

Disability Inclusion Helpdesk Report No. 61

Query title	Disability inclusion in the Philippines
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Date	3 rd June 2021
Query	1. What is the context of disability inclusion and rights in the Philippines? What progress has been made in recent years and what gaps remain? What does this look like in the 3 key sectors of education, employment/social protection, and climate change? 2. What is the relationship between poverty and disability in the Philippines?
Enquirer	FCDO Philippines

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Suggested citation:

Jenkins, O., Manlapaz, A., and Wapling, L. (2021), *Disability Inclusion in the Philippines*, Disability Inclusion Helpdesk Research Report No. 61. London, UK: Disability Inclusion Helpdesk.

1. Key facts on disability in the Philippines

- The 2016 Philippines National Disability Prevalence Survey found that:
 - **People with severe disabilities make up 12% of the population;**
 - People with moderate disabilities make up 47% of the population;
 - People with mild disabilities make up 22% of the population;
 - People with no disability make up 19% of the population.
- By contrast, the most recent census, which used a yes/no question on disability, found that people with disabilities are 1.5% of the population. The 2016 Philippines National Disability Prevalence Survey used a Model Disability Survey (MDS) methodology, which is considered more accurate. The methodology considered best practice and used by the FCDO is the Washington Group Questions.
- Severe disability is most prevalent in **people 60 and over (32%).**
- **There are more women with severe disabilities (60% of all people with severe disabilities) than men with severe disabilities (40% of all people with severe disabilities)** in the Philippines, which is consistent with global figures.
- **People with disabilities in the Philippines are far more likely to be impoverished** than people without disabilities, with poverty incidence ranging from 30% to 60% for people with disabilities versus a poverty incidence of 25% amongst the general population (based on the official food and poverty thresholds from the National Statistical Coordination Board).
- One in four people (**25%**) **with severe disability experience barriers to education** at all levels (elementary, high school and college). People with disabilities have lower levels of education, with 16.6% of people with disabilities not having graduated from elementary school, compared to 6.9% of people with no disability.
- **Only 19% of people with disabilities are formally employed.**
- The Philippines **ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) in 2008.**
- The main piece of national legislation regarding disability is **the Magna Carta for Disabled Persons and Other Purposes**, which was legislated in 1992.
- The Philippines made **13 commitments at the Global Disability Summit (GDS) in 2018** under the direction of the National Council on Disability Affairs. According to the latest GDS report, 2 commitments have now been completed, 8 are underway, 2 are delayed and 1 has been discontinued.
- **There are social protection programmes in place**, both explicitly targeting people with disabilities (e.g. discounts under the Magna Carta legislation) and implicitly including people with disabilities (e.g. the Conditional Cash Transfer program). However, there are often **barriers to access** for people with disabilities, which have been **exacerbated during the COVID-19 pandemic.**
- Some **disability-inclusive climate change and disaster risk reduction (DRR) programmes are being implemented** and there has been a recent increase in the numbers of local governments implementing disability-inclusive DRR.

2. Defining Disability

People with disabilities are: ‘...those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.’ (Article 1, UN Convention on the Rights of Persons with Disabilities)

Impairments (e.g. physical, cognitive or sensory) become disabling when they interact with prevailing attitudes, behaviours and policies or physical spaces to effectively bar the individual(s) from participating fully in society.¹ For example, inaccessible signage or footpaths deny access to markets or workplaces for individuals with visual or physical impairments. Impairments can also combine with other key factors and characteristics to compound the level of marginalisation. These include differences based on age, gender, ethnicity, socio-economic background, rural versus urban locations and other issues. There are also differences based on whether impairments are visible or not. The experience of disability varies widely, with at least as much variation amongst people with disabilities as there is amongst those without disabilities (Stanford Encyclopedia of Philosophy, 2016).

3. Poverty and disability in the Philippines

There is strong empirical evidence from across multiple low- and middle-income countries on the link between poverty and disability, with poverty and disability reinforcing each other, creating a cycle (Banks et al. 2019). This link between poverty and disability is also found in the Philippines. A report in 2013 found a **poverty incidence ranging from 30% to 60% for people with disabilities** based on the official food and poverty thresholds from the National Statistical Coordination Board (Mina, 2013), **compared to 25% amongst the general population** (Philippines Statistics Authority, 2014). People with disabilities in the Philippines are less likely to have a high level of education and are less likely to be employed than people without a disability (Philippines Statistics Authority 2016).

