



REPORT ON
LEARNING VISIT
TO
THE PHILIPPINES

MARCH 6TH TO 23RD 2012

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Background

In order to understand the context that PATC members are working in, PATC attempts to build up context-specific knowledge, relating this to an area of interest for members in Denmark, their partners in the “Global South” and PATC. To qualify this work, PATC consultants conduct several learning visits every year. These visits feed into the ongoing adjustment and development of our training and advisory services.

A learning visit is different from a monitoring visit, because it focuses on a specific thematic subject instead of on a specific project or partner.

The visit was carried out by Donna Mayer, CSO consultant, together with Solveig Nielsen, administrative consultant, who carried out a monitoring visit at 5 organisations with Project Fund projects. We have elaborated a separate report for each of these visits.

Objective

The objective for this learning visit is:

- To explore methods for the inclusion of the “South” perspective in the Mini-Fund Vision Studies.
- To generate concrete input from the “South” partners to Danida’s cross-cutting monitoring 2011”.

As part of our 3-year plan, PATC has working towards constructing a more consistent monitoring system for the Project Fund with focus on how to better demonstrate the results and outputs achieved on an aggregated level by seeing the Project Fund as a mechanism for promoting the objectives of the Civil Society Strategy. This includes our own Mini-Fund Vision Studies and Danida’s “Danish Organisations’ Cross-Cutting Monitoring of the Implementation of the Civil Society Strategy”. However, neither one of these studies include the “South” perspective.

Observations on thematic issues

In the ToR, I wrote that the focus would be on how the “Southern” partners’ perceptions in regards to how the achievement of project results can be explained by the concept of “mutual contribution”. However, this was not what happened. The thematic issue became more concentrated around the question of framework conditions for Civil Society Organisations in the Philippines and was used as a case in the Project Fund’s reporting to Danida’s “Danish Organisations’ Cross-Cutting Monitoring of the Implementation of the Civil Society Strategy”.

There were some very interesting aspects which are directly related to many of our reflections on a rights-based approach and this became the focus of the cases from each organisation as well as an over-all case about framework conditions in the Philippines. (See annex 1).

Participation

National law gives civil society the right to lobby for local ordinances and allocation of budget, “participation by proposal”. Participatory planning processes date back to the 1986 overthrow of the Marcos’ dictatorship. The Aquino administration adopted the Policy Agenda for People-powered Development which included the 1991 Local Government Code attempts to involve people through their organizations in governance. The Local Government Code gave provision of certain services to Local Government Units and made NGO involvement in these bodies mandatory. This means that NGOs and people’s organizations are required by law to have representation on every development council on village (barangay), town, city and provincial levels. There are 904 municipalities and thousands of barangays.

This seems to generate a particular structure with Philippine NGOs being characterized as “intermediary organizations between the people and the State”, speaking and working “on behalf of the poor and disadvantaged without being from among them” as opposed to independent people’s organizations with “identifiable leadership, membership and structure”.¹

This is definitely the case with the 5 organisations which we visited. With the exception of Stairway Foundation, all 4 other organizations were Manila-based. Stairway has also recently opened a Manila office.

Besides activities in Manila, all organizations work in other parts of the country. They are either linked with other NGOs and local organizations, including POs and CBOs, or they have activities which aim at forming some type of local organizing. In that sense, they can be viewed as service suppliers and there were several times where I caught myself wondering if the local organization would not have been the more relevant partner for the Danish organization. On the other hand, the capacity to bring the issues higher up in the system is the strength of these Manila-based NGOs. A potential dilemma in this type of set-up could arise as the locally based activities are, as such, not usually the principal objective of the project. The principal objective, depending where you view it from, could be seen more as using the local experience to generate a model which could subsequently be spread out on a national level. If the locally based organizations or target groups are not to end up being instrumentalized, a lot of concern and consideration has also to be given to internal organizational development processes within the local partners/target groups.

