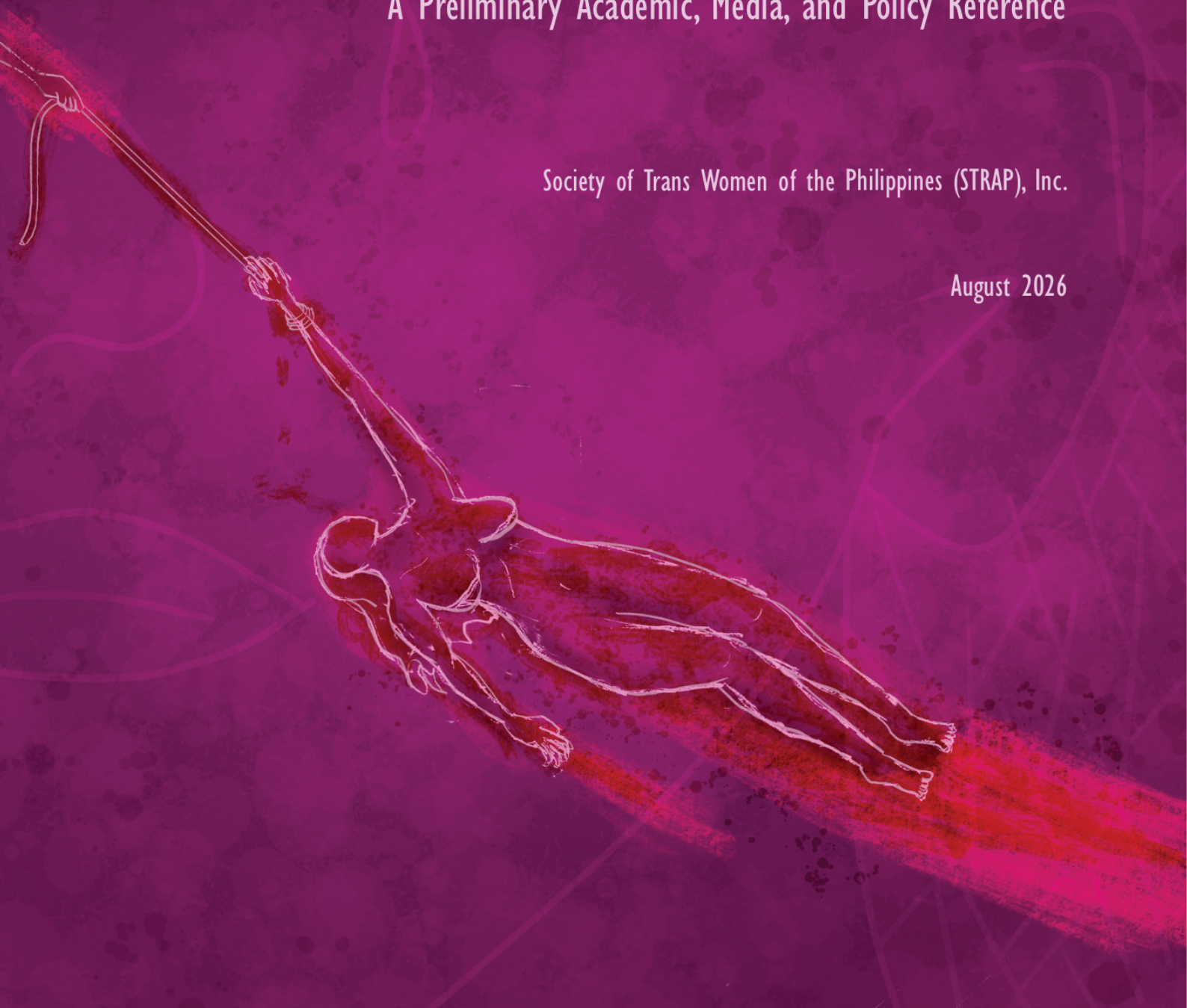


TRANSFEMICIDE IN THE PHILIPPINES

A Preliminary Academic, Media, and Policy Reference

Society of Trans Women of the Philippines (STRAP), Inc.

August 2026



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TRANSFEMICIDE IN THE PHILIPPINES:

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Selena Balbino Santos (she/her) has been a licensed landscape architect since 2016 and a senior lecturer in the UP College of Architecture since 2022. Her training and research interests focused on landscape ecology, blue-green infrastructure, geographic information systems (GIS), and systems-thinking. Through her recent volunteer work with the STRAP, she has developed a keen interest in trans women's access to green space and environmental justice for trans women. Her interest in ecology, landscape architecture, GIS, and transgender studies has given her a unique perspective in approaching socio-ecological issues.

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But most of all, to every transpinay — alive in this realm or the next — for your truth, radiance, and light. To Kierra, Jennifer, Bella, Kai, Ren, Shalani, Dan, Ampaw, Ali, Cheska, Betty, Jang, Teddy, and all other transpinays who have gone ahead of us, taken from this world too soon, this is for you. Your lives will not be in vain; justice and peace are at hand.

FOREWORD

Long before the STRAP and many other LGBTQIA+ organizations in the Philippines were formed, transgender and gender-diverse people were already experiencing violence, discrimination, and exclusion. The arrival of Spanish colonization brought profound changes to how gender, sexuality, and identity were understood and regulated in the Philippines. Since then, the violence experienced by transgender and gender-diverse Filipinos has continued. It may have taken different forms over time, but its roots and impact remain, intensified by colonial influence and the systems that continue to shape our society.

STRAP has been around for more than two decades. Even before the organization started naming the kinds of violence that transpinays experience in this country, there were already many stories, reports, and requests for help that STRAP had responded to and assisted with. These experiences may not have been as documented or supported by a digital infrastructure that could record the violence transpinays have experienced over the decades. But memories remember. They remember the people, the pain, the fear, and the horrors that violence has brought into the lives of trans people.

The attacks on the transgender community did not happen overnight. Colonial influence, together with modern right-wing conservatism, has only made the violence against transgender people more severe. The different circumstances that surround a person's life can also make this violence more detrimental. It is imperative that we recognize the violence transgender people experience in their day-to-day lives and work toward a more humane future for transgender people.

The disturbing patterns, the brutal acts, and even the violence that continues after death have not escaped the attention of the media and many modern platforms. Violence online has also become another space where transgender people are attacked, dehumanized, and made to feel unsafe. What happens online does not always stay online. It can shape how people see us, how we are treated, and how violence against us becomes normalized.

Trans women have the most recorded cases when we talk about violence against transgender people. The femininity of a trans person can become an easy target in a society that does not understand or accept who they are. Being in an intimate partner relationship can make this even more complicated because

the person you think you can trust, and who you believe would accept and protect you from the cruelty of the world, can also become the perpetrator of violence.

Years of learning and listening to stories of violence against transgender people led STRAP to take the initiative to document and respond to transfemicide, while also naming it. But naming something is only the beginning. We also need to understand it, document it, talk about it, and create ways to respond to it. This is where this Policy and Research Reference document comes in.

This document aims to serve as a reference for understanding the origin of the term transfemicide and how it is, and continues to be, understood in the Philippine context. STRAP hopes that this document can open doors to more discussions, studies, research, and programs that address transfemicide and anti-trans violence.

STRAP cannot solve the issue of transfemicide and anti-trans violence in the Philippines alone. This document is our

contribution, but it is also an invitation. We hope it nudges members of the community, civil society organizations, government agencies, researchers, advocates, and other stakeholders to take initiative and help address the historical, colonial, and present-day problems that continue to put transgender lives at risk.

Prevention plays a big role in addressing violence, but prevention cannot happen without intention. It requires people and institutions to recognize the problem, listen to the experiences of those affected, take responsibility, and act. We hope this document becomes part of that action.

Gigi Stormi Garcia

Acting Executive Director, STRAP
Lead Coordinator, Project Kierra

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ACRONYMS

ADO	Anti-Discrimination Ordinances
CEDAW	Convention to End All Forms of Discrimination Against Women
CHR	Commission on Human Rights
GR	General Recommendation
IACHR	Inter-American Commission on Human Rights
IGLHRC	International Gay and Lesbian Human Rights Commission
IRR	Implementing Rules and Regulations
LGBTQIA+	Lesbian, gay, bisexual, transgender, queer, intersex, asexual, and more (+)
LGR	Legal Gender Recognition
MCW	Magna Carta of Women
PCW	Philippine Commission on Women
PNP	Philippine National Police
RPC	Revised Penal Code
SDG	Sustainable Development Goals
SOGIE/SC	Sexual Orientation, Gender Identity and Expression, and Sex Characteristics
STRAP	Society of Trans Women of the Philippines (formerly known as Society of Transsexual Women of the Philippines)
TDoR	Transgender Day of Remembrance
TGEU	Transgender Europe
TMM	Trans Murder Monitoring
UN	United Nations
UNDHR	Universal Declaration of Human Rights
UNDP	United Nations Development Programme
VAWC	Violence against Women and Children

1. BACKGROUND OF THE PROJECT

The Society of Trans Women of the Philippines (STRAP), Inc. is the premier and longest-running support group and human rights advocacy organization by and for transpinays. STRAP's goals and advocacy are rooted in the fight for the recognition of equal rights of transgender women, specifically transpinays, to live a life with dignity and good quality. In the Philippines, where systems, infrastructures, and programs rarely consider or take into account transgender realities, STRAP's mission is to raise awareness on transgender issues and promote an empowered image of transpinays to the wider public. Aside from providing a safe space for members to share their experiences, STRAP's projects revolve around, but are not limited to, its primary advocacies of transgender health and well-being, inclusive and empowered livelihood, and transgender human rights.

Project Kierra is a national initiative of STRAP that aims to strengthen a coordinated, transpinay-led response to transfemicide and anti-trans violence in the Philippines. Named in honor of Kierra, a transpinay whose transfemicide case was amplified by STRAP in 2025, the project addresses gaps in legal reform advocacy, survivor-centered protection mechanisms, and strengthened

community leadership. Grounded in lived experience and community leadership, the project centers survivor safety, collective care, and accountability while building long-term systems of protection and advocacy specifically for trans women and transfeminine communities. By combining direct support, political education, policy advocacy, and movement-building, Project Kierra seeks to create sustainable and community-rooted responses to violence.

OBJECTIVES

This document aims to provide a base reference for understanding, addressing, and engaging with transfemicide. It outlines important conceptual frameworks such as its history in the transfeminist movement, how its usage and definitions evolved within the global community, as well as its significance in emphasizing intersectional issues faced by transgender women across the world. Furthermore, this reference document aims to illustrate the landscape of Philippine transfemicide through landmark case studies, relevant data analysis, and a comprehensive examination of policies and media.

In this manner, various sectors, institutions, and organizations may use this document to inform subsequent projects, initiatives, and policies concerning transfemicide, particularly in the Philippine context. STRAP aims to connect with relevant stakeholders in the movement of advancing transgender rights, visibility, and protection – including, but not limited to:

- *Government agencies* which can implement programs, systems, and policies that recognize and address the violence threatening the security, safety, and well-being of the transpinay community across different sectors;
- *Media outlets and journalists* who may shape and frame the discourse surrounding transfemicide into stories that justly, humanely, and respectfully portray the lives and legacies of transpinays;
- *Funders and philanthropic institutions* who are interested in supporting initiatives surrounding gender-based violence, transfemicide documentation, and policy-lobbying.
- *Academic scholars, cultural workers, development workers, civil society organizations* who seek to engage in the advocacy for transgender rights through research, art, community-based initiatives, projects, events, and more.
- *Legislators and policy makers* who can draft, propose, and enact policies that protect, uphold, and enrich the lives of transpinays in the Philippines;

SCOPE & METHODOLOGY

The research and writing phase of this reference document was conducted from June to August 2026. STRAP recognizes that this document is in its preliminary form — further consultations, dialogues, and collaboration with relevant stakeholders, partners, advocates, and allied communities will surely inform and broaden the discussion of transfemicide. This document, therefore, is primarily an invitation for others to engage with the initial data presented.

