
OFFICE CIRCULAR No. 2022-003

TO : ALL CONCERNED

SUBJECT : GUIDELINES ON MAINSTREAMING GENDER AND DEVELOPMENT (GAD) IN PCC

DATE : 18 FEBRUARY 2022

I. RATIONALE

As state party and signatory to various international conventions and commitments relating to Gender and Development (GAD), the Philippine Government commits to protect the fundamental rights of its citizens by ensuring all are equal before the law without any discrimination.

In view of this broad mandate, the Philippine Competition Commission (PCC) recognizes that all genders should be respected and treated equally in economic, political, social, cultural, and all other aspects of society.

Section 37, Chapter VI of the Magna Carta of Women¹ mandates all government agencies to adopt gender mainstreaming as a strategy to promote and fulfill women's human rights and eliminate gender discrimination in its systems, structures, policies, programs, processes, and procedures. It aims to ensure that women's and men's concerns and experiences become an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs.

The enactment of the Philippine Competition Act (PCA) contributes to the efforts of the Philippine Government to sustain inclusive economic growth. It allows a level playing field where small entrepreneurs and firms, apart from larger players, may operate and grow. Competition policy may contribute to the promotion of gender equality.² In particular, competition policy may influence markets that are particularly vital for women, help eradicate taste-based discrimination, and shape the evolution of informal markets.

Pursuant to the Philippine Government's obligations and commitments, the PCC adopts the following policy guidelines to affirm its commitment in mainstreaming GAD in relation to the Commission's mandate.

¹ R.A. No. 9710

² Santacreu-Vasut, E. & Pike, C. (2018). Competition policy and gender.

[https://one.oecd.org/document/DAF/COMP/GF\(2018\)4/en/pdf](https://one.oecd.org/document/DAF/COMP/GF(2018)4/en/pdf)

II. GAD MISSION, VISION, AND GOALS

MISSION

The PCC shall ensure that both women and men stakeholders are able to participate in, contribute to, and benefit from a pro-competitive market regulation that helps foster business innovation, increase global competitiveness, and expand consumer choices to improve consumer welfare.

VISION

The PCC aims to be a world-class competition authority in promoting fair market competition to help achieve a vibrant, inclusive, and gender-responsive economy and to advance consumer welfare.

GOALS

- a. Enhance the gender responsiveness of institutional and sectoral policies that are aligned with international and national GAD mandates;
- b. Strengthen the capacity of PCC to plan, implement, monitor, and evaluate gender responsiveness of competition policies, programs, activities, and projects (PAPs); and
- c. Increase the participation of women and men stakeholders in PCC processes to inform inclusive and gender-responsive competition policies.

III. OBJECTIVES

This Circular is being issued to:

- a. Provide guidelines for the creation of an enabling environment for gender mainstreaming within PCC to attain desired outcomes for GAD; and
- b. Institutionalize GAD perspectives in PCC's policies, programs, projects, procedures, and mechanisms.

IV. DEFINITION OF TERMS

The terms are defined in **Annex A**.

V. LEGAL BASES

The legal bases are identified in **Annex B**.

VI. GENERAL GUIDELINES

- A. The PCC's gender mainstreaming efforts shall be aligned with its mandate and the desired outcomes and goals embodied in the Magna Carta of Women, other relevant laws, the Philippine Plan for Gender-Responsive Development 1995-2025, the Women's Empowerment and Development toward Gender Equality (WEDGE) Plan 2012-2016, the Gender Equality

and Women Empowerment (GEWE) Plan 2019-2025, succeeding term plans for GAD, as well as the United Nations Convention on the Elimination of All Forms of Discrimination against Women (UN-CEDAW) and other relevant international commitments.

