

and the environment. The import of hazardous wastes for disposal is also prohibited in the Philippines, as is the import of recyclable materials containing hazardous substances unless complying with the requirements set out by the Department of Environment and Natural Resources which works closely with other relevant government agencies such as the Bureau of Customs. The report notes that no occurrences of illegal movement and dumping of toxic and dangerous products and wastes in the Philippines were reported by the government.

The information submitted to the Special Rapporteur (SR) related to the import of battery scrap in 1993 which was said to have been in violation of the Republic Act No. 6969. The report notes that the vast majority of the waste went to a lead smelter near Manila, Lead Smelter Inc. (now Philippines Recyclers Inc.), a local subsidiary of the United States firm Ramcar Batteries Inc.; and that battery wastes also find their way to small battery recyclers. The information on which these observations are based indicates that workers in these plants usually show high levels of lead in their blood, complain about health problems and seem to be subjected to lead exposure. Some cases were reported of people hospitalized because of lead exposure who had to pay for their own medical expenses. The report mentions that, in the last three years, Saudi Arabia has emerged as one of the major exporters of scrap batteries to the Philippines.

The report also refers to a mine waste spill in 1996 which created a major environmental disaster in the Philippine province of Marinduque, noting that Marcopper Mining Corporation, one of Asia's biggest mining firms, is 40 per cent owned by Placer Dome Inc. (Canada). The report indicates that Marcopper Mining promised to compensate for damages caused and immediately rehabilitate the Boac River which had been contaminated; and, further, that the Department of the Environmental and Natural Resources and the affected communities filed civil and criminal charges against Marcopper for the damage caused.

**Violence against women, Special Rapporteur on:**  
(E/CN.4/1997/47, Sections III.C, IV.A, V)

In the section dealing with sexual harassment the report notes that legislation has been enacted in the Philippines which criminalizes sexual harassment in the workplace, schools and training centres. The report also states, however, that the Department of Labour and Employment fails to enforce the labour code standards, even in cases of blatant discrimination in job advertisements, hiring practices and unequal pay. In the section dealing with trafficking in women and forced prostitution, the report refers to the fact that women from a number of countries, including the Philippines, are sold to thriving marriage markets in Western Europe, North America, Australia and Japan. The report cites the fact that violations of women's human rights associated with trafficking occur in both countries of origin and countries of destination and, further, that the international cross-border character of trafficking implicates two or more states, making the protection of the rights of trafficked women a difficult task. The report notes that countries of origin often have a vested economic interest in international migration and little incentive to curb activities that may increase the generation of external revenue. The report states that it is estimated that the

Philippines earns US\$2 billion from remittances by overseas contract workers.

On the issue of violence against women migrant workers, the Special Rapporteur (SR) refers to a 1996 report by the International Labour Organization indicating that approximately 1.5 million Asian women are working abroad either legally or illegally, and that women account for approximately 60 per cent of all legal migrants, excluding seafarers, from the Philippines. The Special Rapporteur also notes that the Philippines is among the primary sending countries to the Persian Gulf region and recalls that the often violent and inhumane conditions in countries such as Saudi Arabia and Kuwait have been widely documented and, in April 1995, led to more than 200 domestic workers receiving shelter in the Embassy of the Philippines in Kuwait. The report notes that racism also fuels international trade in domestic workers and that reportedly a "hierarchy of nationalities" exists determining the type of employment and the salary migrant workers receive.

In terms of policies implemented by sending states in an effort to protect the rights of migrant workers, reference is made to the 1988 decision of the Philippines to ban the "maid trade" because of the poor working conditions and the often violent situations in which domestic migrant workers were forced to live. The reports notes that the trade was re-established after the government negotiated improved conditions, including minimum salary and terms of employment, with receiving states. The Overseas Filipinos Act of 1995 limits the sending of migrant workers only to those countries where the rights of migrant workers are protected and declares ineligible unskilled workers since they are believed to be most vulnerable to abuse. The report notes that in response to the Filipino policy requiring employers to pay a minimum salary of US\$200 per month to Filipina housemaids, Bahrain has opened recruiting agencies in Ethiopia and Eritrea.

***Mechanisms and Reports of the Sub-Commission***

**Contemporary forms of slavery, Working Group on:**  
(E/CN.4/Sub.2/1997/13, para. 32, 49)

In the section dealing with bonded labour and child labour, the report refers to information received indicating the Philippines was among the countries in which the indigenous populations are victims of slavery-like practices, ranging from the sexual exploitation of women and children to bonded labour and bondage.

**Traditional practices affecting the health of women and children, Special Rapporteur on:** (E/CN.4/Sub.2/1997/10/Add.1, paras. 1-11)

The report summarizes information provided by the government noting that many Filipino traditional health practices are influenced by factors such as superstitious beliefs, religious beliefs, ignorance in the rural areas of the advantages of hygiene, sanitation and good environment, and poverty. Most of them relate to birthing practices and include: the covering of the navel of the newborn baby with sand for the purpose of quick healing and the burying of the placenta and umbilical cord of a newborn baby together with a pencil and paper in the belief that the act will make the baby intelligent; the use of indigenous objects such as the "buho" or bamboo in cutting