Desk research was conducted primarily through a comprehensive review of secondary literature, analysis of past projects by STRAP and other human rights organizations globally, and engagement with existing data on transfemicide cases worldwide. Journal articles, books, and other academic publications provided insight into the ongoing scholarship surrounding gender-based violence and the history of transfemicide. News articles, editorials, online blogs, and social media posts informed of the timeline, proceedings, and language used in real life murder cases of transpinays. Reports, plans, and situationers from various non-government organizations (NGOs), LGBTQIA+ groups, and international human rights agencies shed

light into the groundwork of the broader advocacy movement. Lastly, narratives from community-owned monitoring systems – including STRAP's own – were included to further center the lives and stories of transpinays lost to transfemicide, grounding the reference in their legacy.

To provide auxiliary and more nuanced context on how certain agencies respond to and actively address the issue of transfemicide in the country, representatives from relevant government offices were invited to participate in interviews. Timeline constraints for the research and writing process allowed for two (2) offices to confirm individual interview schedules: the Philippine Commission on Women (PCW) and the Special Committee on LGBTQIA+ Affairs. Insights from those two interviews were incorporated into the policy review section of the document.

1. BACKGROUND OF THE PROJECT

Documentation from previous STRAP events were also used as references. These include:

- 2nd Transpinay Summit (September 2025)
- Media, Misgendering, and Memory: How Stories of Transfemicide are Told (November 2025)
- Uniting Voices, Ending Violence: A Stakeholder Consultation on Transfemicide and Anti-Trans Violence in the Philippines (March 2026)
- Multistakeholder Dialogue on Addressing Violence against Transpinays and Strengthening Institutional Responses to Transfemicide (May 2026)
- Transfeminist Justice and Documentation Pilot Testing & Regional Training Sessions (June - July 2026)
- Filing of House Resolution 1369 (Aug 2026)



(top) Attendees at the Stakeholder Consultation on Transfemicide and Anti-Trans Violence in the Philippines in Mar 2026; (middle) Secretary-General Gigi Garcia at the Multistakeholder Dialogue hosted by the Commission on Human Rights in May 2026; (bottom) STRAP Representatives when Gabriela Women's Party filed House Resolution 1369 addressing transfemicide cases in Aug 2026

2. INTRODUCING TRANSFEMICIDE

WHAT IS TRANSFEMICIDE?

The origins of the term ‘transfemicide’ stem from the development of the terms ‘femicide’ or ‘feminicide’ and the increasing nuance in their definitions through time. Figure 1 lays out a timeline of the development of these terms globally and their adoption in Philippine usage.

In 1976, the South African feminist Diana Russell first mainstreamed the term ‘femicide’ while testifying at the first International Tribunal on Crimes against Women in Belgium. Through her anthology with Jill Radford, its definition was refined to mean “the most extreme form of sexist terrorism, motivated by hatred, contempt, pleasure, or a sense of ownership of women.”¹ Russell further defined in her 2002 book, *Femicide in Global Perspectives*, for femicide to mean “the killing of females by males because they are female.”² Radford expanded on these definitions to allow distinction of different forms of femicide (e.g. racist femicide, lesbicide, marital femicide; see Table 1). These definitions facilitated the start of discussions and interventions to mitigate violence against women; however, they imply that men are the sole perpetrators of such violence, and that gender, specifically being a woman, is the main, if not sole factor

for femicide to occur, among other factors such as age and economic status. Radford’s distinguishing between forms of femicide regards the different factors as additive layers upon one’s gender as a factor, rather than having unique intersections with gender creating an identity that experiences more compounded marginalization compared to these other factors alone.

The term ‘femicide’ reached Latin American scholarly circles in the 1990s. Amidst the killings of hundreds of women in industrialized cities such as Ciudad Juarez in Chihuahua, Mexico, Latin American scholars such as Marcela Lagarde and Julia Monárrez coined the term ‘femicidio’, or feminicide, recontextualizing ‘femicide’ toward an intersectional lens. It highlights the role of state impunity in enabling the commodification of women’s bodies as cheap sources of labor (particularly in the maquiladora industry in Ciudad Juarez.)^{3,4,5,6} Indeed, systemic violence is rooted in social, political, and cultural inequalities embedded in patriarchal hierarchical structures that regard working women as disposable and of low value. Under such conditions, women and girls in Latin America live in a constant state of fear of

2. INTRODUCING TRANSFEMICIDE

being killed. If the women are also members of marginalized communities (e.g. indigenous women), their terror is compounded by exclusionary politics imposed by the state (such as limitations on where they can live) and localized culture of control (such as rigid gender roles in families). Hence, violence against women is enacted not only as the killings themselves, but also through systems that create a “chilling effect” among women, rendering them “unable to live.”^{7,8,9}

From these, the United Nations (UN) Vienna Declaration on Femicide defined femicide as “the killing of women and girls because of their gender, which can take the form of, [...] the killing of women and girls

because of their sexual orientation and gender identity.”¹⁰ The Convention to End All Forms of Discrimination Against Women (CEDAW) emphasizes the intersectionality of violence against women through its General Recommendations No. 35:

(34.b.) The analysis of the data should enable the identification of failures in protection and serve to improve and further develop preventive measures, which should, if necessary, include the establishment or designation of observatories for the collection of administrative data on the gender based killings of women, also referred to as “femicide” or “feminicide”, and attempted killings of women...¹¹

FORM OF FEMICIDE	DEFINITION
Racist Femicide	When black women are killed by white men.*
Homophobic Femicide / Lesbicide	When lesbians are killed by heterosexual men.*
Marital Femicide	When women are killed by their husbands.*
Stranger Femicide	When a woman is murdered outside the home by a stranger.*
Serial Femicide	When women are killed by serial murderers†
Mass Femicide	When women are killed en masse.†
Prostituted Woman Femicide	When women engaged in sex work are killed by their clients or by state forces.†
Drug-Related Femicide	When women are killed for being engaged in drug use.†
Sexual Femicide	When women are sexually abused as they are killed.†
Transfemicide	When transgender women and transfeminine individuals are killed based on their gender identity and expression.†

(above) Table 1. Forms of Femicide, distinguished by Radford (1992) and Russell (2002);*Definitions lifted from Garcia-Dél Moral (2018) †Definitions developed by the researchers for this document.

TIMELINE OF TRANSFEMICIDE (1970s - 2010s)

1976

Diana Russell first introduced the term '**femicide**' while testifying at the first International Tribunal on Crimes against Women in Belgium.

1990s

'**Femicidio**' was coined in Latin America to recontextualize 'femicide' toward an intersectional lens by highlighting the role of state impunity.

2002

Jill Radford defines femicide as "*the most extreme form of sexist terrorism, motivated by hatred, contempt, pleasure, or a sense of ownership of women*"

Diana Russell defines femicide as "*the killing of females by males because they are female.*"

1992

CEDAW General Recommendations 19:

Gender-based violence, that is violence that is directed against a woman because she is a woman or that affects women disproportionately, includ[ing] acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.

2008

STRAP introduced the term '**transpinay**' to properly afford a name for the distinct experiences and identities of Filipina trans women and, later on, transfeminine individuals.

2009

The Trans Murder Monitoring (TMM) project by TGEU (Trans Europe and Central Asia) began monitoring transfemicide cases worldwide.

2. INTRODUCING TRANSFEMICIDE

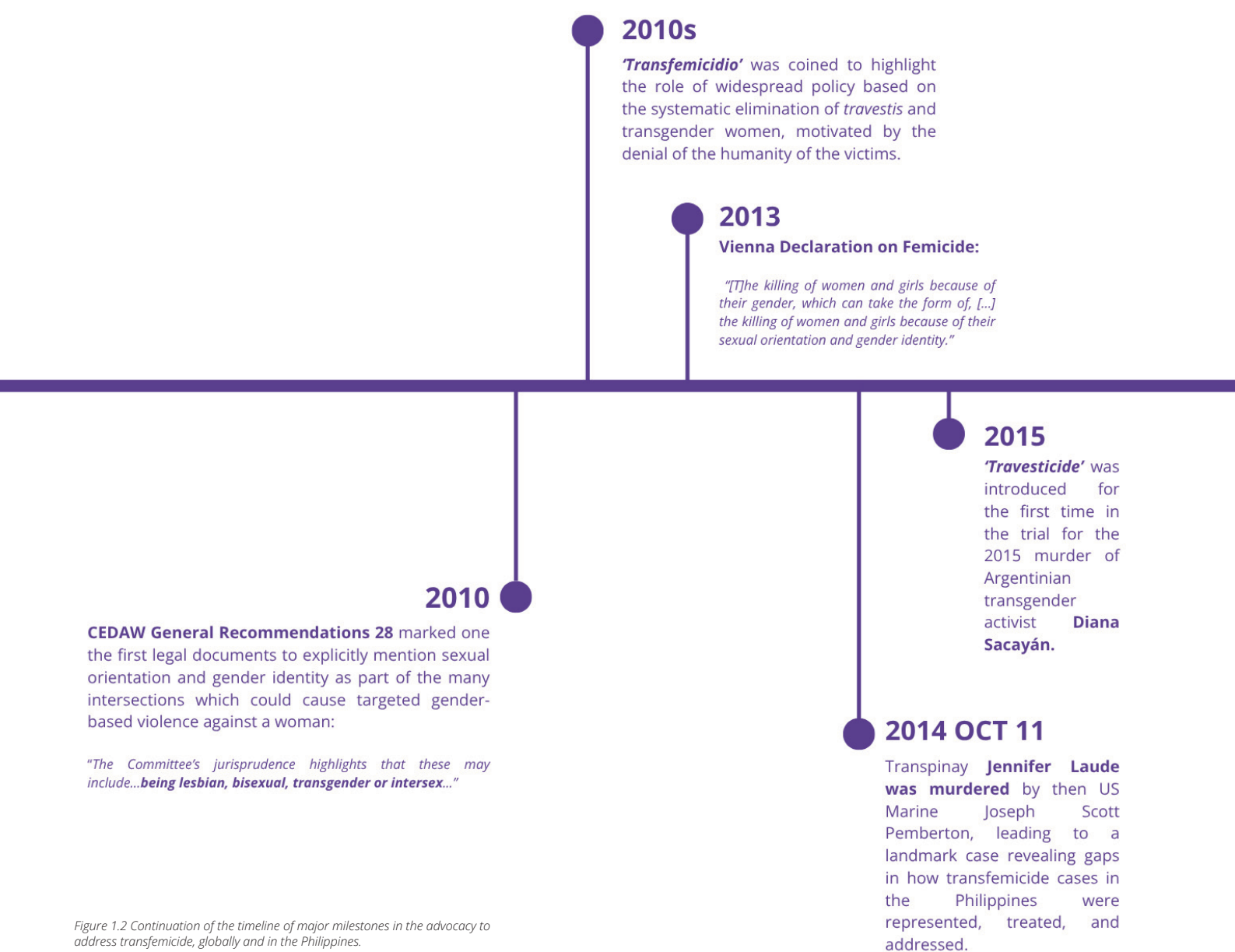


Figure 1.2 Continuation of the timeline of major milestones in the advocacy to address transfemicide, globally and in the Philippines.