Internal accountability

Internal governance was cited as a major challenge confronting Philippine CSOs in the “Civil Society Index: Philippines - An Assessment of Philippine Civil Society”². When asked about the process of selecting board members through democratic process, 11.9% respondents answered that they had boards that were chosen by the board members themselves while the rest were selected either by a leader or the management and staff.

¹ Lowry, Cameron, *Civil Society Engagement in Asia: 6 Country Profiles*, Asia Pacific Governance and Democracy Initiative, 2008, p. 31.

² Elaborated by CIVICUS and CODENGO – Caucus of Development NGO Networks, March 2011

Furthermore, the report mentions two studies which give the following reasons for lack of board accountability as one of the internal management issues confronting Philippine NGOs:

Board members are friends or relatives or people who will give credibility due to their reputation

Many NGOs lack discipline in distinguishing between the policy making functions of the boards and the managing functions of the director.

The boards are not properly oriented and only become active when major problems arise.

Board members work voluntarily.

All of these issues were present in varying degrees in the organizations which we visited.

On the positive side, the Caucus of Development NGO Networks (CODE-NGO) and Philippine Council for NGO Certification (PCNC) have been working towards improving the internal accountability of NGOs through a self-regulatory certification process. Although only about 1000 out of tens of thousands of non-profit organizations have been certified, this self regulatory initiative has potential to give legitimacy to accountable and independent people's organizations and strengthen their ability to work within this framework.

We were unfortunately unable to visit these two organizations but we had talks with several of the partner organizations who were contemplating becoming certified. Certification also enables the organizations to fund raise locally.

Rights-based approach

All 5 organisations worked with specific issues which spanned from the local to the national to the international level. The organizations work within the framework of international conventions, such as Basil Ban amendment for toxic waste, ILO Maritime Labour Convention and the UN Convention on the Rights of Children. At the same time, advocacy is directed at national laws and local ordinances and their implementation, such as a local government unit fishery development plan and a city shelter plan. This approach promotes networking and linking up to promote the rights of poor people on the different levels. It seems that the organizations in the Philippines have a lot of experience working in this way, which could be interesting for us to learn more about.

Outputs and Dissemination

The most concrete output of the learning visit was the production of the 6 cases which were used in the Project Fund's reporting to Danida's "Danish Organisations' Cross-Cutting Monitoring of the Implementation of the Civil Society Strategy". I can highly recommend this method for generating the inputs because:

It ensures that CISU can answer the questions in a way which respects the Danish and Philippine partners' ownership of the project.

It gives us the opportunity to discuss issues concerning the civil society strategy with the implementing partners, who may or may not have insight into how the Danish strategy actually works.

It gives a different approach to reporting as the case is developed by the CISU advisor on the basis of the talks held. The case is sent to the implementing partner who responds with corrections, additions, etc. Then the case is forwarded to the Danish organisation for their approval before it enters into the Project Fund monitoring report.

For future use, the process of identifying cases from the organisations which we visit during our monitoring and learning visits can be incorporated into our planning process for these visits. How this could be done will depend upon the availability of information concerning the timing and contents of the cross-cutting monitoring.

Learning visits/Monitoring visits – We should try to avoid sending two advisors with the same program to do a learning visit and a monitoring visit respectively. The visits will unavoidably have the character of monitoring visits. The requirements of the monitoring visit are the most overriding and this gives less time available for the learning visit focus. The reporting also becomes complicated. There are two reporting formats and there are limits on how much time one can allocate to report writing.

Learning Report Annexes:

Annex 1. Report to Danida's "Danish Organisations' Cross-Cutting Monitoring of the Implementation of the Civil Society Strategy 2011

Theme 0. Framework conditions for civil society

The partner organisation: Provide an example of how changes in overall framework conditions for civil society have influenced the work of one or several partner organisations, and assess if these have been positive or negative.

