1. INTRODUCTION

Women in the Philippines have struggled throughout history for gender equality both in their society and in the workforce. Filipinas traditionally suffer more than men do from poverty and unemployment. Many of those who are employed have low-paying positions in which they face gender discrimination, substandard work conditions, limited opportunity for promotions, minimal job security, and harassment. Although the Philippine government has passed numerous regulations to alleviate this situation, the problems remain pervasive.

The onset of the Asian economic crisis in 1997 exacerbated the plight of Asian women. As employers cut back employees, women lost even more jobs, suffered from heightened discrimination, and fell into poverty in numbers widely disproportionate to men. This intensified the existing obstacles for Filipino women.

In the aftermath of the crisis, the Philippines and other Asian countries began to recover financially. However, the socio-economic costs of the crisis to women were great. Despite international entities' recommendations for initiatives and the availability of many resources for addressing women's concerns, the Philippine government's response remains inadequate. As a re-

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result, the hardships for Filipinas have increased and progress they had achieved may have been erased. Because governments alone have been unsuccessful thus far in ameliorating the plight of Filipinas, and of Asian women in general, international organizations, Asian governments, the private sector, non-governmental organizations, workers' organizations, and cooperatives must make a collective effort to improve the position of women in Asia.

Section 2 of this comment reviews the causes of the Asian economic crisis and its effects on Asia and the Philippines. Section 3 examines the status of economic and social recovery in Asia and the Philippines more than two years after the crisis. Section 4 discusses the social costs of the Asian economic crisis to Asian women, as exemplified by the Filipina experience. Section 5 explores the national initiatives that the Philippines has implemented and criticizes the inadequacy of the Philippines' response to working Filipinas' needs. Section 6 recommends international and national proposals for the advancement of Filipinas and advocates a collective effort by the Philippine government, international organizations, the private sector, non-governmental organizations, trade unions, and cooperatives.

2. THE ASIAN ECONOMIC CRISIS: CAUSE AND EFFECT

It is necessary to review briefly the Asian economic crisis and its effect on employment in order to understand how the crisis has disproportionately affected women, and specifically, Filipino women. This requires examining the origin and effects of the crisis at both regional and national levels.

2.1. The Regional Crisis

2.1.1. The Origins of the Crisis

Although experts are still identifying the causes of the Asian economic crisis, it is certain that the international financial market and deficiencies in domestic policy each played a significant role. Capitalist over-accumulation and over-capacity plagued the beginning of the Asian economic crisis. The high level of lend-

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2 See David McNally, Globalization on Trial: Crisis and Class Struggle in East Asia, MONTHLY REV., Sept. 1998, at 1.
ing and inflows of portfolio investments that the international financial market sanctioned in the years prior to the crisis, as well as the overreaction by the international market to the crisis, created both a market failure and a self-fulfilling panic response.

Domestically, countries failed to establish adequate regulations for the banking and corporate sectors that were handling financial liberalization and access to foreign funds. Further, the impact of the surge in capital inflows prior to the crisis was inadequately handled. This resulted in overproduction and overemployment in the over-expanded construction and financial sectors in the years immediately preceding the crisis. These enormous excess capacity and resulting severe profitability problems exerted a downward pressure on prices and profits, creating a precarious situation eventually devastated by withdrawing investors.

The first manifestation of the crisis was the sharp devaluation of the Thai baht in July 1997. This devaluation had a devastating effect on the currencies of Malaysia, Indonesia, the Philippines, and Singapore, and resulted in large declines in these countries'

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4 See CD/ART, supra note 3, at 6.

5 See id.

6 See id. at 7.

7 The large capital flows into Southeast Asia contributed to an enormous excess of productive capacity, which could not be used profitably. See McNally, supra note 2; see also CD/ART, supra note 3, at 6-7. For a more in-depth overview of the financial crisis, see THE FEDERAL RESERVE BANK OF CHICAGO & THE INTERNATIONAL MONETARY FUND, THE ASIAN FINANCIAL CRISIS: ORIGINS, IMPLICATIONS, AND SOLUTIONS (William C. Hunter et al. eds., 1999) and THE POLITICS OF THE ASIAN ECONOMIC CRISIS (T.J. Pempel ed., 1999).

8 See McNally, supra note 2. Investors first pulled out of new investment projects in Asia and later withdrew cash from the stock markets and got rid of Asian currencies. See id.

9 See CD/ART, supra note 3, at 1; Bursting the Bubble, supra note 3 (noting that the countries' currencies often fell more than 50% against the U.S. dollar). See generally McNally, supra note 2 (discussing in further detail the effect of the crisis on each country).
stock markets. The crisis spread to the Republic of Korea by
October 1997. A massive reversal of foreign capital flows trig-
gerated drops in net private inflows for Indonesia, the Republic of
Korea, Thailand, the Philippines, and Malaysia from U.S. $93 bil-
lion to $12 billion.

2.1.2. Asia’s Financial Turn for the Worse

As a result of these dramatic changes, the crisis most severely
affected the Republic of Korea, Thailand, and Indonesia, resulting
in real gross domestic product (“GDP”) deceleration from 7% per
annum to zero or negative. Those less affected by the crisis,
such as Singapore, the Philippines, and Malaysia, also experienced
significant declines in growth. Severe currency devaluations and
declines in equity prices raised inflation rates and caused extensive
import compression. The crisis affected the “real economy,” in-
cluding personal services, manufacturing, transport, and construc-
tion, within six months to a year after the currency devaluations
occurred. Consumption and average incomes fell sharply,
which resulted in massive layoffs, severe unemployment, and in-
creased poverty despite poverty reduction trends in these coun-
tries before the crisis.

2.1.3. Employment Effects in East Asia

The employment sector suffered a great deal from the eco-
nomic crisis. Specifically, the crisis produced wage and benefit
cuts and massive, region-wide layoffs for both men and women. Layoffs began in the formal sectors, such as banking and finance, and, in turn, affected the construction, small-scale manufacturing, retail, wholesale, and transport services sectors as consumer demand declined. As the crisis continued, the combination of a great decline in hiring and increased layoffs caused unemployment rates to double, even though some workers were able to find inferior employment. The subsequent rise in unemployment made fewer hours of work available and decreased incomes.

Employers slashed wages in both state and private enterprises as labor demands declined and inflation increased. Many workers had “little or no legal channel to voice their grievances.” Employers increasingly used temporary labor, as they frequently laid off workers to rehire them at a cheaper contract labor rate. Women usually lost their jobs before men, and they had little or no choice but to find very low-income domestic employment, which offered no legal protection against exploitative practices.

This employment situation caused the informal sector to become crowded, creating heightened competition and making survival more difficult. It also affected migrant workers who were unlawfully employed or whose status was irregular. Thousands of migrant workers in Malaysia, the Republic of Korea, and Thailand faced a greater danger of deportation. As countries...
ported migrant workers, the return of those migrant workers put an added strain on their homelands, which were already suffering from the recession. In addition, xenophobic attacks and abuses against migrant workers grew upon their return to the homeland. Together, these factors caused poverty levels to rise.

2.2. The Economic Effect on the Philippines

Like other East Asian countries, the Philippines suffered the economic effects of the crisis. However, experts maintained that the Philippines contributed less than other countries to causing the crisis, and the impact of the crisis on the Philippines was not as sudden or dramatic. Fidel Ramos, former President of the Philippines, blamed the crisis on "the lack of transparency and supervision in financial systems of many of our neighbour economies" and claimed, "[O]ur country is a victim— not an author— of the storm now engulfing Asia."

However, the Philippines was not without fault. Many believe that the crisis only highlighted the inability of the Philippines' already weak policies to withstand potential economic injury. Following the trend of development in many Southeast Asian countries prior to the crisis, the Philippines had attempted to create a capital-friendly system by lifting foreign exchange restrictions; granting investors full repatriation for profits, dividends, and capital; and opening the banking system to foreign banks. However, much of the capital went into speculative sectors, such as property development, rather than into productive areas. This masked the retardation of industrial growth and the

tries may deport almost two million migrant workers from Malaysia to be sent to Indonesia, where they would face possible abuses and social unrest. See id.

27 See id. at 7.
28 See id.
29 See id.
32 See Bursting the Bubble, supra note 3.
33 See id.
accumulation of massive debt. As traditional Philippine exports fell dramatically, foreign investors retreated. Thus the already precarious economic situation in the Philippines intensified the effects of the economic crisis there.

Moreover, "[w]hile it is true that [the Philippines] is better off than ASEAN neighbours except Singapore, it simply means that [the Philippines'] layoffs, inflation rate and price increases [were] not as substantial as theirs." The Philippines experienced a large currency depreciation and a decline in share prices. The Philippine peso lost more than 30% of its value between July 1997, when Thailand devalued its baht, and January 7, 1998, when the peso dropped to an unsurpassed low of 45.420 against the U.S. dollar. The currency devaluation resulted in a rise in interest rates, which, although intended to shore up the peso, hurt investment and slowed growth to between 2.4% and 3.5%. Real growth decelerated from 5.4% in the first quarter of 1997 to 2.5% in the first quarter of 1998.

34 See id.
35 See id.
36 See Alburo, supra note 31, at 181.
37 ASEAN refers to the Association of Southeast Asian Nations. See Association of Southeast Asian Nations: An Overview (last modified Nov. 1999) <http://www.asean.or.id/history/overview.htm>. The member countries of ASEAN are Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam. See id. The purposes of ASEAN are, among others, to accelerate economic growth, social progress, and cultural development through joint endeavors by the member countries and to promote peace. See id.
38 The Currency Crisis, supra note 30.
39 See CD/ART, supra note 3, at 5. The thirty-share Philippine Stock Exchange composite index fell to a four-year low of 1740.18 on October 28, 1997, and the Phisix plunged to 1518 on January 9, 1998, from its all-time high of 3447.60 on February 3, 1997. See The Currency Crisis, supra note 30. Further, the average revenue growth of publicly listed companies dropped to 18.25% in the first nine months of 1997, down from 34.6% in the same period in 1996. See id.
40 See The Currency Crisis, supra note 30.
41 See CD/ART, supra note 3, at 5. These figures are calculated according to government forecasts. See id.
Despite these statistics, in late 1998, the Philippine government tried to present its economy as an exception to the crisis. However, any expansion in the economy at that time resulted from remittances from thousands of Filipinos forced to work as overseas contract workers because of the crisis. Discounting the remittances, the economy remained in a recession.

2.2.1. Employment Effects

In the Philippines, as in other East Asian countries, the crisis had an especially detrimental effect on employment prospects. The slowdown in real growth strained the economy's ability to absorb workers and thus raised the poverty rate. "Amid all the difficulties, the worst hit sector is expected to be labor." As local manufacturers experienced a 45% rise in the cost of their raw materials, along with demands for wage hikes and increased competition, they adjusted their production to meet decreased demand by reducing work hours, retrenching workers, freezing hiring, and postponing expansion. The greatest number of displaced workers came from the manufacturing industry, "while the rest were from the food, apparel, textile manufacturing, trade, and construction sectors."

Conservative estimates predicted that approximately 100,000 job opportunities for Filipinos would disappear, as Filipinos were


45 After discounting the remittance revenues, the GDP declined by 0.1% in the 1998 third quarter in comparison to the 1997 third quarter, in addition to a 0.8% decline in the 1998 second quarter. See Head, supra note 43.

46 The Currency Crisis, supra note 30, at 5. According to the Bureau of Labor and Employment Statistics, during the first two months of 1998, companies displaced approximately 18,864 workers and closed 477 companies. See id.

47 See id. at 5. For example, Toyota Motors Philippines Corp., the nation's largest automobile assembler, suspended production for a month in two of its plants, and Mitsubishi Motors Philippines slashed production by 30%. See id.