TIMELINE OF TRANSFEMICIDE (2010s - 2020s)

2017

CEDAW General Recommendations No. 35:

The analysis of the data should enable the identification of failures in protection and serve to improve and further develop preventive measures, which should, if necessary, include the establishment or designation of observatories for the collection of administrative data on the gender based killings of women, also referred to as “femicide” or “feminicide”, and attempted killings of women;

2020

Human rights abuser and then **President Rodrigo Duterte** granted **absolute pardon to Joseph Scott Pemberton**, emphasizing the Philippine state's disinterest and neglect in upholding the rights of Filipina transgender women.

2023

In TGEU's annual report, the Philippines was **ranked 8th worldwide** in terms of **transgender murders**.

2016

The term **‘transfemicide’** developed to refer to *“the most visible and final expression of a chain of structural violence [against transgender women] that responds to a cultural, social, political and economic system structured by an exclusionary binary gender division”*. (Blas Radi y Sardá-Chandiramani, 2016)

Rainbow Rights Philippines and Outrage Magazine created a **media reference guide** that included recommendations on how to properly cover stories on the trans community, including clear instructions on how journalists, writers, and media staff can avoid mislabeling and deadnaming in their outputs.

2021 MAR 26

The ruling from the Judgment of March 26, 2021, Series C No. 422 for the **Vicky Hernández y otros v. Honduras case** law from the Inter-American Court of Human Rights was passed, marking a monumental case in shaping international human rights law to recognise transfemicide.

2. INTRODUCING TRANSFEMICIDE

2025 JUN 27

The **Commission on Human Rights (CHR)** released an **official statement** condemning the recent cases of transfemicide earlier in the year, citing victims such as Ali Macalintal and Kierra Apostol as reflective of growing cruelty and impunity against trans women in the Philippines.

2026

STRAP formally established the **Transfeminist Documenter Network** as a dedicated nationwide network of advocates committed to actively document cases of transfemicide and gender-based violence against transgender individuals in the Philippines.

2025 NOV

STRAP organized an event where representatives from the media sector, the LGBTQI+ advocacy movement, and the Commission on Human Rights were invited to participate in a discussion on media and misgendering.

2026 AUG 13

House Resolution No. 1369 was introduced by Representatives Sarah Jane I. Elago, Antonio L. Tino, and Renee Louise M. Co after consultations with STRAP, supported by other organizations. The resolution directs the Committee on Women and Gender Equality to conduct an investigation, in aid of legislation, into the alarming cases of trans killings, violence, and other hate-motivated crimes against transgender people in the Philippines.

Figure 1. Timeline of major milestones that helped define the concept of transfemicide. Much early development focused on femicide, from which the term transfemicide had developed to better capture the nuances of violence against transgender women.

In the late 2010s, amidst increasing rates of killings of transgender women in Latin America, activists coined the term *transfemicidio*. Like *feminicidio*, *transfeminicidio* highlights the role of widespread policy based on the systematic elimination and denial of the humanity of travestis and transgender women.¹² The term ‘*travesticide*’ was introduced for the first time in the trial for the 2015 murder of Argentinian transgender activist Diana Sacayán.¹³ From this, the term ‘*transfemicide*’ developed to refer to “the most visible and final expression of a chain of structural violence [against transgender women] that responds to a cultural, social, political and economic system structured by an exclusionary binary gender division”.¹⁴

It must be noted that the term ‘*femicide*’ evolved to encompass the intersectional factors leading to violence against women, including gender as one of the aspects, but not the definitive factor. Scholars such as Paulina Garcia-Del Moral add further nuance by adopting a decolonial intersectional framework of *femicide*; while the occurrence of violence against women is a consequence of the patriarchal structure of control, Garcia-Del Moral posits that gender is a necessary

but not definitive analytical category, and thus must be viewed from a decolonial intersectional lens. By contrast, the term ‘*transfemicide*’ highlights how in the context of murders of transgender women, gender identity is a significant factor that increases their vulnerability, i.e. trans women are more vulnerable to violence because they are trans women.¹⁵

Violent transphobic ideologies lead to the development and passing of transphobic laws and policies, which embolden state actors and citizens to take violent actions against transgender women.¹⁶ Anti-trans movements and ideologies may be “not so much going after trans people themselves, as going after the things that allow trans people to exist”.¹⁷ This violence is inherent in cisheteronormative and patriarchal societies and cultures that privilege cisgender, heterosexual, masculine men while also denigrating individuals whose gender and sexuality deviate from this ideal persona; as such, transgender women often experience rejection from their own family and friends, loss of employment opportunities, and discrimination in healthcare and housing, pushing them to homelessness, to stay with abusive intimate partners, and to engage in sex work and drug use to cope with their

2. INTRODUCING TRANSFEMICIDE

poor living conditions and mental health, all of which exacerbate their vulnerability to violence.^{18,19}

In June 2025, STRAP submitted an urgent appeal to the Commission on Human Rights (CHR), calling for a public statement and action on the rising cases of transfemicide in the Philippines.²⁰ The appeal explicitly condemned the killing of trans women, and pioneered the naming of this type of violence as ‘transfemicide’ in the Philippine context. This was a deliberate act to signify the particular form of violence faced by transpinays and to call attention for an immediate and effective response. The CHR subsequently adopted the term, initially defining it as the gender-based killing of trans women. That year, STRAP proposed the following working definition of transfemicide as:

(noun). The killing of transgender women and transfeminine people rooted in transphobia, transmisogyny, hatred, and systemic violence, often compounded by intersecting forms of discrimination and marginalization.

The brutality and recurring patterns of these killings compelled STRAP to further consult this definition with other local organizations advocating for transgender and LGBTQIA+ rights refining the definition to

maintain emphasis on structural oppression, intersectional violence, and pervasive marginalization.²¹

THE CURRENT LANDSCAPE OF GLOBAL TRANSFEMICIDE

There exists efforts to document and characterize transfemicide cases through scholarly works and monitoring projects. A 2024 literature review estimated that 4,042 transgender and gender-diverse people in total were murdered globally between 2008 and 2021, 96% of which were transgender women.²² The Trans Murder Monitoring (TMM) project by Transgender Europe (TGEU) had recorded at least 5,320 cases of transfemicide in the entire world since 2009 (as of August 2026); 172 cases occurred in Southeast Asia, of which 107 cases were from the Philippines alone (see Figure 2).²³ A concerning trend among transfemicide cases is the growing number of murder victims who are leaders and activists within the transgender movement. In 2025, 14% of the reported murders were trans activists, making them the second most targeted group globally, following sex workers.²⁴

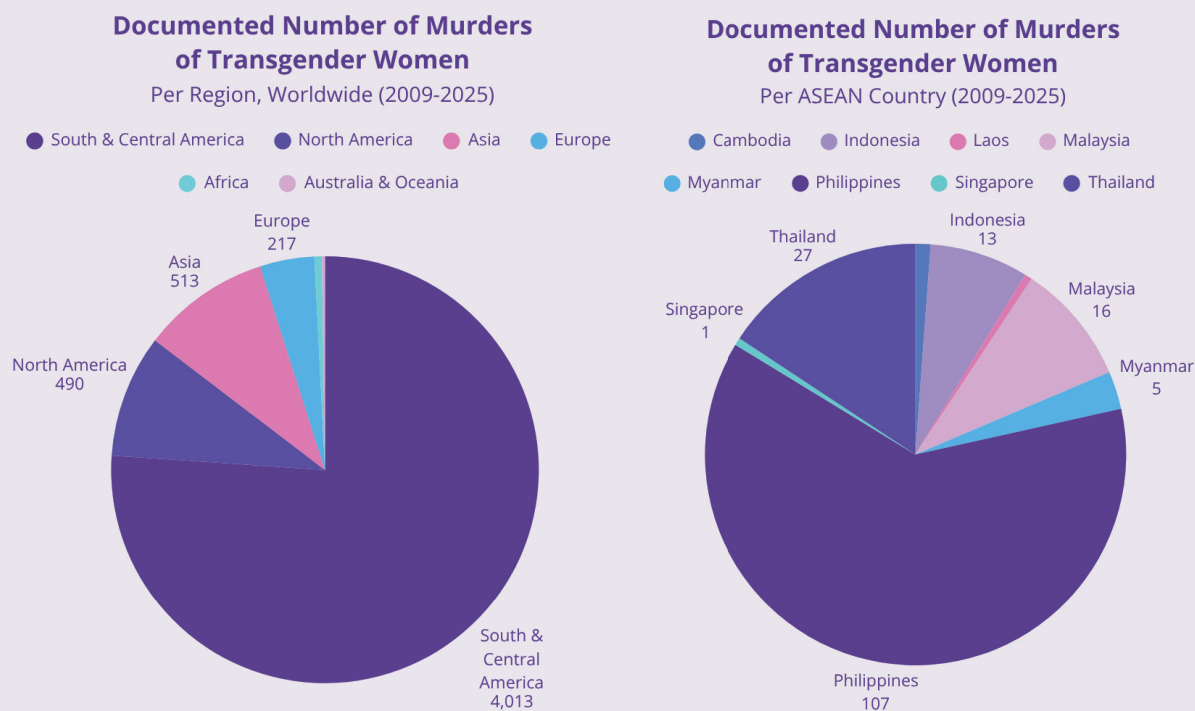


Figure 2. As of August 2026, Documented number of murders of transgender women per region globally (left) and per ASEAN country (right). The majority of killings worldwide are documented in Latin America (i.e. South & Central America). However, among ASEAN countries, the Philippines has the highest recorded number of transfemicide cases. (Source: TMM Project)

Figure 3 visualizes the annual murders of transgender women documented through the TMM project from 2009 to 2025. Globally, the trend shows a significant increase in documented murders during the early 2010s, followed by a steady increase until the 2020s, where the number of transfemicide cases peaked in the dataset, aligning with the early 2020's prevalence of transphobic laws and policies passed worldwide. In 2024 and 2025, the number of transfemicide cases slightly

decreased, which can be attributed to greater pushback by LGBTQIA+ advocacy groups against the growing culture of transphobia.

