

economic reforms which had resulted in a positive growth in the gross national product (GNP), on the one hand but in an increasing gap in the rates of employment of women and men and the economic marginalization of women on the other; the discriminatory application of laws which are enforced against women prostitutes and not the men involved as traffickers, pimps and clients; forced medical examinations of women prostitutes without similar attention to the male clients; deficiencies in the legal system with regard to violence against women, in that incest and domestic violence are not specifically penalized by law and are surrounded by silence; the decentralization of population planning and development programmes to local government units which may deny women access to these services; and, the continuing very low representation of women in politics, top levels of government, and the judiciary.

The Committee recommended that the government:

- ▶ adopt a top-priority policy of creating safe and protected jobs for women as a viable economic alternative to the current unemployment of women and their participation as subcontractors and in the informal sector, as workers in free trade zones or in prostitution, or as migrant overseas contract workers;
- ▶ ensure that its economic policy does not lead to marginalization and exploitation so that women are encouraged to seek overseas employment to the detriment of society;
- ▶ strengthen agencies that provide information and support services to women before departure for overseas work, as well as in the receiving countries in cases of need;
- ▶ focus appropriate measures for dealing with prostitution on penalizing traffickers and creating alternative job opportunities for the women;
- ▶ enact appropriate legislation to combat violence against women and to compile the relevant data;
- ▶ make available and accessible to all women in all regions reproductive and sexual health services, including family planning and contraception;
- ▶ adopt temporary special measures to increase the participation of women in top-level decision-making positions in the public sector; and,
- ▶ develop gender-disaggregated data in all areas and monitoring mechanisms and indicators to measure the effect of government policies and programmes.

Torture

Acceded: 18 June 1986.

The Philippines' second periodic report was due 25 June 1992; the third periodic report was due 25 June 1996.

Rights of the Child

Signed: 26 January 1990; ratified: 21 August 1990.

The Philippines' second periodic report was due 19 September 1997.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Disappearances, Working Group on enforced or involuntary: (E/CN.4/1997/34, paras. 282–293, 392, 393)

The Working Group transmitted two newly reported cases of disappearance to the government, one of which reportedly occurred in 1996 and was sent under the urgent action procedure. The cases concern a health worker who disappeared two days after attending a meeting of local non-governmental organizations in Mindanao, and a farmer who was allegedly arrested while travelling in an area where the Filipino army is said to have been conducting military operations against suspected New People's Army (NPA) rebels.

The majority of the 496 cases remaining to be clarified occurred in the late 1970s and early 1980s, virtually throughout the country, and took place within the context of the government's anti-insurgency campaign. The report notes that, between 1975 and 1980, the persons who disappeared were farmers, students, social workers, members of church groups, lawyers, journalists and economists, among others. The arrests were carried out by armed men belonging to an identified military organization or to a police unit such as the Philippine Constabulary, the Central Intelligence Unit, the military police and other organizations. In the following years, the reported cases of disappearance concerned young men living in rural and urban areas, described as members of legally constituted student, labour, religious, political or human rights organizations, which the military authorities claimed were fronts for the outlawed Communist Party of the Philippines (CPP) and its armed wing, the NPA. Among the groups most commonly targeted were said to be KADENA (Youth for Democracy and Nationalism) and the National Federation of Sugar Workers.

The report states that, despite peace talks initiated by the government with several opposition movements, disappearances continued in the 1990s, mainly in the context of action by the security forces against the NPA, the Moro National Liberation Front, the Mindanao Islamic Liberation Front, the Citizen Armed Forces Geographical Units and the Civilian Volunteer Organizations. The Working Group referred to information received indicating concern over the lack of progress in determining the fate of those who have disappeared and in bringing the perpetrators to justice. The report notes that failure to prosecute those responsible is said to undermine public confidence in the legal system and weaken judicial deterrents against further disappearances.

The report refers to other information indicating that the responsibilities of the various investigative and prosecuting agencies are unclear, resulting in the failure of these agencies to take full responsibility for cases. The preference is to pass them over to another agency for resolution. The report notes that witnesses and complainants involved in human rights cases are said to be subjected to intimidation and, as a consequence, are afraid to come forward for fear of reprisals. The report cites further reports asserting that, while the number of disappearances has declined, they continue to occur and the government continues to fail to address conditions which still allow disappearances to take place periodically. Non-governmental organizations have called upon the government to undertake a thorough investigation into all cases of disappearance in order to determine the fate and whereabouts of the persons concerned, to bring the perpetrators to justice, compensate the families and abolish the Task Force on