4. Disability prevalence in the Philippines

The most recent prevalence data is from the 2016 National Disability Prevalence Survey. It adopts the MDS methodology, which defines disability as the outcome of the interaction between a person’s health-related status and the physical, human-built, attitudinal and socio-political environment in which the person lives, and is a methodology used by the World Health Organisation (WHO).

The 2016 survey covered about 10,240 individuals older than 15 years and found that:

- **People with severe disabilities make up 12% of the population;**
- People with moderate disabilities make up 47% of the population;
- People with mild disabilities make up 22% of the population;
- People with no disability make up 19% of the population.

It also found that prevalence of severe disability is highest among individuals in the oldest age group (60 and older) at 32%, and least among the youngest age group (15 to 39) at 6%.²

¹ Medical models understand disability as an individual physical or mental impairment along with the impairment’s personal and social consequences, while social models understand the association between disability and well-being as “highly contingent, mediated by a variety of environmental and social factors” (Stanford Encyclopedia of Philosophy, 2016). Social models tend to interrogate the overarching systems which classify or segregate people and their characteristics or experiences based on norms of ability and disability (ibid).

² These figures may seem high, but this is usual for the MDS which is used to try to identify disability. The MDS uses a continuum, whereby people who do not have a level of disability that would impinge on daily life (making up 41% of the population in this case). Those whose level of functional ability is likely to impinge on daily life are classed as people with moderate disabilities (47% in this case), whilst those whose level of functional ability definitely impinges on daily life are classed as people with severe disabilities (12% in this case).

The previous census in 2000, the data of which is often used in older studies, had estimated a significantly lower prevalence rate of 1.57%. This survey had not used the Model Disability Survey and instead asked respondents to self-identify as either experiencing a disability or not experiencing a disability. Whilst the MDS could be seen to slightly overestimate disability prevalence, a binary yes/no survey like the 2000 census is likely to significantly underestimate disability. The methodology considered best practice and used by the FCDO is the Washington Group Questions, which is a short set of questions designed to focus on functional limitations and be easily incorporated into surveys.

5. Policy and legislation context

The main law regarding disability rights in the **Philippines is the Magna Carta for Disabled Persons and Other Purposes which was legislated in 1992**. This act accords equal rights to people with disabilities and entails the general provisions for people with disabilities in the Philippines. The legislative measure identifies and provides for the rights of people with disabilities in employment, education, health, auxiliary social services, access to telecommunications, and enjoyment of political and civil rights. Moreover, it ensures the protection of their rights through the prohibition of discrimination against people with disabilities. Although there is an intention to be inclusive and rights based, according to Organisations of People with Disabilities (OPDs) in the Philippines, there has been slow progress on realising the rights of people with disabilities leading to ongoing issues, including with education, employment and social protection (Philippine OPDs 2016).

The Magna Carta legislates that at least 1% of all positions in all government agencies, private offices, or corporations should be held by people with disabilities. The law also provides private organisations with tax incentives when hiring people with disabilities. People with disabilities are entitled to a minimum 20% discount on various services such as hotels, restaurants, and travel by air, sea and rail. They are also entitled to the same discount amount on medicine purchases and medical and dental services. In order to use these benefits however, the law requires that people with disabilities show identification cards, but as has become evident during the COVID-19 pandemic, there are issues with keeping the register of people with disabilities up to date (Life Haven and Philippines Coalition UNCRPD, 2021). There is also a lack of awareness of these discounts, leading to low levels of uptake (Tabuga 2013).

Although the Magna Carta was somewhat progressive when legislated in 1992, it has remained largely unchanged since then. The UN CRPD Committee has noted their concern about “the prevalence of the medical and charity approaches in the State party’s legislation and policies concerning persons with disabilities, overemphasising impairment, medical treatment and social care, which are in stark contrast to the human rights model of the Convention” (UN CRPD 2018, p.2).

Additional significant pieces of national disability legislation include:

- Batasang Pambansa 344, (passed in 1983) otherwise known as the “Accessibility Law”, requires buildings, institutions, establishments, and other public utilities to have accessible facilities for people with disabilities.
- R.A. No. 11228 (passed in 2018) aims to automatically cover all people with disabilities under the National Health Insurance Programme (NHIP). During the COVID-19 pandemic, there were found to be unreasonable delays and additional burdens for people with disabilities to access this due to the register not being up to date, and local governments not having capacity (Life Haven and Philippines Coalition UNCRPD, 2021).
- R.A. No. 10070 (April 2010), an Act establishing an institutional mechanism to ensure the implementation of programs and services for people with disabilities in every province, city and municipality. This law establishes the mechanisms and programs that cater to people with disabilities, and created the Person with Disability Office (PDAO) at both provincial and municipal levels.