Despite these efforts, documentation of murders of transgender women is constrained — a consequence of the invisibility of trans women as marginalized groups. Although coining the term transfemicide has helped improve visibility of such murders, several factors set back efforts to monitor and document these killings.²⁵ The actual number

2. INTRODUCING TRANSFEMICIDE

No. of Murders of Transgender Women Annually (Worldwide, 2009-2024)

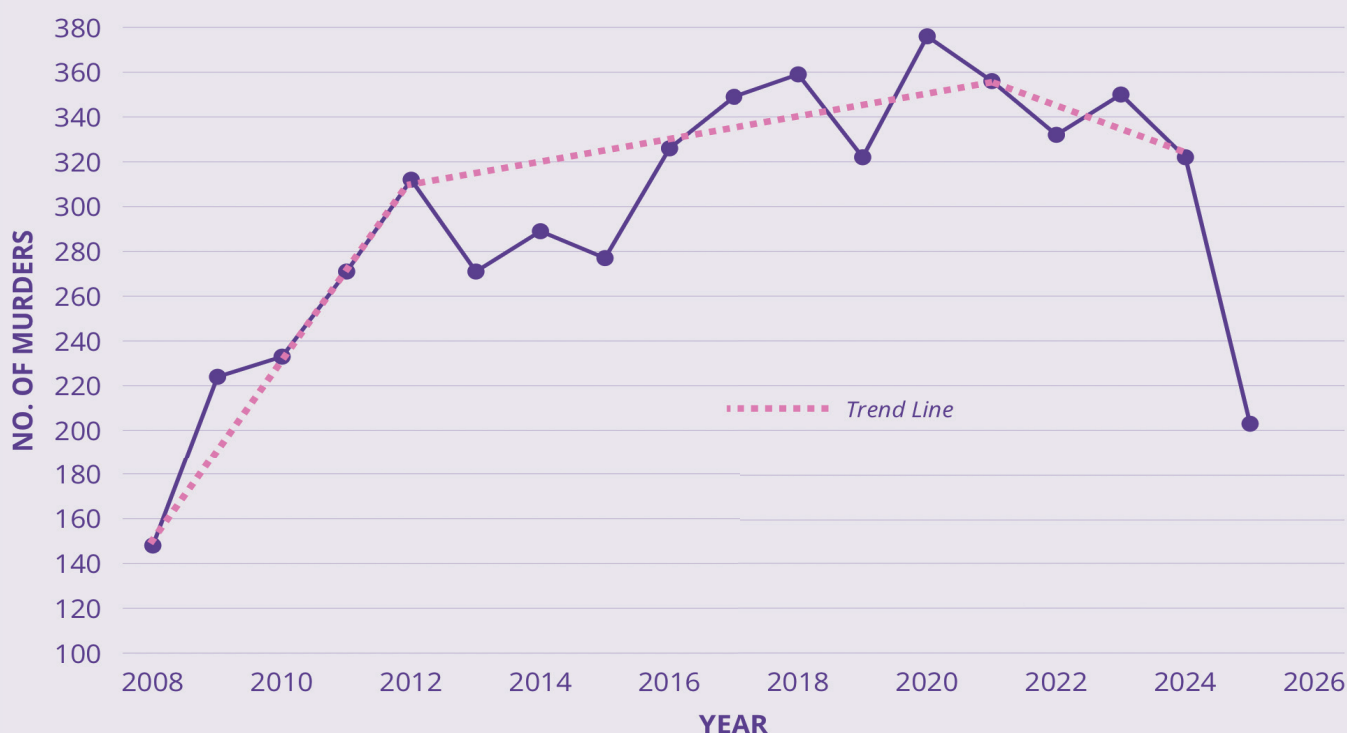


Figure 3. Number of murders of transgender women worldwide, documented annually through the Trans Murder Monitoring project. There was a global rise in transfemicides until the early 2020s, where the slight drop in cases may be attributed to growing efforts to push back against transphobia-based violence. (Source: TMM Project)

of transfemicide cases may be severely underreported because of the reluctance of victims or their families to report such cases to police authorities, who have been known to dismiss their calls for help due to stigma against transgender women as sex workers and social deviants. This holds especially true for transgender women of color; their tumultuous history with the police as a result of racial profiling, especially in the United States of America, inhibits their willingness to

seek justice from public enforcers.

Cases of discrimination and violence against transgender women are rarely reported in mass media outlets.²⁶ When transfemicide cases are reported, these cases may be presented by the police and the media in reductive, essentialist, and degrading ways. Deadnaming of transfemicide victims is common especially by local and regional news, and their cases may be reported with sensationalized headlines that reinforce

cisheteronormative narratives. They may frame the victim as “deceivers” that had received what was due to them as a result of their social deviance.²⁷ Even the families of victims might use the deadnames of their deceased relative due to non-acceptance of their transgender identity.²⁸

In addition, violence against transgender women is often video-recorded and broadcast across the internet through social media platforms in a manner that humiliates and dehumanizes them, made easy by the anonymity of the internet. Much of these content is classified as “entertainment” or “comedy”, and the sharing and liking of such content mirrors the lynching practices evident in the US’ racist legacy.²⁹ Such practices hinder efforts to document transfemicide cases due to difficulties in parsing through news articles and personal accounts that use the victims’ deadnames rather than their lived names, as well as sensationalized content that dilutes pertinent information on such cases.



(above) Vicky Hernández. Photo credits: Red Lésbica Catrachas

THE CASE OF VICKY HERNÁNDEZ: EFFORTS TO ADDRESS TRANSFEMICIDE IN INTERNATIONAL LAW

There has been some progress in upholding justice for victims of transfemicide. Notably, the murder of Honduran trans rights activist and sex worker Vicky Hernández and others on the 28th of June 2009 by police and military forces led to a landmark ruling by the International Court of Human Rights on the 21st of March 2021.³⁰ During a curfew imposed on Honduras due to a coup d'état, patrolling police and military forces tried to arrest Vicky along with Fergie Alicia and Michelle Torres, her companions. The following day, Vicky at 26 years old was found dead with a gunshot wound on her head. Her companions Fergie and Michelle were also killed one month later and in 2011, respectively.

Vicky did not immediately attain justice in the Honduran Court; the state has always operated with impunity that emboldens Honduran police to enact violence against transgender women and other marginalized groups. Vicky's case is part of the larger pattern of anti-transgender actions promoted by the Honduran state, as they did not carry out an investigation with due diligence for her murder by state forces. During the investigation, Vicky was constantly misgendered and referred to by her legal name in the case file. The state also did not consider her gender identity, her being a sex worker, or her being a trans rights activist as potential motives for the murder. Hence, her case was treated as a "crime of passion" rather than a state-sponsored hate crime. The anti-transgender ideologies present in Honduras and the subsequently anti-transgender actions of state bureaucrats compromised the objective handling of the case, leading to its dismissal at the state level due to the victim's gender identity and occupation.

In pursuit of justice for Vicky, trans-supportive community organizations, namely The Red Lésbica Cattrachas and the Centro de Derechos Humanos de las Mujeres (Women's Human Rights Center) filed a petition to the Inter-American Commission on Human Rights (IACHR) to investigate her case. Because Honduras had ratified the American Convention on Human Rights, they accepted the jurisdiction of the IACHR Court, and were liable for failing to fulfil their responsibilities in investigating Vicky's murder by state forces. The legal strategy employed for the case involved establishing the state's obligation to recognize Vicky's identity and her right to life, affirming her humanity. Transgender identities were not legally recognized in Honduran law, but the Court affirmed that there must be a "reinforced due diligence" entailing a gender focus for investigations on violence against trans women to combat impunity.

Hence, the Court requested that the *Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women*, also known as the *Convention of Belém do Pará* be applied to Vicky because violence against trans women is also based on their gender identity. The Convention allows for an intersectional lens; because 'gender identity' can make transgender women targets of violence, the Court stated that transgender women are covered by this Convention. The Court essentially had declared that transgender women are women, and thus are entitled to the same rights as cisgender women, including protection against violence; this ruling thus marks a legal precedent in international law for upholding transgender rights.

3. TRANSFEMICIDE IN THE PHILIPPINES

INTRODUCTION: TRANSPINAYS ACROSS HERSTORY

Transfemininity has existed in herstory since precolonial times. While the term ‘transgender’ itself — as well as adjacent, localized terms like ‘transpinay’ and ‘transpinoy’ — only gained traction and saw widespread usage in the past two decades, accounts of similar, transgendered identities can be traced as far back as pre-colonial Philippine societies.

The most popular, often cited, of these are the *asog* who were remembered as spiritual leaders, healers, and community advisors. Hailing from the Bicol and Visayan regions, they were said to be “effeminate male shamans” who “considered themselves more like women than like men in their manner of living...”³¹ Colonial accounts remember them as “figure[s] of the most degrading effeminacy” who dressed, acted, spoke, and even seduced in imitation of women.³² While some may argue that this could reflect mere transvestitism, Garcia suggests the concept of ‘gender crossing’, where rather than simply appropriating behaviors and dress, there is an observed embodiment of the social and symbolic role of the other sex in daily life.³³ Whether these colonial records accurately reflect the emic perspectives of gender during

that time, they nonetheless stand as evidence of transness — or at the very least, gender queerness — as we understand it today.³⁴

Fast forward to the 20th century, where literature and scholarship on sexuality and gender begin to expand across the world. The *bakla* emerges as a landmark of Philippine queerness, a reflection of the ‘third gender’ found throughout Southeast Asia. While many contemporary transpinays now reject the label of *bakla*, as this may connote an implicit denial of their assumed womanhood, it is undeniable that usage of the term in the past reflected more than just cisgender homosexuality. This meant that individuals who considered themselves to be *bakla* in the past – and even in the present – may still be considered under the transgender umbrella upon further inquiry and analysis. Such is the case of “comfort gays” during the Japanese occupation, popularized through the accounts of Walterina Markova and her peers who described themselves as “*bakla* but one who often dressed as a woman because of her feminine interiority.”³⁵ Such self-identification may be the result of either a lack of alternative terminologies which accurately categorized

their lived gender identity or the breadth and multiplicity of experiences available under the label.

In 2008, STRAP (then the Society of Transsexual Women of the Philippines) introduced the term 'transpinay' to properly afford a name for the distinct experiences and identities of Filipina transgender women and, later on, transfeminine individuals.³⁶ The transpinay, in her odyssey across time, has thus traversed herstory with a vast array of names. What remains consistent to her identity, however, seems to be the irrefutable and conscious shift from the static male assignment at birth to assume, embody, and queer femininity and womanhood. This transgressive act is what has made transpinays across history a prime target for violence and killings by those who seek to enforce the rigid, restricting chains of cisheteronormative and patriarchal society. The asog were demonized and subsequently eradicated through Spanish religious propaganda, extinguishing their powerful, feminine social status and forcing them into marginalization and even extinction.³⁷ Meanwhile, Markova's band of comfort gays were persecuted, tortured, and

even killed after being sexually abused by Japanese occupants, affording them horrors shared only by the more widely known comfort women of the time. The oppression of colonial forces illustrated in both instances reveal the major contributions of imperialism to the suppression of gender diversity in the Philippines. Under their influence, the culture of transfemicide pervades the present through institutions of religion, education, language, and power.

In this section, cases of transfemicide from recent memory will be used to locate prevailing patterns of violence against transpinays. The highlighted circumstances will reveal the existing gaps and barriers needed to be addressed in order to make the necessary steps in eliminating transfemicide in the Philippines.

JENNIFER LAUDE: A LANDMARK CASE FOR PHILIPPINE TRANSFEMICIDE

On the 11th of October in 2014, a transpinay named Jennifer Laude was murdered by then US Marine Joseph Scott Pemberton. Due to the involvement of the US military, Laude's case was heavily publicized by the media and quickly evolved into a national issue, becoming the unwilling precedent for how transgender killings would be handled in the country moving forward. An indisputable landmark of Filipino queer history and the LGBTQIA+ rights movement of the Philippines, the case revealed alarming gaps in how transfemicide was represented, treated, and addressed – how Pemberton's prosecution shifted the blame on transgender women, how policies for accessing justice instead reinforced colonial and patriarchal biases, and how language used especially in the media promoted harmful stereotypes and the custom of misgendering.