Looking at the influence which overall framework conditions for civil society in the Philippines have on several of the partners of Danish organizations with Project Fund projects can be assessed as both positive and negative.

National law gives civil society the right to lobby for local ordinances and allocation of budget, "participation by proposal". Participatory planning processes date back to the 1986 overthrow of the Marcos' dictatorship. The Aquino administration adopted the Policy Agenda for People-

powered Development which included the 1991 Local Government Code attempts to involve people through their organizations in governance. The Local Government Code gave provision of certain services to Local Government Units and made NGO involvement in these bodies mandatory. This means that NGOs and people's organizations have representation on every development council on village (barangay), town, city and provincial levels. There are 904 municipalities and thousands of barangays.

This has proliferated a "morass of NGOs in the Philippines" where many politicians organize their own NGOs, especially spouses of politicians and those politicians who have lost elections and plan a comeback. NGOs created by the government officials have space in representation in Congress and it is difficult for "real people-oriented" NGOs to access public funds.

On the positive side, the Caucus of Development NGO Networks (CODE-NGO) and Philippine Council for NGO Certification (PCNC) have been working towards improving the internal accountability of NGOs through a self-regulatory certification process. Although only about 1000 out of tens of thousands of non-profit organizations have been certified, this self regulatory initiative has potential to give legitimacy to accountable and independent people's organizations and strengthen their ability to work within this framework.

Theme 1. Rights-based development assistance, advocacy work, and vibrant and open debate

5. Human rights: How and with what methods have partner organisations worked towards respect for human rights, based on UNs international conventions?

3F – Solidarity and Development and International Seafarers' Action Centre (ISAC) are implementing the Project Fund project "Promoting Filipino seafarers' and their families' social and labour rights, health and welfare", the 3rd phase of an initiative which started in 2008. The project promotes the social and labour rights of Filipino seafarers and their families as well as their health and welfare.

The partners are working to pressure the government to ratify the ILO Maritime Labour Convention of (MLC 2006). This international convention is designed to help labour-supply countries such as the Philippines which supplies 250,000 seafarers to ships sailing under 76 different flags. The Philippine government has only signed 5 of 70 existing conventions protecting seafarers and other overseas workers. This is despite the fact that seafarers contribute substantially to the Philippine economy and are required by law to send 80% of their earnings home.

Based on an empowerment through knowledge method, ISAC provides advice, training and information aimed at a direct target group of seafarers, former seafarers and their families, 50% of which are women. Through the organizing of regional offices in the 7 areas where the majority of

the seafarers come from, the project has the potential to reach 500.000 people, where 200.000 of these are women and activating them to demand the ratification of ILO MLC 2006.

Information campaigns and petition signing for the ratification of ILO MLC 2006 are directed at seafarers attending merchant marine schools in the Philippines. One particular information and advocacy campaign concentrates on advancing the rights of persons with HIV-AIDS and to push for the recognition of HIV-AIDS as a workplace and occupational issue for seafarers.

Cooperation with other civil society advocates of seafarers' and migrants' rights - such as the Apostleship of the Sea, CCOFW and Migrante - is also a method used to pressure the Philippine government to ratify conventions in order to secure the human rights of seafarers and their families as well as migrants in general.

6. Access to services: How and with what methods has the capacity of partner organisations to secure the target groups' rights in relation to services and other resources from the state or from other actors been enhanced?

In 2011, People Uniting and Generating Aid for Development (PUGAD) and Tambuyog Development Centre began implementing the Project Fund project "Developing an Appropriate Framework to Philippine Municipal Fisheries Registration and Licensing (MFRL)". The objective of the project is to contribute to an alternative and sustainable model for coastal fishing in the Philippines. Registration and licensing fees are an important source of revenue for coastal municipalities but in many cases, the costs are high in comparison with profits generated by small scale coastal fishing. This forces many small-scale fishers to give up fishing which worsens the already fragile economic foundation of over 1 million Philippine small scale fishers (an average family consist of 6 persons so we talk about 6 million people) for whom small-scale coastal fishing is their primary source or an important element of income.