- B. A results-based approach to GAD planning and budgeting shall be conducted annually as part of PCC's programming and budgeting exercises. The GAD Plan and Budget shall be included in the agency's budget proposal, and GAD PAPs shall be reflected in the Annual Work and Financial Plan (WFP) of the different offices/units. The process of developing GAD PAPs shall be guided by the procedures set under the PCW-NEDA-DBM Joint Circular No. 2012-01 and other relevant issuances. All GAD PAPs shall contribute to the goals and outcomes identified in the PCC GAD Strategic Framework.
- C. The amount to be allocated and utilized for the implementation of GAD PAPs shall be drawn from PCC's Maintenance and Other Operating Expenses, Capital Outlay, and Personnel Services, and shall be at least five percent (5%) of PCC's total budget appropriations for the year. Activities conducted to implement the Gender Mainstreaming Policy shall be charged to the GAD budget, subject to the audit policy guidelines of the Commission on Audit (COA).
- D. To promote and continuously build awareness on GAD and the rights of all genders, various modes of capacity-building and information, education, and communication (IEC) campaign interventions shall be conducted for PCC employees and stakeholders.
- E. To ensure that the different gender issues and concerns of PCC employees and stakeholders are adequately and substantively addressed and responded to through the implementation of its PAPs, gender analysis shall be conducted using tools such as the Harmonized Gender and Development Guidelines (HGDG) and the collection, review, and analysis of sex-disaggregated data and gender-related information.
- F. To monitor the agency's progress in gender mainstreaming and continuously improve its gender mainstreaming efforts, Gender Audit shall be conducted at least once every two (2) years using the Enhanced Gender Mainstreaming Evaluation Framework (GMEF).
- G. To attribute the expenditures of the Competition Policy Enforcement Program (CPEP), Capacity Building to Foster Competition (CBFC) Project, and other major agency PAPs under the annual General Appropriations Act, the PCC shall sustain the use of the Generic Checklist for Project Identification and Design and the Project Implementation and Management, and Monitoring and Evaluation (PIMME) Checklist to assess the gender-responsiveness of the PAP's implementation.
- H. The GAD Focal Point System (GFPS) shall take the lead in mainstreaming gender perspectives in PCC's policies and PAPs in coordination with the different offices/units, in accordance with the Philippine Commission on

Women (PCW) Memorandum Circular No. 2011-01. The GFPS shall perform the duties and functions as prescribed under PCC Special Order No. 2019-049⁵ and subsequent issuances. To carry out their functions, the GAD focals shall undergo sustained capacity-building activities on GAD.

- I. In line with R.A. No. 7877 (Anti-Sexual Harassment Act) and R.A. No. 11313 (Safe Spaces Act), the PCC shall institutionalize and strengthen the Committee on Decorum and Investigation (CODI) for sexual harassment cases as constituted under PCC Special Order Nos. 2019-008 and 009 and subsequent issuances.
- J. The PCC shall regularly collect and generate sex-disaggregated data and gender-related statistics in support of the Gender Equality and Women Empowerment indicators. Such data shall be stored and maintained in the agency's GAD database or similar system, updated as needed, and used in its policy and program development to address gender issues in the respective offices/units, particularly in the preparation of the annual GAD Plan and Budget and Accomplishment Report.
- K. The PCC shall adopt the Gender Equality Guidelines for Media as framework in the development of its media policy and implementing programs to promote gender mainstreaming, in accordance with the Office of the President (OP) Memorandum Circular No. 48 (s. 2013) and the Gender-Fair Media Guidebook issued by the Media Gender Equality Committee.
- L. The PCC shall observe the guidelines on the use of gender-fair language in all official documents, communications, and issuances to promote gender awareness and consciousness and eliminate gender-discriminating tenor or sexist language, in accordance with the Civil Service Commission (CSC) Memorandum Circular No. 12 (s. 2005)⁶ and PCC Office Circular No. 2019-06-01.⁷

VII. SPECIFIC GUIDELINES

The PCC offices/units shall perform the following to promote and institutionalize gender mainstreaming in the agency:

A. MERGERS AND ACQUISITIONS OFFICE (MAO) AND COMPETITION ENFORCEMENT OFFICE (CEO)

- Note in the formulation of reports if a gender issue or concern has been mentioned by market participants during the conduct of merger review or investigation; and
- Whenever applicable, identify gender issues relevant to the merger review or investigation through: (a) interviews of market participants

⁵ Reconstitution of the PCC Gender and Development Focal Point System (GFPS)

⁶ Use of Non-Sexist Language in all Official Documents, Communications, and Issuances

⁷ Guidelines on the Use of Gender-Fair Language

but leaving issues to be freely mentioned during the interviews; and
(b) consideration of gender in defining the relevant product market.