48 Id. Of the 18,864 workers displaced by the crisis in the first two months of 1998, "9,335 . . . lost their jobs, 8,772 were temporarily laid off, while 757 were placed on rotation and had to accept pay cuts." Id.
disproportionately employed in sectors or occupations that felt
the crisis most severely.49 The unemployment rate in the Philip-
pines, which does not reflect dropouts from the labor force, rose
from 7.9% to 9.6% during the crisis.50 The crisis induced closures,
retrenchments, and rotations of 1324 firms between January and
May of 1998, and caused 62,302 permanent and temporary lay-
ofs.51 More than 90% of Filipino families paid higher prices for
commodities, 20% lost their jobs within the Philippines, and 17%
suffered reduced wages.52

Additionally, the El Niño-induced drought in rural areas
compounded the effects of the crisis53 and caused severe disloca-
tion to the most vulnerable groups.54 The Asian financial crisis
and El Niño “caught the government unprepared as there were
not enough safety nets to cushion their impact.”55 Experts esti-
mated that the crisis forced at least 30,000 overseas Filipino mi-
grant workers to return home.56 The decline in remittances from
abroad,57 as well as between urban and rural areas, “impair[ed] the
ability of informal safety nets to mitigate some of the effects of

49 See SEAPAT, supra note 16, ¶10.
50 See James C. Knowles et al., Manila Social Forum, Social Consequences of
the Financial Crisis in Asia: The Deeper Crisis (Nov. 8-12, 1999) <http://www.
poverty.net.org/eapsoud/monilla99/papers.fml>. But cf. Employment in Phil-
ippines Up 1.2 Pct in 1st Half; ASIA PULSE, Oct. 20, 1998, available in LEXIS,
Philippines Country File (noting that the number of employed Filipino work-
ners rose 1.2% in the first half of 1998).
51 See Muharyani Othman, Economic Crisis Hits Women Hard, NEW
STRAITS TIMES (Malay.), Sept. 21, 1998, at 1 [hereinafter Economic Crisis Hits
Women Hard]. Note that these numbers are much higher than those from
52 See Philippines, in Jean Michel Severino, The World Bank, East Asia: Re-
covers Exhibits Greater Breadth and Depth, but Remains Uneven: An Update 1,
pines].
53 See Employment and Income in the Philippines, supra note 42.
54 See UN: Social Development Commission Continues Discussion of Social
Services for All, M2 PRESSWIRE, Feb. 12, 1999, available in LEXIS, News Li-
brary, M2 Presswire File [hereinafter Social Development Commission].
55 Id.
56 See The Currency Crisis, supra note 30.
57 See id. In the first nine months of 1997, more than 6.5 million Filipinos
were working abroad, contributing about U.S. $4.1 billion to the Philippine
economy. See id.
the crisis . . ." 58 The Philippines' lack of a formal social safety net and inadequate resources—offering only limited coverage for some employment policies, which are often difficult to enforce, and lacking protection completely in other areas—exacerbated the effects of the crisis. 59 Projections suggested that zero growth would increase the poverty rate from 23.5% in 1997 to 26.4% in 2000. 60 Moreover, only 7% of Filipino families reported receiving assistance from the government, 61 as the government reduced its social services. 62 The worsening conditions of the labor force and inadequate social protections inhibited the success of Filipino citizens.

3. TWO YEARS AFTER THE CRISIS: A MIXED RESPONSE

3.1. The Vulnerability of the Region: Economic Success But Social Failure

Despite the effects of the crisis throughout the region, East Asian economies began to recover financially a little more than two years after the fall of the Thai baht. 63 Foreign exchange rates rose, currencies were relatively stabilized, and interest rates fell. 64 Financial markets rose and equity markets made gains. 65 Experts

58 Employment and Income in the Philippines, supra note 42.
59 The Philippines has no unemployment compensation policy or reliable social security system. See id.; see also The Currency Crisis, supra note 30 (noting that "uncertainty is aggravated by the lack of a reliable social security system in the Philippines and the government's insistence on pursuing liberalisation reforms").
60 See Employment and Income in the Philippines, supra note 42.
61 See Philippines, supra note 52, at 10.
64 See East Asia Regional Overview, supra note 63, at 1.
65 See The Road to a Sustainable Recovery in Asia, supra note 63.
attribute this recovery to expansionary fiscal and monetary domestic policies, increased exports, and the return of foreign capital.66

In spite of these economic improvements, however, social factors, such as market sentiment and external events, remain exposed to the vulnerability of the economies' success.67 In fact,

[a]lthough some [of the negative social impacts] are lesser in magnitude than were projected early . . . there are good reasons to expect that the social crisis, as distinct from the economic crisis, has not yet peaked in severity. There is a danger, therefore, that improving economic conditions may lull observers into thinking that social conditions have recovered when they may in fact be worsening.68

The crisis has failed to improve the welfare of the poor, and unemployment rates are still unacceptably high.69 The number of poor people is higher, poverty is deeper, and even the middle class is suffering.70 White-collar workers, who have found other jobs fairly easily, have displaced less educated or less qualified workers.71 Especially disadvantaged groups, such as women, children, the elderly, and the disabled, are severely affected by the crisis because they have fewer resources to combat its effects.72 Overseas migrant workers in Asian countries continue to face employment reductions and currency devaluation, although migrant workers employed outside of Asia benefit from more stable employment.73

This combination of fiscal success and social failure reveals the continued vulnerability of the economies. Commentators suggest

67 See The Asian Crisis, supra note 63; East Asia Regional Overview, supra note 63, at 1.
68 Knowles, supra note 50, at 9.
69 See East Asia Regional Overview, supra note 63, at 3.
70 See id.
71 See Knowles, supra note 50, at 7.
72 See id.
73 See id. at 8.
it proves the following: (1) the importance of increasing social protections for the poor and near-poor; (2) that governments must play a greater role in providing protection because growth, by itself, is an insufficient social safety net; and (3) that governments must lessen social tensions caused by the recession. East Asian countries still need to develop long-term strategies to improve risk management, reduce vulnerability, promote productivity growth, and fiscally consolidate to avoid future economic crises. Concerns remain, including: (1) the pace of reform, particularly for the financial and corporate sectors, could falter; (2) East Asia’s prosperity is contingent upon U.S. monetary policy; and (3) rising global interest rates will raise the cost of capital to East Asia and dampen growth.

3.2 The Philippines’ Similar Outlook: Some Economic Recovery But Social Concerns Persist

During the two years since the onset of the crisis, the Philippines has recovered financially more quickly than other countries due to its interest rate policies, heavy trade with the United States, pre-crisis capital position, and lower corporate leverage with respect to neighboring countries. To cope with the recession, the government ordered a 25% universal reduction on all departmental non-personnel funds, domestic and foreign debt increases, and devaluation-linked price increases. In addition, it cut the appropriations of national departments by as much as 15% in 1999. As a result of the government’s efforts, the GDP of the Philippines grew by 3% in 1999 and the gross national product (“GNP”) experienced similar growth. The unemployment rate improved slightly after 1998, falling to 9.4%. In 1999, the infla-

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74 See East Asia Regional Overview, supra note 63, at 4.
75 See The Road to Sustainable Recovery in Asia, supra note 63.
76 See East Asia Regional Overview, supra note 63, at 7.
77 See The Asian Crisis, supra note 63.
78 See Philippines, supra note 52, at 1.
79 See Asian Contagion: The Causes and Consequences of a Financial Crisis 260 (Karl D. Jackson, ed., 1999); Employment and Income in the Philippines, supra note 42.
80 See Employment and Income in the Philippines, supra note 42.
81 See Philippines, supra note 52, at 1.
82 See id.
ippines' financial markets performed poorly compared to other East Asian countries' markets. The peso weakened 3% against the U.S. dollar and also against other regional currencies. Moreover, many Filipinos perceived the government as weak and corrupt.

Most importantly, despite the government's efforts to recover financially, it appears to have paid little attention to social protection and employment concerns. For instance, because the government plans to reduce the country's deficit from 114 billion pesos in 1999 to 62.5 billion pesos in 2000, social sector expenditures and poverty reduction efforts are expected to suffer. Moreover, the government's 25% budget cuts were universal and thus ignored the importance of programs and services for the poor, as well as the long term effects of the cuts on human capital. Real per capita household income has declined by 12%, and the income share of the rich has increased from 39.3% to 42.9%. These deficiencies necessitate further efforts to obtain social recovery. The World Bank recently determined that:

[the crisis has placed pressure on all aspects of whatever social safety net existed in the Philippines prior to the crisis. Falling economic growth has reduced the ability of the economy to absorb new workers. The regional nature of the crisis is expected to reduce remittances, both from abroad and between urban and rural areas. The fall in remittances impairs the ability of informal safety nets to mitigate some of the effects of the crisis, and the drought, in many cases, makes the need for those informal net-

84 See id. at 2.
85 See id. at 3.
86 See id.
87 See id. at 11.
88 See The World Bank Group, Poverty in the Philippines (last modified Nov. 8, 1999) <http://www.worldbank.org/eapsocial/countries/phil/pov2.htm>. In response, the government is developing a strategy to reduce poverty and improve upon the equity gains once growth is restored. See id.
89 See Knowles, supra note 50, at 3-4.
works all the more pressing. The challenge will be to mitigate the effects of reduced family income, while preserving human capital gains by maintaining education and health programs.\textsuperscript{91}

These continuing social hardships and challenges in the Philippines, and throughout Asia, illustrate Asia's need to ameliorate the social costs of the crisis. Moreover, these problems are exacerbated for Asian women, who suffer more than men do from economic crises. Therefore, even in the aftermath of the crisis, the social cost of the economic crisis to Asian women, namely Filipinas, remains great.

4. \textbf{THE SOCIAL COST OF THE ECONOMIC CRISIS ON WOMEN IN ASIA AS IDENTIFIED IN FILIPINAS}

This section addresses the social cost of the economic crisis to Asian women as illustrated by the plight of Filipinas. This analysis only represents the currently known effects of the crisis on women; some believe the worst is yet to become apparent.\textsuperscript{92} Although researchers have not completed many formal studies, anecdotal evidence from women's sections of trade unions and nongovernmental organizations points to an increase in gender-biased dismissals.\textsuperscript{93} Much of the information available discusses the effects of the crisis on Asian women in employment generally, through an examination of women's varied situations and of different labor sectors. Currently, "[q]uantitative assessments of the impact of the Asian crisis on women's labour force participation rates, unemployment and incomes, indicate an unambiguous worsening in some countries and more mixed results in others . . . ."\textsuperscript{94} However, the scarcity of data makes it difficult to form a comprehensive assessment.\textsuperscript{95}

\textsuperscript{91} Employment and Income in the Philippines, supra note 42.
\textsuperscript{92} See Economic Crisis Hits Women Hard, supra note 51 (paraphrasing Lucita S. Lazo, Chairman of the International Homeworkers Network).
\textsuperscript{93} See id.
\textsuperscript{95} See id.
Therefore, this analysis examines, by reasonable inference of their inclusion in the Asian women population and the damage the crisis inflicted on the Philippines’ economy and labor market, how the economic crisis exacerbates the situation for Filipinas. This comment examines the social costs of the crisis to Asian women generally and Filipinas specifically through an examination of: (1) sexism and the position of women in the workforce; (2) the informal sector; (3) sexism at home and the loss of education, focusing on the preference for males, females’ loss of education, and prostitution; (4) female migrant workers; and (5) the loss of social protection.

4.1. The Social Cost of the Economic Crisis to Asian Women

During the Asian economic crisis, all of Asia incurred a tremendous social cost, yet in its aftermath, women feel the ramifications of the crisis more severely than men.96

Bailing out [the Asian countries’] economies from the crisis and their people from poverty is a job that has been shouldered by the region’s women and children. It is they who have been deprived of the benefits of education, health, and social safety nets. It is they who remain second-class citizens of the world. And it is they who will do anything to keep their families alive.97

Asian nations tend to allocate many more resources to men than to women, especially in times of crisis.98 The crisis affects women much more adversely because of their unequal position in

95 See id.
96 See Dark Days Ahead for Asia’s Workers, supra note 18 (“[W]omen have been the first to lose employment in many of these countries.”).
98 See Nicholas D. Kristof, With Asia’s Economies Shrinking, Women Are Being Squeezed Out, N.Y. TIMES, June 11, 1998, at A12; see also Muharyani Othman, Striving for Equality, NEW STRAITS TIMES (Malay.), Nov. 9, 1998, at 1 [hereinafter Striving for Equality] (stating that women are the first to be removed from the wage sector in times of economic crisis, despite their contribution to export-oriented industrialization).
both the society and workforce. Women face daily obstacles to accessing facilities and opportunities in employment, education, training, credit, and decision-making.