The project works together with 6 municipal fisher organizations in different regions of the country in order to generate knowledge about the effects and consequences of the present legal framework MFRL in order to make proposals for a better legal framework which will secure access to marine resources. Furthermore, the partners draw on South African experiences on fisheries registration and licensing in small-scale fisheries which could be relevant in the Philippine municipal fisheries context.

In order to secure small fishers rights to livelihood, the partners are developing a set of policy critique and recommendations on the existing MFRL approach and implementation and an advocacy guide for promoting the set of policy critique and recommendations which will be used by small-scale fisher organisations in future actions direct towards government officials to make them understand the limitations of the existing MFRL approach and the need to improve it. The model is a co-decision for a Community Based Coastal Resource Management. In a 3-days conference in July 2012 in Quezon City the model will be introduced and debated with the

Philippine Government, representatives from the Fisheries Bureau, mayors, vice mayors from the 6 areas, the fisher folks organisations from the same areas, visitors from South Africa and Malaysia where their models will be discussed too and a Danish ph.d in small scale fisheries will report about European experiences.

This is the first planned two-phased project where the second phase will be advocacy for the model at the national level and have it implemented in six (6) learning areas/ municipalities.

Project phase 2 direction will generally partner six (6) LGUs in planning and implementing registration and licensing with the aim to limit access and reduce fishing effort as one component of a larger municipal fisheries development plan.

Key elements of the plan should include, but not limited to: 1) strengthening of fishers' organization to engage in social enterprise activities; 2) retraining of fishers to take on other livelihoods (such as going to value-addition activities, silvi-culture, aquaculture, etcetera) to reduce existing pressure, 3) designed "practicable incentives" for registration and licensing, e.g. qualification for designated settlement in coastal areas, bank loans, hospitalization, fuel subsidy, prioritization to receive calamity related services (whichever are practicable); 4) installation of fish catch and effort data base system to serve as basis for decision-making on fisheries management.

7. Duty bearers: How and with what methods has the capacity and will of duty bearers (the state, local authorities, private companies etc.) to respect, protect and fulfill rights been enhanced?

The Association Diálogos and Ban Toxics! work together on the Project Fund project "Reducing mercury pollution in small scale gold mining - Philippines 2011-2014" in cooperation with Benguet Federation of Small Scale Miners, GEUS (National Geological Survey of Denmark and Greenland), the Faculty of Health Sciences at the University of Copenhagen and the Danish Society of Environmental and Occupational Medicine.

During the last 10 years the rise in gold prices has resulted in a mining boom in terms of geographical area covered and numbers of small-scale miners (SSM) involved. SSM produce 30 tons of gold every year equivalent to 80% of the Philippines national production. There is now an estimated number of 300.000 SSM in the Philippines. The extraction method which they use involves an extreme overuse of toxic mercury which has given rise to serious adverse impacts on human health and the environment.

Working with awareness raising and training, the partners are trying to spread the use of borax as an alternative and less expensive gold extraction method which has none of the harmful side effects of mercury. Practical demonstrations of the method by miners who have converted to the method are aimed at changing engrained habits and attitudes amongst SSM. Awareness-raising is

also aimed at schools (teachers as well as students) and health care workers, thereby strengthening their potential to engage local authorities in order to ban mercury in their area.

In Camarines Norte, the local authorities themselves have participated in a seminar where Ban Toxics, health specialists and others have informed about the issue for different angles. The municipal council (of which several members are also involved in selling mercury to SSM operations) was then invited to observe a practical demonstration where the two methods were employed and the result clearly showed that borax was the most profitable method. This, coupled with the fact that the Philippines has signed the Basel Convention which will make sale of mercury illegal from 2012, has enhanced the will of the local authorities to consider measures would protect the health of the population.

