

Filipino Women's Digital Agenda: A Policy Overview



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I. Introduction

To say that the entry and eventual spread of information and communications technologies (ICTs) in the Philippines have changed the lives of Filipinos is an understatement. The Philippines is hailed as the texting and social media capital of the world, and the latest report from We Are Social indicates that Filipinos lead the world in terms of number of hours spent on the internet (Kemp, 2021). The same report mentioned that 73.91 million or 67% of the Philippine population are now connected to the internet. Filipinos use digital technologies to communicate, stay connected with families and friends, and be informed about the latest news and online content as demonstrated by the high traffic volumes of Google, Facebook, Youtube, and Wikipedia.

While ICTs gave birth to new ways of connecting, working, earning, and learning with just a few clicks, the nature of anonymity and remoteness afforded by these technologies to its users have created new and more assiduous forms of crimes and human rights violations. From March to June 2020, Philippine law enforcement authorities cited phishing, online selling scams, and proliferation of misinformation as the three most prevalent crimes at the height of the prevailing community quarantine (Pazzibugan, 2020).

Unfortunately, the benefits and dangers of digital technologies are not felt equally among populations. When it comes to internet usage, the 2019 Philippine National Household ICT Survey showed that among populations surveyed, there is a higher percentage of males (47%) versus females (46%) who use the internet. The survey also suggested that there are more females (54%) than males (53%) among those who do not use the internet.¹ The Philippine Institute for Development Studies (PIDS) (2021) highlighted the similarity in findings but claimed that there is a higher proportion of women (14 million) than men (9.9 million) who do not use the internet.

Given the abrupt shift to telecommuting, e-learning, online banking, and e-commerce amidst the “new normal” and the large number of women who are not connected to the internet, the digital gender gap in access means that many women are once again missing out on opportunities with regards to employment, education, and livelihood.

¹Weights were applied to the survey data to compensate for the difference between female (56.5%) and male (43.5%) populations who comprise the survey sample. The original findings of the survey shows that 52.3% of male respondents do not use the internet but the adjusted data shows a slightly higher estimate of 53%.

On top of the digital gender gap, there is evidence of increasing prevalence of online gender-based violence (OGBV) among women. In 2020, a survey conducted by Plan International found that 7 in 10 girls and young women in the country have experienced online harassment (Cabalza, 2020). In the same year, a 165% increase in media-sourced reports on OGBV were mapped by the Foundation for Media Alternatives (FMA).² Similar to established forms of gender-based violence, OGBV is a serious human rights violation with severe implications on women's right to safety and security, privacy, and education, among other fundamental rights.

While policies geared at upholding women's rights in the Philippines have made great leaps throughout the years, the continued discrimination, exploitation, and violence against women persist, as evidenced by the new forms of gender-based violence made possible by technology. There is an increasing need for both duty bearers and rights holders to examine the relevance, effectiveness, and appropriateness of existing laws and policies in the context of the ever-changing world, particularly amidst the ubiquity of digital technologies.

This paper shall provide an overview of the existing laws and policies on women's rights in the Philippines, especially those in relation to the use of ICTs in four major areas, namely, (1) education, (2) employment and entrepreneurship, (3) privacy, safety and security, and (4) expression and identity. It shall examine how these policies protect or hinder women's rights, as well as determine the different challenges and barriers that contribute to women's inclusion in the digital sphere.

II. Laws and Policies on Women's Rights in relation to Digital Technologies

General Policies on Women's Rights

It is the policy of the State to respect the dignity and rights of every human person and recognize the role of women in nation building. The Philippine Constitution guarantees fundamental equality of women and men before the law, thereby, providing women rights and opportunities equal to that of men. Since its ratification and subsequent adoption in 1987, several laws have been made to protect women's rights to safety and security, education, employment, and access to development services.³

²See ph.tbtt.apc.org/mapit

³ Legislations aimed at ensuring women's rights to equal access and participation in development, education and employment, and freedom from safety and violence whether in the privacy of homes, in educations institutions or workplace include RA No. 7192 or Women in Development and Nation Building Act of 1992, RA No. 7877 or Anti-Sexual Harassment Act of 1995, RA No. 9262 or Anti-Violence Against Women and their Children Act of 2004, RA No. 8353 or Anti-rape Law of 1997, and RA No. 9710 or Magna Carta of Women of 2008.

One of these laws include Republic Act (RA) No. 9710 or the Magna Carta of Women Act, a comprehensive law that recognizes the economic, political, and sociocultural realities affecting women's current condition. Through this law, the Philippine government reinforced its adoption of various international instruments such as the Convention on the Elimination of All Forms of Discrimination against Women's (CEDAW), International Covenant on Economic, Social and Cultural Rights (ICESCR), and UN Millennium Development Goals. It upheld gender equality and empowerment by stipulating the development and implementation of plans, policies, programs, measures, and mechanisms aimed at addressing discrimination and inequality among women.

The inclusion of gender mainstreaming as a framework and major strategy under the Magna Carta of Women provided one of the bases for the issuance and adoption of subsequent gender-sensitive and responsive measures by the public and private sectors. Prior to the adoption of the Magna Carta, there have been various initiatives in the executive and legislative branches to institutionalize Gender and Development (GAD) efforts by incorporating GAD concerns in the development of annual agency plans and medium/long-term development plans.⁴ In 2012, the Philippine Commission on Women (PCW), National Economic and Development Authority (NEDA), and Department of Budget and Management (DBM) issued a Joint Circular on the revised guidelines for the preparation of annual GAD plans and budget, and accomplishment reports to implement the Magna Carta of Women. Yet to be repealed as of 2021, the Joint Circular continues to guide the development of programs, activities, and projects geared towards the respect, protection, and fulfillment of the rights of women at the socio-cultural, economic, and political spheres using at least 5% of the respective agencies' approved budget.

The Philippine Constitution, the Magna Carta of Women, and its contemporaries had not fully accounted for the arrival of the digital age and thus, do not contain provisions on ICT use and women's digital rights. However, some of the laws are general and encompassing enough to account for "all forms violence", discrimination and inequality. The Magna Carta of Women remains relevant as it serves as reference in the drafting of policies on women's rights and provides mechanisms in the inclusion of gender concerns in policy-making and implementation amidst the evolving digital world.

⁴ In 1992, the Women in Development and Nation Building Act provided for the allotment of a portion of official development assistance funds to support programs and activities for women. In 1995, Executive Order No. 273 was issued to approve and adopt the Philippine Plan for Gender-Responsive Development 1995-2025 and order all government agencies to incorporate GAD concerns in annual agency plans and development plans.

