**Guiding questions for providing input in response to the call from the Independent Expert on SOGI.**

**By: AR Arcon - Philippines**

1. What are the current efforts by States to increase their knowledge of the LGBT population?  Specifically, are questions about sexual orientation and gender identity included in government surveys (e.g. the census, national health surveys, income and living condition surveys, or other surveys funded or mandated by the State), administrative records (e.g. birth certificates/birth registries, identity Cards, school records, professional licenses, social security and public benefit records, and other government documents)?

The current efforts being done to increase SOGIE awareness in the Philippines are mostly LGU(local government units)-led. There are a number of LGUs who are utilizing their GAD (Gender and Development) fund towards Gender Equality in their areas. These are more often than not, with the assistance and advocacy work of local LGBT+ groups in those specific areas.

There is no government surveys which had SOGI indicators. There was a survey from Department of Health, Epidemiology Bureau that had transmen data on HIV.

Legal records are always by the gender marker on the birth certificate. Some trans people are fortunate to have the gender marker they prefer because of late registration errors. The rest would have to stick with the gender marker on their birth certificates, until Legal Gender Recognition has become a law. Some trans folks deviate a bit by using loopholes in the system to acquire the gender marker they prefer, however, most are wary of the Anti-Falsification of documents law.

2. What kinds of data can be collected by government to understand the nature and extent of violence (e.g. through statistics on LGBT-phobic hate crimes and hate speech), discrimination, and disparities in health, education, labour, civic participation, and other important areas?

To start with, the Philippines would need a reporting mechanism that can accurately report SOGI-related violence. The existing challenges are, how to tell if a crime is a hate crime and how to tell if the crime was related to the person’s SOGI.

The dropout rates in academic institutions should be looked into, is there the reason behind why these kids are leaving school related to their SOGI? Bullying and discrimination within the schools and even into the basic school uniform could be also explored more.

There was already a mandate in lower education (Department of Education) that uniforms in grade school are no longer required, maybe we can research on the data of how effective that policy is in retaining young LGBT\* students.

For labour and commerce field, there is the great index report by Phil from LGBT Chamber of Commerce in 2018, which is very useful. Please visit the link here: <http://lgbtph.org/wp-content/uploads/2018/11/LGBTChamber-CSDIindex2018.pdf>

3. What safeguards are in place, and what safeguards are needed, to protect the human rights of individuals providing personal data as well as individuals collecting such data?  This question includes the following:

A.    Safeguards to protect the privacy of individuals who provide data about their sexual orientation/gender identity, and the confidentiality of the data provided by these individuals.  
  
There are efforts being done by a few NGOs who do work in Digital Security. These are trainings being offered to LGBT\* advocacy groups to protect their systems and their private lives.

B.    Broader statutory rules or administrative policies to insure transparency and accountability of government institutions such as statistical bodies.

No information.

4. What are the risks associated with the collection and management of data on sexual orientation and gender identity and initiatives to overcome those?

There is no flawless system, the institution who is tasked to collect these information should have a strict adherence to privacy policies and a secure data management system. The risk is exposing sensitive and private information that can put an individual to a vulnerable situation, such as being “outed” without their consent.

5.    Are there circumstances where data collection is ill-advised, such as in countries that criminalize same-sex behavior or where particular government agencies have demonstrated a cause for concern regarding their treatment of issues related to sexual orientation and gender identity?

In the case of the Philippines, same-sex behavior is not criminalized however, it is still frowned upon in rural areas, there is no data on how the SOGI-related violence in those areas to even say that those cases do exist.

6.    When States engage in data gathering activity, to what extent is civil society able to meaningfully participate in the design and implementation of these programs?  This question includes the following:

A.    Do states have policies that guide the process of civil society participation national statistical programs and other State efforts to increase knowledge about LGBT populations?

No information

B.    Does civil society have the capacity, in terms of expertise and technical knowledge, to meaningfully participate in State efforts to gather data?

There are a lot of existing civil society groups (LGBT\* and Human Rights groups), that I believe are capable of assisting the government in this effort.

C.   What constitutes meaningful participation in this area?

The community led researches are recommended

7.    Does the lack of a global classification scheme carry risks that data will not be useful for international comparisons or will not accurately reflect the identities and lived realities of local populations?

No information