Moreover, because poverty during the crisis tended to affect women more than men, a condition known as the “feminization of poverty,” the crisis illuminates the “high vulnerability” of women to poverty. Gender inequalities in Asia’s developing countries may inhibit development goals by: (1) maintaining high rates of child mortality and fertility; (2) preventing the expansion of education; and (3) lessening overall economic growth by lowering the average quality of human capital. Those countries that do not focus their development efforts towards women suffer “slower growth and reduced income.” Evidence of the effect of the crisis on women, as well as the historical and cultural indications that women will suffer more from the crisis, illustrate that

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99 See APEC Human Resource Task Force Releases Statement, ASIA PULSE, Sept. 11, 1998, available in LEXIS, ASIAPC Library, APULSE File (containing the full text of the APEC Human Resource Task Force Statement, which notes that the heaviest burden of the crisis is put on “women, young people trying to enter the labour market, and older men previously employed in certain industrial sectors”); Patricia B. Licuanan, Challenges in Addressing Gender Concerns in the Economic Crisis (visited Nov. 9, 1999) <http://www.poverty.net.org/eapsocial/manila99/agenda_new1.html> (listing the following as some of the major findings on the gender-impact of the crisis: (1) women’s employment rates and incomes clearly declined in some countries such as the Philippines; (2) "women’s incomes plummeted more steeply— as they took on jobs previously done by higher-earning men"; (3) decreases in income and government expenditures caused women’s traditional family responsibilities to be more burdensome; (4) women left unpaid family work to seek employment in the informal sector; (5) child labor and the sex trade increased; (6) informal sector workers suffered the greatest blow due to lower wages and a drastic decline in product demand; (7) migrant workers went home to no jobs; (8) violence against women rose; and (9) patriarchal values resurfaced, resulting in governments calling for women to “perform their wifely and motherly duties” to comfort men).

100 See Kristof, supra note 98.

101 Asia and Pacific Countries Show Progress, supra note 94.


4.2. The Social Cost of the Economic Crisis on Filipinas

Like women in neighboring Asian countries, Filipinas receive a “lesser share in the fruits of development” and continue to suffer from inequality and social injustice, despite the fact that the Philippines is economically recovering from the crisis. This is partly due to the fact that “the whip of economic crisis hits hardest on women today with a government [that] is adamant in further opening up the Philippines to global competition but only succeeds in selling out the country’s natural and human resources, particularly the women.” In the first quarter of 1998, employers laid off 24,000 factory workers and retrenched 200,000 agricultural workers, most of whom were women. As of November 1999, in the Philippines, the women’s labor participation rate was 49.8%, while the men’s rate was 83.5%. Many of the Filipinas who are employed suffer from discrimination, poor working conditions, and inadequate government responses to these problems. Filipinas feel the effects of poverty most severely and...
times of crisis heighten these effects. As the economic crisis wreaked havoc across Asia, it intensified the discrimination from which Filipinas already suffered.110

4.3. Sexism and Women’s Position in the Workforce

4.3.1. The Asian Women’s Experience

The economic crisis in Asia exacerbates both the detrimental effect of employers’ sexist attitudes toward women and the vulnerability of women’s already low position in the labor market.111 Employers often regard women as secondary income earners and use this as a pretext for removing them in times of crisis.112 In Japan, for example, the male-dominated family structure creates an excuse to fire women first because men are seen as the more important income-earners.113

Women, forced to “choose between educating their children and feeding them,” bear “the brunt” of unemployment in times they suffer from abuse, maltreatment, and exploitation. Rural women, “dependent on agriculture that produces food crops,” often are responsible for family survival and integrate themselves into production in food-based agriculture. Estrada-Claudio, supra note 44. The crisis forces rural women to make do with less and to bear this burden more heavily than men. See id.

110 The current situation of women is marked by: (1) increased unemployment and poor working conditions; (2) “continued displacement in agriculture”; (3) increased decline in incomes of rural women; (4) widening feminization of migration and deployment of migrant workers; (5) “unabated prostitution and trafficking” of women; (6) “substantial curtailment” of health, education, and other social services; (7) limited participation of women in public policy; (8) poor access and use of environmental resources; and (9) worse conditions for female children. Post-Beijing Assessment: Dismal Change in Women’s Lives, 16 REPROWATCH 6 (Sept. 15–30, 1998) <http://www.jca.apc.org/aworc/bpfa/pub/sec_h/pol00002.html>.

111 The labor market is defined to include wages, hours, conditions of employment, such as benefits, safety, pensions, and health measures and structural relationships, such as trade unions and employee associations. See WALTER GALENSON, LABOR AND ECONOMIC GROWTH IN FIVE ASIAN COUNTRIES: SOUTH KOREA, MALAYSIA, TAIWAN, THAILAND, AND THE PHILIPPINES 2 (1992).

112 See Economic Crisis Hits Women Hard, supra note 51.

113 See Kristof, supra note 98. As one construction company owner stated, “We would retain men, because they are the pillar of household earnings... I would never want to dismiss the main income-earner, because that might destroy a whole family.” Id.
of economic crisis. They are "often the last hired and the first fired." Women workers are also much more vulnerable to layoffs and dismissals than men. They constitute the majority of workers in small and medium-sized enterprises, which suffer severely from crises, as well as in the undervalued "feminine sectors," such as the services and garment manufacturing industries. This problem is compounded by the fact that women only represent a fraction of the workers in decision-making roles, which allows "gender-biased dismissal policies" to be tolerated. As a result, a higher percentage of women than men are underemployed and denied sufficient hours of work.

Notwithstanding the layoffs and dismissals, women in Asia suffer the hardship of reduced earnings as a result of the crisis more severely than men do because "men receive the lion's share of income and recognition for their economic contribution while most of women's work remains unpaid, unrecognized and undervalued." Sole income earners of households often carry the greatest burden, which affects both women in wage employ-

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115 Id.

116 See id. Prior to the economic crisis, women in Thailand constituted 80% of the export sector, 90% of the canned seafood sector, and 85% of the garment and accessory industry. See Economic Crisis Hits Women Hard, supra note 51. After the crisis, 54,000 workers were retrenched between January 1997 and February 1998, of which a slight majority were women. See id. However, the actual number of women laid off is probably substantially higher because these figures were calculated by using severance payments, which women are frequently denied. See id.

117 See Striving for Equality, supra note 98.


119 See Asia and Pacific Countries Show Progress, supra note 94.


121 In 1996, women headed 30% of all households in the world. See id.
ment and those who are self-employed. Equal pay laws exist, but wage differentials between men and women are pervasive, even in highly paid professions. Due to these circumstances, Asian women suffer disproportionately from the economic crisis.

4.3.2. The Filipina Experience

Women faced additional problems during the economic crisis in Asia simply because of their secondary position in society and the workforce; Filipinas were the first to suffer in the aftermath of the crisis in the Philippines. As Philippine Congresswoman Bellaflor Castillo recognized, "Sex-based discrimination has thrived because those who are in a position to make a difference have chosen to ignore it." Structures that unduly perpetuate inequality and discrimination hinder Filipinas' development and opportunity to exercise their talents and capabilities, especially in times of crisis.

Filipinas lack many of the employment privileges given to men and continue to face obstacles in gaining "access to credit, technology, and skills training." There has been "insufficient recognition of the value of [women's] labor and [they] lack access to information technology and training for new skills." Although many women own and manage small and medium-sized enterprises, women find it more difficult than men to obtain credit or loans and thus have greater difficulties adjusting to the

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122 See CD/ART, supra note 3, at 27.
123 See Striving for Equality, supra note 98; Women Contribute to Asian Economies, supra note 120 (stating that women receive about three-fourths of the male wage outside the agricultural sector).
126 Striving for Equality, supra note 98. Women run 52% of the small and medium entrepreneurship and are known to be better borrowers, yet they have less chance of obtaining access to capital than men. Seeid.
127 Financial Crisis Affecting Women More, supra note 114 (paraphrasing Philippine Foreign Undersecretary Rosario Manalo).
crisis. The government frequently overlooks women's businesses, and lenders only give women 10 percent of the formal credit available.

Moreover, existing training programs favor men, and employers give promotions to women much less frequently than to men. Employers do not offer sufficient opportunities for women to obtain managerial, administrative, and executive positions. These jobs thus remain male-dominated in all industries except the traditional female industries, namely, community, social, and personal services.

Furthermore, companies laid off Filipinas first when businesses were shut down because women mostly performed "low-level or dispensable work." The crisis most greatly damaged the garments, electronics, and construction industries, the first two of which are industries that predominately hire women.

See Pacific Leaders: Bias Hits Women in Wallet, supra note 125 (paraphrasing Philippine Foreign Undersecretary Rosario Manalo); Women Could Contribute Much More Economically, supra note 118 (noting that one bank insisted that a leading businesswoman get her husband's signature on her loan papers). See UNIFEM East and South East Asia, Women in a Global Economy: Because of These Constraints Women are More Affected by the Crisis (last modified Dec. 10, 1998) <http://www.unifem-esasia.org/Resources/GlobalEconomy/Section4.html> [hereinafter Because of These Constraints].

See LUCITA LAZO, WORK AND TRAINING OPPORTUNITIES FOR WOMEN IN THE PHILIPPINES 2 (1984). Women's participation in non-formal, vocational, and technical training is much less than men's. See id.

See CORTES, supra note 124, at 19; LAZO, supra note 130, at 1-2 ("Women are promoted much more slowly than men and frequently a qualified woman is rejected in favour of a less qualified man merely because of her sex.").

See Women Could Contribute Much More Economically, supra note 118 (noting that women constitute 31% of administrative, executive, and managerial workers, but men occupy almost all high-level decision-making positions).


Pacific Leaders: Bias Hits Women in Wallet, supra note 125 (paraphrasing Philippine Foreign Undersecretary Rosario Manalo and citing an APEC forum conference on women report).

See The Currency Crisis, supra note 30; Because of These Constraints, supra note 129 (stating that in 1997, Filipinas comprised 65-75% of the export processing zones workforce, which are the most severely affected industries).

See SYLVIA CHANT & CATHY MCIWALINE, WOMEN OF A LESSER COST: FEMALE LABOUR, FOREIGN EXCHANGE AND PHILIPPINE DEVELOPMENT 140 (1995) (noting that women predominate in all departments of electronics and garment firms except for maintenance); cf. JOANNE MARIE DUKESHIRE, THE MODERN PHILIPPINE POLITICAL ECONOMY AND ARTICULATIONS OF
The female garment workers had to accept wage cuts from management and shorter workweeks to combat the effects of the crisis.\textsuperscript{137} Moreover, the casual sector workers,\textsuperscript{138} primarily women unprotected by labor laws and lacking work-related benefits,\textsuperscript{139} were the first to lose their jobs.\textsuperscript{140} As a result, women have a 15% unemployment rate in comparison to 12% for men.\textsuperscript{141} Furthermore, it is estimated that 10% of Filipinas are under-employed.\textsuperscript{142} Those women who are left unemployed become housewives or unpaid family workers.\textsuperscript{143}

The Filipinas’ secondary position in the workforce also translates into lower wages. In response to the economic crisis, companies failed to implement the minimum wage and discriminated against women by paying them lower wages than men.\textsuperscript{144} In addition, some manufacturers retain women with many years of serv-


\textsuperscript{138} Casual sector workers are non-regular workers, such as temporary, part-time, piece rate, seasonal, or home-based production workers in subcontracting or putting out systems. See ILO, South-East Asia and the Pacific Multidisciplinary Advisory Team, \textit{Unit 2: Gender Issues in the World of Work} (last modified Nov. 2, 1998) \textlangle\textit{http://www.ilo.org/public/english/region/asro/mdt/manila/training/unit2/asiasap.htm}\textrangle [hereinafter \textit{Gender Issues in the World of Work}].

