workshops were also held with personnel of detention facilities. The workshops served to document
and update their practices on managing facilities in accordance with the Bangkok Rules, or the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders. For the conduct of FGDs with WDLs, the objectives were as follows:

1. To document the lived experiences of women in detention and to gather information on their condition and situation;

2. To provide a space for women to discuss their experiences, particularly on their a) situation during detention, b) their security and protection from violence, c) their health needs; d) their needs for family contact, including children;

3. To monitor the government’s compliance with its obligation with respect women in detention and to draft corresponding recommendations to promote the rights and dignity of women in detention in accordance with international standards;

4. To surface the gendered nature of detention through women’s lived experiences – including women of reproductive age, those who are gender non-conforming, and those who are elderly;

5. To provide a space for women in detention to express their hopes and dreams through creative expression – quilt making;

II. Methodology

The monitoring of the situation of WDLs were conducted through the Commission’s 16 regional offices all over the country. From March to November 2019, the regional offices were directed to liaise and coordinate with detention facilities in their areas, seek partnership, and conduct the sectoral monitoring through FGDs and workshops. By the end of 2019, the FGDs and workshops were eventually conducted in 12 of the Commission’s 16 regional offices. Participants to the FGDs included diverse groups of WDLs: hetero-women of reproductive age, older women, and lesbian, bisexual, transmen and transwomen (LBT). The tools\(^1\) used for data gathering across targeted regions were piloted in three (3) detention facilities in the National Capital Region (NCR) – Makati City Jail, Pasig City Jail, and Mandaluyong Correctional Institute for Women. These tools contained questions generally divided into the following themes: Situation of detention facilities, security and safety, health, and family relations. These tools were subsequently used in FGDs conducted by the Commission’s regional offices in detention facilities in their respective areas of responsibility. Aside from the

\(^1\) See annexes B, C, and D for the tools used with the different groups of women
conduct of FGDs with women in detention, capacity building workshops were also conducted for detention personnel covering standards under Mandela and Bangkok Rules. Participants voluntarily took part in discussions.

In preparation for activities, participants were asked to fill-up personal data sheets and consent forms. Facilitators discussed that strict confidentiality is observed throughout the data gathering and reporting process, where results are only to be used for the latter. Facilitators emphasized the purpose of FGDs as platform in which participants may freely express their needs, sentiments, and aspirations, contributing to improving their day-to-day while in detention. After the FGDs, each participant was asked to draw symbols of their aspirations on a piece of cloth. A plenary followed where groups discuss their aspirations and their sketches were sewn into a quilt.

A separate but related component to the FGDs were the consultations conducted by the CHR-GEWHRC with CSOs working on the issue of WDLs and also with female wardens in NCR. These consultations likewise covered the same thematic issues pertaining to the situation of detention facilities, issues of safety and security, of gender specific needs, of health and family relations. Where relevant, the discussions from the two consultations are likewise incorporated in this report.

**III. Participants of the Study**

A total of 241 female detainees participated in FGDs across regions 1, 3, 4-A, 5, 7, 8, 9, 10, 11, 12, CARAGA, and NCR. Majority of participants are detained for drug-related charges. Estafa and other crimes similar to fraud and stealing are the next common cases. Of more than 200 participants, not more than 20 are charged with violent crimes which include murder, child abuse, human trafficking, and arson. An overwhelmed justice system has kept majority of these women in pretrial for at least a few months to several years, barely receiving updates on the status of their cases.

Prior to detention, most participants worked low paying manual labor jobs as housekeepers, caregivers, farmers, and street vendors, among others. Some had no paying jobs and tended to caregiving and home maintenance in their own households. Few detained women worked in public office, sales, or as teachers or nurses. Regardless of jobs, most participants took traditionally assigned care work, particularly responsible for tending to children and elderly members of their households.

While a few were able to reach college level, majority of participants received low education with access only to primary and secondary educational levels of schooling. Of the total number of participants, only four are college graduates. Participants with degrees are concentrated in NCR.

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2 See Annex A for the list of detention facilities visited.
Only three senior women are part of the Social Security System (SSS). Majority of participants have no access to any social security system. Memberships of inmates who were part of the Department of Social Welfare and Development’s (DSWD) Pantawid Pamilyang Pilipino Program (4Ps) prior to detention were revoked. Only a few senior women are members of Philhealth.

**IV. Practical Gender Needs of WDLs**

Coming from economically disadvantaged backgrounds, women who are deprived of liberty face daily challenges in accessing immediate needs. During the FGDs women were asked to assess their living space, their access to food, water and sanitation, their access to gender specific needs as well as their health. Questions pertaining to maintaining relationships with family, security and safety, and access to justice were also asked. These questions were particularly chosen as they also respond to the several of the standards of treatment set out under Mandela and Bangkok Rules. They also respond to WDL’s practical gender needs and strategic gender interests.

This section discusses the WDL’s women’s practical gender needs as they also respond to minimum standards under Mandela and Bangkok rules pertaining to accommodation, food, water, personal hygiene, health care services, and safety and security.

**Living Space/Accommodation**

Both Mandela and Bangkok Rules set minimum standards for accommodation of detention prisoners. For Mandela this include consideration of floor space, of ventilation, of light, of proper bedding, and sanitary installations. Bangkok Rules on the other hand require that women prisoners have facilities and materials required to meet women’s specific hygiene needs.

Discussions from the FGD, however, reveal the continuing congestion of places of detention and the inability of the country’s detention facilities to keep up with the ever-increasing number of incarcerated individuals. The relentless campaign of the government against illegal drugs has led to the rapid increase of arrests, depleting living spaces and diminishing basic needs provisions for inmates. The limited number of facilities and their limited capacities and the delays in the justice system largely contribute to this problem. Detainees increase in number and are packed in facilities without increase in prison capacity or increased basic needs provisions.

Very few of the detention facilities visited could be said to have acceptable number of detainees vis-à-vis capacity of the facility. Only three groups of FGD participants said to have found the size of their detention cells acceptable even as they still shared an
overcrowded space with their cell mates. Twenty-five inmates share the least congested cell in region 1 with a capacity of only fifteen inmates per cell.

In most of the facilities visited, single beds accommodate at least two inmates, with inmates further occupying spaces on the floor or in hammocks. Though information on actual measurements of jail cells in the Philippines are not available, international standards indicate a 4.7 square meter allotment per inmate. In reality however, majority of jail cells house at least 80 to 200 inmates forced to share single beds, build makeshift hammocks, and sleep side by side on cell floors, many without mats. Due to the congestion of detention facilities, WDLs do not only have to share cramped spaces, their movements are also limited and they have to endure the heat and health risks brought about by congestion.

An older WDL from Tacloban City Jail describes, “…nagdadasal nalang kami na hindi na sila manghuli pa kasi magasisiksikan na talaga kami dito. Noon umabot kami ng 112 kaya yung iba nagduduyan nalang. Kaming matatagal na dito meron kaming mga bunk bed pero tinatabihan pa kami kaya dalawa na kami sa isang higaan. Labin lima lang ang kapasidad ng selda pero 75 kami (…we just pray that they stop arresting people because if they don’t, our space will be more congested. There was a point when our number reached 112 in one cell so others just built hammocks. We, detainees who have been here longer than others, have bunk beds but we had to share our space so there were two of us on one bed. The maximum capacity of our cell is only for 15 inmates but right now, there are 75 of us.)” In Davao Penal Farm, a participant shared “Congested ang space. Sa isang brigada 100 inmates. 2 tao sa isang single bed. Ang mga PWD magkakatabi sa isang kama pati seniors’ (It is very congested. In one brigade, there are 100 inmates. Two persons occupy a single bed. PWDs share beds with seniors).

Older women are usually given some privilege to take the lower portion of bunk beds for convenience. However, many of them still need to share their beds with LBTs or women with disabilities who are usually roomed with them.

Describing the congestion in one of the dormitories of CIW in Mandaluyong, a participant shared that in their dormitory, its not only that two persons share a bed. There are also 130 individuals who sleep on the floor. During the FGD, the participants reported that an additional 500 detainees were added to their already very crowded facility and none were released. The same participant also complained that their dormitory is an open creek. She noted that fecal matter passes through that area and that they are required to clean it without having been provided with gloves. She added that at times that they couldn’t provide for their own gloves they had to clean the area with their bare hands. This highlights the issue of congestion as well as health and sanitation.
Further attesting to the issue of congestion, consultation with CHR’s Visitorial Office and with NCR female wardens in 2018 further affirm the gravity of the issue. The NCR wardens, expressed their grave concern over the congestion in their places of detention. They are very much aware that their facilities are not compliant with international standards, and this in turn is echoed by the Commission’s Visitorial office and CHR-NCR offices – the offices tasked to regularly monitor places of detention. For instance, during the conduct of consultation in 2018, Pasay Female Dormitory shared that their capacity is 21 but their population is 307; Quezon City FD’s capacity is at 90 but their populations is 1011; Marikina’s capacity is 17 yet its population is 17. These figures remained the same in 2019, highlighting the reality of congestion that has resulted in poor ventilation, aggravated health issues, and impacted WDLs general well-being and welfare. In all these instances, the wardens raised the need for more facilities and additional spaces.

Food

Mandela Rules sets the need to provide food in usual hours, of adequate amount of nutritional value, and nutrition, well prepared and of wholesome quality. Bangkok Rules on the other hand remind of the need to meet nutritional needs of pregnant and lactating women.

In detention facilities in Manila like CIW, Pasig and Makati, and some detention facilities in Region 1, and in Dumaguete participants expressed general satisfaction for the food that they are served. A participant from Dumaguete City Jail for instance shared “Lami ang among isda. Nahan gani ko, fresh jud na.” (Our fish are delicious. I like it, it is really fresh); “First class NFA among bugas humay, dili baho. Tagaan pud mi ug commercial usahay” (Our rice is first class NFA, it doesn't smell. Sometimes we get commercial rice). However, this could not be said in other places of detention. Some discussions from the FGDs reveal that in some detention places, the requirements of Mandela and Bangkok rules are far from being met, if not outrightly violated.