The events of Laude's death are well-documented and highly accessible for public knowledge due to a plethora of news articles and court proceedings from that time. Before the incident, she was last seen entering the Celzone Lodge, a motel in Olongapo City,

Zambales, with a white male foreigner who she had met at a disco bar nearby. Police investigation later narrated how the man in question — ex-marine Pemberton, who was on shore-leave at the time — had reportedly been availing sex services from her, implying that Laude worked within the infamous sex industry of the town. After finding out she had male genitalia, Pemberton killed her. Laude's body was later found lifeless leaning against a toilet inside one of the rooms at the motel, strangled and drowned to death.

Before any legal action was ever performed for her case, Laude's untimely demise had already begun illustrating how transgender lives would be viewed, treated, and discussed in the years to come. The language used in news articles and police reports was rampant with misgendering, a glaring display of the wider public's attitude towards transgender identities. Writers from Rappler, Inquirer, and the Philippine News Agency (PNA), to name a few, constantly used Jennifer's deadname (also known as government or legal name) as well as male pronouns ('he' and 'him') when referring to

3. TRANSFEMICIDE IN THE PHILIPPINES

(right) Jennifer Laude. Photo from *Inquirer*.

her, simultaneous with their categorization of her as a “transgender woman”^{38,39,40} This displayed either an ignorance or naivety of the media to gender inclusive standards of writing or a deliberate denial of Laude’s lived feminine identification. Furthermore, an analysis of discourse arising from the issue reinforced a culture of victim-blaming: that her complex and compounded disposition as sex worker and transgender woman, an “unruly body” of promiscuity and deceit, supposedly sanctioned the violence inflicted upon her.⁴¹

Pemberton’s evil act and display of superior strength against Laude initially led the prosecution to file a murder case against him.⁴² This was backed by contextual evidence found at the crime scene which pointed to the absence of spontaneity in the act.⁴³ However, the final verdict later categorized the crime as a homicide — an act classified as a killing without intent nor premeditation — ultimately leading to a reduced sentence. Pemberton’s team were devilishly successful in invoking the mitigating circumstance of “passion and obfuscation”⁴⁴ which legitimized, institutionalized, and further perpetuated



the “trans panic defense”⁴⁵ in Philippine legal proceedings. The aforementioned defense is a legal strategy which has long been used in the American criminal law system to justify violence against LGBTQIA+ individuals primarily on the premise of queer and transgender people deceptively hiding or concealing their sexual orientation and gender expression. This monumental decision set a dangerous precedent for cases of transfemicide in the future, giving murderers access to evade justice.

In 2020, then President Rodrigo Duterte, who is currently on trial at the International Criminal Court for human rights violations and crimes against humanity, granted absolute pardon to Pemberton,

which set him free from his initial ten-year sentence and all other penalties imposed on him by previous court proceedings.⁴⁶ He was allowed to return back to the United States of America after only barely finishing half of his sentence. Initially providing no elaboration for the decision, the Good Conduct Time Allowance (GCTA) was later cited by the president's office to justify Pemberton's early release. This sudden, treacherous act against the Philippine people further emphasized the state's disinterest and neglect in upholding the rights of Filipina transgender women and, by extension, the Filipino LGBTQIA+ community in comparison to other identified priorities. In the pursuit of other endeavours – such as, perhaps, offering Pemberton's freedom as a show of good grace from our government to the United States of America's – Laude and, consequently, all transgender people were "primed to understand themselves as killable and disposable subjects."⁴⁷ Sidelined by the very systems which were created to advocate for and protect them, transgender women were left exponentially vulnerable under the threat of more violence.

Laude's legacy lives beyond her death. Her case pushed transpinays—and the transgender community as a whole—from the

horizon line to a much nearer vantage point. A foundational landmark piece on the Philippine advocacy map, the transpinay identity and movement escalated to mainstream discourse and visibility. The story, sensationalized in association with Pemberton's American citizenship and military status, sparked national outrage. Human rights organizations called for justice and voiced their concern over the prevalence of LGBTQIA+ based hate crimes in the country, especially on transgender individuals.^{48,49,50}

Furthermore, it exposed the wider public to the social realities which lead to and enable violence against transgender women. Discourse on surrounding issues such as the complex harms of sex work, the lingering roots of colonial oppression, and the lack of protective mechanisms for queer people were elevated. Laude's case teaches us that transfemicide is not to be viewed as a linear nor an individual problem, but as a product of compounding, intersecting, and historical circumstances. In following this precedent, the succeeding sections will expand on two critical points of consideration in addressing transfemicide: the dismissive language of misgendering and the glaring gaps within our country's protective systems for gender-based violence.

MEDIA & MISGENDERING: CHALLENGES IN GENDER RECOGNITION

One of the largest challenges transgender people face, both before and after death, is to be denied their lived identities. This is the act of misgendering, which refers to “both the imposition of terms, honorifics, names, or pronouns at odds with a referent’s gender, as well as the failure to use terms, honorifics, names, and pronouns in line with a referent’s gender.”⁵¹ Transgender women are observed to be victims of specific forms of misgendering. First, “mislabeling” which is the general use of gendered markers and categories, such as pronouns, to inaccurately depict the referred person’s lived gender identity.⁵² Then, “deadnaming” which involves the use of a person’s name assigned at birth or ‘legal name’ to signify rejection or denial of one’s transition. Studies show that the issue of misgendering is far from recent, and that similar forms of misnaming and dishonorifics can be found across marginalized communities such as ethnic and gender minorities throughout history.⁵³

A review of news articles and police reports from transfemicide cases in recent years highlights the proliferate misgendering

normalized in how transgender individuals are talked about. Foremost is the repeated, insistent use of deadnames appearing in majority, if not all, of the entries. To convey proper, formal documentation by using the name appearing in one’s birth certificate is the general argument used to justify the deadnaming of reported victims. This argument holds only meager weight in the context of court proceedings, where no legal alternative to birth certificates is offered for attesting one’s identity, other media platforms do not need to comply under the same requirements.^{54,55} Considering that most names are inherently gendered, using a transgender woman’s legal name counts as a form of misgendering.⁵⁶ Many take this as an opportunity to actively shame and ridicule transgender women by juxtaposing the image of her feminized body against a masculine name; the dissonance creates a ‘gotcha!’ moment that invalidates the victim’s womanhood. Thus, deadnaming reveals itself to be an implicit power to dismiss identities as an expression of social domination.

Acts of misgendering not only dehumanize, humiliate, and control transgender women, but they also contribute to their invisibility from social services and resources. When news outlets and police reports mislabel victims of transfemicide as 'male',⁵⁷ bayot,⁵⁸ or simply 'member of the LGBTQIA+ community',⁵⁹ locating transgender women for monitoring mechanisms becomes difficult or impossible. Data systems on hate crimes, murders, and gender-based violence are typically created to communicate what gaps need to be addressed. Policy makers, financial organizations, and government agencies use these data as reference when proposing and

enacting programs for social change. When transpinays remain out of sight for these particular stakeholders, they are unable to access nor realize the rightful changes needed to protect or advocate for them. Figure 4 illustrates how transphobic ideologies, perpetuated for example by misgendering and deadnaming in the media, can lead to the enactment of transphobic policies – which include the deprioritization of transgender-inclusive and protective mechanisms.⁶⁰ A system like this emboldens or permits people to enact violent and discriminatory actions towards transgender individuals.

Misgendering is a direct violation

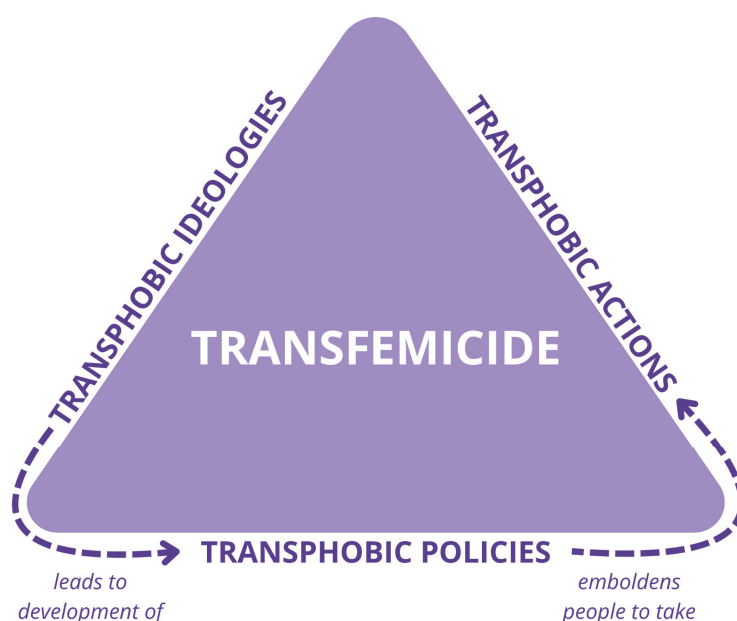


Figure 4. Trifecta of Transfemicide, adapted from the "Trifecta of Violence" framework by Lenning, Brightman, and Buist (2021)

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ZAMBOANGA CITY - An Isabela City government employee working for peace and order and illegal drug prevention was shot dead in front of his house in Isabela City, Basilan province on Thursday, Feb. 20.

Investigation disclosed that Laguardia was about to enter his residence when one of two gunmen on board a motorcycle shot him.

The suspects fled toward the inner portion of Barangay San Rafael while the victim was taken to a nearby hospital where he was declared dead.

Laguardia is an LGBTQIA member and the assistant focal person for peace, order, and public security.

Rix Laguardia, 30 years old, was gunned down and left for dead in Zamboanga City on the 20th of February, 2025. Despite her feminine presentation in the photo selected, and with her social media pages consistently using female pronouns, the article repeatedly used he/him/his pronouns and referred to her as an "LGBTQIA member."⁶³

of the human right to autonomy and self-determination.^{61,62} In 2016, Rainbow Rights Philippines and Outrage Magazine created a media reference guide which even included a specific chapter dedicated to how to properly cover stories on the transgender community.⁶⁴ This included clear instructions on how journalists, writers, and media staff avoid mislabeling and deadnaming in their outputs, as well as a list of acceptable terminologies. Yet, more than a decade after its launch, the language and culture of misgendering persists.

This can largely be attributed to the absence of legal gender recognition (LGR) law in the country, a policy which would institutionalize the usage of lived names and gender markers in legal documents. Combined with the observable dearth in anti-discrimination policies for LGBTQIA+ individuals, legal mechanisms remain inaccessible for transgender people and allies to assert lived gender identities.

During the Transgender Awareness Week of November 2025, STRAP organized an

event where representatives from the media sector, the LGBTQIA+ advocacy movement, and the Commission on Human Rights were invited to participate in a discussion on media and misgendering.⁶⁵ One of the main takeaways from this event was the critical role of institutions in educating the public and encouraging the incorporation of basic sexual orientation, gender identity and expression, and sex characteristics (SOGIESC) awareness in everyday discourse. Shifting linguistic and cultural attitudes towards gender identity requires a systematic approach, rather than an individual one. Furthermore, responsive policies and reforming initiatives must be implemented consistently and intentionally to ensure their effectiveness in changing attitudes and behaviors. The role of the media in shaping public attitudes toward transpinays must also be emphasized – how positive portrayals can humanize and challenge existing prejudices, while negative portrayals can reinforce and normalize harmful stigmas. In this manner, those who control and write the narratives about transpinays can take accountability for upholding their fundamental human rights and dignity.