B. ECONOMICS OFFICE (EO)

- Whenever applicable, conduct gender analysis and integrate gender perspectives in research studies and in economic assessments in merger reviews, investigations, and policy reviews to determine gender impacts and implications on women's economic empowerment that will inform PCC's decisions, advisory issuances, publications, and advocacy initiatives; and
- Whenever necessary, integrate gender impacts in the evaluation of PCC's interventions on consumer welfare.

C. COMMUNICATIONS AND KNOWLEDGE MANAGEMENT OFFICE (CKMO)

- Conduct advocacy activities to raise awareness of relevant stakeholders on competition law and its benefits and impacts on both women and men;
- Develop, produce, and disseminate gender-sensitive knowledge products; and
- Maintain and regularly update the GAD section in the PCC library.

D. FINANCE, PLANNING AND MANAGEMENT OFFICE (FPMO)

- Provide primary support in the preparation of the annual GAD Plan and Budget, GAD Accomplishment Report, and GAD Agenda;
- Support the overall monitoring of the implementation of the annual GAD Plan and Budget;
- Support the conduct of capacity-building activities on GAD for PCC employees;
- Maintain and regularly update the GAD section in the PCC website;
- Ensure that GAD PAPs are included in the Work and Financial Plan of the offices/units; and
- Ensure that the disbursement of funds for GAD PAPs complies with COA Circular No. 2014-001.⁸

E. ADMINISTRATIVE OFFICE (AO)

- Support the development and implementation of an agency capacity-building program on GAD led by the GAD Focal Point System;
- Ensure that new employees undergo Basic GAD Orientation and Gender Sensitivity Training (GST) as part of their onboarding;
- Review and update existing human resource policies and guidelines to ensure that these are gender-sensitive and responsive to the needs and concerns of employees;

⁸ Revised Guidelines in the Audit of Gender and Development (GAD) Funds and Activities in Government Agencies

- Provide ICT support to the offices/units in the establishment and maintenance of GAD/sex-disaggregated database;
- Monitor and ensure that all facilities including Wellness/Lactation/Nook Room within PCC premises are safe, functional, adequate, sanitary, gender and culture sensitive, and accessible to Persons with Disabilities (PWDs) and Senior Citizens; and
- Assist in the maintenance of the GAD section in the PCC website.

F. LEGISLATIVE LIAISON OFFICE (LLO)

- In collaboration with EO, integrate gender perspectives in the review of existing and proposed competition-related bills, statutes, and issuances.

G. EXECUTIVE OFFICES

- Provide overall support to the gender mainstreaming efforts of the agency.

VIII. MONITORING AND EVALUATION

The PCC GAD Focal Point System Technical Working Group (GFPS-TWG) shall periodically monitor and evaluate compliance with these guidelines, and shall submit its findings and recommendations to the GFPS Executive Committee and the PCC Chairperson.

IX. EFFECTIVITY

This Circular shall take effect immediately and shall remain in force until revoked or amended.

Digitally signed
by Balisacan
Arsenio Molina
Arsenio M. Balisacan, PhD
Chairperson 

Annex A

Definition of Terms

- a. **GAD Agenda** – refers to the agency’s strategic framework and plan for gender mainstreaming and achieving gender equality and women’s empowerment. (Philippine Commission on Women, 2018)
- b. **GAD Budget** – means the cost of implementing the annual GAD Plan. It prescribes a minimum of 5% utilization of the agency’s annual appropriations for implementing programs, activities, and projects that address women empowerment and gender equality actions. (Philippine Commission on Women, 2016, 60)
- c. **GAD Focal Point System** – is an interacting and interdependent group of people in all government instrumentalities tasked to catalyze and accelerate gender mainstreaming. It is a mechanism established to ensure and advocate for, guide, coordinate, and monitor the development, implementation, monitoring, review and updating of their GAD plans and GAD-related programs, activities, and projects. (PCW-NEDA-DBM, 2013, 37)
- d. **GAD Plan and Budget** – means a systematic designed set of programs, activities, and projects with corresponding budget carried out by agencies, departments, including their attached agencies, offices, bureaus, state universities and colleges, government-owned and -controlled corporations, local government units, and other government instrumentalities over a period of time to address gender issues and concerns in their respective sectors and constituents. It systematizes an agency’s approach to gender mainstreaming, women’s empowerment, and gender equality. (PCW-NEDA-DBM, 2013, 37)
- e. **Gender** – refers to a social and cultural construct, which distinguishes differences in the attributes of men and women, girls and boys, and accordingly refers to the roles and responsibilities of men and women. Gender-based roles and other attributes, therefore, change over time and vary with different cultural contexts. (United Nations Children’s Fund, 2017, 2)
- f. **Gender Analysis** – refers to a framework to compare the relative advantages and disadvantages faced by women and men in various spheres of life, including the family, workplace, school, community, and political system. It also takes into account how class, age, race, ethnicity, culture, social and other factors interact with gender to produce discriminatory results. (Philippine Commission on Women, 2016, 61-62)
- g. **Gender Audit** – refers to a form of “social audit” or “quality audit” which determines whether the organization’s internal practices and related support systems for gender mainstreaming are effective, reinforcing each other, and being followed. This tool or process assists organizations in establishing a baseline, identifying critical gaps and challenges, and recommending ways of addressing them. (Philippine Commission on Women, 2010, 39)