Without additional funding for food despite the influx of inmates, places of detention are tied with their budget and WDLs are forced to make do with the little food they receive. Some accounts of dissatisfaction and complaints related to food pertain to the absence of food variety and low nutritional quality:

“Dalawang okra lang at bagoong. Kung minsan bulad, pirasong pipino. Minsan sa isang buwan nakakatikim kami ng manok (Two pieces of okra and fermented shrimp. Sometimes we get dried fish, a small slice of cucumber. Once a month, we are able to taste chicken),” says a senior woman from the Sultan Kudarat District Jail-Female Dormitory. Another woman from the Sorsogon BJMP District Jail attests, “kulang po ang rasyon ng pagkain dito sa loob ng jail, ayon po sa budget (we lack food here in
In a number of facilities, WDLs describe the ration of food they receive to include the same amount of rice per meal, a 2-inch piece of hot dog or one piece of dried fish with two tiny slices of vegetable.

In some facilities, participants experienced upset stomachs from food, a particularly difficult ailment for the elderly and persons with disability (PWDs) who find physical difficulty in accessing comfort rooms. In worse scenarios, some participants complain of spoiled food. A participant from Davao Prison and Penal Farm shared that “Yung kanin minsan may uod tapos yung ulam na isda malansa pa. Na paabot na namin ito sa management pero minsan nangyari pa rin (The rice has worms and the fish they serve smell bad. We have already relayed this to the management but sometimes it still happens).” Another participant from the same facility lamented that “Panis ang kanin, parang putik sa kanal ang sabaw ng isda (The rice is spoiled, and the fish soup looks like mud from the canal).”

Some participants rely on family who bring them food supplies when they visit. However, some packed food are heavily inspected. Detention staff open packets before goods reach inmates resulting to spoilage. Other participants who have meager access to money either from family or from occasional livelihood programs and doing other inmates’ chores are able to purchase junk food if their facility has a commissary.

During the consultation with NCR wardens in 2018, it was shared that the budget for food in facilities is at PhP60.00 per detainee. Accounts from the FGDs would however show that use of this budget vary in different detention facilities. Some expressed content over their food rations, while others as shown above, complained of the limited food variety, the nutritional content of the food, and in worse case – service of spoiled food.

**Water and Sanitation**

Regular water is crucial to personal hygiene and care and this is expressed in the Bangkok Rules. It thus stressed the need to ensure availability of regular supply of water for women and children’s personal care, particularly for women who cook, who are pregnant, who are breastfeeding or are menstruating. This is reiterated in Mandela where it provides that drinking water shall be available to every prisoner whenever he or she needs it.

Results of the FGDs however reveal that potable water and regular supply of water is a challenge for WDLs in many detention facilities. Except in detention facilities where water supply is continuous and potable, like in CIW and other facilities in Manila, most inmates need to purchase their own drinking water, fetch and carry their own water, or rely on family to bring them supplies when they visit. This is especially in facilities where water supply is intermittent or where tap water is not potable or contaminated.
“Ang hirap ng tubig namin dito, walang supply. Galing sa poso ang tubig, marumi pa (Water is scarce here. We fetch them from pumps that produce dirty water),” a participant from the Sorsogon BJMP District Jail says. Water supply is intermittent or scheduled in most facilities. Inmates take turns in fetching water from pumps or bathroom faucets which only have water around 2-4 hours a day. In Dumaguete, participants shared the difficulty of intermittent water supply and of the challenges in fetching and carrying water, especially for the elderly “Mao ra lagi nang pinaka main problem, kanang tubig nga magsige alsa. Kaming mga edaran maglisud na sige alsa kay layo baya pud na.” (That’s the main problem, that water you need to fetch always. As elderly women, it’s difficult to carry the pale of water always because it’s distant from here.)

In Davao Penal Farm, participants relayed that they had to purchase water, and that previously they drank tap water but some detainees fell sick, participant shared “Ang inuming tubig kailangan pang bilhin. Kung wala kang income hindi ka makaka inom. Sana malagyan kami ng drinking water. (We have to purchase drinking water. If you don’t have income, you can’t drink. We hope they can install drinking water facilities).

Often times, WDLs need to take advantage of the odd hours that water is available for bathing and doing their laundry. This is more challenging in cases where water is available only for a few hours a week, where queue is long and where inmate get into fights over water supply. Participants from Dumaguets shared “Naay usahay muagas sa uska adlaw dayun dili napud muagi sa usa ka semana” (There are times that water flows for only a day, and it will not flow for another one week); “Three hours ra siya muagas sa hapon dayun one week na pud dili..ang slaughter dili muhatag namo..” (Water will flow for only three hours in the afternoon and after that it will not flow for one week, the slaughter (house) did not share water with us anymore); “Pila ng tubig ang haba” (We need to wait in line to avail of water); “Mag-away nami” (We fight due to water shortage).

Bathrooms usually have one bathing area and one toilet. These are shared on average by about 3 cells per facility. Older women as well as those with ailments or disabilities have difficulty with hygiene related chores involving fetching water so they rely on other inmates who help them. Some inmates fetch water for PHP2.00 a pale. During the height of water shortage in Manila, inmates were not spared. Water had to be rationed and one participant shared that an elderly woman slipped and was injured while fetching water.

Moreover, bathing at odd hours is unbearable for those with chronic body aches since they have no means of warming water they use. Women with disabilities (WWDs) also find it difficult to access comfort rooms when they need to due to their own physical conditions and the volume of people who have to use lavatories at the same time. In
facilities like the Davao Penal Farm, some participants complained that lavatories are clogged, that bathing areas/lavatories are not entirely closed and they feel exposed and lack privacy. They also mentioned that passageways are very narrow and difficult for women with disability. The only positive thing about inmates’ access to restrooms is that women are able to clean their comfort rooms by themselves, though with cleaning materials most also have to purchase themselves.

**Gender Specific Needs**

Bangkok and Mandela Rules stress the importance of meeting women’s gender specific needs, this include access to water, hygiene needs including towels and sanitary napkins, adequate bathing and shower installations.

However, women’s specific needs such as those used for hygiene like toiletries and sanitary napkins are rarely provided by detention centers. Only in a few detention facilities would we find free supply of hygiene kits and toiletries and in most cases supplies are not regular and are donor dependent. To support their needs, detainees would instead rely on their relatives or charitable institutions. Yet reliance on charitable institutions and even family members is not enough. Welfare visits are not regular and some women have not been in touch or have been estranged from their own families. Women also do not always receive their preferred types of sanitary napkins and this may cause discomfort or allergic reactions to some.

For some inmates who receive no visitors and have no financial means to purchase their hygiene needs often had to rely on the kindness of other inmates. Some of the participants share that they would earn meager amounts of up to PHP50.00, though usually much less, from doing other inmates’ chores like fetching water, washing clothes, and giving massage services, among others. The money they earn is then used to supplement their needs when they can. Some women give the little earnings they have to the family they left behind.

In Pasig Female Dormitory a participant describes how some inmates resort to stealing when they have no access to personal care needs. She describes, “Mahirap po kapag nagkakawalaan ng gamit. Ganon po kasi ang nangyayari dito. Kadalasan kapag walang dalaw yung iba nangunguha sila ng gamit namin. Kinukuha sabon, shampoo, minsan po pati party. (It puts us in a difficult situation when our things go missing. That’s the way it goes here. When others do not get visits, some of them steal from others. They take our soaps, shampoos, sometimes even our underwear.)”

In big institutions like the CIW in Mandaluyong, the number of shower rooms and toilets are insufficient due to the sheer number of detainees. According to the participants, they lack shower rooms and so they had to occupy the laundry area during shower time. During such time the area would be filled with 460 people and they complained...
that it is not clean as it is also the space used to for laundry and washing dishes. The women recommended a bigger space and more shower and toilet facilities.

Health

Jail congestion poses risks for WDLs in terms of health, especially since they do not receive proper nutrition to begin with. Lacking ventilation in their small spaces, heat and physical closeness of inmates aggravate several common medical conditions such as skin irritation, hypertension, diabetes, and respiratory diseases. Unfortunately, most inmates did not undergo a medical screening prior to detention.

Viral diseases are prone to spreading faster and could overwhelm the facilities’ medical staff and deplete medical supplies. FGDs reveal inconsistency in the availability of medicines for common illnesses. Most facilities have medicines for fevers, headaches, and upset stomachs including Bataan District Jail Female Dormitory and the Tagaytay City Jail Dormitory. However, in others, inmates share that even common medicines are not always available and they would need to purchase their own medicines or rely on family who visit. In Dumaguete, one participant complained of the unavailability of medicines for diabetes “Kato bang time nga naa koy gibati, diabetic baya ko. Gusto unta kong matan-aw pero wala may kwarta. Giingnan man mi nga magpacheck sa among kwarta. Then kining akong mata ba sir kay blurred” (There was a time that I was sick, I'm diabetic. I wanted to get a checkup but I don't have money. We were told to use our own money to get a checkup. Then, my eye sir is blurred.)

The bulk of available medical supplies for WDLs come from medical missions by non-government institutions, often religious in nature. Though inconsistent and not available to many, some detainees receive dental missions and reproductive health screenings. There are also facilities that like the Butuan Provincial Jail that shoulders medical expenses of inmates including surgery and medicines.

While only half of facilities visited have doctors, all have nurses who monitor the health of detained inmates. Genders of medical staff are mixed. In cases of grave medical emergencies, inmates are immediately brought to a hospital except in the Dagupan City Jail Female Dormitory where even emergencies require court orders. In situations that are not deemed fatal, inmates need to acquire a court order from their wardens who often take days or longer to approve such requests. In Davao Penal Farm, it was relayed that for detainees in maximum security, requests for medical examination could take longer before approved. Some more than a month of processing.

Senior women receive extra attention from in-house medical personnel who monitor their health status daily. Pregnant women receive special attention as well. In region 1, medical staff escort pregnant women for prenatal check-ups at least once during
the course of their pregnancy. In some facilities like the Quezon City Jail, monthly pre-
natal check ups is not available but a memorandum of agreement is in place with a
nearby government hospital. There is a clear inconsistency in facilities as to the
availability of this important maternal health service. Some facilities are able to provide
them on regular basis while others are unable to. On the other hand, none of the
women mentioned availability of post-natal care or services for those experiencing
post-partum depression.