The Philippines ratified the UN Convention on the Rights of Persons with Disabilities (UNCRPD) on 15 April 2008. The Magna Carta, which had been legislated 16 years prior to this, already fulfilled some parts of the CPRD such as reserving 1% of government positions for people with disabilities. Since the CPRD ratification, further positive steps have been taken such as establishing institutional mechanisms for implementing programmes for people with disabilities at every level (NCDA 2010). However, in 2018, the CRPD Committee noted **several areas of concern and lack of progress**, including insufficient resources allocated for reforming, harmonising and institutionalising laws and policies, the absence of a comprehensive policy across all sectors and levels for implementing the CRPD, and existing legislation (referring to the Magna Carta) that perpetuates stereotypes against people with disabilities (UN CRPD 2018).

Additional national policies and legislation are likely to be put in place in the near future. The Philippines Development Plan 2017-2022 (NEDA, 2017) includes more references to people with disabilities compared to all previous country plans and articulates the importance of putting in place laws and programs to ensure that the rights of people with disabilities are protected. It includes **plans to amend the Accessibility Law (Batasang Pambansa 344) and to pass a new law that will establish the Disability Support Funds**. The Accessibility Law will include information, communication and technology (ICT) whilst the Fund will finance rehabilitation services, assistive devices, technology, education,

employment, and other disability support services, whilst also building the capacity of local government to provide services for people with disabilities and build their own trust funds (NEDA, 2017 p. 178).

6. The Philippines and the Global Disability Summit

At the Global Disability Summit in 2018, 13 commitments were made by the Philippines National Council on Disability Affairs, including signing up to the Summit Charter for Change. Commitments made included (NCDA GDS commitments 2018):

- To coordinate with local government units in developing local policies and mechanisms to fully implement the Magna Carta and other existing national laws to ensure people with disabilities shall live in a barrier free and inclusive society
- To develop inclusive education sector plans
- To develop skills development for decent work for people with disabilities (completed under several programs including the DOLE Integrated Livelihood Program, the Sustainable Livelihood Program and the Small Enterprise Technology Upgrading Program)
- To develop policies for assistive technologies (discontinued)
- To strengthen publicly available disaggregated disability data
- The development of a training manual on gender and disability focusing on empowerment of women and girls with disabilities
- The inclusion of people with disabilities in the development disability inclusive disaster risk and reduction plan and in peace process (completed - the NCDA conducted Training of Trainers on Disability-Inclusive Disaster Risk Reduction and Management (DIDRRM) in 4 provinces).
- Strengthening the National Council on Disability Affairs to effectively promote the rights of people with disabilities to become productive and to enable local government units to develop responsive programs and services for all people with disabilities.

Although these commitments are significant, many have very long time frames for implementation, for example up to 2040. According to the latest GDS report, 2 commitments have now been completed, 8 are underway, 2 are delayed and 1 has been discontinued, as noted in brackets above. In the Global Disability Summit +2 years report published in 2021, it is noted that the Philippines National Council on Disability Affairs has been focusing on an intersectional approach with several initiatives aimed specifically at women and girls with disabilities, but no further detail is provided.

7. Key stakeholders

The National Council on Disability Affairs is the national government agency which is mandated to ensure the protection of the rights of people with disabilities. The Philippines is part of the Global Business and Disability Network, with participating members including Accenture, Accor Hotels, IBM, Humanity and Inclusion, Leonard Cheshire, and Project Inclusion Network. UNICEF work on the rights of children with disabilities. They recently published a [report on the situation of children with disabilities](#) in the Philippines in the context of COVID-19 (UNICEF 2021).

There are two types of Organisations of People with Disabilities (OPDs) in the Philippines: independent OPDs and government-assisted / organised OPDs. Government-assisted OPDs were established under a policy for local government to assist in organising people with disabilities into self-help groups. These types of OPDs are organised in *barangay* (local council) or community level, then federated into municipal/city level, then to provincial level and then to regional level. There is currently an attempt to federate them into a national federation (expert contribution from Abner Manlapaz, 2021).

In terms of independent OPDs, there are numerous impairment-specific national organisations with chapters in different provinces. These include the Philippine Federation of the Deaf (PFD), Philippine Blind Union (PBU), Autism Society Philippines (ASP), Hard of Hearing Philippines, Down Syndrome Society, Deaf-Blind Support, National Organization of Visually-impaired Empowered Women (NOVEL), WOWLEAP (an organisation of women with disabilities) and Psoriasis Philippines. AKAP-Pinoy is the national umbrella organization, however it is currently largely inactive due to funding constraints. The Philippine Coalition on UNCRPD is a loose network of 15 different organisations, mainly at the national level, representing over

65,000 Filipinos with disabilities, and it continues to be active (expert contribution from Abner Manlapaz, 2021).