Education and Lifelong Learning: On ICT Use in Education and Digital Literacy

Women's rights to accessible and quality education at all levels were already provided in the Philippine Constitution and the Magna Carta of Women. The implementing rules and regulations (IRR) of the Magna Carta of Women further specified the provision of scholarship programs for marginalized women and girls and the development of programs aimed at increasing the enrollment of women in non-traditional skills training in vocational and tertiary levels.

Although women's rights to equal and non-discriminatory education and training were already provided for by existing laws, the translation of these rights in the digital age is not well-defined. Policies, programs and projects on "non-traditional" skills training need to consider the provision of technology-focused courses to women given that the technology industry remains to be male-dominated. Moreover, the adoption of distance education during the ongoing community quarantine should take into account the gender gap with regards to access and use of ICTs. Lastly, the inclusion of digital literacy or ICT education especially among educators and basic education learners needs to be considered in the review of existing policies.

On the promotion of non-traditional skills at the vocational level, various initiatives by the public and private sectors were launched to encourage women to pursue Science, Technology, Engineering, and Mathematics (STEM) – related careers. When it comes to technology-focused training, the Technical Education and Skills Development Authority (TESDA) is notable not only for providing free technical-vocational education training (TVET) to women but also for its special consideration to women as one of its "special clients".⁵ ⁶ TESDA was also one of the pioneers in realizing the potential of ICT in education by making free technical education accessible to the public through the **eTESDA** or **TESDA Online Program** in 2012. Under the current TESDA Online Program, free massive open online courses (MOOCs) are being offered to the public and can be accessed through its free mobile application.

⁵ TESDA Memorandum Circular No. 143, series of 2020 on the "Amended Guidelines on the Implementation of the National Technical Education and Skills Development Research Agenda (NTRA) 2017-2022" stipulates the prioritization of policy research in relation to addressing and improving the participation of priority clients – OFWs, women, and indigenous peoples, among others – into the workforce.

⁶ In 2018, ILO and TESDA, in partnership with the JPMorgan Chase Foundation, announced the opening free trainings on animation, game creation and web development for Filipino women with ages 18 to 45 years old under the Women in STEM: #GIRLSCANDOIT Scholarships in Technology. In 2021, ILO, TESDA and the National Reintegration Center for OFWs (NRCO) offered TVET trainings on bookkeeping, bread and pastry production, contact center services, creative web design, driving, web development, events management, and programming, amount others, under the #WOMENOFWSCANDOIT Scholarship Programme.

In formal education, the Department of Education (DepEd) had included digital literacy in its enhanced basic education curriculum known as the K to 12 curriculum in 2013. The current version of the curriculum aims to instill basic to advanced digital skills among elementary, secondary, and non-formal learners.

In 2013, **Media and Information Literacy** became part of the core subjects taught to Grade 11 students in the Senior High School Curriculum. The course aims to instill creativity and critical thinking in media production and consumption and encourages students to be responsible users and competent producers of media and information. For non-formal learners who do not have access to formal education, a **specialized learning strand on digital literacy (Learning Strand 6)** was devised by the DepEd in 2017 to fit the K to 12 Basic Education Curriculum for the Alternative Learning System (ALS-K to 12). The curriculum covers basic lessons on digital concepts and ethics, and more advanced learnings on digital operations and management, applications, system networks, and devices. In 2019, the DepEd integrated lessons on **digital citizenship** in the K to 12 Basic Education Curriculum under the Values Formation (*Edukasyon sa Pagpapakatao* or *EsP*) subject to teach young students of the responsibilities that come with being online. Basic media literacy shall be taught to elementary students in Grades 4 and 5 to encourage them to become responsible digital citizens.

The period between 2014 to 2015 saw the implementation of programs targeted towards narrowing the digital divide among poor populations. The Department of Science and Technology - Information and Communications Technology Office (DOST-ICTO) piloted the **Technology for Education, to gain Employment, train Entrepreneurs towards Economic Development (Tech4ED) Program**, and the Juan Konek Free Wi-Fi Internet Access in Public Places Project now known as the Free **Wi-Fi for All – Free Public Internet Access Program** to increase internet connectivity in the country. While the Tech4ED Program provides access points and capacity building activities for individuals and communities to bridge the digital and education divide, the Free Wi-Fi for All Program establishes wi-fi hotspots in public spaces (e.g., schools and universities, libraries, and transport terminals) throughout the country to enable the public to participate in the growing digital economy.



Both programs are now being implemented by the Department of Information and Communications Technology (DICT) as part of its mandate to promote the use of ICT for the enhancement of key public services such as education and enable the participation of Filipinos in the digital world through the advancement of digital literacy, ICT expertise, and knowledge-building, among other functions. Since its establishment in 2016, DICT has rolled out various policies and initiatives in coordination with DepEd, TESDA and CHED on the promotion of ICT's use in education and digital literacy.

Amidst the COVID-19 pandemic in 2020, DICT responded to the sudden shift to distance learning by creating the **Digital Education Program** in order to build virtual and physical systems, solutions, and platforms for developing the much needed digital skills in the new normal.⁷ Under this program, DICT coordinated with the DepEd to offer free trainings to teachers and educators on maximizing the use of ICT in education, instruction, and research. Currently, free trainings on digital literacy are open to the public, with some of the trainings targeted towards women, young girls, and solo parents with the intention to empower the said populations in using digital technologies.

A major setback brought about by the sudden shift to online learning is the 11% decrease in the number of basic education enrollees in S.Y. 2020-2021 versus the previous school year.⁸ Despite the efforts of the DepEd, local government units, and civil society organizations to provide digital devices to online learners, the gap in digital access continues to hinder the realization of the right to quality and accessible basic education of more than 3 million students in the Philippines. The effect of the pandemic to female learners remain inestimable as DepED has yet to publish its latest findings on the drop-out rates and performance of students based on sex, while CHED has yet to uploads its statistics for A.Y. 2020-2021 altogether.

⁷ The program was formalized and adopted through the issuance of DICT Department Circular No. 12, series of 2020 titled, "Accelerated Implementation of the Digital Education Program and its Component Projects in Response to the State of Public Health Emergency Due to COVID-19" on June 15 2020.

⁸DepEd reported a total number of 27,770,263 enrollees in S.Y. 2019-2020 and 24,720,714 enrollees in S.Y. 2020-2021.

