

displaced from their land in a series of forced removals begun after 1973 without compensation. Since 1994, the killing or disappearance of 22 civilians have been reported and 15 guerrilla acts seem to have taken place in and around the mine. Information indicated that in 1996 a lawsuit was filed in a US district court in New Orleans charging the company with responsibility for a range of human rights and environmental abuses that have had a strong impact on the tribal communities whose natural habitats have been affected.

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PHILIPPINES

Date of admission to UN: 24 October 1945.

TREATIES AND REPORTS TO TREATY BODIES

Land and People: The Philippines has submitted a core document (HRI/CORE/1/Add.37) for use by the treaty bodies. The report prepared by the government contains demographic data and information on the economy, social services, the general political structure and the legal framework for the protection of human rights.

The legal framework for the protection of human rights is established by the Constitution, the Civil Code, the Revised Penal Code, the Child and Youth Welfare Code and the Labor Code. As well, the Commission on Human Rights has established protective legal measures. The *Tanodbayan* (Ombudsman) has as its main function to prevent the abuse of power by government officials and employees.

Economic, Social and Cultural Rights

Signed: 19 December 1966; ratified: 7 June 1974.

The Philippines' second periodic report was due 30 June 1995.

Civil and Political Rights

Signed: 19 December 1966; ratified: 23 October 1986.

The Philippines second periodic report was due 22 January 1993.

Optional Protocol: Signed: 19 December 1966; ratified: 22 August 1989.

Racial Discrimination

Signed: 7 March 1966; ratified: 5 December 1967.

The Philippines 15th periodic report was due 4 January 1998.

The Philippines 11th through 14th periodic reports were submitted as one document (CERD/C/299/Add.12) which was considered by the Committee at its August 1997 session. The report prepared by the government states that discrimination based on race, colour or ethnic origin is non-existent in the Philippines (para. 7). The report provides information on the general political structure and demographic data, constitutional provisions related to the promotion and protection of human rights and the national Commission on Human Rights. Commentary is included on the Offices for Northern Cultural Communities and Southern Cultural Communities. Referring to indigenous cultural communities in the north and south, the report includes information on a number subjects, including but not limited to: efforts in the areas of poverty alleviation, opportunities for livelihood, education, vocational and employment skills; basic services and infrastructures; peace,

harmony and stability. The report sets out some of the provisions of the Social Reform Agenda and refers to agrarian reform and ancestral lands. In terms of the situation of Muslim Filipinos, the report includes information on the Office of Muslim Affairs, the Autonomous Region in Muslim Mindanao and the programmes associated with the Special Zone of Peace and Development.

The Committee's concluding observations and comments (CERD/C/304/Add.34) acknowledges obstacles to the full implementation of the Convention, including endemic poverty which exacerbates social inequalities and disparities in development, and affects vulnerable groups such as the indigenous cultural communities and Muslim Filipinos.

The Committee welcomed: proclamation of the National Decade for Filipino Indigenous People (1995–2005); the Philippines Human Rights Plan, that contains sectoral plans of action related to indigenous cultural and Muslim communities; adoption of the Social Reform Agenda, aimed at fighting poverty and attaining social justice; the Rules and Regulations of Children of Indigenous Cultural Communities which are intended to provide basic health, nutrition and other social services; adoption of measures to prevent discrimination against workers from minority groups; and, establishment of scholarships for children and youth from indigenous cultural communities.

The Committee received positively: steps taken towards a peaceful settlement to the conflict between the government and the Muslim Filipino community, including the 1990 cease-fire and the signing of a peace agreement between the government and the Moro National Liberation Front in 1996; the establishment of a Special Zone of Peace and Development, the Council for Peace and Development and a Consultative assembly; provision through an administrative order for members of the Moro National Liberation Front to join the National Police; the launch of comprehensive agrarian reform to improve tenure of indigenous communities to ancestral lands; adoption of measures to ensure inclusion of human rights courses at all levels of education; creation of "writeshops" on peace education which included participation by members of indigenous communities; creation of training programmes on human rights for school supervisors who will then train teachers on ways to introduce human rights education into schools. The Committee noted as well bills pending before Congress on issues such as restoration of the rights of indigenous communities to ancestral domains and lands, equal employment opportunities for members of the indigenous and Muslim communities, and the improvement of the economic and social situation of cultural communities. The Committee welcomed the establishment of the national Commission on Human Rights and the office of the *Tanod-bayan* (Ombudsman).

The principal subjects of concern identified by the Committee were: the statement by the government that racial discrimination, as defined by article 1 of the Convention, has never existed in the Philippines; the fact that important parts of the population are living in conditions which do not guarantee the exercise of human rights under equal terms; lack of specific legislation prohibiting racial discrimination; failure to clarify Presidential Decree 1430-A of 1978 (declaring violations of the Convention unlawful and providing penalties)