8. Disability and gender in the Philippines

According to the 2016 National Disability Prevalence Survey in the Philippines, **women make up 60% of people with severe disabilities**, and 51% of people with moderate disabilities. Despite this, the Magna Carta on Disability contains no mention of women and girls throughout its provision. There is also a separate Magna Carta on Women, which similarly contains no mention of women with disabilities.

The Philippines Institute for Development Studies (PIDS) published a paper on disability and gender in the Philippines in 2011 based on two prior surveys on people with disabilities (one conducted in Metro Manila and the other in rural areas). It found:

- **Men with disabilities have much higher rates of education attainment** than women with disabilities, and this disparity is worse in rural areas.
- **58% of men with disabilities are employed compared to 38% of women with disabilities.**
- The average personal income of employed male respondents with disabilities was around PhP27,300 (approximately £359 in 2011) compared to PhP15,200 (approximately £200 in 2011) for female respondents with disabilities (Tabuga and Mina 2011).

In 2016, the Philippine Alliance of Women with Disabilities submitted a report to the Convention on the Elimination of Discrimination Against Women (CEDAW). They noted a **lack of progress against CEDAW for women with disabilities**, with non-implementation of a number of its disability-specific provisions (Philippine Alliance of Women with Disabilities, 2016). Women with disabilities are still largely excluded from mainstream gender equality, and/or, disability-specific programs, activities and projects (Ibid.). Compounding these gaps is the **lack of full and effective participation by women and girls with disabilities and OPDs in all aspects of governance**. This invisibility also results in a lack of disaggregated and comprehensive data collection and statistics on women and girls with disabilities (Ibid.).

Women with disabilities in the Philippines also experience barriers to quality sexual and reproductive health services. Barriers include limited availability of accessible services; women's limited awareness about sexual and reproductive health and when and how to access appropriate information and services; negative attitudes of service providers and communities in relation to disability and sexual and reproductive health; and experiences of violence and abuse (Devine et al. 2017). Available documents and reports of several NGOs and OPDs (see CEDAW submissions [2013](#) and [2016](#)) indicate that violence against women with disabilities is more severe and is committed over an extended period.

According to the Global Disability Summit +2 years Report (2021), The Philippines National Council on Disability Affairs has been focusing on more of an intersectional approach with several initiatives aimed specifically at women and girls with disabilities, but no details are given.

9. Disability-inclusive education in Philippines

The 2016 National Disability Prevalence Survey included questions around inclusive education. It found that one in four people (25%) with severe disability experience barriers to accessing education, leading to people with severe disabilities obtaining much lower levels of education than those with no disability, or mild or moderate disability (Philippines Statistics Authority 2016). For example, **21% of people with severe disabilities have completed high school, compared to 30% of people without disabilities** (Philippines Statistics Authority 2016, p.56). Similarly, **16.6% of people with disability have not completed elementary school, compared to 6.9% of people with no disability** (Philippines Statistics Authority 2016, p.56).

According to the CRPD update report (2014), the Philippines government has been supporting inclusive education of people with disabilities in several ways, including:

- The Special Education Caravan program, which ensures education services for people with disabilities are brought to the communities where they live in order to increase participation rates.
- The Distance Education Program which serves children with disabilities who have to undertake distance learning.
- A programme which targeted 1,500 out-of-school children with disabilities to be placed in schools nationwide by 2012.

- In 2010, funding was given to 222 secondary schools to enhance inclusive education programs, such as for the purchase of assistive devices and teacher training.
- Public universities must provide reasonable accommodation to students with disabilities, and guidelines have been developed on admissions. The government also assists people with disabilities through student financial assistance specifically targeting people with disabilities as grantees.

10. Disability-inclusive employment and social protection in Philippines

According to the 2016 National Disability Prevalence Survey, at the time of the survey, **78% of people with disabilities were unemployed or belonging to the informal sector, 19% were formally employed and 3% were employers of family-owned businesses** (Philippines Statistics Authority 2016). 13% of respondents with a severe disability have never worked whilst 38% were not working at the time of the survey. Those who were working were mostly self-employed without an employee (18%) or working for a private establishment (15%). For people with severe disabilities who have never been employed, more than two in every five reported that this was due to their health condition or disability (43%). More than one third of people with a severe disability (34%) experienced difficulty in applying for and getting a job.