Meanwhile, the implementation of the Tech4ED and Free Wi-Fi for All programs continue amidst the pandemic. Both programs, although free and wide-reaching, can only be accessed in select public areas. As a result, a large part of the population who are enjoined by the government to stay at home during the prevailing quarantine - children, senior citizens, and persons with disabilities included - were barred from going to public places and were not able to maximize the services offered by the two programs. Suffice to say, the two programs saw limited use in facilitating ICT use in education during the pandemic since the majority of distance learners stayed at home.

Employment and Entrepreneurship: Women in telecommuting, entrepreneurship and online gig work

The Philippine Constitution provides for the protection of the rights and welfare of all Filipino workers regardless of sex, locality, and mode of employment. In recognition of women's special needs, the State is committed to protect and uphold the welfare of working women by providing safe and healthful working conditions, facilities, and opportunities that will be of aid in realizing women's full potential. **The Labor Code of the Philippines (Presidential Decree No. 442, as amended)** and the **Omnibus Rules Implementing the Labor Code** serve as the main employment statutes and regulations in the Philippines. It requires employers to provide facilities for women, maternity leave benefits, and family planning services and prohibits acts of discrimination against women such as favoring a male employee over a female employee with respect to promotion, training opportunities, study and scholarship grants solely on account of their sexes.

The **Magna Carta of Women** further stipulates that women shall have the right to access formal sources of credit and capital, and employment opportunities especially among returning women migrant workers. It enjoins the establishment of facilities and services that will support women in balancing their family obligations and work responsibilities such as day care centers and breastfeeding stations, among other support facilities.



The passage of laws on women's rights on reproductive health also entailed the recognition of women's unique needs and circumstances in the workplace. **RA No. 10354 or the Responsible Parenthood and Reproductive Health Act** prohibits employers from unduly influencing employees in the choice to use (or not use) family planning methods. On the other hand, **RA No. 11210 or the Expanded Maternity Leave Act** increased the maternity leave period with paid benefits to 105 days which can be extended by up to 30 days without paid benefits, granted an additional 15-day paid leave for solo parents and 60-day paid leave for miscarriage and emergency termination of pregnancy, and expanded the coverage of maternity benefits to cover every instance of pregnancy.⁹

Employers grant these rights to women in formal, face-to-face employment, and the enactment of **RA No. 11165 or the Telecommuting Act** in 2018 further made it possible for women employees to balance their work and personal responsibilities with the use of digital technologies. The Telecommuting Act legitimizes the voluntary adoption of flexible working arrangements by the private sector and ensures the fair treatment and protection of telecommuters. The law also provides for women's maternity benefits since it is explicitly stated that telecommuters and on-site workers shall enjoy the "same treatment" and benefits.

Although the Philippines has enacted the law in 2018, it is only in 2020 that the majority of employers have adopted a work-from-home or telecommuting scheme. As a result, employees and employers alike continue to grapple with the changes that came with remote work.

The **IRR of the Telecommuting Act issued by the Department of Labor and Employment (DOLE)** in 2019 and the **prevailing rules issued by the CSC** in 2020 did not require the provision of digital technologies or resources to telecommuters. The provision of the so-called "internet allowance" was only seen as an option for employers. Some employers may grant a "communication allowance" to their employees but many telecommuters were still forced to pay for their own devices, software subscriptions and internet plans amidst the pandemic.¹⁰ Moreover, internet connectivity services in the Philippines are unequally distributed and of poor quality in some areas that braving the COVID-19 pandemic to work in an internet-connected office is preferable to working from home.

⁹Prior to the approval of the Expanded Maternity Leave Act, women were only granted 60 days of paid leave for normal delivery and 78 days of paid leave for caesarean delivery. Maternity benefits then only covered the first four births.

¹⁰The public sector is guided by CSC Memorandum Circular No. 18, series of 2020 ("Amendment to the Revised Interim Guidelines for Alternative Work Arrangements and Support Mechanisms for Workers in the Government during the Period of State of Public Health Emergency due to COVID-19 Pandemic").

A US study found that with the onset of the pandemic, as much as 57% of women in technology feel burned out compared to 36% of men (TrustRadius, 2021). Work-from-home employees are working longer, attending more meetings, and sending more emails than ever before as reported in a global study by the Harvard Business School (2020). At the same time, more women are taking on most of the household work while working remotely (TrustRadius, 2021). These findings mirror the results of the survey conducted by Investing in Women in December 2020 among employees in the private sector in the Philippines. Investing in Women (2021) found that more female respondents reported having more responsibilities at home for housework and/or care work and cited exhaustion due to increased domestic burdens as their top reason for being negatively impacted during the pandemic (Investing in Women, 2021).

While the set-up indeed provides a certain degree of freedom for women and allows them to balance their family obligations and work responsibilities, it exacerbates the double-burden experienced by women and risks their health and well-being, and by extension, their capacity to work. Investing in Women found that a total of 62% of workers who have experienced increased caring and other responsibilities at home are also more likely to deliberate working less. Considering that women are slightly more likely than men to have experienced such increased responsibilities (89% of women versus 81% of men), companies should employ a gender lens in creating interventions and policies in support of its employees.

On the other hand, the digital economy presents an opportunity to reach new markets, offer new products and services, and provide a solution to the economic recession brought by the pandemic. However, women entrepreneurs who comprise the majority of the retail and wholesale trade industry (88%) were found to less likely have access to and/or use digital technologies in the management and scaling up of their businesses, citing lack of access to technology and relevant skills training as one of the barriers to articulating their ambitions for growth (Asia Pacific Foundation of Canada, 2018). Women's access to digital technologies in terms of entrepreneurship continue to be a relevant issue in the Philippines as well since women were still found to be largely employed in wholesale and retail and personal and household goods trade (Philippine Statistics Authority, 2021).

⁹Prior to the approval of the Expanded Maternity Leave Act, women were only granted 60 days of paid leave for normal delivery and 78 days of paid leave for caesarean delivery. Maternity benefits then only covered the first four births.

¹⁰The public sector is guided by CSC Memorandum Circular No. 18, series of 2020 ("Amendment to the Revised Interim Guidelines for Alternative Work Arrangements and Support Mechanisms for Workers in the Government during the Period of State of Public Health Emergency due to COVID-19 Pandemic").