- h. **Gender and Development (GAD)** – refers to the development perspective and process that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, and supportive of self-determination and actualization of human potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society’s social, economic, and political structures and questions the validity of the gender roles they ascribe to women and men; contends that women are active agents of development and not just passive recipients of development assistance; and stresses the need of women to organize themselves and participate in political processes to strengthen their legal rights. (Philippine Commission on Women, 2010, 39)
- i. **Gender Equality** – refers to the principle asserting the equality of men and women and their right to enjoy equal conditions realizing their full human potentials to contribute to and benefit from the results of development, and with the State recognizing that all human beings are free and equal in dignity and rights. (Philippine Commission on Women, 2010, 40)
- j. **Gender Impact** – specific and observed effects of plans, policies, programs, and services such as increased income and improved skills. (Philippine Commission on Women, 2016, 61)
- k. **Gender Issues and Concerns** – arise from the distinct roles of women and men and the relationship between them. These include affairs and involvement arising from societal expectations and perceptions of the roles of women and men reflected and perpetuated by laws, policies, procedures, systems, programs, activities, and projects of the government. These impede the opportunities for women to participate in the development process and enjoy its benefits. (Philippine Commission on Women, 2016, 61)
- l. **Gender Mainstreaming** – refers to the strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies, programs, and projects in all social, political, civil, and economic spheres so that women and men benefit equally, and inequality is not perpetuated. It is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs in all areas and at all levels. (Philippine Commission on Women, 2010, 7)
- m. **Gender Perspective** – ability to analyze the socio-economic, political, cultural, and psychological implications of an issue to understand how the difference between the sexes affects and is affected by policies, programs, and projects. It assesses how these factors relate to discrimination based on sex and how they impose obstacles to a person’s opportunities and self-development. (Philippine Commission on Women, 2016, 60)
- n. **Gender-Responsive** – refers to programs, activities, and projects that substantively address gender issues identified through the gender analysis of sex-disaggregated data and gender-related information. (Philippine Commission on Women, 2016, 64)

- o. **Gender-Sensitive** – means that the programs, activities, and projects recognize and acknowledge differences in roles, needs, and perspectives of women and men, possible asymmetries in their relationship, and the possibility that actions or interventions will have different effects on, and results for, women and men based on their gender, but do not actively seek to address these issues. (Philippine Commission on Women, 2016, 64)
- p. **Sex** – refers to a person’s biological status and is typically categorized as male, female, or intersex (i.e., atypical combinations of features that usually distinguish male from female). There are a number of indicators of biological sex, including sex chromosomes, gonads, internal reproductive organs, and external genitalia. (American Psychological Association, 2015)
- q. **Sex-Disaggregated Data** – statistical information that differentiates between women and men in order to allow differential impacts on men and women to be measured. (Philippine Commission on Women, 2016, 65)
- r. **Women Empowerment** – is a goal of and an essential process for women’s advancement. It is the process and condition by which women mobilize to understand, identify, and overcome gender discrimination and achieve equality in welfare and equal access to resources. Women become agents of development and not just beneficiaries enabling them to make decisions based on their own views and perspectives. (PCW-NEDA-DBM, 2013, 36)