In terms of children staying with mothers in detention, the same is generally not
allowed and practiced due to absence of space and for the best interest of the child.
In CIW in Mandaluyong, an area is designated for mothers and their newly born and
in some instances women were allowed to stay with their children for a longer period.
In most facilities, as soon as WDL’s children are born, they are taken away from their
mothers to live with family or to be turned over to the Department of Social Welfare
and Development (DSWD) since there are no spaces in detention centers to
accommodate children. In Makati for instance, one participant shared that in general,
children can only visit their parents and cannot stay. She recalls however that one time
a woman gave birth while in detention and she was able to keep her child for two
weeks after which DSWD took the child. Breastfeeding areas are likewise not available
in the facilities visited. Constrained for spaces, most detention facilities prioritize
visiting area rather than accord space for breastfeeding like the newly constructed
Makati City female dormitory. The warden of the latter, however expressed interest in
finding ways to provide a breastfeeding area.

Considering the following responses from the FGD, it has to be recalled that both
Bangkok and Mandela rules emphasized access to health services even during
detention. Mandela stresses that the provision of health care is a State responsibility
and that prisoners should enjoy the same standards of health care available in the
community, free of charge and without discrimination (Rule 24). Both Mandela and
Bangkok accord special attention to medical needs of pregnant women, the provision
for prenatal and postnatal care and treatment and for birth outside of prison. They both
provide that allowing children to stay with the parent in prison shall be based on the
best interest of the child concerned (Rule 28)

V. Strategic Gender Interests of WDLs

Detention places women in especially vulnerable positions in the detriment of their
strategic interests. In particular, imprisonment gravely affects women’s security from
various forms of violence and weakens their family ties, as they struggle to seek
justice. This section covers issues that are of strategic interests to women. Addressing
these issues address the core inequalities that WDLs experiences – including issues
of violence, issues related to women’s traditional gender roles, and issues of access
to justice – control over their legal cases. These themes also correspond to specific
standards in both Mandela and Bangkok Rules, with the latter specifically addressing the burden of women’s traditional role as mother and of the need to address the same even as the woman is deprived of liberty and is separated from her family.

**Security and Freedom from Violence**

Freedom from violence is a right, and such right is not diminished while in detention. Infliction of physical or psychological pain or suffering and/or the imposition of cruel, degrading and inhumane treatment committed by agents of the State are considered violations of the Convention Against Torture – prohibited both in international and domestic laws. All these are in addition to Bangkok and Mandela rules which ensure WDLs right to security and dignity, even amidst personal searches and imposition of punishment.

During the FGDs one of the questions asked of the participants pertained to their sense of security and safety within the facility and their right to be free from violence. Coming from the economic margins with low educational background, majority of WDLs were detained without awareness of their own human rights and of how to seek remedies in case of violations. During the FGDs – participants shared varying levels of sense of security and safety and freedom from discrimination and violence. Some shared accounts of violence and discrimination, some from detention officers and some from fellow detainees.

Over half of FGD participants expressed feeling secured in their detention facilities with friendly and accommodating detention personnel. This is particular to WDLs from the Pasig City Jail Female Dormitory, Dagupan City Jail Female Dormitory, Tacloban City Jail Female Dormitory, Dumaguete City Jail, Bataan District Jail Female Dormitory, Tagaytay City Jail Female Dormitory, and the Sultan Kudarat District Jail Female Dormitory. Among the mentioned facilities, only inmates from the Tacloban City Jail Female Dormitory and some from the Davao Penal Colony showed familiarity of disciplinary regulations and processes involved in filing complains.

Across visited facilities, reporting incidents differ in processes. Some WDLs are aware that incidents may be reported to an inmate in-charge of cell activities, often referred to as the “mayora” or “chief,” while others have assigned jail staff for monitoring incidents. However, many keep to themselves when they experience abuse due to distrust for detention personnel who abuse their power over inmates. A participant once sought the help of a CHR representative in Mandaluyong and was reprimanded by jail personnel. At the Butuan Provincial Jail, participants felt that their only means of reporting abuse was through sharing experiences with more educated inmates who are connected with people in power outside of prison.
A number of the participants shared experiences of verbal and physical abuse from arresting officers. An inmate from the Tagaytay City Jail reports that she had been detained for over a year without her family knowing. Another participant from the Sorsogon BJMP District Jail shared her experiences of violence: “Katulad ko po naranasan ko po ang suntok at tadyak, at walang magawa ang kasama kong PDL. Walang nangyaring record sa araw na iyong tumagawalang akong lumabas, tumawag, at tumanggap ng dalaw. Sa takot ko at wala akong magawa, umiyak nalang ako. Walang ginawang aksyon kasi baka may masagasaan, mga opisyales po kasi ng dorm ang may gawa. (I've experienced beating, taking punches and kicks, and my fellow inmates were helpless. On that day, no incident was recorded and everyone was forbidden to leave their cells, make phone calls, or receive guests. In my state of fear and helplessness, I could not do anything but cry. I could not take action for fear that officials would get in trouble and because the perpetrator is one of them.)”

Very few inmates confirmed the existence of an orientation prior to prison admission. For many rules are learned inside, differing from one facility to another, and some accordingly dependent of detention personnel’s mood. Some facilities do not implement Good Conduct Time Allowance (GCTA), and in other instances denial of GCTA become part of detention facility disciplinary measures. A participant from the Pasig Female Dormitory describes, “Minsan po naibubuhos nila ang init ng ulo nila. Pag mainit ang ulo nila, ipapadlock kami. Kahit magsabi ka lang ng opinion mo, ang tingin nila sinasagot mo sila. (sometimes, we become outlets for their bad moods. When they are angry, they lock us in our cells. Even if you just state an opinion, they'll take it as though we’re talking back at them.)”

A participant from the Butuan City Jail notes, “minsan nanonood lang ng TV then sabay sabay na tumatawa dahil katatawanan naman talaga ang movie, bigla nila itong pinapatay at hindi na kami pinapanood ng matagal. (sometimes, we’re just watching TV and we laugh altogether because we’re watching a funny show, and all of a sudden, one of them just switches the TV off, and then, we would not be allowed to watch TV for a long time.)” Another participant from the same facility adds, “abusadong pananalita mula sa isang officer ng shift staff kung magreklamo kami o magtanong nagagalit, minumura kami, minsan sinasabihan pa kaming sana hindi na makalabas. (there’s a shift staff that gets angry and uses abusive language when speaking to us if we so much as ask questions. They’d curse us and sometimes say they wish we never get out of jail.)”

Participants claimed that some of the punishments that were meted out were outdate – they described a range of verbal, physical, and mentally intrusive acts. These include battery, humiliation, intimidation, the use of foul language against detainees, isolation, cleaning, rigorous physical exercises such as hours of squatting, and worse, the cancellation of GCTA and the deprivation of communication with family and peers that last from a few weeks to several months. In several cases, inmates are prohibited from
participating in economic activities as punishment. In some facilities, women receive threats of serving longer sentences. A number of FGD participants agree that detention staff may be harsher to political detainees.

A participant from the Sorsogon BJMP District Jail describes their helplessness, “pag nagkasala kami pinapa pumping, pull ups, face the wall, depende kung ilang oras, tapos bawal dalaw, bawal phone call, alam naman nila na mahirap ang kalagayan namin dito, minsan po wala na kaming magagawa kasi isa lang po kaming preso. (when we make mistakes, they would punish us by having us perform squat thrusts, push-ups, facing the wall, all depending on how long they want us to. We would be prohibited from making phone calls despite them knowing how hard it is for us to be here. We can’t do anything because we’re just inmates.)”

Older women are usually exempted from physical punishments, although PWDs are not. In some facilities, when one inmate is deemed deserving of punishment, cellmates of the inmate receive the same sanctions.

Furthermore, stereotyped LBT detainees experience SOGIE-based discrimination. Those whose gender expressions are masculine are automatically assigned tasks that require heavy lifting. LBT inmates are also under stricter regulations when it comes to socializing. In terms of visiting privileges, partners of LBT detainees are not accepted as their spouses which leave them window to visit their partners only on days when friends are allowed to do so.

In several facilities, LBTs are segregated from WDLs perceived to be heteronorm adhering. They are instead often roomed with seniors and/or women with disabilities. In some detention facilities like in Makati and in CARAGA, LBTs accept the segregation, finding common interests and feeling more secure in the company of fellow LBTs. LBTs in CARAGA would share that since bathing facilities are communal, they would not bathe with other women but only with their fellow LBTs. Some said such set up is more comfortable for them.

However, in some facilities like in Bataan, LBTs are not only segregated, they are also prohibited from any interaction with other women except for seniors whom they share sleeping space with. Prohibited interactions include speaking with other women, writing notes, and sometimes even just looking at them. As a general rule, romantic relationships are prohibited in correctional facilities but many of the participants interviewed were able to go around the rule, devising means to meet or sign or use other friends as bridges. Some also expressed concern how LBTs, particularly those with masculine gender expressions, are often stereotyped as flirtatious and out to get younger women. This stereotype has in part led to the segregation and the prohibition of romantic relationships.
A self-identified lesbian detained in the Bataan District Jail laments, “Pag nagkaroon po kami ng relasyon dito… siyempre hindi naman po mawawala ang humanga di po ba…nakakagawa po kami ng simpleng sulat…yun po ay pinagbabawal nila at mababatas po kami. Kung magbatian po kami, mababatas po kami. Noong nababatas po ako, pinaghugas po ako ng mga pinggan, kaldero. Tinatawag po nilang culminating works/community service. Pinaglilinis po kami ng kung ano-ano. Yun po ba ay bawal? Pinipilit po nila na mapagbago kami. Eh 51 years na akong tomboy, eh ako ba ay magbabago pa? Hindi naman po siguro masama na ako ay humanga sa isang babae. Kaligayahan ko po yun. Inspirasyon po namin. (If we engage in romantic relationships here… it is not unusual to admire another…we make a simple letters… they don’t allow those so we get punished. When we greet other women, we get punished. When I was punished for something like this, I was forced to wash dishes, clean cookware. They call these activities ‘culminating works or community service.’ They have us clean anything. Is that really prohibited? They try hard to change us but I’ve been a lesbian for 51 years. Would I still change? It isn’t wrong to admire another woman, right? It’s a source of joy for me, it’s inspiration.)"

The FGD with LBTs in Davao Penal Colony yielded much better results compared to other places of detention. The LBT participants shared that they were not segregated from the general population and that the rules on relationships with other women were not as strict. They also shared that most of them were in a relationship with a fellow detainee and that they are able to hold hands, they can kiss and sleep together. However, those with partners in medium security are unable to visit and would only see each other during mass. This kind of leniency is however rare as most of the FGDs revealed strict rules on relationship, particularly for LBT inmates.