For better or for worse, the disruption caused by the pandemic hastened the adoption of digital technologies in trade and commerce, placing Shopee and Lazada as the fourth and ninth most downloaded mobile applications in 2020 (Kemp, 2021). A sweeping increase in all categories of e-commerce except for the travel, mobility and accommodation industries was also seen in 2020.¹¹

As a background, the role of ICTs in Philippine commerce was formalized in 2000 upon the legislation of **RA No. 8792 or the Electronic Commerce Act**. The law covers the legal recognition, communication and use in e-commerce of electronic data messages and electronic documents. The Department of Trade and Industry (DTI), along with the Bangko Sentral ng Pilipinas (BSP) and the Department of Budget and Management (DBM) has issued numerous advisories, orders, and rules and regulations to legitimize, standardize, and secure the use of ICTs in business and banking, among many other purposes. An E-Commerce Office under DTI was also institutionalized in 2009.

The role of technology in enterprise development was also recognized in **RA No. 9178 or the Barangay Micro Business Enterprises (BMBEs) Act** of 2002 and in **RA No. 9501 or the Magna Carta for Micro, Small and Medium Enterprises (MSME) Act** of 2008. The BMBEs Act of 2002 aims to integrate micro enterprises in the informal sector into the mainstream economy by incentivizing the registration of BMBEs and providing assistance in the areas of technology transfer, production and management training, and marketing, while the Magna Carta of MSMEs recognizes the specific needs of the MSMEs and provides policies that shall support, strengthen and encourage the growth and development of small and medium scale enterprises. The two laws mandated DTI and other relevant government agencies to provide interventions on the use of technologies in enterprise development.

¹¹The Philippines' Digital 2021 report showed a year-on-year increase in total amount spent in consumer e-commerce categories in 2020 versus 2019 with 28% growth in fashion and beauty, 37.4% in electronics and media, 64.3% in food and personal care, 46.3% in furniture and appliances, 47.8% in toys, DIY and hobbies, 41.1% in digital music and 30.8% in video games.

In 2013, the rise of e-commerce transactions in online retail platforms and social media prompted the **Bureau of Internal Revenue (BIR) to issue Memorandum Circular No. 55-2013** which reminds taxpayers, buyers and online intermediaries of their tax obligations when transacting online. Such obligations include business registration, issuance of receipts, and withholding and filing of taxes. The following year, **RA No. 10644 or the Go Negosyo Act of 2014** was legislated to establish Negosyo Centers which shall be responsible for promoting ease of doing business and facilitating access to services for MSMEs within its jurisdiction. Under the business capacity focus area, DTI chose to aim for the improved access to technology and innovation of MSMEs in its **MSME Development Plan 2017-2022**. To date, DTI's Go Negosyo Centers now offer business advisory services, business registration assistance, and business information and advocacy capacity building services. In partnership with the Philippine Trade Training Center, it has also developed training modules on data privacy, digital marketing, photo editing and web design, and spreadsheet use in business management.

The use of the term 'technology' in the BMBEs Act, Magna Carta for MSMEs and Go Negosyo Act did not necessarily refer to ICTs nor expect its widespread use in commerce today. However, the implementation of programs, activities, and projects as mandated by existing laws took the prevailing trends of e-commerce into consideration. When it comes to legal discrimination in women's entrepreneurship, a report by the World Bank Group (2019) showed that the Philippines got a perfect score in the "running a business" category, meaning to say, there are no legal constraints hindering women from starting and running their own businesses.

In 2020, **House Bill No. 6122 and Senate Bill No. 1591 or the 'Internet Transactions Act'** were proposed in light of the increasing demand for e-commerce, and the emerging forms of fraudulent acts committed using digital technologies against buyers and customers alike. The bills seek to regulate new industries, especially those that are enabled by digital technologies and operate in online platforms such as online selling or retail, online travel services, digital media, ride hailing services, and financial services. The bills also propose the establishment of a dedicated regulatory body who shall monitor the e-commerce industries.

When it comes to developing innovative products, processes and services, women were found to be in the minority as only 20% of startup companies were founded or co-founded by women based on the global survey conducted by Crunchbase in 2019 (Teare, 2020). The same study found that only 13% of the overall investments went to female founded and co-founded companies.¹² This is in contrast to the findings of the Boston Consulting Group and MassChallenge that women-founded and co-founded startups generate more revenue than men-founded companies in the long run despite the gap in funding (Abouzahr et al., 2018).

In the Philippines, the 2020 Philippine Startup Survey reported that the majority of the local startups are scaling up. While availability of capital remains an issue, the government's support in capacity development, alliance and network building, and fiscal incentives helped shape the Philippine's startup scene.

In 2016, DTI and DOST partnered with the private sector to establish the **QBO Innovation Hub** which now provides resources, information, skills, and assistance to startups and ecosystem development programs for its partners. In 2017, the DICT launched the first **Philippine Roadmap for Digital Startups** which was complemented by the conduct of the **ASEAN Slingshot Convention** co-led by DTI that garnered more than 80 technology start-ups and 20 foreign angel investors from across Southeast Asia. The booming startup scene in 2019 saw the approval of two legislations that shall affect the startups in the Philippines, namely, the Innovative Startup Act and the Revised Corporation Code of the Philippines.

RA No. 11337 or the Innovative Startup Act was approved to strengthen, promote and develop the Philippine Startup System. In order to encourage the establishment and operation of innovative new businesses, the law included general registration and operational benefits and incentives including full or partial subsidy for the registration and application process and full use of repurposed government spaces and facilities for startups. The law also set up the Startup Venture Fund under DTI and the Startup Grant Fund under DOST, DICT and DTI.

¹²The 2019 Crunchbase reports showed that among companies listed in its database only 3% and 10% of global venture funds went to female-founded and female co-founded companies, respectively. 87% were invested in male-founded startups.

On the other hand, **RA No. 11232 or the Revised Corporation Code of the Philippines** removed the minimum number requirement of incorporators (formerly five) and instituted the one-person corporation as a new kind of corporation. The amendment shall serve to the advantage of budding entrepreneurs and startups which are usually established by one person or by a small team.

Similar to existing laws on MSMEs, policies on startups do not hinder women from establishing or co-founding their own companies nor discriminate against women in providing access to technologies, credit, and capital. In the absence of local sex-disaggregated surveys and statistics, the general observation provides two hypotheses: (1) there are less women founders and co-founders of startups; and (2) women founders and co-founders are less visible in the Philippines. Case in point, in the 2020 Philippine Startup Survey, only 22% of 111 startup founders and co-founders surveyed were women. To increase women's visibility, QBO Innovation Hub created **Startup Pinay**, a program which strives to increase access to growth capital to create a better landscape for women-owned and women-led startups in the Philippines.

On the promotion of trade and investment opportunities in the ICT and ICT-enabled services (ICT-ES) sectors, DICT has partnered with the DTI, other relevant government agencies and the private sector in promoting strategic partnerships and alliances between and among educational and training institutions to speed up industry growth and enhance competitiveness of Philippine workers, firms, and small and medium enterprises in the global markets for ICT and ICT-ES.