\textsuperscript{139} See id.

\textsuperscript{140} See \textit{The Currency Crisis}, supra note 30; \textit{cf. Economic Crisis Hits Women Hard}, supra note 51 (stating that most unemployment is in the agriculture sector).

\textsuperscript{141} See \textit{Asia and Pacific Countries Show Progress}, supra note 94. This follows the gender pattern during the height of the crisis in 1997 and 1998. \textit{See Economic Crisis Hits Women Hard}, supra note 51. The unemployment rate increased from 10.4% in April 1997 to 13.3% in April 1998, resulting in a female unemployment rate of 15.18% in comparison to a 12.19% rate for males. \textit{See id.} (according to the Philippines Labour Force Survey of April 1998).

\textsuperscript{142} See \textit{Asia and Pacific Countries Show Progress}, supra note 94 (estimating the 1995 figure for underemployment).

\textsuperscript{143} See \textit{Economic Crisis Hits Women Hard}, supra note 51.

\textsuperscript{144} See Albright, supra note 137.
ice in apprenticeships in order to keep their wages low. This contributes to a situation where women earn, on average, less than men in all occupations, most noticeably in positions of influence.

4.4. Informal Sector

4.4.1. The Asian Women's Experience

The informal sector consists of "largely unrecognized, unrecorded, and unregulated small-scale activities" for production and distribution of goods, usually with low levels of organization and technology. The growing number of women in this sector is one of the most significant effects of the economic crisis in Asia. The biases against women working in formal employment and the economic crisis force many Asian women who have lost their jobs to join the informal sector. There, women have to "cope with less income and higher burdens for themselves, their children and parents and possibly their husbands who have lost their formal sector jobs." A disproportionate number of food processors, petty traders, and home workers in the informal sector are women. As members of the informal sector, women have little access to general education, skills training, better jobs, or higher incomes.

145 See Gender Issues in the World of Work, supra note 138.
146 See Note to Labor Day Rites, supra note 107; see also Philippines (Country Reports on Human Rights Practices for 1996), WIN NEWS, Mar. 22, 1997, available in 1997 WL 10526524 (noting that, on average, women performing administrative, executive or managerial work earn one-third as much as men).
148 See id.
149 Asia and Pacific Countries Show Progress, supra note 94.
150 See Women Contribute to Asian Economies, supra note 120. In 1995, women constituted 41% of the informal sector in the Republic of Korea and 65% in Indonesia, and, in 1996, 62% in the Philippines. See id.
As women dominate casual, temporary, and home-based jobs, they suffer from substandard working conditions, are vulnerable to unfair rules, and may be subjected to a variety of abuses.\(^{152}\) The crisis only exacerbates their existing condition as exploited, impoverished homeworkers, invisible to and unprotected by labor legislation.\(^{153}\) The fact that the contribution of women workers is unrecorded in national accounts leads to the invisibility of this sector and to the inability of policy makers and service providers to address the needs and concerns of women.\(^{154}\) The informal sector continues to grow as those who lost employment because of the crisis look for other opportunities. With no other economic or social safety resources available, some have even turned to prostitution.\(^{155}\)

### 4.4.2. The Filipina Experience

The economic crisis produces price inflation, which lowers income and wage levels, and forces the population of the informal sector, which is dominated by Filipinas, to expand.\(^ {156}\) As the formal sector displaces Filipinas and the public sector, the largest employer of women, stops hiring workers and increasing wages, women's work becomes casual labor.\(^ {157}\) Before the economic crisis, women in the garment industry “sidelined” their incomes by taking sewing jobs at home in the informal sector.\(^ {158}\) After the crisis, women are forced to make these “sideline” jobs their main source of income.\(^ {159}\) Moreover, the child labor rate increases as a result of Filipina worker displacement.\(^ {160}\) The hardships of the

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\(^{152}\) See id.

\(^{153}\) See id; see also Gender Issues in the World of Work, supra note 138 (describing the instability and insecurity of casual employment); cf. Economic Crisis Hits Women Hard, supra note 51 (discussing women’s opinions of the effect of the economic crisis on homeworkers).

\(^{154}\) See Striving for Equality, supra note 98.

\(^{155}\) Prostitution is prevalent in Thailand and Indonesia as a result of the crisis. See id.

\(^{156}\) See EVIOTA, supra note 124, at 162. In 1996, women constituted 62% of the Philippine informal sector. See Women Contribute to Asian Economies, supra note 120.

\(^{157}\) See EVIOTA, supra note 124, at 162.

\(^{158}\) See id.

\(^{159}\) See Albright, supra note 137.

\(^{160}\) See id.
crisis force these women to ask their children to work in the informal sector to compensate for the lack of income.\textsuperscript{161}

The crisis also disadvantages those who are able to obtain part-time or temporary work. With few benefits, low pay, and little career advancement opportunities, part-time or temporary work “often raise[s] rather than relieve[s] family tension” and is thus “actually a double hell.”\textsuperscript{162} The lack of social support mechanisms for Filipinas working outside the home makes it difficult for women to balance family and work.\textsuperscript{163} Ultimately, this increases the vulnerability of Filipinas because the greater the degree of casual labor, the more vulnerable women workers are to exploitative conditions both at work and in the home.\textsuperscript{164}

4.5. **Women Migrant Workers**

4.5.1. *The Asian Women’s Experience*

In addition to the informal sector, the crisis severely affects women migrant workers abroad. Constituting half of those who seek work abroad,\textsuperscript{165} “[t]hey are concentrated in the most precarious forms of wage employment and are thus more vulnerable to lay-offs.”\textsuperscript{166} Illegal migration grows as government border controls tighten, worsening conditions for the remaining workers and increasing abuse.\textsuperscript{167} As more families suffer from poverty,

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\textsuperscript{161} See id.; see also Boniol, supra note 97 (noting that Filipino girls are forced to work in seaports as porters carrying heavy luggage).


\textsuperscript{163} See id. In 1991, women headed 14% of Philippine households. See Women Contribute to Asian Economies, supra note 120.

\textsuperscript{164} See Gender Issues in the World of Work, supra note 138.

\textsuperscript{165} See Leyla Alynak, Going Home, but Not Willingly, WORLD OF WORK, June-July 1998, at 10. In 1995, women migrant workers outnumbered their male counterparts by 12 to 1 in the Philippines and 3 to 1 in Indonesia. See Women Contribute to Asian Economies, supra note 120. These women’s remittances contribute substantially to the national economies. See id.

\textsuperscript{166} Alynak, supra note 165, at 11.

\textsuperscript{167} See id.; Conclusions of the United Nations Population Agency (UNFPA) Four Country Study on the Social Effects of the Crisis (last modified Jan. 1999) <http://www.worldbank.org/poverty/eacrisis/library/unfpa199.htm> [hereinafter UNFPA] (‘[T]he crisis has increased the need to engage in international labour migration at just the time when receiving countries are attempting to protect jobs for nationals by sending labour migrants home.”).
prostitution and bonded labor increase because families send their daughters abroad to obtain money.\textsuperscript{168} Further, illegal women migrants have little protection. Few Southeast Asian countries have ratified protective laws, and labor organizations cannot easily reach illegal migrants.\textsuperscript{169}

4.5.2. The Filipina Experience

Although the crisis does not affect Filipino migrant workers as greatly as migrant workers from other countries,\textsuperscript{170} Filipinas constitute the majority of the Filipino migrant workers\textsuperscript{171} and suffer disproportionate hardships.\textsuperscript{172} Given that such work abroad constitutes the largest portion of capital inflow in the Philippines,\textsuperscript{173} approximately 50,000 Philippine households face poverty if their migrant worker family members are forced to return home.\textsuperscript{174} Although the crisis only marginally impacts Filipino remittances as a whole, it has a disproportionate effect on the poorer regions that depend heavily on female domestic workers.\textsuperscript{175} The high price of Filipinas' labor also damages their employment prospects in Japan, Saudi Arabia, and Malaysia, hurting both those who have to return home without employment and those who hoped to find domestic work abroad in the future.\textsuperscript{176}

Those Filipinas who are forced to come home face unemployment or loss of income in the Philippines, as well as a loss of control over their lives.\textsuperscript{177} Those who do not return home are

\textsuperscript{168} See Alyanak, \textit{supra} note 165, at 10.
\textsuperscript{169} See \textit{id}.
\textsuperscript{170} Only a small number of Filipino migrant workers face deportation because many of them do not work in the most severely affected countries. See CD/ART, \textit{supra} note 3, at 29. In mid-1997, however, Korea had 23,000 legal and approximately 15,000 illegal Filipino migrant workers, Thailand had 4000 and Indonesia had several hundred. See \textit{id}.
\textsuperscript{171} Filipina migrant workers in Asian countries outnumber male migrant workers 12 to 1. See \textit{Gender Issues in the World of Work, supra} note 138.
\textsuperscript{172} In 1994, 60\% of Filipino overseas workers were women. See \textit{Social Conditions, supra} note 109.
\textsuperscript{173} See Estrada-Claudio, \textit{supra} note 44.
\textsuperscript{174} See SEAPAT, \textit{supra} note 16.
\textsuperscript{175} See \textit{id}. The families of Filipina workers suffer from poverty if the Filipinas return because women domestic workers tend to be employed in the least paying jobs in Asia and the Middle East. See \textit{id}.
\textsuperscript{176} See \textit{id}.
\textsuperscript{177} See \textit{Economic Crisis Hits Women Hard, supra} note 51.
subjected to increased levels of abuse and exploitation because foreign employers use the crisis as leverage against their workers.

4.6. Sexism at Home and Loss of Education

4.6.1. The Asian Women’s Experience

Beyond the workforce, the economic crisis affects the livelihood of Asian women both in the home and in education. Even prior to the crisis, “[t]he multiple burdens of market work, domestic work, child care, and community responsibilities [caused] women to work longer hours than men.” Women carried 51% of the total burden of work in urban areas and 55% in rural areas, as well as 53% of the total work in developing countries and 51% in the developed countries. With the primary responsibility of providing for their families’ basic needs, women, who are usually in charge of the household, need to do more housework with diminishing resources as their dependency burden increases. “With decreasing household income, and decreasing state expenditures on health and social infrastructure, women’s overwhelming responsibility to provide the family’s basic needs has become a particularly painful one.”

4.6.1.1. Preference for Males

Patriarchal values have become more pronounced and accepted in Asian society because of the financial constraints result-

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179 See Economic Crisis Hits Women Hard, supra note 51.

180 Women Could Contribute Much More Economically, supra note 118.

181 See id.

182 See Striving for Equality, supra note 98. Women’s unpaid domestic work also is not recognized as part of the countries’ GDP. See id.

183 See Asia and Pacific Countries Show Progress, supra note 94 (stating that “a majority of women, such as agriculture labourers, home workers, traditional artisans, weavers, and vendors” have likely suffered the most during the crisis “due to their primary responsibility for their families’ basic needs”).