There were also participants who shared accounts of sexual abuse and violence perpetuated by fellow inmates. An FGD participant recalls, “may karanasan po akong pag-aabusong sekswal, pinepressure, pinagsasalitaan ng hindi maganda, abusado, diskriminasyon sa kasama ko sa loob at female custodial. (I experienced sexual abuse. I was pressured and talked down on, abused, and discriminated against at the female custodial).” Another from Sorsogon Provincial Jail shared that she had been subjected to sexual abuse while in detention, but since she did not know where to seek assistance, no complaint was filed.

In another sharing by a participant, a transwoman inmate from the CARAGA region shared: “Yes, I experienced sexual abuse. That was during my first two months in jail when one of the prisoners showed me extraordinary care and I did not believe he wanted something in return… Weeks after, he blocked me as I was on the way out of the bathroom, startled me with an improvised knife, and raped me. Out of fear, I did nothing.” (local language translation not available)
In these cases of varying forms of violence and discrimination against WDLs, the challenge of seeking remedies is apparent. Without information and knowledge on the available redress mechanisms and complaints procedures, without assurance of protection from retaliation and further discrimination and violence, many survivors of violence are silenced. The power relations of being incarcerated also come into play in silencing many survivors, as one participant shared, they experienced being belittled and their voices dismissed as seen by a statement of a detention facility officer who said “Kung magagalit kayo, walang mangyayari. PDL [persons deprived of liberty] lang kayo!” (If you will get angry, nothing will happen, you are just persons deprived of liberty!)

Even during the FGDs, sharing of experiences of violence and discrimination has been rare, and always made with the assurance of anonymity. The systems of reporting within facilities, from informal through the mayores and assigned volunteers to the formal ones, has not always been accessible or effective means of seeking justice, leaving many unprotected from violence and discrimination.

Key recommendation in this section from the participants pertained to better reporting mechanisms, rights based systems of discipline, and strict implementation of the prohibition of torture and other cruel and degrading punishment. It is also recommended to exclude as punishment denial of visits or communication with loved ones. This form of discipline is likewise discouraged by Bangkok Rules. Additionally, as a signatory to the Convention Against Torture and the Optional Protocol on the Convention Against Torture, the state is obligated to ensure the prevention and prohibition of any and all forms of torture and/or cruel and degrading treatment in places of detention. This prohibition includes acts of sexual violence and abuse during detention.

**Families of Women in Detention**

Women in the Philippines are traditionally and systematically assigned unpaid home maintenance and care work among families. At a young age, women are usually conditioned through education and values formation by parents to fulfill socially assigned care and household maintenance responsibilities. In other words, women are often expected to be primarily responsible in caring for children, husbands, elderly, and household maintenance. This is despite also contributing to financial needs of their families, especially crucial in poor households. It is in recognition of the stereotyped roles of women, and the burden it imposes on women even while in detention that the Bangkok Rules paid particular attention to contact with the outside world and parental authorities.

Majority of FGD participants, coming from low-income backgrounds without much opportunity for education, struggled to support their families both financially and
through care prior to detention. Other participants took care of aging parents, along with other extended family members, prior to detention. In many cases, imprisonment caused the breakdown of their family units.

Families of detainees are usually stigmatized and automatically seen as closely linked to criminals. A detained mother recalls, “yung panganay ko na nagtrabaho sa bangko natakot na baka matanggal siya sa trabaho pag nalaman na nakakulong ang nanay niya. (my eldest who works at a bank was scared of getting fired if they knew I was in jail.)” Another participant from Davao Penal Colony shared that her child is a graduate of criminology, but because she is a convicted felon, the child was not accepted by the PNP. In general, accounts from the women show how incarceration has affected family ties and relations, especially with children. They also showed how WDLs strive to comply with traditional gender roles and their frustration and heartbreak for failing to perform the same during detention or for some, due to the rejection of their own children.

Older children of detainees are left to support themselves with the added burden of supporting their imprisoned parents. Due to neglect that children of imprisoned mothers feel, some start to resent their mothers and refrain from communicating with them. A participant laments, “lumaki ang anak ko na hindi ako nakikita, na hindi ko sila nakakasama, na hindi nila ako kinikilalang ina, sa dahilang baka ikinahiya na nasa kulungan ako o baka nasanay nalang sila na wala ako. Madalas gusto ko na lang mamatay. (My children grew up without us seeing each other. I didn't have the chance to be with my children who do not recognize me as their mother, for reasons, perhaps, they are embarrassed that I'm a prisoner or they just got used to living without me. Often, I just want to die.)”

Former breadwinner, a mother recalls the effects of her arrest on her children and parents, “…dahil po sa aking pagkakulong, nagbagsakan ang mga grades at nagkasakit po ang mga anak ko dahil hindi ko po sila nakakasama. Naging pasaway na ang anak ko, nagrebelde ang kaisipan nila at nahihirapan ang magulang ko dahil ako lang ang inaasahan ng aking pamilya at mga anak. Naaawa na po ako sa pamilya ko, naghihirap po sila sa labas. (Because I was imprisoned, grades of my children plummeted. Their health suffered. They became rebellious and my parents find it difficult to support my children since I was the only one they relied on. I feel sorry for my family, they are having a difficult time outside)”

Four FGD participants have children with special needs and are unaware of how their children are doing. Some of their relatives outside of prison end up having to care for these children and many of them find the extra care work and financial burden difficult. Some detained women struggle to juggle odd jobs to help alleviate their families’ hardships. One shares her sentiments, “Mas iintindihin pa ba nila yung mga anak kong naiwan sa kanila. Yung para sa akin ay para sa mga anak ko na lang. Kaya nung
nakulong po ako, pinilit ko pong magkaroon ng hanap buhay dito sa loob. Nagsipag po ako para hindi ako maging pabigat kahit nasa kulungan ako. (Would they really bother more for my children when they have to worry about their own? Whatever that’s for me is for my children. That’s why when I was imprisoned, I strived to make some livelihood here. I work hard so I wouldn’t be a burden while in prison)"

Few WDLs have access to livelihood programs. Those who do avail of opportunities to help ease their family’s financial burden with the little they earn. Other WDLs resort to working for other detainees by fetching water, cleaning, doing laundry work, and giving manicures to earn a meager amount which they save for their families.

Many participants have families who live far away from where they are detained and just simply cannot afford to visit them. A WDL describes, “naapektuhan ang aking mga kapatid dahil hindi makadalaw ng madalas dahil minsan walang pamasaha. Ang mga anak ko nagsitigil sa pagaaral. Naglalabada ako kahit kakarampot lang ang bayad ay iniipon ko para may maibigay ako pag dumadalaw ang mga anak ko. (my siblings are affected because they can’t afford transportation to visit me. My children have stopped studying. I wash other inmates’ clothes even if I don’t earn that much from it so that I have something to give my children when they visit)"

In other facilities where women do not have access to economic activities, those who come from poor households are simply deprived of family visits. Without seeing their families, detainees feel that their loved ones may have forgotten them.

Some WDLs said they were abandoned by their husbands or partners after being imprisoned. One shares, “ang dati kong partner naghanap na ng iba dahil siguro hindi ko natugunan ang pangangailangan niya bilang asawa (my former partner looked for someone else probably because I couldn’t fulfill his needs as a spouse)” Those who still have husbands fear that the lack of provisions for conjugal visits in their facilities might push their husbands to leave them. A number of participants see as part of their responsibility as wives sexually pleasing their husbands. In one of the detention facilities in CARAGA, one participant highlights the importance of conjugal visits for them and of their need to satisfy theirs and their partners’ sexual needs: “Dapat matugunan ang pangangailangan ng kubol, para maibsan naman ang mga tensyon sa loob ng aming katawan bilang mga babae, at para naman magampanan namin ang aming tungkulin para sa aming partner at asawa para hindi na sila maghanap ng iba at para naman sa maikling oras ay maasikaso at mahalin nila kami. (They should respond for our needs of kubol [for conjugal visits], so that the tension that we feel in our bodies may be eased, and so that we can fulfill our responsibilities to our partners or husbands and to ensure that they will not replace us. At least for a brief period they can take care and love us)"
Even with provisions for conjugal visits, LBT detainees are not given the same privileges as hetero-conforming women are. Partners of LBTs are not considered as spouses and are often classified as secondary to immediate family. In many facilities where only immediate family are allowed to visit, LBT detainees are unable to see their partners.

Senior women, most with deteriorating health, fear dying in prison without seeing their families again. As their children matured, they began to move on with more responsibilities as they formed their own families. Some older WDL feel their families outside of prison no longer care for them.

Recognizing the impact of traditional roles on women deprived of liberty, both Mandela and Bangkok Rules provide as part of key standards contact with the outside world, particularly families. For both rules, upon intake, registration of family members, including children and their location, custody and education is required (Rule 7 of Mandela). Due to vulnerability of women to intimate partner violence, Bangkok Rules require that they be consulted on who will be allowed to visit them. Both rules also discourage and prohibit including denial of family contact/communication as part of the facilities’ disciplinary measure, and that of providing conjugal visits for both women and men. Bangkok particularly recommends extended contact between mother and child.

**Access to Justice**

As detention facilities take in more detainees, less attention is given to address needs of PDLs. This is especially true for poorer and less educated inmates who are unaware of their rights and cannot afford to pay for legal services. Majority of detainees were imprisoned at the height of the government’s Operation Tokhang where the legality of arrests were questioned.

A middle-aged inmate shares her experience of arrest, “Hindi ko pa rin matanggap dahil hindi ko ineeexpect na mangyayari sa akin ito sa edad ko na 54. Paano ko matatanggap na nandito ako ngayon, hindi man lang ako inimbistigahan. Kinuha nila ako sa bahay namin, dinala ako sa munisipyo, pinagawa nila lahat sa akin. Wala silang nakuha sa akin tapos pag dating ko may 4 o 5 na sachet ng shabu at 500 na marked money. Wala akong bulsa, kinuha lang ako sa bahay ko. Ang mga pulis hindi muna ako inimbistigahan… pano ko matatanggap na ganon ako kung hindi ko ginawa yun. (I still can’t accept this because I did not expect that this would happen to me at my age of 54. How can I accept that I’m here now when I did not even undergo an investigation? They just took me from my home, took me to the municipality, and had me do everything. They never found anything in my possession but when I got there, they had 4 or 5 sachets of methamphetamine and a marked 500-peso bill. I didn’t even
have pockets, they just took me from my home. The cops didn’t investigate first… how can I accept their accusations when I did nothing?)"