DICT's **Digital Jobs PH**, formerly known as the Rural Impact Sourcing (RIS) Program which was launched in 2015 by the DOST, is a capacity building program aimed at providing alternative means of livelihood to returning OFWs and aspiring entrepreneurs in the countryside through online freelancing. The program coined the term 'OFW 2.0' to refer to online Filipino workers in the hopes of offering an alternative option besides moving to big cities and leaving the country to work abroad. The program also aims to capacitate entrepreneurs in micro, small and medium enterprises to increase market coverage through e-commerce.

Skills taught during the program are those deemed valuable and easily marketable in the online gig economy and e-commerce such as digital marketing, search engine marketing and advertising, virtual assistance, graphic design, content writing, and website development. As of 2019, the program has produced more than 2,000 graduates who are now part of the 1.5 million online Filipino workers, and 700 MSMEs with websites and online presences. Considering the pandemic, the program has shifted to online learning and has conducted virtual classes among its trainees and short webinars which were made available to the public through Facebook.

Online freelancing work was perceived as a viable option to working overseas as the average freelancer rate in the Philippines is higher than the equivalent average salary of Filipino workers in the Philippines.¹³ The option seemed especially attractive to Filipino women given that 3 out of 5 online freelancers in the Philippines are females, a stark contrast to the global number where only 1 in 4 online freelancers are females.¹⁴ Moreover, the proportion of female overseas Filipino workers (56.0%) was higher than their male counterparts (44.0%).

In March 2021, **House Bill No. 8817 or the Freelance Workers Protection Act** was approved on the final reading. The bill aims to protect and promote the rights, welfare, and entitlement to humane working conditions and timely payment of fees for service rendered of freelance workers who are registered in the Security and Exchange Commission (SEC), DTI or BIR. It shall provide for the execution of a written contract, provision of a night shift differential and hazard pay, penalties for unlawful practices, and responsibilities of the DOLE, BIR and local government units in enforcing the law.

The absence of dedicated policies and interventions on the guidance and protection of online Filipino workers, especially those engaged in the online gig economy is noticeable especially if compared to the government's initiative to promote online freelancing and digital entrepreneurship. Taxation and social security policies requiring freelancers and entrepreneurs to register, file taxes and contribute to social security schemes are not strictly implemented as many workers do not self-report being employed online, especially with the absence of formal arrangements. An immeasurable part of the online gig economy that occurs outside web-based platforms and location-based apps thus fall under informal work and outside the protection and scrutiny of the government.¹⁵

¹³Sources: 2020 Freelancer Income Report, and 2019 Global Gig-Economy Index, Payoneer

¹⁴Sources: 2018 & 2020 Freelancer Income Report, and 2019 Global Gig-Economy Index, Payoneer

¹⁵Department of Labor and Employment (DOLE) defines gig economy as work done in digital labor platforms which includes both web-based platforms and location-based apps. According to PIDS, the term "gig economy" came from the observation that workers take on "gigs" or a job for a specified project or time without any guarantee of further employment.

Privacy, Safety and Security

The Philippine Constitution places value in the dignity of every human person and guarantees full respect for human rights. As emphasized in the Magna Carta of Women, human rights are interdependent and interrelated. Thus, the fulfillment of one right often depends, wholly or in part, upon the fulfillment of others. In today's digital age where gender-based violence has permeated online spaces, women's freedom from violence hangs on how well their rights to data privacy and online safety and security are observed by the State and its citizens.

From 1992 to 2008, several laws were made to guarantee the physical, emotional, and psychological safety of women through protection from sexual harassment in academic and professional settings, trafficking, violence in the domestic sphere, and discrimination in general. However, there was no explicit mention of the use of ICT and the penalization for its use in violation of women's rights at that time. It was up to the public and private sectors such as the Civil Service Commission (CSC) to produce their own policies on online gender-based violence (OGBV) to supplement existing laws.¹⁶

2009 first saw the issuance of laws governing crimes committed using technology such as the Anti-Photo and Video Voyeurism Act and Anti-Child Pornography Act. Following the highly publicized and widely disseminated series of "sex scandals" of celebrities in 2009, legislators drafted and passed the **RA No. 9995 or the Anti-Photo and Video Voyeurism Act** to penalize acts that "would destroy the honor, dignity and integrity of a person" including taking, reproducing, selling and publishing of photos and videos of a person or group of persons performing sexual act or a person/s private area without consent and under circumstances of "reasonable expectation of privacy".



¹⁶As an example, CSC Resolution No. 01-0940 on the "Administrative Disciplinary Rules on Sexual Harassment Cases" stipulated that sexual harassment may take place using "telephone, cellular phone, fax machine or electronic mail" and may occur among peers.



The Anti-Photo and Video Voyeurism law saw high relevance in 2017 considering the proliferation of “hokages” and “pastors” in social media groups who share highly sexualized photos and videos of women and children without consent of the persons in the material. The proximity of the pastor subculture to mainstream social media and everyday life has fostered the distribution of ‘revenge porn’ which is a clear violation of women’s right to privacy, safety, and security (Escobar, 2019). An interview with the PNP Anti-Cybercrime Group revealed the limitations of the law in cases where photos and videos of women do not fall under the law’s definition of voyeurism. For example, a self-published photo of a woman wearing a bikini does not fall under circumstances of “reasonable expectation of privacy” (Gutierrez, 2017).

In a 2020 study by the World Wide Web Foundation, women were found to place heavier importance on data privacy and protection than men. While online privacy issues affect everyone, women are disproportionately affected by data privacy violations which may have serious online and offline consequences.

RA No. 10173 or the Data Privacy Act of 2012 was legislated to protect the fundamental human right to privacy while ensuring free flow of information to promote innovation and growth. The law is geared towards ensuring that personal information in information and communication systems in the government and in the private sector are secured and protected. It is a comprehensive law covering the establishment of a National Privacy Commission (NPC), rules on processing of personal information, rights of the data subject, security of personal information, accountability for transfer of personal information, security of sensitive personal information in the government, and the penalties for the data privacy violation.