8. Advocacy: How have partner organisations and/or target groups strengthened their advocacy in order to:

i) Create policy changes at the central or local level?

ii) Influence legislation or the implementation

Danish International Human Settlement Service (DIB), Alternative Planning Initiatives (ALTERPLAN) and COPE Foundation, Inc. began implementing the Project Fund project “Enabling CSO participation in shelter program formulation to address flooding risk in Legazpi City”, the second phase of an initiative which began in 2009.

The eruption of Mayon Volcano followed by two major typhoons in 2006 illustrated the vulnerability of low-lying slum areas, (barangays) in the Albay Province. In 2010, the Disaster Risk Reduction and Management Act (DRRM) was approved by Philippine legislators. Passage of the law underlines the current view that DRRM is a continuing concern, not to be left to the management of ad-hoc structures that convene only during times of disaster.

Among other provisions, the DRRM Act mandates the formation of Local DRRM Councils that are responsible for the approval, monitoring and evaluation of the implementation of Local DRRM Plans, and for ensuring the integration of disaster risk reduction and climate change adaptation in local development plans, programs and budgets as a strategy for sustainable development and poverty reduction.

Although national law gives civil society organizations the right to lobby for local ordinances (legislation) and allocation of budget and the slum dwellers’ organisation is represented in the Local DRRM Councils, one of the major challenges they face is that the quality of their participation and advocacy suffers due to lack of knowledge and information. When local organization representatives go to the meetings, they don’t what is going to happen and they

haven't been able to prepare or talk to their member. A government official makes a presentation but the local organizations' basis for decision-making are really not sufficient and their ability to influence policy in their favor is limited.

The partners work with the local leaders of the slumdweller's organization in the barangays (neighborhood organization) of the city of Legazpi to develop a process whereby sources of information available can be identified and the venues for participation clarified so the slumdweller's know the requirements of this type of planning process and can contribute to a meaningful process and outcome of local shelter planning.

Two concrete methods which the partners are working with are:

The signing of memorandums of understanding between the local government and the each of the participating barangays which stipulate that the local government will consider the recommendations of the project in the city shelter plans.

The development of a process guide documenting the experiences generated in Legazpi which can be used by other slumdweller's organizations in order to promote real influence on policy making in the urban planning councils where they are represented.

9. Public debate and opinion formation: How have partner organisations worked to set new agendas, as well as to form public opinion and debate?

Stairway Danmark and Stairway Foundation Inc. Philippines are implementing the Project Fund project "Break the Silence" Child Sexual Abuse Prevention Network in the Philippines". Stairway Foundation is a learning and resource center on children's rights has been working since the 1990's to prevent child sexual abuse and put this extremely taboo issue on the agenda and to influence public opinion so this issue can be discussed and dealt with openly (breaking the silence).

Over the years SFI has developed a package of training materials and methodologies on child sexual abuse prevention (CSAP) and recovery management of victims. This has been done in close cooperation and dialogue with a large number of stakeholders at local, national and regional levels. Some of these are NGOs and CBOs which are presently participating in a trainer-of-trainer program which will enable them to include CSAP in their daily work. Some of them over time will further develop to train other organizations themselves and ultimately be independent "Break the Silence" resource centers doing training, counseling and development in their own localities.

Stairway is also training all new police trainees (10,000 trainees a year) in all of the country's 17 regional trainings schools and staff from the Pantawid Pamilyang Pilipino Program (a social welfare program of the Philippines called the 4Ps), and the CSAP module has been incorporated as a major reference in the Family Development Sessions Manual of the 4Ps, used in sessions directly and indirectly aimed at reaching up to 21 million people registered in the 4P's program.

By working with a wide range of stakeholders and giving them a framework and tools to talk about and address child sexual abuse, Stairways been able to train other organizations in CSAP and establish functioning networks between these NGOs and their local government counterparts resulting in stronger local awareness and better handling of cases of abuse.