TRANSFEMICIDE DOCUMENTATION IN THE PHILIPPINES

The Philippines is obliged under international human rights law to enact a comprehensive tracking system to monitor cases of violence and killings of transgender women.⁶⁶ In 2013, the CHR committed to document hate crimes against LGBT individuals in the country.⁶⁷ This was included in their Gender Ombud Guidelines released in 2016, noting their process of investigating human rights violations against women and persons with diverse SOGIESC.⁶⁸ Recent murders of transpinays in 2025 were also flagged and investigated by the CHR as part of a “pattern of transfemicide.”⁶⁹ Issues of consistency, however, can still be observed as the Philippine National Police (PNP) continues to implement a binary sex-disaggregated system for reporting cases.

Glaring gaps in tracking transfemicide cases have led to advocacy groups assuming this responsibility through their own documentation efforts. In 2011, a community-led initiative named the Philippine LGBT Hate Crime Watch was established to monitor all LGBT-related crimes due to the alarming rise of LGBT deaths at the time.⁷⁰ The project, however, has been on indefinite hiatus for

No. of Murders of Transgender Women Annually (Philippines, 2009-2025)

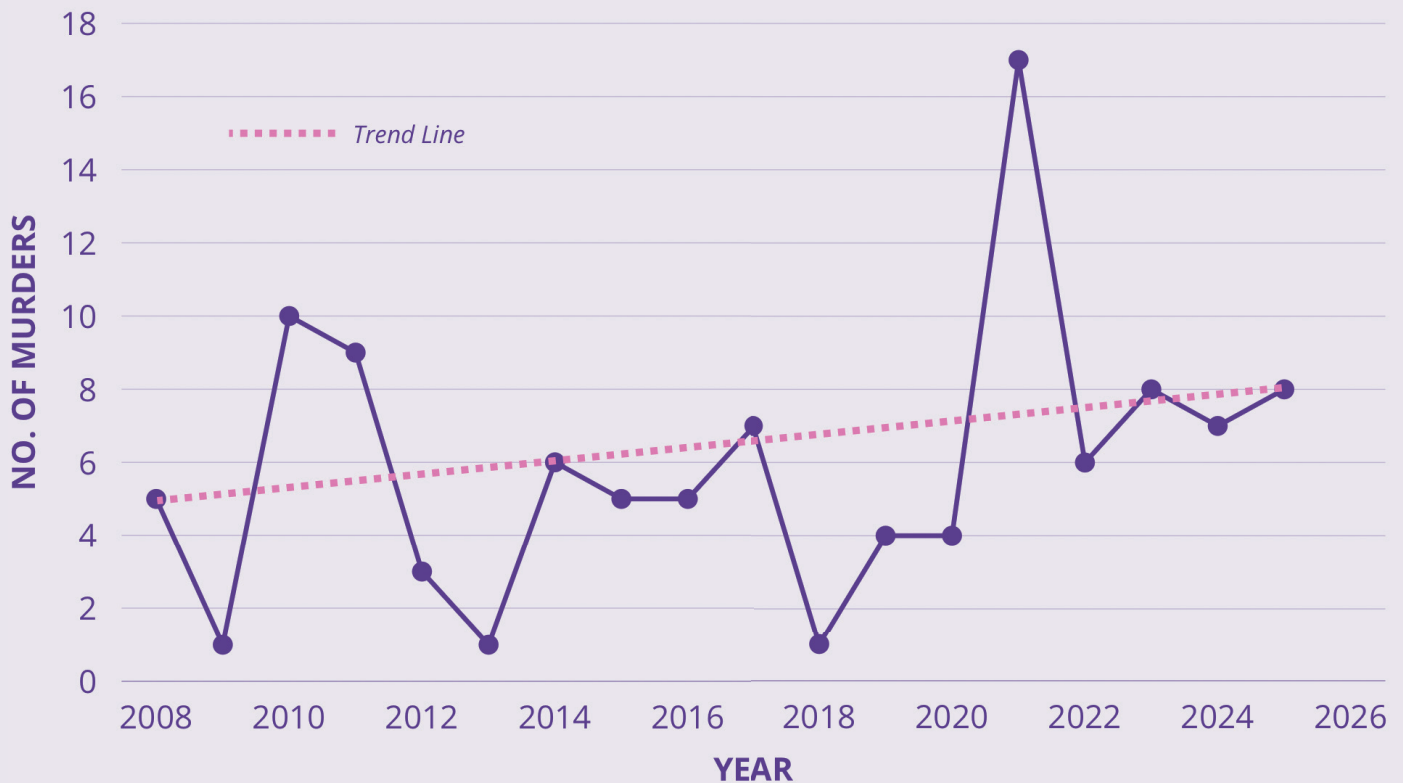


Figure 5. Annual cases of murders of transgender women in the Philippines from 2009-2025, based on documented cases in the Trans Murder Monitoring project database. On average, 6.25 transgender women in the Philippines are murdered annually, which is rising with the increasing trend in the number of transfemicides over the years, with spikes in cases during the years 2010-2011 and 2021. (Source: TMM Project)

the past year and did not specifically focus on transgender killings.

One of the most notable and reliable international monitoring initiatives is the Trans Murder Monitoring (TMM) project, which is currently the most comprehensive global database of transfemicide cases. Since 2009, the project has systematically monitored,

collected and analyzed reports of homicides of trans and gender-diverse people worldwide.⁷¹

Another reliable site named 'Remembering Our Dead' was established to serve as a companion resource for Transgender Day of Remembrance (TDoR) events.⁷² The blog provides a list of names categorized by country and year, including links to their sources

of information. Both of these monitoring initiatives contain documented cases from the Philippines, shared by affiliates from the Lakanbini Trans Network and individual advocates. Figure 5 illustrates the documented cases of transfemicide in the Philippines, which exhibits a rising trend in annual number of murders. A spike in transfemicide cases can be observed in 2021, wherein 17 cases mark the deadliest year for transgender women in the Philippines. In their latest 2025 report, at least eight (8) murders were recorded in the

Philippines.⁷³ In the last ten (10) years (from 2015 to 2025), there had been 69 documented cases of transfemicides in the country, 76% of which was done via shooting or stabbing (see Figure 6). In total, 102 cases of transfemicide in the Philippines had been documented since 2009; if murders of transmasculine and trans non-binary folk are included, the number of cases increases to 107. These statistics prompted the Trans Murder Monitoring project to rank the Philippines as 8th worldwide in terms of transgender murders in

Methods of Killings Done to Transgender Women in the Philippines (2015-2025)

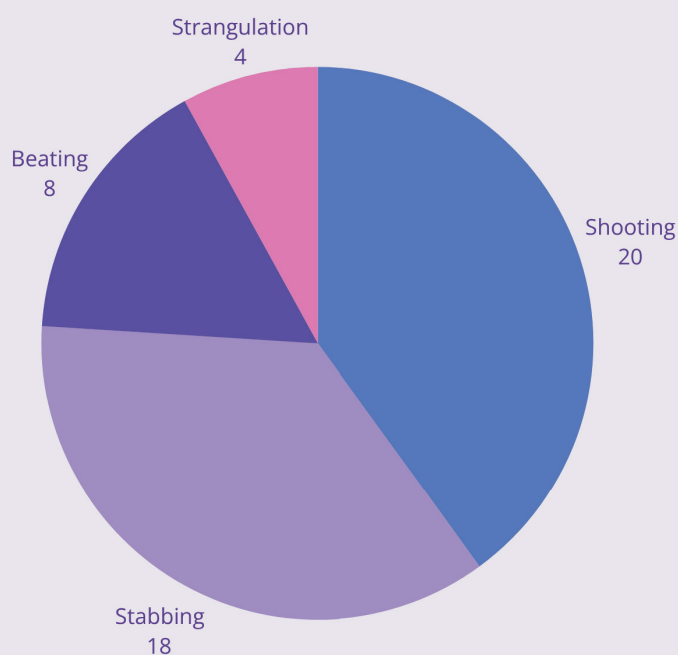


Figure 6. Methods of killings done to transgender women in the Philippines, based on documented cases in the Trans Murder Monitoring project database. Shootings and stabbings comprise 76% of all transfemicides documented in the country. (Source: TMM Project)

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2023 — a grim reminder of the current state of transpinay safety and justice.⁷⁴

In 2025, STRAP launched Project Kierra, a national initiative which aimed to strengthen a coordinated, transpinay-led response to transfemicide and anti-trans violence in the Philippines. The project sought to advance advocacy for policy and legal reform, establish community protection systems and survivor-centered support, and capacity-building and political education for transgender women and transfeminine leaders nationwide. In their first year, the organization was able to identify and document seven (7) confirmed accounts of transfemicide.⁷⁵ In addition to sharing individual posts which reported their untimely deaths, their stories were also published on STRAP's social media pages during the annual TDoR held on November 20.

Initially, the objective was to call for attention and reform regarding the violence directed towards the Filipino transgender community. But in 2026, STRAP formally initiated efforts to create a Philippine-based documentation and monitoring system for transfemicide cases by establishing the Transfeminist Documenter Network, which sought to create a dedicated nationwide network of advocates committed to the

active documentation of transfemicide cases and other instances of gender-based violence against transgender individuals. In partnership with EnGendeRights Inc., STRAP also formulated a toolkit to aid in the accurate and ethical documentation of transfemicide cases. This established a meaningful precedent for documenting transfemicide, where ethical protocols, community engagement, honorable reporting, and a commitment towards justice are prioritized.

CASE REPORT: Using the toolkit and its materials, which included a case intake form and a preliminary monitoring tool, STRAP was able to document the case of Bella Lutap, a twenty-year old transpinay who was murdered in July 2026 in Nueva Ecija.⁷⁶ STRAP maintained constant communication with Bella's family, offering support under the Kierra Guided Protection System by connecting them to referral partners from IDEALS Inc. who provided legal empowerment and assistance regarding the ongoing case.

(bottom) STRAP Documenters and representatives from IDEALS, Inc. with members of Bella Lutap's family after a case conference for legal assistance



4. TRANSGENDER-BASED VIOLENCE: A BRIEF POLICY REVIEW

In 1992, the CEDAW Committee drafted General Recommendation (GR) 19 which was the first international document to define 'gender-based violence'.

gender-based violence, that is violence that is directed against a woman because she is a woman or that affects women disproportionately, includ[ing] acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.⁷⁷

Later on, GR 28 highlighted the intersectionality inherent in the discrimination of women.⁷⁸ Here, it was recognized that the varying social realities one simultaneously experienced could produce different forms of violence, could affect various communities of women to different degrees, and could aggravate its negative impact. In turn, such variance required the creation of careful and comprehensive legal responses. The publication of GR 28 marked a monumental turn as it was the first document to explicitly mention sexual orientation and gender identity as part of the many intersections which could cause targeted gender-based violence against a woman.