However, nine years after the promulgation of the law and five years after the establishment of the NPC, data privacy violations remain rampant. Among the most notable cases are the massive data breach of the Commission on Elections (COMELEC) in 2016 and the violations committed by various lending applications in 2019.¹⁷ ¹⁸ Amidst the pandemic, questions were raised on the compliance of various contract tracing applications to the law. In June 2020, a university pep squad coach decried sexual harassment which she attributed to the improper handling of her data during contract tracing (Olivares, 2020). The Foundation for Media Alternatives reported that three out of nine reports of data privacy violations in 2020 were committed against women by perpetrators who used the contents of the contact tracing forms for personal reasons. Interestingly, no related cases were resolved by the NPC as of date despite the seeming prevalence of unauthorized data use in the context of contact tracing efforts.¹⁹ Various civil society organizations and concerned advocates questioned the effectiveness and accountability of contact tracing applications. In response, the NPC has issued a bulletin on COVID-19-related applications and tools, emphasizing the need to make their purpose clear and data collection practices transparent.²⁰ ²¹

Multiple bills proposing for the amendment of the Data Privacy Act were submitted to the lower house. In February 2021, the House of Representatives at the committee level approved an **unnumbered substitute bill to amend the Data Privacy Act**. The substitute bill shall grant additional powers to the National Privacy Commission to issue summons, subpoenas, contempt powers, and to impose administrative penalties. The provisions of the substitute bill redefine “sensitive personal information” to include biometric and genetic data, as well as political affiliation. The proposed bill clarifies extraterritorial application of the law by specifying clear instances when processing personal data of Philippine citizens and/or residents is concerned, defines the digital age of consent to process personal information to more than fifteen (15) years, includes the performance of a contract as a new criterion of the lawful basis for processing of sensitive personal information, and modifies criminal penalties under the DPA, giving the proper courts the option to impose either imprisonment or fine upon its sound judgment, among others (National Privacy Commission, 2021).

¹⁷For a detailed account of the 2016 Comelec data breach, a paper was published by the Foundations for Media Alternatives in 2018 titled “Revisiting the Breach: A Briefing Paper on the 2016 Comelec Data Leak at <https://www.fma.ph/wp-content/uploads/2018/04/COMELEAK-FINAL-1.pdf>

¹⁸The NPC already made a decision against the unauthorized processing of personal information and sensitive personal information by lending companies which can be accessed using this link: <https://www.privacy.gov.ph/wp-content/uploads/2021/02/NPC-19-910-In-re-FLI-Decision-LYA-Final-pseudonymized-17Dec2020.pdf>

¹⁹See <https://www.privacy.gov.ph/commission-issuance/> for a copy of the latest decisions, resolutions and orders issued by the NPC.

²⁰See <https://www.privacy.gov.ph/2020/03/npc-phe-bulletin-no-3-collect-what-is-necessary-disclose-only-to-the-proper-authority/>

²¹See <https://www.privacy.gov.ph/2020/03/npc-phe-bulletin-no-4-protecting-personal-data-in-the-time-of-covid-19/>

On the bright side, **RA No. 11313 or the Safe Spaces Act** which seeks to protect any person from gender-based sexual harassment in public spaces was enacted in 2019. It addresses the limitations of RA No. 7877 or the Anti-Sexual Harassment Act wherein the scope of sexual harassment only included acts occurring in work and education settings and were committed by a superior or a person who moral ascendancy over the victim. The redefinition of gender-based sexual harassment in the Safe Spaces Act also widened the scope of what constitutes sexual harassment and where it can take place. It is also the first legislation in the Philippines to recognize and define online gender-based violence, to wit:

“Gender-based online sexual harassment includes acts that use information and communications technology in terrorizing and intimidating victims through physical, psychological, and emotional threats, unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages, invasion of victim’s privacy through cyberstalking and incessant messaging, uploading and sharing without the consent of the victim, any form of media that contains photos, voice, or video with sexual content, any unauthorized recording and sharing of any of the victim’s photos, videos, or any information online, impersonating identities of victims online or posting lies about victims to harm their reputation, or filing false abuse reports to online platforms to silence victims.”

The IRR of the law provided the definitions of acts that qualifies as sexual harassment including stalking and cyber stalking, as well as remarks or slurs that are homophobic, misogynistic, transphobic, and sexist in nature.

Identity and Expression: Social and political participation

Out of 180 countries, the Philippines ranked 138th on the press freedom index. Filipina journalists are particularly vulnerable to state-sponsored harassment, as evidenced in the recent cases of Maria Ressa, Lady Ann Salem, and Frenchie Mae Cumpio (Reporters Without Borders, 2020). Among non-media practitioners, social media is being weaponized by the State and the public to harass women who speak out or express themselves online.²²

²²Well known survivors of OGBV include Angel Locsin in May 2020 (on ABS-CBN lockdown), Senator Risa Hontiveros in June 2020 (on sexual harassment), Liza Soberano in October 2020 (on gender-based violence and alleged ties to Gabriela Youth), and Patricia Non in May 2021 (on the establishment of community pantries).

While there are no existing policies aimed at hindering women's free speech online, two controversial legislations – the Cybercrime Prevention Act of 2012, and the Anti-Terrorism Act of 2020 – criminalize and impose heavy penalty on certain types of speech.

RA 10175 or the Cybercrime Prevention Act of 2012 is a 21st century law that recognizes crimes committed in online spaces and with the use of digital technologies. It defines and incriminates cybercrimes including cybersquatting, cybersex, child pornography, identity theft, illegal access to data, and cyber libel. However, the law was heavily criticized locally and internationally, with some of its provisions declared unconstitutional by the Supreme Court (SC) in 2014.

The 2014 SC decision declared Section 5 (Other Offenses - “Aiding or Abetting in the Commission of Cybercrime” and “Attempt in the Commission of Cybercrime”) with respect to cyber libel as unconstitutional, meaning, sharing and reacting to posts deemed libelous will no longer put one to jail. However, the law still presents a threat to free speech and press freedom by providing a legal basis for the prosecution of dissenting statements made by the press, advocates, and even ordinary Filipinos. The current administration is guilty of weaponizing the cybercrime law, specifically the provision on cyber libel, to target its staunch critics. The cases filed against Maria Ressa of Rappler, Esperlita Garcia of the Gonzaga Alliance for Environmental Protection and Preservation, and other journalists and activists is testament to the law's detrimental effect on freedom of speech and expression.^{23 24 25} Among ordinary citizens, for better or for worse, the cybercrime law has seen a lot of use for countering defamation.²⁶

Another controversial aspect of the law is the penalization of cybersex which is defined as “[t]he willful engagement, maintenance, control, or operation, directly or indirectly, of any lascivious exhibition of sexual organs or sexual activity, with the aid of a computer system, for favor or consideration.” The vague and overreaching definition of the term is problematic since it fails to account that women may be unwilling victims of exploitation due to their economic needs and other unique circumstances. Although the Supreme Court has clarified that the crime of cybersex is only applicable to “persons engaged in business,” the law does not contain such provisions, and therefore may be subject to misinterpretation and abuse by law enforcement bodies. The failure to define “lascivious exhibition,” “sexual organ,” or “sexual activity,” in the law may also force law enforcers to apply their own judgment based on their personal standards of morality.