Once detained, women have difficulty seeking chances for freedom. Majority of inmates have not been on trial and have been waiting for a few months to years. According to FGD participants, their trial dates are frequently postponed due to the absence of their lawyers or judges who handle their cases. Some also receive the cancellation of their GCTAs as punishment by jail staff. In some facilities, detention staff lose records of inmates, further complicating the advancement of their cases in a bureaucratic and disorganized justice system. As a result, the length of imprisonment for many reach decades even if violations they are incarcerated for merit much shorter sentences. Lacking financial means and ties with people in positions of power, detained women are likely to be detained for longer.

For older women, the delay in the resolution of cases has even more impact on their mental health and well-being. In CIW there are women who have been detained for 17 years, some expressed fear of dying while in detention. One of them shared that she feels fear while in detention, asked why, she shared: “Ayoko dito mamatay, doon ako takot” (I don’t want to die here, that’s what I am afraid of). There are also challenges for inmates with specific mental health needs and the challenges posed by the limited access to mental health professionals. One participant shared that one of their fellow inmate had mental health concerns. Concerned of the seriousness of her fellow inmate’s mental condition, she lamented: “Dapat ginawa ng Court ay hindi na idinaan dito. Dapat iederecho na sa mental hospital.” In other instances where an inmate suffers from mental condition, WDLs and facilities address the gap by assigning another inmate to be the ‘buddy’ for the WDL with mental/intellectual disabilities.

VI. Analysis and Conclusion

The results of the FGDs conducted with WDLs highlight more than ever the need to ensure compliance with the Mandela and Bangkok Rules and the Philippines’ commitments under the Convention Against Torture and its optional protocols. Philippine prison facilities and systems remain to be designed and continue to respond to male prisoners’ needs. Women’s unique needs in terms of health and sanitation as well as their socially ascribed roles as primary caregivers are disregarded, if not invisible. Women and those of diverse gender identities are also more vulnerable to violence, especially during admission and all throughout their detention. To address these gaps, both women’s practical and strategic needs have to be addressed and detention facilities should mainstream Mandela and Bangkok rules in their facilities, their policies, and their programs.
While the Mandela Rules set out the minimum standards that State should follow in the treatment of persons deprived of liberty, the Bangkok Rules respond to and focus on the gender gap and gender blindness of detention spaces, programs, and policies. It seeks to ensure that rights of women deprived of liberty are protected. It also explicitly addresses the different needs that women have and the different situations they come from. It is also the first international instrument to address the needs of children in prison with their parent.

The FGD results show that majority of WDLs come from poor families. Most had no access to education and during detention, faced further deprivation of access to specific gender needs as regards sustenance, sanitation, medical needs, and legal assistance. Likewise, they lose security and the capacity to secure the well-being of children and other family members they leave behind.

Women deprived of liberty have little choice but to accept their conditions in detention facilities. Many cling to faith as a cushion to their despair in prison. Despite the lack of access to basic needs and right-based privileges, some women survive with the help of friends they make in jail. Due to shared experiences, this is particularly true for groups of elderly women as well as for groups of LBT detainees who have formed close-knit ties with their peers.

Nevertheless, the FGDs revealed that current situation and conditions of women in detention leave so much space for improvement, and in some instances are already inhumane. This is particularly so in relation to issues of congestion, of availability of basic necessities like water, health and sanitation. Issues of access to justice, security, and the burden of women’s traditional gender roles also need to be strategically addressed. With these, the following recommendations are aimed at addressing WDLs’ specific gender needs and strategic interests guided by their accounts and in line with the principles set out by the Bangkok and Mandela rules.

First, the overcrowding and congestion of detention facilities cannot be addressed without recognizing the impact of the government’s war on drugs as well as the concomitant delays in the delivery of justice. The Commission reiterates the need to ensure respect for human rights and the rule of law in all drug related operations. Solutions to drug addiction should focus on mental health services and education. Police operations should ensure observance with rules of engagement, respect for human rights and due process. Speedy disposition of cases should be given priority especially for those who are elderly, with consistent review of cases for eligibility of detainees for GCTA.

Detention facilities must receive support from national and local government, in partnership with private institutions if necessary, to provide consistently the basic needs of detainees especially as regards food, water, sanitation, and health. Budget
allotment in most facilities is scarce and managements are unable to attend to detainees’ needs. It is imperative that that the State, in compliance with its treaty obligations ensure respect for rights and dignity of those deprived of liberty.

Concerned agencies should **prioritize addressing gender-specific needs of women** in terms of sanitation, health, and familial responsibilities through provisions of supplies, healthcare, and livelihood opportunities, beyond providing for the bare minimum. Persons deprived of liberty should be provided with enough nutritious food, clean and potable water, personal hygiene needs, reliable healthcare, and livelihood opportunities, among others. This ensures that inmates are prepared to return to the responsibilities they left behind once it is their time to do so.

Since majority of women are arrested for non-violent crimes, non-custodial sanctions and **community-based measures** should be studied as options for those whose families rely on them for care and financial support. Toward advancing women’s strategic interests, this would help ensure the welfare of children as well as other family members who previously relied on them.

Women who are detained should assured of **access to visits and regular communication with family members.** This should apply to LBT detainees who have formed families rather than state-recognized nuclear families. Concomitantly, detention facilities should also **contribute in the efforts to change traditional gender roles,** ensuring policies and practice are in place encouraging male detainees to contribute to care work including raising and rearing children.

While detained, authorities should be responsible in **protecting women from any form of violence.** Policies on humane treatment of women in detention should be streamlined especially among prison staff who work with inmates hands-on, particularly guards and medical staff. Systems of reporting abuses and forms of violence must be clear to both inmates and detention personnel. Safety of inmates must be prioritized, especially for those who have experienced abuse and suffering from trauma. Likewise, corresponding sanctions for abusers should be fairly implemented.

There is an urgent need to ensure that detained women have **access to speedy justice.** Since facilities and justice systems are unable to handle the growing number of arrested persons that should be under their responsibility, programs should be designed and implemented to ensure that trials are not delayed. Concerned agencies should also come up with programs to keep women out of prison. This may be through education, awareness campaigns, and more importantly, programs that could aid in women’s daily struggles. Local community activities, especially those economic in nature, may help women support their families as well as keep them preoccupied.
More specific recommendations are as follows:

1. **On needed admission requirements and medical examination.** Bangkok and Mandela rules pay particular attention to admission procedures, particularly for women as well as the importance of needed medical examination upon transfer. This proceeds from the recognition of women’s traditional roles and the need to address specific medical needs of women. It is this recommended that BuCor and BJMP review its intake process to ensure that these comply with the requirements of Bangkok and Mandela – that is, including the needed assessment of physical and mental health, medical screening, registration and status/location/guardianship of children for both male and female detainees; provision of chance to arrange alternative care for the child etc.

2. **On Living Space and issues of congestion.** For the legislature and concerned Local Government Units to support detention facilities of the BJMP and Bureau of Correction in procuring land and in expanding current facilities to accommodate the increase of detainees; For LGUs to supplement as well budget for food and medical needs/equipment of these facilities. For LGUs to closely monitor and ensure as well humane conditions of lock-up cells in their jurisdiction;

3. **On Situation of vulnerable populations within detention facilities.** For BJMP, BuCor and even lock up cells to give due consideration to the situation of elderly women, women with disability in detention, pregnant, lactating, and LBT women in detention. Their vulnerability should be taken into consideration and due measures adopted for their protection including the provision of needed psychosocial and medical services, and procurement of needed maintenance medicines or therapy; access to and contact with children and family, and ensuring access to needed hygiene and menstrual kits.

4. **On Food.** For the BJMP and the Bureau of Corrections to ensure compliance with the Mandela and Bangkok rules, particularly in ensuring that every detained person is provided with adequate food with nutritional value adequate for health and strength and of wholesome quality, well prepared and served (Rule 22). In case of pregnant or lactating women, needed nutritional content for pregnant women should be taken into consideration. Monitoring by BJMP and BuCor and by DILG of lock up cells should be undertaken to address complaints regarding the quality of food and to ensure minimum standards are complied with.

5. **On Water and Sanitation.** Mandela Rules require that drinking water should be available to every prisoner whenever he or she needs it (Rule 22). It also requires access to water and toilet articles necessary for health and cleanliness
(Rule 18). Bangkok Rules on the other hand are very specific in the need to ensure women’s access to water for personal care of children and women, in particular women involved in cooking and those who are pregnant, breastfeeding or menstruating. Access to safe and clean toilets and bathrooms should be ensured especially for the elderly and those with disability. Considering the foregoing, LGUs should assist detention facilities in improving facilities and BuCor and BJMP should continue to improve facilities to comply with minimum standards. Gender and Development Budget should be further utilized to respond to gender-specific issues in the facilities including water and sanitation, availability of hygiene kits, among others; Regular consultation with WDLs should be conducted to surface gender specific issues and needs;

6. **On Security and Safety.** There should be zero tolerance and clear accountability for forms of violence, including sexual violence in detention. In accordance with the Convention Against Torture, rape and other forms of sexual violence are forms of torture and should be seriously and urgently addressed. Discipline measures adopted in detention facilities should be in accordance with minimum standards, not tantamount to torture, cruel, and degrading treatment. These should not include denial of visits and or communication with family, unless for serious security reasons. Information on complaints and accountability mechanisms should be well disseminated, through orientation, posting in cells, and constant announcement. In no case should punishment exhibit discrimination on the grounds of sexual orientation, gender identity or expression, of age, of religion, of ability and other protected grounds under human rights law. Continuous training of detention facility personnel on Mandela, Bangkok Rules, Convention Against Torture (CAT), and the Anti-Torture Law should be undertaken.