184 See Economic Crisis Hits Women Hard, supra note 51.

185 Asia and Pacific Countries Show Progress, supra note 94.
ing from the crisis. These constraints increase sexual exploitation and commodification. A resurgence of patriarchal values is used to bring women “into line,” threatening their positions, lives, and hard-won progress. 186 In impoverished Asian homes men are frequently fed before women, leaving many daughters starving. 187 Because men, particularly fathers, do the hardest manual work and carry on the family name, many families give them the majority of their food and medical care. 188 Moreover, many men spend the family income on personal self-indulgences, which they rationalize by saying, “We can always make more children.” 189 Domestic violence, which occurs mostly in the rural areas and urban slums, increases as a result of such financial strain within the family. 190

4.6.1.2. Loss of Education

Treating males preferentially inhibits girls’ educational opportunities as well. In times of economic crisis, parents often remove their children from schools to contribute to the family income. However, they remove girls much more often than they remove boys. 191 In Indonesia, the majority of children dropping out of schools are girls, and the total number has doubled from approximately March 1998 to June 1998. 192 Asia’s traditional view of women as inferior, Asian parents’ focus on the importance of carrying on the family name, and the view that girls should stay home to raise money for the boys contribute to the problem. 193 Developments prior to the crisis improved school attendance by

186 One shocking example of this is governments asking women to keep their husbands from becoming depressed by having sexual intercourse with them. See Striving for Equality, supra note 98.
187 See Kristof, supra note 98.
188 See id.
189 Id. An adviser of the U.N. Development Fund for Women stated, “Whatever women earn will go back to the family. With the men, a large portion may go to cigarettes, alcohol, gambling and to other women.” Striving for Equality, supra note 98.
190 See Kristof, supra note 98; see also Economic Crisis Hits Women Hard, supra note 51.
191 See Kristof, supra note 98.
192 See id.
193 See id.
THE FILIPINA EXPERIENCE

4.6.1.3. Prostitution

Because of the preference for educating males and the practice of interrupting girls’ educations, prostitution and parents selling their daughters greatly increased. For example, in a major Indonesian city, the number of street children increased 43% after the crisis began, with 30% of those girls becoming prostitutes. Some families encourage or insist on the sale of their daughters as a source of family income, despite the fact that sold children are tortured and abused. In addition, prostitution continues to rise as girls become more desperate for income. When women turn to prostitution, they expose themselves to increased risks of sexually transmitted diseases and other health problems. In Yogyakarta, Indonesia, the number of patients requiring treatment for sexually-related health problems has doubled since the onset of the crisis. Furthermore, government cutbacks as a result of the crisis have reduced women’s access to health care treatment and information about health risk prevention.

4.6.2. The Filipina Experience

4.6.2.1. Patriarchal Society

The Philippines’ patriarchal view of women’s roles greatly affects its perception of women’s employment opportunities, particularly after the crisis. The gender division of labor in the Phil-

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194 See id.
195 See id.
196 See id.
197 See id.
198 See UNFPA, supra note 167.
200 See id. (noting that the Thai health ministry reduced its AIDS budget by 24.7% in 1998, in comparison to a 5.5% reduction in non-AIDS allocations).
201 See CHANT & MCILWAINE, supra note 136, at 4-19 (identifying the ways in which the Philippine household discriminates against women). See generally EVIOTA, supra note 124, at 168-75 (discussing how the gender division of labor in the Philippines and its patriarchal system subordinate Filipinas).
Philippines leads to a differentiation in "worth, status, and power" between men and women. The double shift of housework and paid work, which are of low productivity and labor-intensive, heavily burdens Filipinas. "[H]ouseholds faced with the day-to-day struggle to survive have to depend on the labour and creativity of women and children to beat hunger and poverty." Men leave the core of household obligations to women, which reinforces existing gender inequalities, leaving "[t]he majority of women, relative to men . . . clearly worse off." Women's domestic burdens and the traditional gender-role allocation of employment intensify the effects of the crisis. In times of crisis, "women's labour time becomes the only resource over which they have any control." The hardships of the crisis force women to heighten their labor efforts and extend their working day. Their increased work burden frequently leads to malnutrition and poor health. In one study of women's roles in a Philippine fishing village, experts found that women work longer hours than men, contribute a higher percentage of unpaid labor to the household income than men, and receive a lower percentage of paid labor. All of these findings verify the "feminization of poverty" in the Philippines.

4.6.2.2. Loss of Education and Forced Push to Prostitution

In addition to the Philippines' patriarchal culture, the combination of low wages, lack of employment, harsh labor conditions and policies, high prices of basic commodities, and dislocation due to the crisis makes women from all sectors vulnerable to prostitution and its inherent violence. The crisis pushes even more

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202 DUKESHIRE, supra note 136, at 45.
203 See EVIOTA, supra note 124, at 170.
204 Boniol, supra note 97.
205 EVIOTA, supra note 124, at 170.
206 See Note to Labor Day Rites, supra note 107.
207 EVIOTA, supra note 124, at 162.
208 See id.
209 See id.
211 Id.
212 See From GABRIELA Philippines, supra note 105.
Filipinas into prostitution, as women who have lost their jobs in factories prostitute to support themselves and their families.213

The crisis even affects young girls by forcing them to give up education for prostitution. Some families remove their daughters from schools and sell them to brothels.214 “Once these girls have dropped out of school, they’ll never go back,” said Linda Tsao Yang, the American envoy to the Asian Development Bank in the Philippines, “[a]nd once they’re pressured into prostitution, that’s the end of their lives. They will be a lost generation.”215 Given the few social safety nets for many of these women and children,216 the number of prostitutes continues to rise.

4.7. Loss of Social Protection

4.7.1. The Asian Women’s Experience

The increased frequency of sexism in the workforce, especially in the informal and migrant worker sectors, sexism at home, prostitution, and poverty lead to an increased need for social protection for those affected by the crisis. However, most Asian countries have limited and underdeveloped social protection programs. Women, who dominate the informal sector, and lack the protection of social security systems, are likely to be more severely affected by the crisis than men.217 “Their inferior employment status often means that they are less likely to be provided with unemployment benefits, severance pay, and... access to employment promotion programs.”218 Additionally,

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213 See ILO Warns Asia’s Economic Crisis Could Force More into Prostitution, DEUTSCHE PRESSE-AGENTUR, Aug. 18, 1998, available in LEXIS, News Library, Dpa File [hereinafter ILO Warns]. As of August 1998, the Philippines has approximately 100,000-600,000 Filipina prostitutes. See id. An ILO study, The Sex Sector: The Economic and Social Bases of Prostitution in Southeast Asia, found that the sex industry in the Philippines, Malaysia, Indonesia, and Thailand accounted for 2-14% of the GDP. See id.
214 See Kristof, supra note 98.
215 Id.
216 According to Lin Lean Lim, director of the ILO’s Programme for More and Better Jobs for Women, women are much more likely to turn to prostitution when their country lacks social safety nets for the unemployed. See ILO Warns, supra note 213.
217 See CD/ART, supra note 3, at 25.
218 Id. at 27.
many countries lack or have significantly reduced health, population, and family planning services as a result of the crisis.219

Unions, as a source of social protection, fail to give women relief. Women seldom participate or hold leadership positions in unions because the vast number of women work temporarily, part-time, or on a contractual basis.220 Unions rarely target these types of workers; as a result, women "lack the collective strength, bargaining capacity, and negotiating skills needed to improve their work status."221 In addition, labor legislation fails in many circumstances to protect them from the poor and exploitative conditions in which they work.222 Women who do retain their jobs often see companies attempt to reduce their benefits, including maternity leave pay.223

4.7.2. The Filipina Experience

The social biases of the Philippines deprive Filipinas of protection.224 As a result of the crisis, many Filipinas suffer from discrimination in both wages and employee benefits.225 Companies violate their codes of conduct by providing women with dangerous working conditions and insufficient safety and health instruction and protection,226 causing them physical injury, disease, and psychological distress.227 In addition to physical dangers, the economic crisis intensifies harassment problems in the workplace.228

219 See UNFPA, supra note 167.
220 See CD/ART, supra note 3, at 27.
221 Women Could Contribute Much More Economically, supra note 118.
222 See ILO Meeting to Address Concerns, supra note 151.
223 See Striving for Equality, supra note 98.
224 The present maternity leave benefits are lacking, and the Philippines has not ratified ILO Convention No. 103 (Maternity Protection, Revised 1952). See BUREAU OF WOMEN & YOUNG WORKERS, DEPARTMENT OF LABOR & EMPLOYMENT, COMPARATIVE STUDY OF LOCAL AND INTERNATIONAL LABOR STANDARDS AFFECTING WOMEN AND YOUNG WORKERS 44 (1990). Further, the Philippines does not have either an unemployment compensation policy or a reliable social security system. See id.
225 See Albright, supra note 137.
226 See id.
227 See Note to Labor Day Rites, supra note 107.
228 See Albright, supra note 137. One respondent described the sexual harassment problem as "[h]arassment, like if you are from an organization like a union, the management destroys the organization and then you are laid
Moreover, unions generally fail to respond to the Filipinas’ concerns. The fact that they are male-dominated, and often perceive that women leave and enter the workforce more frequently than men, leaves Filipinas without representation to fight abuse and discrimination. Given these circumstances, it is of paramount importance to improve the social and economic status of Filipino women.

5. PROSPECTS FOR FILIPINAS

As exhibited by the struggles of Asian and, specifically, Filipino women, the crisis has created a “grave threat to the economic and social gains that women have made [thus] far.” 

Despite the fact that the Philippines has many venues that could help eliminate discrimination against women, the condition of Filipinas has deteriorated greatly in recent years. Furthermore, they have become the group most marginalized by the government. In the aftermath of the crisis, this marginalization heightens the need to examine the Philippine government’s past attention to women in order to assess what progress, if any, may be anticipated, and how it may be accomplished.

5.1. National Initiatives in Place

The Philippines has legal structures in place that could ease the Filipina struggle. The 1987 Philippine Constitution, Sec-

off... And sexual harassment like supervisor, if you are a supervisor and I’m a worker, so.” Id.

229 See Note to Labor Day Rites, supra note 107. In 1993, women constituted 43% of union membership and only held the presidency in 20% of the 314 registered unions. See Women Could Contribute Much More Economically, supra note 118.

230 Licuanan, supra note 99.


232 See id.

233 The 1987 Constitution contains pro-women provisions. See PHIL. CONST. (1987) art. II, § 14 (“The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.”); see also id. art. XIII, § 14 (“The State shall protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation.”). Article 73 of the New Family Code of the Philippines, which took ef-
tions 135, 136, and 137 of the Labor Code of the Philippines, as well as International Labour Organization ("ILO") Convention Nos. 100 and 111 set forth the framework necessary to protect women in employment. In addition, the govern-

fect in August 1988, added that “[e]ither spouse may exercise any legitimate profession, occupation, business or activity without the consent of the other. The latter may object only on valid, serious, and moral grounds.” New Family Code of Philippines, art. 73. But cf. Philippines, supra note 52 (stating that implementing constitutional protections is sometimes hindered by budgetary constraints and a lack of implementing legislation).

234 See Labor Code of the Philippines, art. 135, (stating that “[i]t shall be unlawful for any employer to discriminate against any woman employee with respect to terms and conditions of employment solely on account of her sex” and listing the following as examples of discrimination: (1) paying a female worker less than a male worker of equal value and (2) favoring a male employee over a female employee with respect to promotion and training opportunities).

235 See id. art. 136 (providing that it is unlawful for an employer to require that a woman employee not get married as a condition of employment, or to stipulate expressly or tacitly that a woman employee resign, be dismissed, or be discriminated against upon getting married).

236 See id. art. 137 (stating that it is unlawful for any employer to deny any woman employee the benefits of the Labor Code, or to discharge a woman because of her pregnancy, her pregnancy leave, or fear that she will become pregnant again).

237 The ILO is a UN specialized agency that promotes social justice and internationally recognized human and labor rights. See ILO, ILO Mandate (last modified Jan. 11, 2000) <http://www.ilo.org/public/english/about/mandate.htm>. The ILO creates international labor standards in the form of Conventions or Recommendations, which set the minimum standards for basic labor rights. See id.

238 See ILO Convention No. 100, June 29, 1951, 754 U.N.T.S. 369. ILO Convention No. 100 (Equal Remuneration for Men and Women Workers for Work of Equal Value) requires each member state to promote and to apply to all workers the principle of equal remuneration for men and women workers for work of equal value. See id. The Philippines ratified this Convention with Republic Act No. 6725. See Labor Code of the Philippines, art. 135.

