

**SUBMISSION TO THE SENATE COMMITTEE ON LABOR, EMPLOYMENT
AND HUMAN RESOURCES DEVELOPMENT**
In Support of SBN 165, SBN 1641 and SBN 1738

Hon. Jinggoy Ejercito Estrada
Chairperson
Committee on Labor, Employment
and Human Resources Development

Dear Senator Estrada,

As a victim of discrimination, I wish to express my full support for SBN 165, SBN 1641, and SBN 1738. The aforementioned bills, filed by Sen. Luisa 'Loi' Ejercito Estrada, Sen. Miriam Defensor-Santiago, and Sen. Ramon 'Bong' Revilla Jr., respectively, seek to penalize discrimination against lesbians, gays, bisexuals, and transgenders (LGBT), a very timely proposal in light of the existing biases in our society against LGBTs.

Two of the bills, SBN 1641 and SBN 1738, criminalize discriminatory practices committed by commercial establishments against their LGBT clients. I myself can attest that such practices exist.

On July 4, 2006, I entered Aruba Metrowalk to meet a friend and a producer for a show in Japan. I was accompanied by my partner, Edgar V. Ganapin, and when we were about to enter Aruba, Edgar was told to take off the basketball jersey that he was wearing on top of a white sleeved shirt because the restaurant supposedly has a dress code. Edgar complied with the request and we then went inside.

A few minutes later, Edgar and I had to use the restroom, so I proceeded to the ladies' toilet while he went to the gentlemen's toilet. When we returned to our seats, we were immediately approached by Ms. Tintin Aguilar, Supervisor of Aruba restaurant, and we were told to wait for our friends outside.

I insisted on staying inside because it was cooler inside. Ms. Aguilar demanded that I go out because Aruba has a dress code. I was dressed in a beige round-neck bell-sleeved shirt and black slacks, and none of the articles I was wearing

was prohibited by Aruba. When I asked her to clarify, Ms. Aguilar said, "*Bawal po ang cross-dresser. Bawal po ang ganyang katulad ninyo.*"

I was extremely humiliated by Ms. Aguilar's tone of voice and discriminating manner. I told her that she had no right to drag me out of the establishment. I also called a friend on phone to tell him what happened. The whole time I was speaking, Ms. Aguilar was glaring at me and I noticed that she was making signals to the bouncer. I didn't want to cause scandal or attract undue attention to myself, so Edgar and I decided to leave the restaurant.

When I realized outside how patently discriminatory the incident was, I decided to inside again to talk to the manager. This time, I was barred from entering the establishment. So I requested the security guard to ask Ms. Aguilar to come out. I was made to wait for about fifteen minutes, and when she showed up, I asked her since when has this policy against cross-dressers been in place. She just said that it is a house rule, that Aruba has been running for four years with that kind of rule, and that there is nothing I can do about it.

I may not be able to change Aruba's dress code on my own, but I decided I will never enter Aruba restaurant again. I also decided to file a civil suit against Aruba restaurant.

From this experience, I discovered the deficits in our democracy. As a society, we can never be equal if certain sectors are excluded and are not treated with equal respect and dignity. From Aruba restaurant, I discovered that gay and lesbian pride is essentially about being able to enjoy and exercise human rights and freedoms that are supposedly accorded to all of us.

I urge the Committee on Labor, Employment, and Human Resources Development to immediately approve the anti-discrimination bills pending in Senate and help create a society free from all forms of discrimination.

Sincerely,

Christopher Borja
(aka Inday Garutay)

CC: Honorable members of the Committee on Labor, Employment, and Human Resources Development