7. **On Health.** Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status. Health-care services should be organized in close relationship to the general public health administration and in a way that ensures continuity of treatment and care (Rule 24). Considering complaints regarding the inconsistent availability of basic medicines and more so for maintenance medicines in places of detention, it is recommended that the Department of Health and concerned LGUs extend support to detention facilities to ensure consistent availability of regular and maintenance medicines. Special attention should be provided for the elderly and those with disability. Access to pre and post-natal care in accordance with Mandela and Bangkok Rules should be ensured. Treatment of pregnant WDLs should be in accordance with minimum
standards and stay of children in facilities in accord with the best interest of the child.

The good practice of some facilities in ensuring registration to PhilHealth, SSS, and senior citizen registration for inmates should be replicated in other facilities. Consistent and continued partnership with private sector should be maintained to supplement access to needed medicines and medical services. Mental health services, as part of right to health, should also be provided. Including availability to psychosocial support especially for those suffering from trauma, as well as access to psychological examination for WDLs.

8. **Rehabilitation and Reintegration.** In accordance with Bangkok and Mandela Rules, rehabilitation should commence upon admission of detainees. This require proper documentation of needed information from which programs and interventions for each detention prisoner can be developed. Linkages with organization providing support for WDLs should be undertaken. Livelihood and other support programs and linking with possible reintegration pathways should be undertaken as part of the programmatic interventions while in detention. Consultation and participation of WDLs in programs to be developed should assured.

9. **On the role of the Commission.** For the Commission to strengthen its visitorial mandate through strengthening its Visitorial, Protection, and Regional Offices. Scope should expand, covering not only mandates under the National Preventive Mechanisms and the Constitution, covering as well specific conditions and situations of marginalized populations in detention including women, LGBTQI, the elderly, political prisoners, persons living with HIV, among others. places of detention. Thematic issues such reproductive health, HIV, responding to tuberculosis and other contagious diseases, treatment of political prisoners, treatment of those incarcerated due to the Oplan Tokhang could also be pursued.

10. **Continuous Training and Support for Detention Personnel.** Continuous training of detention facility personnel on Mandela, Bangkok Rules, Convention Against Torture (CAT), and the Anti-Torture Law should be undertaken. Capacity building should also include trauma informed care and the Mental Health Law. Recognizing the multiple burden of wardens and other detention facility personnel, access to mental health services and training should be ensured. Programs should also be designed to enhance well-being of detention facility staff and to support and recognize care work undertaken by women personnel. Male detention personnel should also be encouraged to share care work, making available policies and programs recognizing care work e.g.
accessible housing and child caring facilities, available for male personnel
taking on care work.

VII. References


## ANNEX A:

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ANNEX B:

Kwento mula sa looban: Situasyon ng mga kababaihan sa kulungan
Mga Katanungan para sa Focus Group Discussion- LBT

Pagpapakilala sa CHR:

Ang Komisyon ng Karapatang Pantao bilang human rights institution ay may mandato
na magbisita sa mga kulungan at kumustahin ang kalagayan ng mga nasa piitan. Ito
ay regular na nag-coconduct ng jail visitation mula sa aming Visitorial Office at sa
regional office -- CHR-NCR. Sa Magna Carta of Women, ang CHR din ay naatasan
na Gender Ombud – bilang Gender Ombud sinusulong nito ang karapatang pantao
ng mga kababaihan kasama ang mga lesbayna, babaing may kapansanan, at mga
matatanda.

Ang kwentuhang gagawin ay gawain ng CHR kasama ng kanyang CHR-NCR regional
office at ng Center for Gender Equality and Women’s Human Rights. Ito ay aming
ginagawa sa paniniwala na nag bawat babae, mahirap, mayaman, nakapag-aral o hind, nasa labas o sa loob ng kulungan ay may taglay na kaalaman na maaring ibahagi. Sa pag-uusap na ito ang inyong kaalaman at mga karansan ay maaring pagmumulan ng mga rekomendasyon na makapagpabuti ng kalagayan ng mga kababaihan sa kulungan, lalo na ang mga may espesyal na pangangailangan gaya ng matanda, may kapansanan, may sakit, buntis, etc.

Kami ay nagpapasalamat sa inyong pagpapasa-unlak sa aming imbitasyon at pagpayag sa paglahok sa talakayang na ito. Sa abot ng aming makakaya, matapos ang pag-uusap ay maari nating mapakinggan at matugunan ang inyong mga katanungan.

Pagbibigay ng Layunin ng FGD:

Ang mga layunin ng FGD ay:

1. Makapag-kalap ng impormasyon ukol sa karanasan ng mga kababaihan sa loob ng kulungan;
2. Mabigyan ng puwang nag mga kababaihan para mapag-usapan ang kanilang karanasan patungkol sa (a) kalagayan sa kulungan; (b) seguridad at proteksyon mula sa karahasan; (c) pangangailangan pagnkalusugan; at (d) pangangailangan ng ina at anak;
3. Matukoy kung maayos ba na natutugunan ng pamahalaan ang kanyang tungkulin para protektahan ang mga kababaihan at para sugpuin ang lahat ng uri ng karahasan sa tahanan at sa kumunidad;
4. Mabigyang pagkakataon ang mga kababaihan maipahayag ang sarili sapamamagitan ng pagpipinta ng mga pangarap;

Kami din ay mag-papaalam ukol sa pag-gamit ng personal na impormasyon at paghingi ng personal na paghintulot. Ipinapaalam naming na:

1. Na ang impormasyon na nakalap sa FGD ay gagamitin ng Komisyon para makapag buo ng human rights report ukol sa situasyon ng kababaihan sa kulungan at maari itong magamit sa report ng CHR sa mga ahensya ng goyerno at sa iba pa ng domestic at international ng report;
2. Na hindi gagamit ang CHR sa kanyang report ng mga datus at pagkakakilanlang personal ng mga lumahok sa FGD ng walang pahintulot at na ang report na maisusulat ay hindi magreresulta sa pagkaka kilianlan ng mga kalahok;
3. Na ang CHR at ang CGEWHRC ay hihingi ng personal na pahintulot sa bawat kalahok para sa isang malayang talakyan na walang pamimilit.

Dalawang bahagi ang ating talakayan, ang una ang ang pag-uusap patungkol sa kalagayan ng kababaihan sa kulungan, ang pangalawa ay ang paggahayag sa nararamdaman at sa mga pangarap sapamamagitan ng sining. Ang unang bahagi ay hanggang 1130, ang pangalawang bahagi naman ay mula 1130 hanggang 12.
Meron tatlong grupo ng talakayan ngayon, may isang grupo ng kababaihan, may isang grupo ng LBT, at isang grupo ng mga matatanda. Ito ay pagkilala ng iba’t ibang karanaan.
Sa ngayon, kami ay pormal na humihingi ng pahintulot sa inyo sa pag-uusap na ito. Payag na ba kayo na maging bahagi ng ating pag-uusap? Kung kayo po ay may pagpayag na, pakisulat nalang po ang pangalan sa Consent form matapos itong basahin. (Mag sasagot ang mga kalahok sa consent form)
Mga palatuntunan:

1. Mas maganda ang pag-uusap kung isang tao lang ang maaring magsalita kada pagkakataon, kung may komento o dagdag, maaaring patapusin muna ang nagsasalita.

2. Lahat ay bibigyan ng pagkakataong magsalita at magtanong kapag may hindi naunawaan. Walang tama o mali na kasagutan at lahat ng kasagutan ay pakikinggan.

3. Wala partikular na pagkasunod-sunod ang sasagot sa tanong. Maaaring magtaas lamang ng kamay kung gustong magsalita.


I. Pagpapakilala

A. Alin sa mga emosyon ang iyong pangkarinawang batid sa pang-araw araw dito sa bilangguan? Bawat babae ay may 2 sticker, ilagay sa 2 emosyon na madalas nararamdaman sa loob ng kulungan)

B. Bilang LBT (lesbian, bisexual o transgender) sa loob ng kulungan, ano ang pinaka-maigting na issue ang iyong kinakaharap sa loob ng kulungan?

[Depende sa lumabas na kasagutan, unahin sa pagpapalalim ng diskusyun ang isyu na nababanggit ng mas marami]

II. Kalagayan sa Kulungan para sa matatanda:

A. Pagkain, Tubig, at Espasyo

Sapat ba ang supply ng pagkain at tubig sa loob ng kulungan? Ang Espasyo?

Ano and kondisyon ng palikuran? (komportable ba kayong nakakaligo etc)

Paano ka naapektuhan ng kalagayn sa kulungan bilang lesbyana, biseksual, o transgender?

Ang inyong selda ba bilang kilalang LBT ay nakahiwalay sa mga kababaihan?
Kung oo, tanggap nyo ba ang paghihiwalay na ito?

May partikular ba na polisiya ang kulungan patungkol sa mga babaeng nag-iibigan o nagkakarelasyon sa kapwa babae sa loob ng kulungan?

Bilang LBT sa loob ng kulungan, ano ang pinakamahirap na karanasan para sa iyo?

III. Seguridad

Nararamdaman nyo ba na kayo ay ligtas mula sa karahasan at sa ano mang porma ng pang-aabuso sa loob ng kulungan? Kung hindi, bakit?

Mayroon ba kayong alam or may mga karanasan ba kayo na pang-aabusong pisikal o seksual (i.e., paninilip, abusadong pananalita, diskriminasyon, isolation) mula sa isang officer, kasamang bilanggo, o mga bisita? Paano ito tinugunan ng mga opisyales ng kulungan? (kung wala – tumuloy sa sunod na tanong)

Kung may nangyari na karahasan o pang-aabuso sa loob ng kulungan, alam nyo ba kung kanino magrereklamo at kung ano ang proseso?

Pag may nagkasala sa kulungan. Ano ang klase ng parusa ang pinapataw? (ipaliwanag ang uri ng parusa, pag search sa selda o sa katawan etc)

Ano ang pinakamahirap na karanasan para sa iyo?

IV. Pangangailangang Kalusugan

Ano ang nakukuhan nyo na serbisyo medikal sa loob ng kulungan? Anong klaseng gamot at anong serbisyo?

Nakararamdaman nyo ba na bang magkasakit sa loob ng kulungan? Anong klaseng sakit at paano ito natugunan?

Natutugunan ba ang inyong pangangailangang pangkalusugan bilang babaee, halimbawa sanitary napkins, gamot sa dysmenorrhea, myoma at iba pa? Na-eexamine ba kayo ng doctor o nars sa kulungan? Gaano kadalas at ano ang kanilang kasarian?