According to the Global Disability Summit commitments, skills development programmes for people with disabilities have been implemented such as Integrated Livelihood program under the Department of Labor and Employment (DOLE). The Business and Disability Network in the Philippines has been providing employment services and re-skilling initiatives for people with disabilities who have lost their jobs or are looking for their first jobs during the COVID-19 pandemic (ILO, 2020).

Section 9 of the Magna Carta mandates the government to create appropriate training and assistance in vocational technical skills and entrepreneurial skills to people with disabilities to improve access to employment. According to the government's CRPD response in 2014, **the government has conducted several programs to improve access for people with disabilities to employment.** These initiatives have included the TULAY project from 1995 to 2009, which implemented micro-enterprise projects for people with disabilities including training and financial assistance, the National Vocational and Rehabilitation Center, and Rehabilitation Sheltered Workshops that are non-residential facilities that provide programs, services, and productive employment to people with disabilities and other marginalised groups, and the NOVA Foundation that has provided specialised digital training for people with disabilities.

Social protection

Although social protection schemes exist in the Philippines, including those explicitly targeting people with disabilities, people with disabilities often experience many barriers to accessing the schemes. The **4Ps or the Conditional Cash Transfer (CCT) program** is the largest social protection scheme in the Philippines which distributes cash grants to the country's "poorest of the poor", of which a high proportion are people with disabilities due to the link between poverty and disability. However, **people with disabilities experience barriers to accessing the programme.** For example, one of the conditionalities of the cash transfers is that children in the household have an 85% rate of school attendance, however children with disabilities are less likely to attend school due to a range of barriers that have not yet been resolved such as inaccessibility of school facilities and public transport for travelling to school (NCDA 2016). There is also conditionality around healthcare, such as regular health-checks and vaccines. People with disabilities may be less likely to access healthcare services due to high costs, physical inaccessibility of health facilities, and healthcare professionals with inadequate expertise (NCDA 2016).

According to Philippine law, all **people with disabilities should be automatically covered under the National Health Insurance Program (NHIP) of PhilHealth.** However, according to a recent open complaint letter by Life Haven the Philippine Coalition of CPRD (April 2021), there are several barriers for people with disabilities to access free NHIP. These include that many people with disabilities do not know how to access the programme, some local government officials do not know what they need to do to register people with disabilities on PhilHealth, and the register is not yet available in some local government units (Life Haven and Philippines Coalition UNCRPD 2021).

In April and May 2020, the Philippine Coalition on the UNCRPD conducted an online survey of 1,313 respondents from 71 provinces, including 1,807 people with disabilities during a local government

lockdown due to COVID-19. At the time of the survey, 91% of the households had not yet received any financial assistance from the government Social Amelioration Program (SAP). There were several reasons reported, for example no one had come to conduct an assessment, a lack of knowledge on how to access SAP, and local government having insufficient forms.

The updated Philippine National Development Plan 2017-2022 (NEDA, 2021 p.10) declares that the government will improve the accessibility of social protection services for people with disabilities. This will include ensuring the availability of facilities and services in the different parts of the country, as well as improving accessibility during COVID-19 such as expanding the provision of information in accessible formats, and financial and specialised support such as free transportation to medical and rehabilitation facilities, income generating activities, and delivery of necessities for people with disabilities.

11. Disability-inclusive climate change adaptation and disaster risk reduction

People with disabilities are at particular risk of the impacts of climate change, not because of inherent vulnerabilities, but because the societal barriers they experience reduce their resilience. Globally, there is a significant lack of data and evidence on the relationship between climate change and disability, with studies highlighting largely theoretical and anecdotal evidence (Kett et al., 2017). The Philippines is no exception, despite being one of the countries that is most vulnerable to climate change.

The government of the Philippines has enacted policies and programmes in response to climate change, some of which are disability-sensitive. The climate change Act 2009 designed the framework for integrating climate change adaptation in government plans and programs including Persons with Disabilities (Decena 2020). However, in the section on disaster risk resilience in the government's CRPD Update report (2014, p.16-17), there is almost no mention of people with disabilities except to note that although data on beneficiaries of the disaster risk resilience programmes is not disaggregated by disability, "it is the spirit of these directions to respond to the special needs of persons with disabilities". Despite this lack of disability-inclusivity, it does seem that there has been an increase in the numbers of local governments implementing disability-inclusive DRR, such as the province of Cebu (OPD submission to the Voluntary National Review, 2019, contribution from Abner Manlapaz, 2021).

OPDs have been creating manuals and conducting training for local governments on disability-inclusive disaster risk reduction and management; and conducting mapping activities to identify risks and hazards for people with disabilities in coordination with local councils (CBM, 2017).

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