²³Source: <https://edition.cnn.com/2020/06/14/asia/maria-ressa-philippines-cyber-libel-intl-hnk/index.html>

²⁴Source: <https://newsinfo.inquirer.net/292664/cagayan-anti-mining-leader-arrested-over-facebook-post>

²⁵Source: <https://newsinfo.inquirer.net/1359065/2-camarines-norte-journos-jailed-for-six-hours-over-cyber-libel-case-nujp>

²⁶In 2019, two women were arrested for allegedly defaming a classmate in online group chat while 2020 saw the issuance of a warrant of arrest over tweets calling 8chan website owner “senile” and its moderators “incompetent.” Source: <https://businessmirror.com.ph/2018/03/19/cyber-libel-cases-rising-as-friends-turn-into-foes-via-online-platforms/>



The law also fails to consider the role of technology in the creation and affirmation of one's identity and expression in the modern world. Digital spaces provide a haven for marginalized people to express themselves online freely, safely and anonymously. The prohibition of cybersex takes away this freedom and deters online sexual expression, especially among Filipinas who are stereotyped as conservative or "mahinhin."

In 2020, the Human Security Act of 2007 was repealed and replaced by **RA No. 11479 or the Anti-Terrorism Act** in order to prevent, prohibit, and penalize terrorism. However, the expanded definition of what constitutes terrorism, and the removal of safeguard provisions may pose a threat to the enjoyment of human rights, namely, freedom of expression, freedom from arbitrary arrest, detention or exile, and freedom of peaceful assembly, among others.

Under the law, "speeches, proclamations, writings, emblems, banners or other representations" deemed to incite or support terrorism as well as "advertisement or propaganda" for the purpose of recruiting persons shall serve as ground for arrest, detention, and imprisonment. Publication of digital or online content pertaining to the above acts are also covered by the law.²⁷ Further, privileged data, personal conversations, and content may also be surveilled, intercepted, and recorded by law enforcement agents and military personnel by compelling internet service providers and telecommunication service providers to produce the data of the suspect.²⁸

Persons suspected of committing the acts detailed above, can be subjected to warrantless arrest and detainment by up to 24 days. Persons found guilty of inciting or supporting terrorism shall face imprisonment of twelve (12) years. However, there is no safeguard for wrongful accusation and detention under this law – a wrongfully detained person would have to file suit against the government to get remuneration. To date, the constitutionality of the said law is being challenged in the Supreme Court and multiple calls were made to repeal the legislation.

²⁷Section 9 of RA 11469. Inciting to Commit Terrorism, Section 10 of RA 11469. Recruitment to and Membership in a Terrorist Organization

²⁸Section 16 of RA 11469. Surveillance of Suspects and Interception and Recording of Communications

Combined, the Cybercrime Prevention Act and Anti-Terrorism Act not only jeopardizes press freedom, but also produces a chilling effect to free speech of ordinary citizens, particularly those who are vocal about their beliefs in social media. People's participation and engagement in the socio-political sphere may be curtailed if there are laws which can put them in prison for speaking up. In this case, the overreaching provisions of the two laws have the potential to incite fear among women which might serve as a deterrent to their day-to-day and political engagements online.

In 2017, **RA No. 11055 or the Philippine Identification System Act** established the Philippine Identification System or PhilSys as the single national identification system aimed at providing valid proof of identity for all citizens and resident aliens. It shall eliminate the need to present other forms of identification in public and business transactions, subject to appropriate authentication measures based on a biometric identification system. Moreover, it is envisioned to make services more accessible, promote ease of doing business, enhance the integrity of services and reduce fraud, enable and promote participation and trust in digital government and the digital economy, and empower Filipinos with greater control over their personal data. While it considers the upholding and protection of human rights, acknowledges specific rights of individuals in relation to their personal data, provides consent and prescribes security measures, it allows for data surveillance, and collection of greater amounts of personal data than needed for its intended purposes (FMA, 2019).

Meanwhile, the **Anti-Discrimination Bill or the Sexual Orientation and Gender Identity Expression (SOGIE) Equality Bill** has yet to hurdle legislation even after two decades. The SOGIE Equality Bill recognizes the fundamental rights of every person regardless of sex, gender, age, class, status, disability, religion, and political beliefs. This means that the law protects all genders, especially members of the LGBTQIA+ from discrimination and marginalization and supports the right to self-identity and expression. Without a national law in place, it is up to the local government units to produce their own **anti-discrimination ordinances (ADOs)** to combat discrimination in their constituency. As of June 2021, there are six (6) provinces, twenty (20) cities, one (1) municipality, and three (3) barangays that have enacted their own ADOs.²⁹

²⁹Six (6) provinces: Agusan Del Norte, Batangas, Cavite, Dinagat Islands, Ilocos Sur, and Iloilo; Twenty (20) cities: Angetes, Antipolo, Bacolod, Baguio, Batangas City, Butuan, Candon, Cebu City, Dagupan, Davao City, General Santos, Iloilo City, Mandaue, Mandaluyong, Manila City, Quezon City, Pasig City, Puerto Princesa, San Juan, and Vigan; one (1) municipality: San Julian, Eastern Samar, and three (3) barangays: Bagbag, Greater Lagro, and Pansol, Quezon City.



On the proliferation of disinformation, **HB No. 6022 or the Anti-Fake News Act of 2017** is a proposed legislation intended to rid both the traditional and social media of fictitious or misleading reports that are being manufactured and passed on to the public as legitimate information. It penalizes the creation, and dissemination, as well as aiding and abetting thereof, of “fake news” by social media users and mass media outlets. Linda Lakhdhir of the Human Rights Watch posits that if made into law, the bill “would make a government department the arbiter of permissible online material” (Human Rights Watch, 2019). The vague but overreaching definition of what constitutes “fake news” can stifle freedom of speech and expression among journalists and ordinary citizens alike. Since the SC already struck out “aiding and abetting” of fake news through sharing and reacting to online content in the Cybercrime Act, the same provisions in the bill should also be removed.