V. Pangangailangang sa Pamilya

A. Tanggap at alam ba ng pamilya mo na ikaw ay LBT? Nakaka-apekto ba ang iyong pagiging LBT sa relasyon mo sa pamilya?

B. Sa mga may anak, kapatid, pamilya sa labas ng kulungan, paano nakaapekto ang inyong pagkakulang sa inyong pamilya? Sa iyong pagiging ina?

C. (Para sa mga ina) Paano mo tinutugunan at nagagampanan ang iyong pagiging ina sa mga may layang anak? Regular mo ba nakakausap at nakikita ang inyong mga anak at pamilya?
D. Anong pangangailangan mo ang hindi natutugunan?

VI. Pangwakas at Paglikha ng Sining

A. Ano sa tingin nyo ang pinaka importanteng isyu na hinaharap ng mga kababaihan sa kulungan na dapat agad tugunan?

B. Dahil tayo ay nagwakas sa katanungan ukol sa lakas at pag-asa, para sa pangalawang bahagi ng ating pag-uusap, kami ay magbibigay ng tela sa bawat isa at mga materyales pang drawing at pagkulay. Sapamagitan ng pag-drowing at pagkukulay, ipakita ang inyong kasagutan sa tanong na: Ano ang nagbibigay sa iyo ng lakas at pag-asa kahit na nasa loob ng kulungan?

Matapos makagawa ng kanilang likhang sining ang mga kababaihan, maari na sila tanongin at para maipaliwanag ang kanilang gawa. Ipapaliwanag din sa mga kababaihan na ang mga maililit na tela ay tatahiin para maging malaking tela na nagpapakita ng kalakasan at pag-asa ng mga kababaihan sa detention facility.

Matapos magbahagi ang bawat isa, magpasalamat at kung may katanungan sila ay pilit na sagutan kung makakaya.

ANNEX C:

Kwento mula sa looban: Situasyon ng mga kababaihan sa kulungan
Mga Katanungan para sa Focus Group Discussion- Older Women

Pagpapakilala sa CHR:

Ang Komisyon ng Karapatang Pantao bilang human rights institution ay may mandato na magbisita sa mga kulungan at kumustahin ang kalagayan ng mga nasa piitan. Ito ay regular na nag-coconduct ng jail visitation mula sa aming Visitorial Office at sa regional office -- CHR-NCR. Sa Magna Carta of Women, ang CHR din ay naatasan na Gender Ombud – bilang Gender Ombud sinusulong nito ang karapatang pantao ng mga kababaihan kasama ang mga lesbayna, babaing may kapansanan, at mga matatanda.

Ang kwentuhang gagawin ay gawain ng CHR kasama ng kanyang CHR-NCR regional office at ng Center for Gender Equality and Women’s Human Rights. Ito ay aming ginagawa sa paniniwala na nag bawat babaes, mahirap, mayaman, nakapag-aral o hindi, nasa labas o sa loob ng kulungan ay may taglay na kaalaman na maaring
ibahagi. Sa pag-uusap na ito ang inyong kaalaman at mga karansan ay maaring pagmumulan ng mga rekomendasyon na makapagpabuti ng kalagayan ng mga kababaihan sa kulungan, lalo na ang mga may espesyal na pangangailangan gaya ng matanda, may kapansanan, may sakit, buntis, etc.

Kami ay nagpapasalamat sa inyong pagsusaing sa aming imbitasyon at pagsayag sa paglahok sa talakayang na ito. Sa abot ng aming makakaya, matapos ang pag-uusap ay maari nating mapakinggan at matugunan ang inyong mga katanungan.

Pagbibigay ng Layunin ng FGD:

Ang mga layunin ng FGD ay:

5. Makapag-kalap ng impormasyon ukol sa karanasan ng mga kababaihan sa loob ng kulungan;

6. Mabigyan ng puwang nag mga kababaihan para mapag-usapan ang kanilang karanasan patungkol sa (a) kalagayan sa kulungan; (b) seguridad at proteksyon mula sa karahasan; (c) pangangailangan pagnkalusugan; at (d) pangangailangan ng ina at anak;

7. Matukoy kung maayos ba na natutugunan ang kanyang tungkulin para protektahan ang mga kababaihan at para sugpuin ang lahat ng uri ng karahasan sa tahanan at sa komunidad;

8. Mabigyang pagkakataon ang mga kababaihan maipahayag ang sarili sapamamagitan ng pagpipinta ng mga pangarap;

Kami din ay mag-papaalam ukol sa pag-gamit ng personal na impormasyon at paghihiing iyon personal sa paghintulot. Ipinapaalam naming na:

4. Na ang impormasyon na nakalap sa FGD ay gagamitin ng Komisyon para makapag buo ng human rights report ukol sa situasyon ng kababaihan sa kulungan at maari itong magamit sa report ng CHR sa mga ahensya ng gobyerno at sa iba pa ng domestic at international ng report;

5. Na hindi gagamit ang CHR sa kanyang report ng mga datus at pagkakakilanlang personal ng mga lumahok sa FGD ng walang pahintulot at na ang report na maisusulat ay hindi magreresulta sa pagkaka kilalanin ng mga kalahok.


Dalawang bahagi ang ating talakayan, ang una ang ang pag-uusap patungkol sa kalagayan ng kababaihan sa kulungan, ang pangalawa ay ang pagpahayag sa nararamdaman at sa mga pangarap sapamamagitan ng sining. Ang unang bahagi ay hanggang 1130, ang pangalawang bahagi naman ay mula 1130 hanggang 12. Meron tatlong grupo ng talakayan ngayon, may isang grupo ng kababaihan, may isang grupo ng LBT, at isang grupo ng mga matatanda. Ito ay pagkilala ng iba’t ibang karanasan.
Sa ngayon, kami ay normal na humihingi ng pahintulot sa inyo sa pag-uusap na ito. Payag na ba kayo na maging bahagi ng ating pag-uusap? Kung kayo po ay may pagpayag na, pakisulat nalang po ang pangalan sa Consent form matapos itong basahin. (Mag sasagot ang mga kalahok sa consent form)

Mga palatuntunan:

5. Mas maganda ang pag-uusap kung isang tao lang ang maaring magsalita kada pagkakataon, kung may komento o dagdag, maaaring patuposin muna ang nagsasalita.

6. Lahat ay bibigyan ng pagkakataong magsalita at magtanong kapag may hindi nauunawaan. Walang tama o mali na kasagutan at lahat ng kasagutan ay pakikiniggan.

7. Wala partikular na pagkasunod-sunod ang sasagot sa tanong. Maaaring magtaas lamang ng kamay kung gustong magsalita.


II. Pagpapakilala

C. Alin sa mga emosyon ang iyong pangkarinawang batid sa pang-araw araw dito sa bilangguan? Bawat babae ay may 2 sticker, ilagay sa 2 emosyon na madalas nararamdaman sa loob ng kulungan.

D. Bilang isa sa mga matandang babae sa kulungan, ano ang pinakamaiting na issue ang iyong kinakaharap sa loob ng kulungan?

[Depende sa lumabas na kasagutan, unahin sa pagpapalalim ng diskusyun ang isyu na nbabanggit ng mas marami]

VII. Kalagayan sa Kulungan para sa Matatanda:

A. Pagkain, Tubig, at Espasyo

Sapat ba ang supply ng pagkain at tubig sa loob ng kulungan? Ang Espasyo?

Ano and kondisyon ng palikuran? (komportable ba kayong nakakaligo etc)

Paano ka naapektuhan bilang older woman (matandang babae) sa kondisyon ng kulungan?

Meron bang espesyal na trato ang ibinibigay para sa kagaya nyo na senior citizen na patungkol sa pagkain, sa tubig, sa espasyong tutulugan?

Bilang matandang babae sa loob ng kulungan, ano ang pinakamahirap para sa iyo?
VIII. Seguridad

Nararamdaman nyo ba na kayo ay ligtas mula sa karahasan at sa ano mang porma ng pang-aabuso sa loob ng kulungan? Kung hindi, bakit?
Mayroon ba kayong alam or may mga karanasan ba kayo na pang-aabusong pisikal o seksual (i.e. paninilip, abusadong pananalita, diskriminasyon, isolation) mula sa isang officer, kasamang bilango, o mga bisita? Paano ito tinugunan ng mga opisyales ng kulungan? (kung wala – tumuloy sa sunod na tanong)

Kung may nangyari na karahasan o pang-aabuso sa loob ng kulungan, alam nyo ba kung kanino magrereklamo at kung ano ang proseso?

Pag may nagkasala sa kulungan. Ano ang klase ng parusa ang pinapataw? (ipaliwanag ang uri ng parusa, pag search sa selda o sa katawan etc)

Ano ang pinakamaigting na takot mo bilang matandang babae na nasa kulungan?

IX. Pangangailangang Kalusugan

Ano ang nakakuhang nyo na serbisyon medikal sa loob ng kulungan? Anong klaseng gamot at anong serbisyo?
Nakaranasan nyo na bang magkasakit sa loob ng kulungan? Anong klaseng sakit at paano ito natugunan? Paano tinutugunan ng mga opisyales ng kulungan ang medical emergency? Sapat ba ang kanilang pag responde?
Natutugunan ba ang inyong pangangailangang pangkalusugan, lalo na patungkol sa pangangailangang gamot at check up at agarang lunas?

Na-e-examine ba kayo ng doctor o nars sa kulungan? Gaano kadalas at ano ang kanilang kasarian?

Meron ba kayong social protection: 4Ps, SSS, Philhealth – nagagamit nyo ba ang mga ito?

X. Pangangailangan ng Ina at Anak

A. Sa mga may anak, kapatid, pamilya sa labas ng kulungan, paano nakaapekto ang inyong pagkakulong sa inyong pamilya? Sa iyong pagiging ina?

B. (Para sa mga ina) Paano mo tinutugunan at nagagampanan ang iyong pagiging ina sa mga may layang anak? Regular mo ba nakakausap at nakikita ang inyong mga anak at pamilya?

C. Anong pangangailangan mo bilang matandang babae sa kulungan ang hindi natutugunan?

XI. Pangwakas at Paglikha ng Sining
A. Ano sa tingin nyo ang pinaka importanteng isyu na hinaharap ng mga kababaihan sa kulungan na dapat agad tugunan?