239 See ILO Convention No. 111, June 25, 1958, International Labour Conventions and Recommendations 47. ILO Convention No. 111 (Discrimination: Employment and Occupation) requires each member state to declare and pursue a national policy of equal opportunity and treatment with respect to employment and occupation in order to eliminate discrimination by methods appropriate to national conditions and practices. See id. The Philippines ratified this Convention in May 1960. See Bureau of Women & Young Workers, supra note 224, at 9.

240 For a full discussion of the existing regulations and laws available to Filipinas, see generally Bureau of Women & Young Workers, supra note 224 and Cortes, supra note 124.
ernment ratified the United Nations ("UN")\textsuperscript{241} Convention on the Elimination of All Forms of Discrimination Against Women and passed an anti-sexual harassment law.\textsuperscript{242}

Furthermore, the Philippines participated in the UN Fourth World Conference on Women held in Beijing, China\textsuperscript{243} and adopted, along with 188 other countries, the Beijing Declaration and Platform for Action ("the Platform").\textsuperscript{244} The Platform identified twelve critical areas of concern: (1) poverty; (2) education and training; (3) health; (4) violence; (5) armed conflict; (6) economy; (7) decision making; (8) institutional mechanisms; (9) human rights; (10) media; (11) environment; and (12) the girl-child.\textsuperscript{245} The Platform emphasized women's contributions to their societies and recognized both the "feminization of poverty" and the invisibility of women's work.\textsuperscript{246} Hence, the Platform recognized the need for "adequate mobilization of resources at the national and international levels as well as new and multinational resources to the developing countries from all the available funding mechanisms, including multilateral, bilateral and private resources for the advancement of women."\textsuperscript{247} Pursuant to Resolutions 52/100\textsuperscript{248} and 52/351\textsuperscript{249} the General Assembly agreed to

\textsuperscript{241} The UN helps to resolve international conflicts and formulates policies to preserve peace through cooperation and collective security. See UN, The UN in Brief (last modified May 1999) <http://www.un.org/Overview/brief.html>. The UN is comprised of 188 member countries. See id.


\textsuperscript{245} Licuanan, supra note 99.

\textsuperscript{246} Licuanan, supra note 99.


hold a special session in June of 2000 to review and assess the progress of these efforts.

At the conference in Beijing, the Philippines made the following specific commitments: (1) to mandate that all government officers allocate a portion of their annual budgets to women-specific and gender oriented programs; (2) to train rural women and expand their access to credit; (3) to impose more stringent penalties for women-trafficking; and (4) to increase the annual contribution to the UN Development Fund for Women ("UNIFEM") by 700%. Pursuant to the Platform, the country enacted Party-list Law RA 7941, which targets the twelve areas of concern identified in the Beijing conference.

Moreover, the government adopted the thirty-year Philippine Plan for Gender Responsive Development 1995-2025 ("PPGD") in Executive Order 273 to guide agencies in implementing national programs and strategies and to direct government agencies and local government units to allocate a minimum of 5% of their total budget to women-related programs (commonly called the Gender and Development budget provision ("GAD") in the 1996 General Appropriation Act ("GAA")). In 1998, the gov-

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250 UNIFEM is a UN organization that focuses on women's empowerment and gender equality. See UNIFEM, About UNIFEM (last modified Mar. 13, 2000) <http://www.unifem.undp.org/about.htm>.

251 See Beyond Beijing: Taking Root and Gaining Ground (last modified Mar. 8, 2000) <http://www.jca.apc.org/bpfa/res/crep/ph00001.html>. The PBSB developed as the main non-governmental network to work with the government to monitor the implementation of the Platform. See id.

252 See Filipina Women in Politics and Governance, On the Third Year of Implementation of the Beijing Platform for Action Still Limited Political Participation for Filipina Women (last modified Oct. 13, 1999) <http://www.kababaihan.org/status/3-years-after.htm>. This is an excerpt from the NGO Report on the Year 3 Implementation of the Beijing Platform for Action by the PBSB, which was submitted to the Philippine Government and the 43rd Session of the UN Commission on the Status of Women in March 1999. See id. However, the lack of funds and inadequate information dissemination limit the implementation of the law. See id.

253 See PBSB Bulletin, Institutional Mechanisms in Place but... (last modified Oct. 1999) <http://www.philwomen.net/pbsb/bulletin/2nd-issue/advance.htm> (describing the PPGD as "one of the milestone[s] in advancing GAD [Gender and Development budget provision] mainstreaming"). The GAD was mainstreamed into the government under Corazon Aquino during 1986-1992 and became more active during former President Ramos' administration. See id.

254 See Beyond Beijing: Taking Root and Gaining Ground, supra note 251; Dr. Amelou Benitez-Reyes, The "Heart" of the U.N. System: The Women's Agenda
government expanded the GAD budget to include government-controlled and owned corporations as well as state universities. In addition, the Philippines implemented an integrated budgetary plan for gender and development, commonly known as “GAD 2000,” to emphasize gathering data, training women, and increasing budgets for gender issues. Moreover, the legislators enacted RA 7192, called the “Women in Development and Nation-Building Act,” to allocate a portion of Official Development Assistance to gender-related programs, activities, and projects.

Lastly, President Joseph Ejercito Estrada’s administration initiated the Medium Term Philippine Development plan for the period of 1999-2004 to reduce poverty, especially in rural areas, and to improve the distribution of income. Because women comprise much of the Philippines’ poor population, this may strengthen women’s economic position even though the program is not specifically a gender-oriented effort.

5.2. Inadequate Policy Responses

Despite the fact that these initiatives give women most of the same legal rights and protections as men, in practice women do not have these rights. The Philippines’ response to the plight of

(last modified May 31, 1999) <http://www.kabaihan.org/news/1999/reyes-speech.htm>; PBSB News: NEDA Spells Out Role, supra note 247. Unfortunately, compliance with the GAD has been lower than expected. See PBSB News: NEDA Spells Out Role, supra note 247. In 1997, only 39 of the 50 agencies that submitted reports had GAD budgets. See id.

255 See PBSB News: NEDA Spells Out Role, supra note 247.
256 Asia and Pacific Countries Show Progress, supra note 94.
257 See PBSB News: NEDA Spells Out Role, supra note 247. However, the allocation for GAD declined in 1998. See id.

258 See Gloria Macapagal-Arroyo, Beyond the Crisis: The Centrality of Social Policy, Address at the Manila Social Forum of the Asian Development Bank (visited Nov. 9, 1999) <http://www.povertynet.org/eapsocial/manil99/agenda_new1.html>. The government hopes to reduce the poverty rate from its 1997 level of 32% to between 25-28% by 2004. See id. The purpose of the plan is to modernize the agriculture and fishing sectors and deliver basic development services in health, nutrition, education, training, housing, and social welfare. See id. In addition, the Philippines is supporting the implementation of a nationwide poverty survey and information system to assist in community empowerment. See Terence D. Jones, Long-Term Development Implications for Asia, Discussion Points of the ASD/World Bank Social Forum (visited Nov. 8, 1999) <http://www.orion.forumone.com/spgovern/files.fcgi/ 451_p6jones.pdf>.

259 Enforcement of constitutional protections is sometimes hindered by budgetary constraints and a lack of implementing legislation. See Philippines,
Filipinas, both historically and after the crisis, has been criticized as being ineffective, reactionary, and insufficient. Its initiatives are "regarded as overly piecemeal, compartmentalised and subordinate to overall policies operating in a gender-blind, not to mention gender-unequal, decision-making environment." Moreover, it has been argued that "government policy in general tends to be prognostic, providing only recommendations rather than concrete legislative initiatives, with very little in the way of follow up." The government's failure to enforce its measures or to monitor equality implementation laws before the crisis has left women with little protection.

Given the government's insufficient past efforts to protect women, the economic crisis only heightens the need for enforce-

supra note 52. The dearth of public awareness and limited governmental implementing machinery also reduce the effectiveness of reforms. See id. Further, the Philippines Labor Code is only sporadically enforced, depending on the government in power. See GALENSON, supra note 111, at 115.

260 See Gatmaytan, supra note 178, at 258 (discussing the Philippine government's failure to adequately address the abuse of overseas domestic workers); Post-Beijing Assessment: Dismal Change in Women's Lives, supra note 110 (expressing "deep concern over the government's seeming inability to respond to the increasing adverse impact of globalization and the financial crisis on Filipino women as well as to effectively implement the Beijing Platform for Action").

261 Despite the laws and programs in place, "women . . . have lost much in terms of quality of life." PBSB Bulletin, Fulfill Commitments, supra note 1. The PBSB Bulletin noted,

This truth is confirmed by some of the images from the consultations: women in Bulacan taking on whatever jobs are available, ever since their menfolk took over jobs "meant" for women in the province and pretty much elsewhere; a teen-ager in Cebu forced to dance in bars just to feed herself and her mother as child labor becomes commonplace in the birthplace of Christianity in the Philippines; minors caught in a raid by policemen and councilors of a town in Tarlac as poverty forces younger and younger children into perhaps-syndicated prostitution; and women lost vending sites as they are displaced from home and land by state-initiated violence against indigenous people.

Id.

262 CHANT & MCILWAINE, supra note 136, at 308.

263 Id. at 309.

264 See Gatmaytan, supra note 178, at 253. Initiatives, such as the Philippine Development Plan for Women, will not be effective unless they serve the private sector's interests. See CHANT & MCILWAINE, supra note 136, at 309.

265 See Social Conditions, supra note 109 (describing the findings of the Women's Anti-Discrimination Committee).
ment of existing anti-discrimination laws and an understanding of the specific discriminatory effects of the crisis. "[The] remarkable gains [during former President Ramos' administration] have always been tempered by a nagging suspicion that on balance, women on the ground who have been reeling from the impact of the financial and economic crisis marking the tail-end of the Ramos term have not substantially benefited from these gains." 266

Further, budgetary restrictions severely undermine the government's initiatives. Although the Philippines remains more economically stable than its neighbors, 267 the government continues to reduce social services for women. 268 In addition, due to the government's 25% mandatory cuts for all agencies after the crisis, whatever money was allocated as a GAD budget may not be spent. 269 Some agencies recharacterize existing activities as GAD activities in order to comply with the GAA GAD 5% requirement, even though these activities are not responsive to GAD concerns. 270

Moreover, despite the Philippines' adoption of the Platform, the government's attention to Filipinas is inadequate. First, the Platform urged the government to adopt developmental strategies that address women's needs, but the government's "withdrawal of subsidies for farmers and consumers has increased the costs which women have to bear by working more and doing with less." 1 Second, the Platform proposed revising laws to ensure women's equal rights, but there have been no legislative or administrative reforms focused on women's right to own and inherit land and

266 PBSB Bulletin, Institutional Mechanisms in Place but . . . , supra note 253.
269 See PBSB Bulletin, Institutional Mechanisms in Place but . . . , supra note 253 (noting that the large budget deficit, 25% mandatory budget cuts, rising external debt and restrictions required for the Philippines to participate in the International Monetary Fund ("IMF") $1.6 billion exit program cause them to question "'how much of government money can really go to women and other vulnerable groups?'"). The government also cut appropriations for national departments for 1999 by as much as 15%. See Employment and Income in the Philippines, supra note 42.
270 See PBSB News, NEDA Spells Out Role, supra note 247.
property, or on their access to credit, natural resources, and technology.\textsuperscript{272} Third, despite the Platform's call for increased access to savings and credit for women, the main beneficiaries of government and bank-managed credit are men.\textsuperscript{273} In addition, the government failed to specifically focus on the quality of its projects and the extent to which its funds were used to address women's most vital needs.\textsuperscript{274}

Apart from these shortcomings, the Philippine government did not, in many instances, ratify ILO conventions and recommendations to raise the standards for Filipina workers.\textsuperscript{275} As a result, neither mainstream development processes nor the government address women's concerns adequately.\textsuperscript{276} This failure is exemplified by the legislature's proposed plan to legalize prostitution; the plan's supporters clearly overlook women's needs, arguing that prostitution is only morally troubling and not physically dangerous and degrading to women.\textsuperscript{277}