HB No. 5793 and Senate Bill No. 176 both known as or the “**Subscriber Identity Module (SIM) Card Registration Act**” shall require the registration of purchased prepaid SIM cards to help resolve crimes and deter the commission of wrongdoings made possible with the use of SIM cards. DICT expressed opposition to the measure citing a number of reasons why the measure is not feasible: (a) it requires a reliable IT system; (b) it has failed several times in other countries; (c) criminals will always find ways to circumvent the restriction; (d) it would disenfranchise certain sectors; and (e) the inconvenience it would cause on the public could outweigh its possible effectiveness (FMA, 2018). The proposed measure has the potential to deter gender-based violence committed anonymously using prepaid SIM cards even with the possibility that perpetrators may employ ways to keep their identities a secret. However, it also deprives victims of gender-based violence a means to protect themselves, including their identities.

III. Conclusions and Recommendations

This paper found that laws and policies governing the use of ICTs are "gender neutral" and even "gender blind" to some extent. These policies assume an equal footing across all genders and are insensitive to the unique circumstances and needs of women. The prevailing gender gap in digital inclusion as well as the prevalence (or absence) of women in certain aspects of the digital world were not considered in the policies. The scant number of local studies and publicly available sex-disaggregated data (e.g., women in e-commerce and startups) may have also contributed to the false assumption of gender equality and the lack of gender perspective in the current policies.

Existing policies and programs in education and digital literacy do not discriminate against nor afford special treatment to women and girls. The only exception is TESDA's gender responsive policy to encourage more women to participate in its program in recognition of the reality that women are less likely to enter the workforce compared to men. Given the special preference afforded to women, it is no wonder that enrollees in TESDA's Online Program in 2017 were mostly women (60%) (Quimba & Calizo, 2018).

The gender gap in formal education continues to decrease based on CHED and DepEd's enrollment data.³⁰ However, female undergraduate students still flock to "traditional female" courses such as elementary and secondary education, unlike male students whose top choices include criminology and information technology.³¹ This goes to show that there is a need for DepEd, CHED and DOST to beef up its policies and programs on women's education and inclusion in STEM.

The Telecommuting Act and its work-from-home guidelines fail to consider the differences in men and women's time use and gender roles at home as well as the added cost of procuring the necessary digital technologies in the context of working from home. Both the DOLE and CSC should consider amending their IRR and policies to ensure that all workers can balance family and work responsibilities to maintain their health, well-being, and productivity. After the community quarantine, the government should also consider allowing select government offices to employ alternative working arrangements since the Telecommuting Act only covers the private sector.

³⁰DepEd reported near parity on female (49%) versus male (51%) enrollment in formal K to 12 for S.Y. 2019 to 2020. On the other hand, CHED's statistics show that more females (55%) versus males (45%) were enrolled in tertiary education in the same school year.

³¹The top 5 most populated programs by males are criminology, information technology, business administration, and hotel and restaurant management, respectively. For females, the top courses are business administration, secondary education, elementary education, hotel and restaurant management, and accountancy.

In light of women's substantive participation in the online gig economy, there is also a need to create policies that will not only uphold worker's right to decent work, but also promote a gender-responsive social protection system for online freelancers and entrepreneurs who usually do not enjoy maternity and other social security benefits. A study conducted by PIDS has recommended the inclusion of platform economy as an area of cooperation to collectively address issues in the absence of labor unions (2020).

Legislative and implementing bodies should also review existing ICT-related laws and policies to incorporate the latest developments in technology and good practices of the current era. Amendments should also take into account the country's compliance to international treaties and human rights standards, and development targets.

The administrative issuances of DTI, and other agencies are no longer enough to guide and regulate the emergence of new businesses and markets. A national law that heeds the international standards on e-commerce is needed to protect buyers and consumers and foster a clean business environment to encourage local businesses. The passage of the Internet Transactions Act is necessary to revamp and future-proof existing policies on e-commerce in the Philippines. The coverage, definitions, and principles of the Data Privacy Act also needs to be reviewed in light of the ongoing and fast-paced global digital transformation.

Laws should be continuously and arduously reviewed to check if its provisions and implementation conflict with those of other laws. Its constitutionality and compliance to international treaties and standards should be scrutinized, and if needed, appealed to the Supreme Court. Case in point, the provisions on cyber libel and cybersex in the Cybercrime Prevention Act are not compliant to international standards on cybercrime, particularly, to the Budapest Convention on Cybercrime Treaty. The Philippines is also one of the few countries which continues to criminalize libel as provided in the Revised Penal Code.

Existing laws on women's rights, labor, and reproductive health already incorporate a gender component in their provisions. However, even with the existence of such laws, the equal participation of women, particularly, in male-dominated sectors such as the technology industry continues to be fraught with problems. In 2017, less than 4 in 10 workers in the information and communication industry were women (PSA, 2018). A US study shows that women are five times more likely to have experienced gender discrimination in the workplace compared to men (Dice, 2021) and as a result, have less satisfaction with their careers, current jobs, and managers are relatively lower compared to their male counterparts.

The Philippines has robust laws on women's rights to privacy, safety, and security, but for women to enjoy these rights, the laws need to be implemented effectively and in a timely manner. A stricter and more timely implementation of policies and enforcement of the existing laws are needed to provide a safe online space for women. The National Privacy Commission was only created four years after the Data Privacy Act was passed, and various violations against data privacy continue despite the establishment of the National Privacy Commission. The Safe Spaces Act amply provides the necessary grounds against OGBV, but its localization and compliance by local government units, schools, and commercial institutions need more work. The Anti-Photo and Video Voyeurism Act also needs to be reviewed to account for new developments and circumstances (e.g. proliferation of "hokage" groups).

It should be made clear in subsequent laws and complementary policies how women's rights offline can be translated and protected in the digital world. At the same time, women's issues, discussions and experiences raised in digital spaces should also inform policies affecting women's offline rights. The fact that gender inequality remains is testament to the need to (re)claim women's place both in the offline and online world. Technology can be empowering if women can access and use it to pursue their rights. Government agencies who are tasked to implement programs, create policies, and oversee the compliance to ICT-related laws should work hand-in-hand with the Commission on Human Rights, Philippine Commission on Women, and the civil sector to ensure that policies are gender sensitive, responsive, and transformative.

In conclusion, digital rights, as the extension of human rights in the digital world, are rights that should be afforded equally across all genders. The same equal rights that are enjoyed by women and men offline should also be available to everyone online. The government as duty-bearer and women's group and allies as rights holders should continue to engage in meaningful dialogue to produce informed, relevant, appropriate, and effective policies on ICTs and women's rights. Policies should be reviewed regularly to make them more gender-sensitive and responsive, and align them with international human rights standards, considering that technology is growing at a very fast pace.

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