Twenty five years after GR 19, CEDAW revisited the document and updated it to GR 35 where a slight renaming occurred in "gender based violence against women". In addition to

CEDAW GENERAL RECOMMENDATIONS 28:

18. Intersectionality is a basic concept for understanding the scope of the general obligations of States parties contained in article 2. The discrimination of women based on sex and gender is inextricably linked with other factors that affect women, such as race, ethnicity, religion or belief, health, status, age, class, caste and sexual orientation and **gender identity**. Discrimination on the basis of sex or gender may affect women belonging to such groups to a different degree or in different ways to men. States parties must legally recognize such intersecting forms of discrimination and their compounded negative impact on the women concerned and prohibit them. They also need to adopt and pursue policies and programmes designed to eliminate such occurrences, including, where appropriate, temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation No. 25.⁷⁹

making it a more precise term to make explicit the gendered causes and impacts of said violence, it underscored how gender-based violence should be understood as a social problem, rather than merely an individual one. Doing so meant formulating responses which not only tackled it systematically, but also addressed the issue with a more gendered, nuanced perspective.

Furthermore, GR 35 expanded their definition of women to encompass transgender women, as well.

CEDAW GR No. 35, Section 12 states:

[D]iscrimination against women is inextricably linked to other factors that affect their lives. The Committee's jurisprudence highlights that these may include ethnicity/race, indigenous or minority status, colour, socioeconomic status... being lesbian, bisexual, **transgender** or intersex... stigmatisation of women fighting for their rights, including human rights defenders. Accordingly, because women experience varying and intersecting forms of discrimination, which have an aggravating negative impact, the Committee acknowledges that gender-based violence may affect some women to different degrees, or in different ways, so appropriate legal and policy responses are needed.⁸⁰

As a State Party to CEDAW, the Philippines is bound to fulfill its obligation. The elimination of all forms of discrimination and violence against women must include transpinays in the reform. The following section provides a brief review of the current policy landscape surrounding (trans)gender based violence. Gaps, as well as progress made regarding the inclusion of transpinays, will be identified and discussed.

Majority of the policies included in this list coincide with the policy review drafted by the United Nations Development Programme (UNDP) on legal gender recognition in the Philippines given its central role in the discourse of transgender rights and discrimination.⁸¹

INTERNATIONAL CONVENANTS

Article II, Section 2 of the 1987 Constitution of the Republic of the Philippines institutionalizes generally accepted principles of international law as part of the law of the land.⁸² Simply, international covenants where the Philippines is a signatory – such as conventions under the United Nations (UN) where it is a member-state – must be adopted as legally binding and must therefore fulfill their state obligations according to their respective mandates.

The first two are encompassing, guiding frameworks for all human rights advocacies. In their goal to achieve humanity's best interests, they inevitably intersect with the topic of transfemicide and gender based violence. The Universal Declaration of Human Rights (UDHR), for one, is the cornerstone and grand precedent of most international treaties. All human rights are indivisible and interdependent of each other, including a woman's right to a life free from gender based violence.⁸³ Most relevant to the topic of transfemicide include the rights to life, health, liberty and security of the person, equality and equal protection within the family, freedom from torture, cruel, inhumane or degrading treatment and freedom of expression, movement,

participation, assembly and association. Next, the Sustainable Development Goals (SDGs) are a set of internationally agreed-upon milestones to reach by 2030.⁸⁴ Goal 5 aims to achieve gender equality and empowerment of all women and girls, including transgender women. Goal 16, on the other hand, aims to promote peaceful and inclusive societies for sustainable development, provide access to justice and build effective, accountable and inclusive institutions at all levels; and support national plans to implement all the Goals in a gender responsive manner.

More specific to LGBTQIA+ rights, the Yogyakarta Principles aim to address “violations suffered by persons on grounds of sexual orientation and gender identity and the recognition of the distinct and intersectional

grounds of gender expression and sex characteristics”.⁸⁵ While not legally binding, they serve as a substantial reference for applying existing human rights law to the lives of people who are discriminated based on their sexual orientation and gender identity.

ABBREVIATION	UN HUMAN RIGHTS MECHANISMS RELEVANT IN ADDRESSING TRANSGENDER-BASED VIOLENCE
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CRC	Covenant on the Rights of the Child
CRPD	Convention on the the Rights of Persons with Disabilities
OHCHR	Office of the United Nations High Commissioner on Human Rights

(above) Table 2. UN Human Rights Mechanisms which are relevant to the topic of trans communities and transgender based violence.

NATIONAL POLICIES

1. Act No. 3815: Revised Penal Code

Despite the heavily documented gravity of femicide and transfemicide worldwide, there is an observable lack of laws – both in international and local contexts – which names nor criminalizes this act.⁸⁶ Without any such form of legislation, victims and survivors face significant barriers in calling for visibility, justice, accountability, and reparations.

In the Philippines, the Revised Penal Code is the primary law which seeks to define crimes and felonies, as well as their respective punishments and penalties.⁸⁷ Title Eight, Chapter One, Section One outlines crimes against persons considered to be under the category of “destruction of life” which includes parricide, homicide, and murder. The absence of femicide, where transfemicide may also be counted under, among these categories implicitly disregards it as the “most pervasive human rights violation rooted in gender inequality and discrimination, unequal power relations and harmful social norms.”⁸⁸

Furthermore, this law has been used against transpinays within the context of transfemicide. In the case of Jennifer Laude’s murder, Joseph Scott Pemberton was convicted of homicide rather than murder, consequently rendering him a reduced sentence. Although Secretary of Defense De Lima at the time insisted that “the killing was attended with the qualifying circumstances of treachery, abuse of superior strength[,] and cruelty”⁸⁹ which would qualify Pemberton for murder, Judge Roline Jinez Jabalde regardless lowered the charge to homicide citing mitigating circumstances. These include Pemberton acting in self-defense due to the alleged failure of Laude to reveal her gender identity, forcing him to act out of “passion and obfuscation... arm-locked the deceased, and dunked [her] head in the toilet.”⁹⁰

Such a decision shows the harmful biases the law can be twisted for, granting legitimacy to transphobic and trans-dismissive narratives in cases of gender-based violence. Without the recognition of transfemicide in penalizing laws, transgender women are left susceptible to violence and murder without proper justice.

NOTE: Pemberton’s killing of Jennifer Laude qualifies for murder under the RPC as he committed the act under the following circumstances of Art. 248:

1. With treachery, taking advantage of superior strength, with the aid of armed men, or employing means to weaken the defense or of means or persons to insure or afford impunity.
5. With evident premeditation.
6. With cruelty, by deliberately and inhumanly augmenting the suffering of the victim, or outraging or scoffing at his person or corpse.

2. Republic Act 9710 (Magna Carta of Women) and its related offices and reports

The Magna Carta of Women (MCW) is the foremost law invoked in the discussion of women's human rights in the Philippines. It seeks to eliminate discrimination through the "recognition, protection, fulfillment, and promotion of the rights of Filipino women, especially those belonging to the marginalized sectors of society."⁹¹ In Section 2, it directly references CEDAW in adhering to principles of anti-discrimination and protection.⁹² In Section 4k, it defines 'violence against women' as "any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women."⁹³

The Philippine Commission of Women (PCW) oversees the overall monitoring and oversight of gender mainstreaming activities mandated under the MCW among government offices. An interview with some of their representatives communicated ongoing difficulties to implementing transpinay-specific programs – largely due to the MCW not explicitly including transgender women under their scope. Under a binary sex-based system, transpinays and their experiences are rendered invisible, leaving them unable

to access the protective systems and anti-discriminatory mechanisms the MCW hopes to implement. CEDAW GR 35 updated the term 'violence against women' to 'gender-based violence' in order to affirm, recognize, and protect transgender women and gender diverse individuals through their gender identity.⁹⁴ The MCW and the PCW, therefore, must also actively pursue the evolving of their understanding of gender-based and intersectional discrimination both *de jure* and *de facto*.

Notable strides can be observed in PCW's growing support for transpinays in recent years. In 2025, they released a statement in support of the Simplified Legal Gender Recognition Bill which honors the right to self-determination, bodily autonomy, and inclusive gender recognition of transgender individuals.⁹⁵ In 2026, they invited STRAP to attend a series of dialogues as part of their sustained efforts to advance inclusive policy development.⁹⁶

Finally, PCW will oversee the initiatives under Chapter 3 (Advancing Women's Rights and Gender Equality) of the 4th Human Rights Plan (2024-2028), where transgender women were recognized for the first time in a national human rights document:

HRIAC 2.3, TPOAB.2.3. Reviewing and amending existing laws and policies to address existing or emerging forms of violence and discrimination against women and girls, taking into account the special protection needs of disadvantaged and marginalized groups of women, including rural women, women with disabilities, migrant women, older women and lesbian, bisexual, transgender and intersex women.[68]

Executive Order 51 was enacted in 2023 to create a Special Committee on LGBTQIA+ Affairs.

The proclamation is the first of its kind to formally recognize the Filipino LGBTQIA+ community through the institution of a state office.⁹⁸ It essentially stands as the LGBTQIA+ counterpart of the PCW in the government, wherein its mandate is to ensure and conduct programs and policies for LGBT+ mainstreaming across government offices.⁹⁹ As of writing, the office itself was not yet operational. Representatives of the Special Committee, however, shared insights on their preliminary activities which now mainly revolve around inclusivity assessment, capacity building, and standardization of gender sensitivity modules. Community consultations are to be expected with LGBTQIA+ human rights and grassroots organizations to provide insight in their updating of modules such as the Standardized SOGIESC Module and the Gender Responsive Case Management Manual.

3. Republic Act 9262: Anti-Violence Against Women and their Children Act

Enacted in 2004, this law sought to address gender-based violence against women and their children (VAWC) and provide protective, as well as reparative measures for victims.¹⁰⁰ It defines violence against women to occur under the premise of having a history of dating or sexual relationship with the offender. Along with Section 9 of the MCW, it mandates all police stations and local barangay offices to implement a VAWC desk where victims can file complaints and cases can be fully addressed in a gender-responsive manner.

Despite being active for more than twenty years, the VAWC Act and its implemented systems remain inaccessible to transgender women. It recognizes diversity in sexual orientation as it covers women in lesbian relationships as well as trans men, but does not extend to include transfeminine gender identities.¹⁰¹ In 2024, Medina thoroughly dissects RA 9262 through the lens of transgender justice and discusses how “the silence of the law on the protection of transgender women from violence contributes to the insecurities of transgender women.”

[T]ransgender women in a dating or sexual relationship are victims of gender-based violence. Since the current legal framework does not recognize transgender women in accordance with their gender identity, however, acts of violence committed against them in the context of dating or sexual relationships remain unpunished. This gap denies transgender women their right to life, liberty, equal protection of the laws, and access to justice.¹⁰²

Revisions to include transpinays under its scope have not been incorporated, in tandem with the Magna Carta for Women, making it difficult for transgender women to invoke its protective measures. Different regional officials and even representatives from PCW have made statements to claim that VAWC desks are available to attend to any person who is a victim of intimate partner violence—including transgender women—however there continues to be no record of any transpinay filing a case under RA 9262.¹⁰³

Many transgender women remain afraid of seeking help from public service agencies because they are worried that they will be denied due to their gender identity

and expression. This reality is both worrisome and alarming, as there have been reports of transfemicide which resulted from intimate partner violence.¹⁰⁴ Implementing agencies of RA 9262, especially those regulating VAWC desks and their operating guidelines, should make sure that transpinays are aware of and are comfortable enough to seek assistance from their service providers.