\footnotesize{\textsuperscript{272} See id.  
\textsuperscript{273} See id.  
\textsuperscript{274} See PBSB News: NEDA Spells Out Role, supra note 247 ("There is a need to identify the most strategic intervention points, the start of which is a thorough analysis of issues confronting Filipino women before the program or project design. In that way, resources may be focused on high-impact activities where gender-related interventions will matter most.").  
\textsuperscript{275} See Gatmaytan, supra note 178, at 259 (noting that the Philippine government failed to ratify international protection recommendations for overseas domestic workers). For example, the Philippine government never ratified ILO Convention No. 156, which states that family responsibilities must not constitute a valid reason for termination of employment and requires governments to provide child care facilities. See Ma. Teresa M. Soriano, Policy Researches: Better Harmonization of Work and Family Responsibilities (June 4, 1996) (on file with author).  
\textsuperscript{276} See Government Employment Program Creates 10,936 Temporary Jobs, BUSINESSWORLD (Phil.), Dec. 20, 1999, available in 1999 WL 29170811 (explaining that, to accommodate women workers, a government program to provide temporary jobs for workers who were displaced by the economic crisis needs to prioritize projects that do not involve highly manual work); Social Conditions, supra note 109 (stating that women's concerns regarding such areas as health, violence, labor, prostitution, and education need to become a priority for the Philippines). But cf. Economic Indicator: Labor Force to Expand for Several Decades (Due to Demographic Changes), BUSINESSWORLD (Phil.), May 1, 1998, available in 1998 WL 11630969 (noting that improvements in the number of female workers in the Philippines may be attributed to government and non-government efforts to raise public consciousness of equal opportunity rights).  
\textsuperscript{277} See Jean Enriquez, Sail On, Women, 2 WOMEN IN ACTION 1, ¶¶ 4, 5, 11 (1999) <http://www.isiswomen.org/wia/wia299/hum00010.html> (adding}
In addition, despite the existence of initiatives to mainstream gender concerns, gender perspectives still have not been integrated into many aspects of economic policy-making.\(^{278}\) The absence of comprehensive gender-responsive monitoring systems, as well as political will and commitment from government departments and agencies,\(^{279}\) removes much of the force that existing measures have. As a result, the crisis exacerbates the already weak enforcement of laws and programs.\(^{280}\) Because of the low level of awareness of women’s issues in all levels of Philippine bureaucracy,\(^{281}\) and in light of the crisis, it is especially important that the government pay attention to women’s issues.

6. EFFORTS FOR CHANGE

Therefore, given the inadequate response of the Philippines thus far, the government must “recognize the continuing importance of women’s role in economic recovery. The challenge lies in minimizing the negative impact of the crisis on women, removing the remaining barriers to women’s participation in the economy and effectively mobilizing women to respond to the crisis” (the very fact that society immediately consigns [Filipinas] to the sex trade after making them bear the brunt of the economic crisis is a denial of our right to determine our lives for ourselves”).


\(^{279}\) See PBSB Bulletin, *Gains in Law but Hardly in Access to Programs and Money* (last modified Oct. 1999) <http://www.philwomen.net/pbsb/bulletin/2nd-issue/econ.htm> (explaining that programs and policies are implemented with very little gender analysis of their effects and impacts and stating, “Because there is no systematic monitoring of intra-group gender differences in earnings, it is difficult to ascertain the degree of success or failure of the anti-discrimination laws and policies governing pay of equal value”); PBSB Bulletin, *How Far Realized by Now?*, supra note 271 (noting that there is no systematically collected, gender-disaggregated, nationwide data on poverty); *Social Conditions*, supra note 109.

\(^{280}\) See PBSB Bulletin, *Gains in Law but Hardly in Access to Programs and Money*, supra note 279. The following resulted from the crisis: (1) credit opportunities for women seeking business loans beyond micro-enterprises disappeared; (2) loan terms discouraged would-be borrowers; (3) credit opportunities were limited to non-collateralized micro-finance loans that perpetuate gender inequities; (4) women’s average earnings remained lower; (5) men outnumbered women in administrative and managerial positions; (6) government training for displaced workers was severely limited; and (7) employers’ compliance with social security laws went down. See id.

\(^{281}\) See *Social Conditions*, supra note 109 (noting that the National Commission on the Role of Filipino Women identified lack of consciousness as the most pervasive problem).
sis by exploiting-[sic] emerging opportunities." 282 This requires examining possible ways to remedy the socioeconomic conditions of Filipinas in the aftermath of the crisis.

6.1. A Purely Economic Response Is Insufficient

A purely economic response cannot meet the Filipinas' needs. In the aftermath of the crisis, the international community and governments initially spent money to fix purely economic problems. As a result, governments found themselves with less money and fewer resources to protect women, the environment, people, and their families. 283 Upon evaluation, groups such as ASEAN recently recognized that "any recovery effort must include, at its core, measures to cushion communities and families from the harsh impact of economic shocks and financial volatility." 284

Specifically, "market-led economic growth appears insufficient to achieve gender equality in the world of work—both because prevailing cultural factors impede progress towards equality and because policies have to be in place to transform the economic potential into equitable distribution of gains." 285 Therefore, supportive gender-sensitive policies are needed. The Joint Ministerial Statement of the Asia-Pacific Economic Cooperation ("APEC") 286 Ministerial Meeting on Women recognized this need, stating that:

While the full social and economic consequences of the crisis have yet to be fully understood, we believe that a disproportionate share of the burden falls on female youth and women, particularly where there have been decreases of expenditures on education, training, health care and social services as well as supply shortages of basic needs such as food and medicines, and a general reduction in em-

282 Licuanan, supra note 99.
283 See ASEAN WATCH: UN Involvement, BUSINESSWORLD (Phil.), June 8, 1999, available in 1999 WL 17715969.
284 Id.
285 Asia and Pacific Countries Show Progress, supra note 94.
286 The APEC is the primary Asian-Pacific vehicle to promote open trade and economic cooperation. See APEC, APEC Objectives (visited Feb. 17, 2000) <http://www.apecsec.org.sg/97brochure/97brochure.html>. Created in 1989, APEC now includes all of the major economies of the region. See id.
ployment. We stress that women have a crucial role in the successful planning, design and implementation of economic recovery programs, not only as beneficiaries but also as decision-makers. Additional investments in training, retraining and upskilling women workers can aid in the recovery process.\textsuperscript{287}

Without supportive policies that target women, only men benefit from economic growth.\textsuperscript{288} As a result, both economic growth and public support are equally indispensable to creating gender equality.\textsuperscript{289} Therefore, governments can and must recognize that women are necessary to the socioeconomic development of nations in the aftermath of the crisis. This requires more than simple political will; continued and enforced implementation on both the international and national level is vital to the success of any governmental objective.

6.2. \textit{A Collaborative Response for Change}

As the ILO recognized, "The crisis thus provides a timely opportunity to reinforce and advocate even more strongly ongoing policies and strategic approaches for gender equality at work, to ensure that women's social and economic gains are not seriously set back or lost altogether."\textsuperscript{290} This proposal incorporates protective legislation. "Without a regulatory stimulus, public and private employers may follow traditional lines of thinking and prefer to hire, remunerate, promote or dismiss one sex over the other, even where women have the same (lack of) skills or experi-


\textsuperscript{288} See id.; Paper Presented at the Asia Pacific NGO Symposium, in \textit{South East Asia Regional Overview of Women's Issues & Concerns} (visited Aug. 31-Sept. 1999) <http://www.jca.apc.org/aworc/bpfa/ngo/bangkok99/papers/seasia.html> [hereinafter \textit{South East Asia Regional Overview}] (noting that in the past governments have not committed themselves to the advancement of women by implementing gender responsive policies, plans and programs, or by monitoring schemes when there is a lack of funds).

\textsuperscript{289} See \textit{South East Asia Regional Overview}, supra note 288.

\textsuperscript{290} CD/ART, supra note 3.
ence as men." 291 Through legislation, the Philippines can provide a clear mandate, a measurable target, and detailed guidelines by which the relevant laws can be realistically implemented; technical competence and assistance to assist the agencies; and an evaluation and monitoring system to periodically assess the compliance with the laws and policies. 292

However, legislation alone is insufficient. The current workplace circumstances in many companies do not really provide for equal opportunity, despite the existence of gender-sensitive legislation. 293 Complementary policy initiatives implemented by the government, employers, and worker’s organizations are necessary. 294 These other sectors can help ensure that the government enforces equal opportunity laws. 295

Moreover, "[g]ender equality [in the Philippines] should be concerned not just with a rise in the status of women through quantitative gains but rather with a far more fundamental change in the foundation and values of society and the evolution of a new reality." 296 This requires a more holistic social policy that incorporates international, national, and non-governmental efforts, resulting in a wide range of policy responses to minimize the negative impact of the crisis on women. 297

291 Asia and Pacific Countries Show Progress, supra note 94 (quoting a report titled, “Towards Gender Equality in the World of Work in Asia and the Pacific”).


294 See id. ("It’s not only about political will but more of developing a broad alliance between employers’ organizations and trade unions to increase awareness of such laws among their members."); Asia and Pacific Countries Show Progress, supra note 94.


296 Benitez-Reyes, supra note 254.

297 See Anita Kelles-Viitanen, Social Inclusion of Vulnerable Groups (Nov. 9, 1999) (on file with author).

There is a need to design a wide range of policy responses to minimize negative impacts on the poor and on other vulnerable groups, and to build a better response and resiliency, giving priority to preventing irreversible and long-term losses in human and social conditions, such as long-term unemployment, withdrawal of children from school, in-
6.2.1. International Organizational Involvement

To preserve past improvements made to women’s quality of life and to alleviate the additional burdens Filipinas face as a result of the crisis, the Philippines must follow the recommendations and initiatives of such international organizations as the ILO, APEC, UN, World Bank, and Asia-Europe Meeting ("ASEM"). It must implement, enforce, and actively monitor these initiatives domestically both by forcing the government to work for gender equality and by raising resources to fund the programs and projects of the women’s movement. Each of the organizations listed above has developed proposals that the Philippines may implement to mitigate the social consequences of the crisis on women.

6.2.1.1. ILO

The ILO recommended that policy responses to the crisis be gender-sensitive and thus require gender analyses of both the impact of the crisis and the policy responses to it. Specifically, the ILO proposed that countries: (1) implement guidelines to integrate gender concerns into the design and formulation of employment creation and skills training programs, as well as into policies to promote self-employment; (2) promote women owned and managed individual or group-based enterprises to give displaced working women and those in the informal sector access to resources and skills; (3) expand social protection to all predominately female sectors, including maternity protection and leave measures; and (4) enhance the importance of women’s roles in decrease of child labour, trafficking of women and children, prostitution, infant malnutrition and delayed immunization, breakdown of family and social structures, substance abuse, and loss of assets in distress sales.

Id.

298 ASEM originally took place on March 1-2, 1996 in Thailand, where twenty-five countries gathered to strengthen the link between Asia and Europe to facilitate economic growth. See ASEM, Asia-Europe Meeting Background (visited Feb. 18, 2000) <http://asem.inter.net.th/asem-info/background.html>. Since then, ASEM has taken follow-up measures and implemented mechanisms for progress. See id.

299 See Benitez-Reyes, supra note 254.

300 See CD/ART, supra note 3, at 61.
cision-making bodies and their participation in mechanisms for collective bargaining.\textsuperscript{301}

The ILO currently conducts a joint research project with the Asian Institute of Technology on the gender dimension of the crisis in East and Southeast Asia to strengthen its "capacity to support its constituents in improving the situation of women workers" after the crisis.\textsuperscript{302} In the Philippines, the ILO is examining the impact of the crisis on gender equality in the workplace and implementing advisory services to advocate employment creation.\textsuperscript{303} Furthermore, the ILO is implementing training programs in the Philippines for women entrepreneurs,\textsuperscript{304} and providing skills development in the informal sector and management development for small and medium-sized employers.\textsuperscript{305}

6.2.1.2. APEC

APEC responded to the effects of the crisis on women with recommendations to "take specific steps to reinforce the important role of women in economic development."\textsuperscript{306} APEC held a Ministerial Meeting on Women in Manila in the Fall of 1998 to discuss the regional economic crisis on women.\textsuperscript{307} The APEC ministers decided to collaborate with international financial institutions to strengthen and expand social safety nets for poor women and children, and to complete a gender-impact analysis of the economic crisis to identify the needs of women.\textsuperscript{308}

\textsuperscript{301} See id. at 61-62. For a full discussion of the ILO proposals made to mitigate the social cost of the Asian crisis, see id. at 51-66.