B. Dahil tayo ay nagwakas sa katanungan ukol sa lakas at pag-asa, para sa pangalawang bahagi ng ating pag-uusap, kami ay magbibigay ng tela sa bawat isa at mga materyales pang drawing at pagkukulay. Sapamagitan ng pag-drowing at pagkukulay, ipakita ang inyong kasagutan sa tanong na: Ano ang nagbibigay sa iyo ng lakas at pag-asa kahit na nasa loob ng kulungan?

Matapos makagawa ng kanilang likhang sining ang mga kababaihan, maari na sila tanongin at para maipaliwanag ang kanilang gawa. Ipapaliwanag din sa mga kababaihan na ang mga maliliit na tela ay tatahiin para maging malaking tela na nagpapakita ng kalakasan at pag-asa ng mga kababaihan sa Detention Facility.

Matapos magbahagi ang bawat isa, magpasalamat at kung may katanungan sila ay pilit na sagutan kung makakaya.

ANNEX D:

Kwento mula sa looban: Situasyon ng mga kababaihan sa kulungan
Mga Katanungan para sa Focus Group Discussion- Women

Pagpapakilala sa CHR:

Ang Komisyon ng Karapatang Pantao bilang human rights institution ay may mandato na magbisita sa mga kulungan at kumustahin ang kalagayan ng mga nasa piitan. Ito ay regular na nag-coconduct ng jail visitation mula sa aming Visitorial Office at sa regional office -- CHR-NCR. Sa Magna Carta of Women, ang CHR din ay naatasan na Gender Ombud bilang Gender Ombud sinusulong nito ang karapatan pantao ng mga kababaihan kasama ang mga lesbayna, babaing may kapansanan, at mga matatanda.

Ang kwentuhang gagawin ay gawain ng CHR kasama ng kanyang CHR-NCR regional office at ng Center for Gender Equality and Women’s Human Rights. Ito ay aming ginagawa sa paniniwala na nag bawat babae, mahirap, mayaman, nakapag-aral o hind, nasa labas o sa loob ng kulungan ay may taglay na kaalaman na maaring ibahagi. Sa pag-uusap na ito ang inyong kaalaman at mga karansan ay maaring pagmumulan ng mga rekomendasyon na makapagpabuti ng kalagayan ng mga kababaihan sa Detention Facility.
kababaihan sa kulungan, lalo na ang mga may espesyal na pangangailangan gaya ng matanda, may kapansanan, may sakit, buntis, etc.

Kami ay nagpapasalamat sa inyong pagpapa-unlak sa aming imbitasyon at pagpayag sa paglahok sa talakayang na ito. Sa abot ng aming makakaya, matapos ang pag-uusap ay maari naman naming mapakinggan at matugunan ang inyong mga katanungan.

Pagbibigay ng Layunin ng FGD:

Ang mga layunin ng FGD ay:

9. Makapag-kalap ng impormasyon ukol sa karanasan ng mga kababaihan sa loob ng kulungan;
10. Mabigyan ng puwang nag mga kababaihan para mapag-usapan ang kanilang karanasan patungkol sa (a) kalagayan sa kulungan; (b) seguridad at proteksyon mula sa karahasan; (c) pangangailangan pagnkalusugan; at (d) pangangailangan ng ina at anak;
11. Matukoy kung maayos ba na natutugunan ng pamahalaan ang kanyang tungkulin para protektahan ang mga kababaihan at para sugpuin ang lahat ng uri ng karahasan sa tahanan at sa kumunidad;
12. Mabigyang pagkakataon ang mga kababaihan maipahayag ang sarili sapamamagitan ng pagpipinta ng mga pangarap;

Kami din ay mag-papaalam ukol sa pag-gamit ng personal na impormasyon at paghingi ng personal na paghintulot. Ipinapaalam naming na:

7. Na ang impormasyon na nakalap sa FGD ay gagamitin ng Komisyon para makapag buo ng human rights report ukol sa situasyon ng kababaihan sa kulungan at maari itong magamit sa report ng CHR sa mga ahensya ng gobyerno at sa iba pa ng domestic at international ng report;
8. Na hindi gagamit ang CHR sa kanyang report ng mga datus at pagkakakilanlang personal ng mga lumahok sa FGD ng walang pahintulot at na ang report na maisusulat ay hindi magreresulta sa pagkaka kilanlan ng mga kalahok.


Mga palatuntunan:

10. Lahat at may bibigyan ng pagkakataong magsalita at magtanong kapag may hindi nauunawaan.

11. Walang tama o mali na kasugutan. Lahat ng kasagutan ay magiging bahagi ng datos.

12. Wala partikular na pagkasunod-sunod ang sasagot sa tanong. Maaaring magtaas lamang ng kamay kung gustong magsalita.


III. Pagpapakilala

C. Alin sa mga emosyon ang iyong pangkarinawang batid sa pang-araw araw dito sa bilangguan? Bawat babae ay may 2 sticker, ilagay sa 2 emosyon na madalas nararamdaman sa loob ng kulungan)

D. Ano nag pinaka-maigting na issue ang iyong kinakaharap bilang babae sa loob ng kulungan?

[Depende sa lumabas na kasagutan, unahin sa pagpapalalim ng diskusyun ang isyu na nababanggit ng mas marami]

XII. Kalagayan sa Kulungan:

A. Pagkain, Tubig, at Espasyo

Sapat ba ang supply ng pagkain at tubig sa loob ng kulungan? Ang Espasyo?

Ano and kondisyon ng palikuran? (komportable ba kayong nakakaligo etc)

Kung hindi sapat, paano ito natutugunan o nagagawan ng paraan?

Paano natutugunan ang pangangailangan ng may espesyal na kalagayan: matanda, buntis, may sakit, may kapansanan?

Natutugunan ba ang espesyal mo na pangangailangan bilang babae? – may nakukuha ka ban a sanitary napkins, underwear and bra, sabon, toothpaste?

XIII. Seguridad
Nararamdaman nyo ba na kayo ay ligtas mula sa karahasan at sa ano mang porma ng pang-aabuso sa loob ng kulungan? Kung hindi, bakit?

Mayroon ba kayong alam o may mga karanasan ba kayo na pang-aabusong pisikal o sekswal (i.e. paninilip, abusadong pananalita, diskriminasyon, isolation) mula sa isang officer, kasamang bilanggo, o mga bisita? Paano ito tinugunan ng mga opisyales ng kulungan? (kung wala – tumuloy sa sunod na tanong)

Kung may nangyari na karahasan o pang-aabuso sa loob ng kulungan, alam nyo ba kung kanino magrereklamo at kung ano ang proseso?

Pag may nagkasala sa kulungan, Ano ang klase ng parusa ang pinapataw? (ipaliwanag ang uri ng parusa, pag search sa selda o sa katawan etc)

XIV. Pangangailangang Kalusugan
Ano ang nakukuhang nyo na serbisyong medikal sa loob ng kulungan? Anong klaseng gamot at anong serbisyo?

Kung may medical emergency na nararanasan, paano ito natutugunan ng mga opisyales? (gaya ng labis na pagdudugo, diabetis, high blood etc)

Natutugunan ba ang inyong pangangailangan sa reproductive health tulad ng buwanang pagdudugo, dysmenorrhea at pagpapa examine ng STD or HIV bago mai-admit sa kulungan?

Meron bang nakatalagang Doktor o nurse sa kulungan? Kung meron ano ang kasarian?

Mayroon bang regular na screening para sa breast cancer at pap smear?

XV. Pangangailangan ng Ina at Anak
A. Mayroon ba sa inyo na nagbuntis o nanganak sa kulungan? Kung OO, ano ang iyong karanasan?

B. Sa mga may anak, kapatid, pamilya sa labas ng kulungan, paano nakadapa to ang inyong pagkakulang sa inyong pamilya? Sa iyong pagiging ina?

C. (Para sa mga ina) Paano mo tinutugunan at nagagampanan ang iyong pagiging ina sa mga may layang anak? Regular mo ba nakakausap at nakikita ang inyong mga anak?

XVI. Pangwakas at Paglikha ng Sining
A. Ano sa tingin nyo ang pinaka importanteng isyu na hinaharap ng mga kababaihan sa kulungan na dapat agad tugunan?

B. Dahil tayo ay nagwakas sa katanungan ukol sa lakas at pag-asa, para sa pangalawang bahagi ng ating pag-uusap, kami ay magbibigay ng tela sa bawat isa at mga materyales pang drawing at pagkukulay. Sapamagitan ng pag-drawing at pagkukulay, ipakita ang inyong kasagutan sa tanong na: Ano ang nagbibigay sa iyo ng lakas at pag-asa kahit na nasa loob ng kulungan?
Matapos makagawa ng kanilang likhang sining ang mga kababaihan, maari na sila tanongin at para maipaliwanag ang kanilang gawa. Ipapaliwanag din sa mga kababaihan na ang mga maliliit na tela ay tatahiin para maging malaking tela na nagpapakita ng kalakasan at pag-asa ng mga kababaihan sa detention facility.

Annex E

Inside Stories: Situation of Women in Detention

Surfacing the issues and the hopes and dreams of women, elderly women, and lesbians, bisexuals, and transgender in detention

Recognizing the status of women in detention as women in especially difficult circumstances (WEDC) under the Magna Carta of Women (RA 9710), the Commission, through the Gender Equality and Women’s Human Rights Center and CHR-NCR conducted a series of focus group discussions with women detainees in NCR. Three detention facilities opened their doors for the conduct of simultaneous ‘kwentuhan’ and ‘quilt making sessions’ with women detainees grouped into women in general, elderly women, and LBTs in detention. The women shared their assessment of the general conditions of detention, security and safety, access to health services, and family relations. It was also a chance to share with one another their answers to the question “Ano ang nagbibigay sa iyo ng lakas at pag-asa saloob ng piitan?.” These are the responses of the women from Makati Female Dormitory. This quilt will soon be joined by the responses and quilt from the Correction Institute of Women, Mandaluyong and Pasig Female Dormitory.
With the success of the pilot FGDs in NCR and in continuation of the need to surface the gendered nature of detention, the Commission’s 16 regional office will be conducting the same FGDs and art sessions in female dormitories/ detention facilities in their areas of responsibilities. With this, the Commission, as Gender Ombud aims to provide a national situationer of one of the most vulnerable and neglected group of women in the country – women detainees.