

as to whether the decree fully conforms to article 4 on racist organizations and incitement to racial violence; lack of specific disaggregated data on the economic and social situation of and existing disparities between various indigenous communities and ethnic tribes; lack of information on provisions related to article 5 (civil and political rights) and enjoyment of those rights by the indigenous and Muslim communities; failure to investigate fully the many reported cases of disappearance, including members of indigenous peoples and Muslim Filipinos, and to bring those responsible to justice; reports of forced evictions and displacements of indigenous peoples in development zones; reports that specific groups of indigenous peoples have been denied by force the right to return to some of their ancestral lands; and, lack of legislative provisions regarding just and adequate reparation or satisfaction for any damage suffered as a result of acts of racial discrimination.

The Committee noted that the absence of reported violations of Presidential Decree 1350-A and complaints against acts of racial discrimination to the courts raises doubts as the extent of the publicity given to and the effectiveness of available remedies for victims of racial discrimination. The Committee also noted that the information provided by the government based on the 1990 census does not sufficiently clarify questions related to the situation of indigenous cultural communities and ethnic tribes.

The Committee recommended that the government:

- ▶ give priority to enacting the bills pending before Congress related to the indigenous and Muslim Filipino communities;
- ▶ amend domestic legislation so that it prohibits racial discrimination as defined in article 1 of the Convention;
- ▶ in its next report, deal with measures promoting the interests and welfare of the indigenous and Muslim Filipino communities as part of the implementation of provisions in the Convention rather than as a separate chapter;
- ▶ include in its next report information on the powers, functions and activities of the Commission on Human Rights and Ombudsman, particularly related to the number and substance of complaints received;
- ▶ include in the next report information on the ethnic composition of the population, the standard of living of each group and other educational and social indicators, with particular attention given to indigenous ethnic communities and tribes;
- ▶ review Presidential Decree 1350-A to ensure that it meets the mandatory provisions of article 4 of the Convention (racism and incitement to racial violence);
- ▶ take action at the legislative, administrative and judicial levels to protect the right of everyone, without discrimination, to the civil and political rights set out in article 5 and especially the rights to equality before the law, security of persons and freedom of movement and residence;
- ▶ ensure protection against any acts of racial discrimination by, *inter alia*, strengthening the court system and the independence of the judiciary;
- ▶ guarantee fully in law and practice the right to seek just and adequate reparation for victims of acts of racial discrimination; and,

- ▶ take further action to ensure that the provisions of the Convention are more widely disseminated among members of minority groups, the judiciary, the police and government officials and that special emphasis be placed on dissemination of information on remedies available.

Discrimination against Women

Signed: 15 July 1980; ratified: 5 August 1981.

The Philippines fifth periodic report is due 3 September 1994.

The Philippines' third and fourth periodic reports were submitted as one document (CEDAW/C/1997/PHI/3 and 4) which was considered by the Committee at its January 1997 session. The report, prepared by the government, is detailed and covers the period from December 1992 to November 1996. The focus of the report is on legislative, policy and programme initiatives to advance women's human rights, including but not limited to: legislative developments on, for example, sexual harassment, overseas workers and credit assistance; the Philippine Plan for Gender-responsive Development; policy priorities arising from areas addressed in the Beijing Platform for Action, including poverty and economic inequality, the media, education, health, violence against women and women in situations of armed conflict, women in decision-making positions and national machinery for the advancement of women; gender and development budgeting; and, the Philippine Human Rights Plan (1996–2000).

The Committee's concluding observations and comments (CEDAW/C/1997/L.1/Add.8) noted the major economic policies undertaken by the government, including economic and trade agreements at the regional and global levels which will have a profound impact on women, stating that the direction towards economic liberalization and privatization may have serious implications for the economic position of women, and, in particular, on the economic position of women in the free trade zones and in rural areas. The Committee expressed concern that the trend towards feminization of migration and its attendant problems, including violence against women migrant workers, may be exacerbated.

The Committee welcomed a number of developments in the Philippines, including: the adoption of the Philippine Plan for Gender-responsive Development, 1995–2025; the priority policy imperatives set by the national machinery for women to implement the Beijing Platform for Action and to mainstream gender and development throughout government; the decision to allocate at least five percent of all governmental budgets to women-specific programmes and projects; measures addressing issues such as credit assistance to women, legislation prohibiting sexual harassment, a raise in the minimum wage for domestic workers and an increase in maternity and paternity benefits for employed persons; and, the initial consultation to measure women's unremunerated work within a satellite account to the national economic system. The Committee noted the exceptionally high level of literacy (93 percent) among Filipino women.

The principal subjects of concern identified by the Committee were: the inadequacy of monitoring mechanisms and indicators to measure the effect of government policies and programmes, especially at the local level, and the impact of laws and administrative directives and regulations; the