\textsuperscript{306} APEC Ministerial Meeting on Women, supra note 287.

\textsuperscript{307} See id.

\textsuperscript{308} See id.
tion, they focused their attention on developing strategies to minimize the disproportionate impact of the crisis on women and to integrate women's interests into regional and domestic plans for economic recovery. 309

6.2.1.3. UN

In response to the effects of the Asian economic crisis, the UN recognized that “[g]overnments should see the importance of finding women alternative employment and [of] retraining . . . women, especially in this critical time to provide security for the family.” 310 In July 1998, the UN Committee on Elimination of Discrimination Against Women 311 emphasized the importance of women's employment in the labor market considering the impact of the crisis on women. 312 The Committee recommended such measures as awareness-raising campaigns, provision of statistical data, gender-sensitivity training, recognition of women's unpaid work, increased trade union involvement for women, and elimination of gender-restrictive recruitment advertisements. 313

6.2.1.4. The World Bank and ASEM

Economic advisers, such as the World Bank and ASEM, provided additional assistance. The World Bank gave the Philippines a U.S. $10 million loan to build health clinics and provide water and sanitation in poor, rural areas. 314 In addition, the World Bank supports micro-credit programs by targeting enterprise development in women's businesses in the informal sector and in micro-

309 See id.
310 Striving for Equality, supra note 98 (quoting Lorraine Corner, the Regional Program Advisor of the Bangkok office of the UN Development Fund for Women). While speaking at the first APEC Ministerial Meeting on Women, Corner added, “Economic recovery will be difficult for families as well as for nations if we don’t seriously address the issue of retraining.” Id.
312 See id.
313 See id.
enterprises. In addition, ASEM has the resources to institutionalize collecting data to monitor the differential impact of crisis policies and programs on women relative to men.

6.2.2. Policy Makers

By following the examples of the international organizations, Philippine policy makers can ensure that crisis relief programs incorporate women’s potential to contribute to the economy while protecting the economic gains women made in recent years. As Peter Heller, Deputy Director of the Fiscal Affairs Department of the International Monetary Fund (“IMF”) stated, “This crisis has created opportunities for efficiency-enhancing policy reforms, and has heightened the importance of governments being responsive to the changing demands for public services.”

The Philippines first needs to reevaluate its allocation of resources. The government must retrieve its economic sovereignty from global institutions and implement fiscal policies that both encourage long-term investment and control the entry of portfolio investments. Such measures would allow the Philippines to regain the capacity to direct investments toward opportunities for women. Furthermore, the government must reallocate money toward providing cost-effective opportunities for poor women through social programs, providing adequate work opportunities

315 See id.
320 See Estrada-Claudio, supra note 44.
321 See id.
and environments, and educating the public about the contributions of women.\footnote{322 See Post-Beijing Assessment: Dismal Change in Women's Lives, supra note 110 (stating that the government must “redirect and ‘re-examine its macroeconomic policies and development models’ to ensure the deliver[y] of basic social services as well as ‘increase safety nets while building up national and local capacity to undertake poverty alleviation and the provision of basic services’”) (quoting a PBSB report).}

Specifically, the Philippines must complete a thorough analysis of the gender-related effects of the crisis and the gender impact of the implementation and enforcement of different policies, laws, and procedures.\footnote{323 See CD/ART, supra note 3, at 61-62 for further suggestions for studies and data compilations of women’s concerns.} With the assistance of such organizations as the National Commission on the Role of Filipina Women ("NCRFW"),\footnote{324 The Office of the President established NCRFW in 1975 to review and recommend measures to fully integrate women in the economic, social and cultural development of the Philippines. See Mechanisms to Promote the Advancement of Women (last visited Apr. 10, 2000) <http://www.lao.org/docrepv9095e/v9095e03.htm>.} the government needs to widely disseminate, analyze, and use this information to create innovative solutions for women. These innovations can serve to assess and improve compliance with equal opportunity laws to alleviate discrimination against women.

In addition, the crisis provides an opportunity for the government to refocus its social services toward women-centered social security, unemployment compensation, health care, and training programs. Legislators must commit themselves to creating new employment schemes that hold the government accountable and distribute an appropriate portion of new jobs to women.\footnote{325 See The South East Asia Regional Overview, supra note 288 (reminding governments and their leaders “not to forget their accountability to the women’s movement and the people in general”).} For example, a Philippine congresswoman introduced House Bill 1967 in 1998 to correct “employers’ prevalent practice of hiring male applicants over their female counterparts despite the ‘equal or better qualifications of the women.’”\footnote{326 Go, supra note 133 (quoting from proposed legislation).} Under House Bill 1967, any private individual or business with at least ten employees who do not have clerical, manual, or janitorial responsibilities, must “allocate at least 20[\%] of the total workforce
to women with comparable training, experience, skills, and qualifications.\footnote{327}{Id. (quoting from proposed legislation). If the bill is enacted, violations will be punishable by a fine of up to 50,000 pesos and one to four years in prison. See id.}

Moreover, policy makers should implement measures to upgrade skill levels and working conditions in the informal sector and to protect women and children from exploitation. They must target women workers in training programs and ensure that the training meets market demand and has the potential to lead to higher paying jobs.\footnote{328}{See Licuanan, supra note 99 ("[T]here is [a] need to more aggressively promote the perspective of women as targets as well as active agents for economic recovery[,] i.e., in crisis recovery packages, in measures to protect and promote enterprise development, in job creation and distribution, in skills development and upgrading, training and retraining, in social security and social protection systems, etc.").}

The policy makers should also consider adapting training programs to accommodate the constraints faced by women with children.

The Philippines needs to use its economic powers to improve compliance in the social security system and give priority to providing poor women with direct access to income because women spend a higher proportion of their income than men on the family.\footnote{329}{See Jones, supra note 258 (stating that governments should invest in social protection programs). Investing in such protection is relatively inexpensive, increases the flexibility and range of corrective options, and protects vulnerable groups from the punitive effects of contractionary fiscal and monetary policies. See id. Further, long-term economic and social policies must take absolute and relative poverty into account. See id.}

Moreover, legislators need to expand the breadth and enforcement of unemployment compensation for Filipina women.

Most importantly, the government must not only give temporary relief, but must also establish concrete "long-term and holistic" enforcement of measures that improve Filipinas' lives.\footnote{330}{See Knowles, supra note 50, at 10 (noting that many of the subsidies that are currently provided are "untargeted and do little to promote equity," and suggesting that the government must develop "effective targeting mechanisms for social safety nets" for the poor).}

Only a long-term solution will guarantee true success for Filipinas.
and alleviate concerns that women will suffer the same hardships in future crises.

6.2.3. Private Sector and Employers' Organizations

Since the private sector can directly advance the role of women by hiring and managing female employees, the government must urge its participation. The private sector and employers' organizations can increase the representation of women in senior management and decision-making bodies. They can advocate among their members and government for the removal of limitations on the advancement and implementation of equal opportunity and affirmative action policies. The employers' organizations need to promote the advantages of family work environments through equal wages for work of equal value, flexible working arrangements, and incentives for men to accept a more equal share of family responsibilities. The private sector should improve access to on-the-job and management training, programs to upgrade skills, and training in occupations that traditionally have excluded women.

6.2.4. Trade Unions and Workers' Organizations

Trade unions and workers' organizations can improve women's representation and participation, ensuring that women's specific concerns are considered in collective bargaining agreements and negotiations. Workers' organizations must sensitize male members to the concerns women have regarding child care, work conditions, and pay equity, and adjust meeting times to enable women to participate. Unions need to provide education.


333 See Katherine Marshall, Remarks, in The Manila Social Forum: Operational Lessons and Challenges for Social Development after the East Asia Crisis (visited Nov. 9, 1999) <http://wbln0018.worldbank.org/eap/eap.nsf/6ab4a442217f81de852567c9006b5ef9/8e6533a93bbf073e85256824006be5aa> (noting the importance of enhanced social dialogue and civil participation among employees, employers, and other groups).

334 See Jones, supra note 258 (stating that "trade unions, private sector and civil society are vital partners in dealing with reform and with crisis and should effectively share the burden of dealing with it").
and training for women in negotiating, collective bargaining, union management, and legal redress. In addition, the workers' organizations should expand their scope to organize and mobilize women in the formal and informal sectors.

6.2.5. Cooperatives and Self-Help Groups

Cooperatives and self-help groups can create an awareness of the importance of women's economic roles and encourage male members to share child care and housework more equally in order to reduce women's double burden of unpaid and paid work. Cooperatives need to increase women's membership, participation, and leadership in cooperatives, and to conduct leadership training for women. Self-help groups should institute policies to give women equal access to training, credit, and facilities. Cooperatives must amend their laws and membership requirements, especially by eliminating the requirement that members and voters be the heads of their households.

6.2.6. A Unified Front

With the international support of both the public and private sectors, the Philippine government has the needed resources and support to strengthen the position of Filipinas. Collectively, policy makers, the private sector, workers' organizations, cooperatives, and development agencies can integrate women into crisis recovery programs and provide for their specific needs. The use of non-governmental entities provides much of the follow-through and continuity that the government traditionally lacks, and also establishes the grassroots attention to women's issues necessary to create community awareness. Attacking discrimination against women using this unified front strengthens the force of legislation and alerts the consciousness of the country. The Philippine government must advocate and embrace this participation.\(^3\)

\(^3\) The Philippine government should follow Malaysia's example. It should not limit funding for social programs and use the financial support of non-governmental entities and the technical expertise of the government. See Eirmalasare Bani, Best Safety Net Despite Slowdown, NEW STRAITS TIMES PRESS (Malay.), Feb. 19, 1999, at 2.
7. Conclusion

The economic crisis took a tremendous toll on Asia, affecting real growth, inflation and poverty rates, industry, employment, and social programs. As the Asian countries experienced the effects of the crisis, women suffered disproportionately. Within patriarchal societies, these women continue to face the loss of jobs, harsh working conditions, discrimination in employment advancement and training, poverty, loss of wages, lack of organized protection, lower earnings, violence and hardship within the family, loss of education, prostitution, deportation as migrant workers, and loss of social services.

Although the Philippines was affected less by the Asian economic crisis than its neighbors, Filipino women have suffered as much or more than women in other countries affected by the crisis. They experience the same difficulties as other Asian women, exacerbated by their secondary status in the Philippines. Despite the fact that international organizations recognize the plight of women and that the Philippines has laws mandating the elimination of sex discrimination, the Philippine government’s response remains inadequate. In light of the Asian economic crisis, the Filipinas’ plight grows, and the improvements in the treatment of women in the workforce have been, or are, in danger of being reversed.

The Philippine government must acknowledge that the male-dominated power structure that allowed women to be discriminated against and abused for so long can only be changed by a drastic transformation of its structure. The government must give just importance to the role of Filipinas in the workforce by fully enacting and enforcing female employment development initiatives. The Philippine government needs to recognize the concerns of women and raise awareness of the increased discrimination and hardship Filipinas face as a result of the crisis. Moreover, the Philippines must vigorously adopt international initiatives, create gender-sensitive domestic policies, and urge and embrace the support of economic advisers, the private sector, worker’s organizations, and cooperatives. Furthermore, the Philippine government must consistently enforce and monitor the implementation of these initiatives in order to prevent a further widening of the disparity between men and women in Filipino employment and society. The aftermath of the crisis heightens the need for immediate and comprehensive attention to women’s
concerns in order for women to retain any progress they have made and to further women’s place in the workplace and Filipino society.