Annex B Legal Bases

INTERNATIONAL MANDATES

1. **United Nations Convention on the Elimination of All Forms of Discrimination against Women (UN-CEDAW)**, which promotes equality in all fields, affirmative action for women, and protection of women from violence.
2. **Sustainable Development Goals**, otherwise known as the Global Goals, are a universal call to action to end poverty, protect the planet, and ensure that all people enjoy peace and prosperity. The goals are interconnected—often the key to success in one will involve tackling issues more commonly associated with another. While Goal 5 focuses on achieving gender equality and empowering women and girls, gender is also crosscutting across the goals.
3. **Beijing Declaration and Platform for Action (BPFA) of the Fourth World Conference on Women (FWCW)**, an agenda for women’s empowerment aimed at accelerating the implementation of the Nairobi Forward-looking Strategies for the advancement of women and at removing obstacles to women’s active participation in all spheres of public and private life through a full and equal share in economic, social, cultural, and political decision-making. It emphasizes that women share common concerns that can be addressed only by working together and in partnership with men towards the common goal of gender equality around the world.
4. **Universal Declaration of Human Rights**, specifically Article 7 thereof, which provides that “[a]ll are equal before the law and are entitled without any discrimination to equal protection of the law.”
5. **UN International Covenant on Economic, Social, and Cultural Rights of 1966** which provides that “the State Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social, and cultural rights.”
6. **International Covenant on Civil and Political Rights**, specifically Article 2 thereof, which provides that “[e]ach State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

NATIONAL MANDATES

1. **1987 Constitution**, “The State recognizes the role of women in nation-building and shall ensure the fundamental equality before the law of women and men.” (Section 14, Article II) “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 shall enhance their welfare and enable them to realize their full potential in the service of the nation.” (Section 14, Article XIII)

2. **Magna Carta of Women or R.A. No. 9710**, a comprehensive law on human rights that provides security, protection, and equality of rights of women, especially those in the marginalized sector of society.
3. **Women in Development and Nation Building Act or R.A. No. 7192**, an Act which promotes the integration of women as full and equal partners of men in development and nation building.
4. **Philippine Plan for Gender-Responsive Development (PPGD), 1995-2025**, which outlines the policies, strategies, programs, and projects that the government must adopt to enable women to participate in and benefit from national development.
5. **Executive Order No. 273 (s. 1995)**, which approves and adopts the “Philippine Plan for Gender-Responsive Development, 1995-2025” and directs all government agencies to institutionalize GAD efforts in government by incorporating GAD concerns in their planning, programming, and budgeting processes.
6. **PCW-NEDA-DBM Joint Circular No. 2012-01**, which provides that GAD Planning shall be integrated in the regular activities of the agencies, the cost of implementation of which shall be at least five percent (5%) of their total budgets.
7. **PCW Memorandum Circular No. 2011-01**, which provides the guidelines and procedures for the establishment, strengthening, and institutionalization of the GAD Focal Point System (GFPS) in constitutional bodies, government departments, agencies, bureaus, SUCs, GOCCs, and all other government instrumentalities.

References for the Definition of Terms

- American Psychological Association. 2015. Key Terms and Concepts in Understanding Gender Diversity and Sexual Orientation among Students. <https://www.apa.org/pi/lgbt/programs/safe-supportive/lgbt/key-terms.pdf>
- Philippine Commission on Women. 2010. Implementing Rules and Regulations of Republic Act No. 9710 or the Magna Carta of Women.
- Philippine Commission on Women (PCW), National Economic Development Authority (NEDA), and Department of Budget and Management (DBM). 2013. PCW-NEDA-DBM Joint Circular No. 2012-01: Guidelines in the Preparation of the Annual GAD Plan and Budget and GAD Accomplishment Reports to Implement the Magna Carta of Women.
- Philippine Commission on Women. 2016. A Handbook on the Application of the Enhanced Gender Mainstreaming Evaluation Framework.
- Philippine Commission on Women. 2018. Memorandum Circular No. 2018-04: Revised Guidelines for the Preparation of the Gender and Development (GAD) Agenda. <https://www.pcw.gov.ph/law/revised-guidelines-preparation-gender-and-development-gad-agenda>
- United Nations Children's Fund (UNICEF). 2017. Gender Equality, Glossary of Terms and Concepts. <https://www.unicef.org/rosa/media/1761/file/Gender%20glossary%20of%20terms%20and%20concepts%20.pdf>