Note: Test cases where transpinays are survivors of intimate partner violence can be filed at VAWC Desks. Transpinays may also try to apply for a Barangay Protection Order. Legal consultations may be provided

4. Republic Act 11313: Safe Spaces Act

Transgender women facing sexual harassment is well-documented in the Philippines. In 2015, the International Gay and Lesbian Human Rights Commission (IGLHRC) worked with Rainbow Rights Philippines to document stories of violence against lesbian, bisexual women, and transgender people. Among these were instances of harassment, name-calling, sexual assault, and discrimination committed against transgender women.¹⁰⁵ Meanwhile, accounts of sexual harassment and severe discomfort while availing public transportation services have also been shared.¹⁰⁶ Consistent throughout these narratives are transpinays' vulnerability due to the others' behavior towards their gender expression and gender identity.

The Safe Spaces Act is the first law of the Philippines which explicitly offers a protective mechanism for the LGBTQIA+ community. It introduces measures to prevent, discourage, and criminalize gender-based sexual harassment in public spaces, privately-owned places open to the public, public utility vehicles, online and digital spaces, workplaces, and educational institutions. Transphobic statements, slurs, remarks, and comments are

listed as examples of acts which invade one's personal space or threaten the person's sense of personal safety.¹⁰⁷ Transgender persons are also recognized through its definition of gender identity:

(f) Gender identity and/or expression refers to the personal sense of identity as characterized, among others, by manner of clothing, inclinations, and behavior in relation to masculine or feminine conventions. **A person may have a male or female identity with physiological characteristics of the opposite sex in which case this person is considered transgender.**¹⁰⁸

This policy serves as a landmark law for the protection of all individuals, especially for the transgender community, as it extends protection to all individuals, regardless of sex or gender identity.¹⁰⁹ It provides a meaningful precedent for future policies to properly identify the transgender community in providing protective systems against gender-based discrimination and violence.

ANTI-DISCRIMINATION ORDINANCES

A national policy seeking to penalize and protect individuals from acts of discrimination on the basis of sexual orientation, gender identity, and gender expression still does not exist in the Philippines. The SOGIESC Bill, which has sought to achieve exactly that, has failed to pass further than Congress more than quarter of a century since it was first filed.¹¹⁰ Senators in opposition of the bill ironically cited “religious freedom”, “academic freedom”, and “women’s rights” as their reasons for not supporting it, stating that it may allow “special treatment” for a certain community and that it could be “subject to abuse”.¹¹¹ Amidst rampant hate crimes and visible LGBTQIA+ activism in the country, the absence of such policies marks a significant barrier towards true inclusion and the actualization of the Philippine government’s commitment in eliminating all forms of gender-based discrimination.

Given this legislative vacuum, LGBTQIA+ advocates have turned to local governments in seeking for protective policies. According to Balangaw, there are currently eighty seven (87) local anti-discrimination ordinances (ADO) in the Philippines.¹¹² These range from comprehensive (41%) to SOGIE-specific (24%)

and can be found across multiple levels of local government – regional, provincial, municipal, city-wide, barangay-level. Different acts, prohibited and affirmative, are cited as the scope of anti-discrimination they seek to address, including but not limited to those found in employment, health, education, accommodation, and in the use of establishments/facilities/transportation. Generally, most of these cover sexual orientation and gender identity as part of their scope, with more inconsistencies in terms of gender expression.

A challenge with anti-discrimination ordinances, however, lies in their varying implementation. Often, local ordinances must have a confirmed set of implementing rules and regulations (IRR) to be actualized or felt by the local community. But depending on their language, some ordinances may self-execute if they properly define the sets of offenses and penalties, as well as procedures in mandating immediate effectivity. Regardless, IRRs are important in clarifying operational responsibilities and administrative guidelines which are useful for effective implementation. According to Balangaw’s data, 54% of all

SYNTHESIS & OTHER POLICIES RELATED TO TGBV

ordinances have either unknown, to be determined, or no implementing bodies at all. In this same data set, only seven (7) have confirmed implementing bodies, while the rest are marked with “newly-created body”. These include landmark ordinances such as the Quezon City Gender Fair Ordinance, the Anti-Discrimination Ordinance of Marikina City, and the Anti-Discrimination Ordinance of Angeles City. It must be noted, however, that not all of these ordinances are consistent in their respective coverages and penalties.

While the work and commitment of local government units should rightfully be recognized and applauded, the need for a national anti-discrimination policy such as the SOGIESC Equality Law and Comprehensive Anti-Discrimination Law remains as urgent as it has ever been.

This section outlined the legislative landscape of the Philippines in terms of transfemicide. Existing policies directly concerning transgender-based violence through prevention and penalization certainly have room to expand their scope to include transpinays. If the law continues to disregard transgender women by refusing to name them, the state will not only fail to fulfill its obligations under international conventions, but transpinays will remain vulnerable and unsafe without ample protective mechanisms.

Additionally, the discussion of transfemicide policy reveals its intersections with other relevant social issues and their respective policies. Violence and discrimination of transpinays extend to discussions on the experiences of young trans nenes in schools (RA 10627: Anti-Bullying Act of 2013), the legitimacy and harms of sex workers under the law (RA 10364: Expanded Anti-Trafficking in Persons Act of 2012), and the growing threat of gun violence cemented in multiple cases of transfemicide (RA 10591: Comprehensive Firearms and Ammunition Regulation Act). The death of transpinays also inevitably interact with broader transgender

4. TGBV: A BRIEF POLICY REVIEW

issues such as transgender health where transpinays are one of the key affected populations at-risk of HIV and AIDS (RA 11166: Philippine HIV and AIDS Policy Act), and legal gender recognition where transpinays are exposed to discrimination when their names and identities are not honored in formal documents (Rule 103 of the Rules of the Court: Change of Name). Such intersecting forms of marginalization, compounded with legal invisibility and social stigma, leave transpinays at great risk of violence and with great difficulty in seeking justice.¹¹³

The breadth of policies mentioned should not be taken as a call for transpinays to be given special treatment. It simply highlights the intersectional nature of gender-based violence and how it manifests in multiple aspects of social life simultaneously. This is an urgent call for transpinays and their issues, especially under the threat of transfemicide, to be legitimized and recognized through legislation.

5. CONCLUSION AND RECOMMENDATIONS

This reference hopes to illuminate the various social histories, realities, and conditions involved to better understand and address the issue of transfemicide in the Philippines. Transpinays continue to experience gender-based violence and discrimination for a variety of reasons, mainly due to systemic marginalization and prejudice. Despite state obligations holding the Philippines accountable for the safety and welfare of transpinays, there is an observable lack of comprehensive policies and mechanisms which serve to protect and prevent transgender women from gender-based violence.

The alarming rate of transfemicide cases reported in recent years reflects the urgency in enacting laws which specifically mention transgender women under their scope. Most needed in the discussion of transfemicide policy reform is the expansion of definitions to include transgender women under the scope of the Magna Carta of Women and passing both national anti-discrimination and legal gender recognition laws, encouraging consistent implementation of concrete interventions aimed at effectively addressing anti-trans violence. Such interventions may include the development of standardized, community-

informed guidelines for receiving complaints, investigating cases, and ethical reporting, as well as the production and dissemination of comprehensive educational resources to build awareness and knowledge surrounding gender-based violence against transpinays.

A comprehensive documentation and monitoring system is likewise crucial to effectively convey the gravity of the issue to agencies and individuals in positions of power. STRAP expands on the ongoing efforts for documentation by international advocacy networks to develop one specific to the Philippines. As this progresses, it may expand beyond merely reporting transfemicide cases to also include cases of non-fatal violence and instances of denied justice to both broaden and strengthen calls for reforming the current landscape of impunity and violence. In this manner, the lives of transpinays prematurely lost to a failed system may be remembered with dignity, honor, and justice.

APPENDIX: STRAP REPORTS

ACRONYM AND YEAR	TITLE	KEY THEMES
UPR 2012	The human rights situation of transgender people in the Philippines Submission of the Society of Transsexual Women of the Philippines (STRAP) to the 13th Session of the United Nations Human Rights Council Universal Periodic Review	Legal gender recognition Document gender markers Education Employment Public Spaces Healthcare
CEDAW 2023	Transpinays in the Margins: Situation of Transpinays' Human Rights in the Philippines	Sex-disaggregated data Legal gender recognition Gender-based violence Gender stereotypes Trans women in sex work Red-tagging Access to Education, Healthcare, & Employment Dual citizenship Marriage equality
CESCR 2025	Trans Rights are Human Rights: How the Philippines can fulfill its obligations under CESCR on key themes for transgender people	Employment Education Trans-Affirmative Healthcare Marriage Equality
HLPF 2025	Spotlight Report on the UN 2025 Voluntary National Review of the Philippines	SDG 3: Good Health and Wellbeing SDG 5: Gender Equality Trans-Affirmative Healthcare Document gender markers
GIPB 2026	Capturing Gender Diversity in Philippine HIV Surveillance: Toward Inclusive Gender Identity Measurement in the 2026 Integrated HIV Behavioral and Serologic Surveillance (IHBSS)	Employment Education Marriage and family life Access to gender-affirming healthcare Gender-inclusive language HIV Documentation

GLOSSARY

asog	spiritual leaders from pre-colonial Bicolano and Visayan regions described as effeminate and flamboyant by Spanish colonial ethnographers. similar to the babaylan.
bakla	a distinctly Filipino gender identity which signifies femininity, homosexuality, and flamboyancy. Commonly used on persons who were assigned male at birth.
bayot	a bisaya term similarly used and defined as 'bakla'
cisgender	refers to a person who identifies with a gender congruent to their assigned sex at birth
comfort gays	refers to homosexuals and/or transfeminine individuals who were held captive and sexually abused by Japanese soldiers during the Japanese occupation in the Philippines. derived from the more popularly known term 'comfort women'
deadnaming	the use of a person's name assigned at birth or 'legal name' to signify rejection, denial, or ignorance of one's transition
gender diverse	refers to the variety of gender identities and sexual orientations, which acknowledges diversity beyond conservative views of binary gender roles
misgendering	the imposition of terms, honorifics, names, or pronouns at odds with a referent's gender, as well as the failure to use terms, honorifics, names, and pronouns in line with a referent's gender."
trans nene	a young transpinay
trans panic defense	a legal strategy using to blame a transgender individual's gender identity or expression for a defendant's violent reaction, including the act of murder.
transfemicide	killing of transgender women and transfeminine people rooted in transphobia, transmisogyny, hatred, and systemic violence, often compounded by intersecting forms of discrimination and marginalization.
transfeminist	a feminist lens or approach which emphasizes transgender experiences, issues, and perspectives
transfeminine	an umbrella term for persons assigned male at birth but who identify and/or express themselves more closely with femininity than masculinity. These can include transgender women, feminine non-binary individuals, and even the bakla and bayot in some cases.
transgender	refers to a person who identifies with a gender incongruent to their assigned sex at birth
transphobia	refers to the hatred and prejudice against people who are, or are perceived to be, transgender or gender-diverse
transpinay	a combination of the words "trans" and "Pinay", this refers to a transgender woman or transfeminine individual of Philippine descent or citizenship
travesti	a distinct gender identity and socio-political term used primarily in South America to refer to female-identifying persons who were assigned male at birth

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Folklore suggests that the babaylan and asog were hunted down and killed by the Spanish colonizers, with some even going as far to say that their heads and bodies were impaled along riverbanks to be eaten by crocodiles, lest they try to reanimate themselves after death. Such accounts, which may hold some truth, are still heavily debated. What remains undeniable is that the babaylan and asog can no longer be found today as they once were, whether they were massacred physically or not

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