



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.
GENERAL

CEDAW/C/SR.328
27 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 328TH MEETING

Held at Headquarters, New York,
on Monday, 27 January 1997, at 3 p.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 3:20 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third and fourth periodic reports of the Philippines (continued)
(CEDAW/C/PHI/3 and CEDAW/C/PHI/4)

1. At the invitation of the Chairperson, Ms. Feliciano (Philippines) and Ms. Nicolas (Philippines) took places at the Committee table.

2. Ms. BARE said that she appreciated the Government's efforts to integrate gender focal points into its programmes through presidential decrees, a step that would promote greater public accountability. She would appreciate information on any specific benchmarks that had been developed to measure improvements from one year to the next. Further details should be provided in the next report on the progress of activities to increase employment opportunities for women and to reduce female unemployment from 37 per cent to 30 per cent.

3. With regard to the Government's difficulty in gathering sex-segregated data on such issues as violence and employment in the informal sector, the lack of such data hampered the efforts of non-governmental organizations to target those areas; the national machinery for women's equality should devote more attention to that problem.

4. Ms. OUEDRAOGO said that she had been impressed by the large number of programmes and projects initiated by the Government, given the difficulties which developing countries faced in gathering the funds needed to promote equality. With regard to the large number of Philippine women working as domestic employees in other countries, she would be grateful for further data on the countries receiving the largest numbers of immigrants. If the Government was unable to lower the rate of emigration, it should consider establishing social service agencies in those countries to address the problems faced by immigrant workers. It should also set up programmes to train Philippine women in domestic work prior to their departure so as to enable them to obtain better jobs in the host countries.

5. In view of the persistence of deeply entrenched sexual stereotypes, the Government should intensify its public education campaigns and strengthen programmes to prepare young people for marriage and family life.

6. Ms. SHALEV said that the report and the written replies contained a great deal of information on laws and regulations, but very little on their actual impact. The Government's economic policies appeared to be taking a heavy toll on women, in view of the growing employment gap between men and women, the number of women employed overseas, in the informal sector and in free trade zones, the problems of trafficking and violence against women, and so on.

7. Certain laws and policies appeared to conflict with one another. For instance, in its answer to question No. 109, the Government stated that it

recognized the freedom of women and men to choose the size of their families, to practice family planning based on their own beliefs, religion and conscience and to have equal access to information, services and guidance in planning their families. Meanwhile, in its reply to question No. 107, the Government referred to the passage of the Local Government Code of 1991, which promoted the decentralization of services from the national to the local government units. On the basis of that Code, however, one provincial government had promulgated an administrative order banning the distribution of contraceptives in all public health units. Moreover, in its reply to question No. 139, the Government stated that the sale, dispensation or distribution of contraceptives had been outlawed by Republic Act 4729 of 1996; that Act, however, had been implicitly nullified by an earlier presidential decree of 1971. The relationship among those various pieces of legislation needed clarification. She also urged the Government to review its ban on abortion in fulfilment of the commitment embodied in the Beijing Platform for Action.

8. The Committee had received reports that clinical trials were being conducted of a new contraceptive and sterilization agent that had not yet undergone toxicological testing; the State party should indicate whether it was aware of such trials and whether it had taken steps to verify their legality.

9. Lastly, she was greatly concerned about the practice of forcing prostitutes to undergo medical examinations. Voluntary testing was the method favoured by most public health experts; compulsory testing tended to drive practices underground and was ineffective, furthermore, since the prostitutes' male clients were not examined. The resources devoted to compulsory testing could be better spent on educating sex workers and providing them with economic alternatives.

10. Ms. SCHÖPP-SCHILLING commended the Government for the wealth of information provided and for its energetic approach to issues affecting women. It was a positive sign that the number of women's organizations had grown from 900 to over 4,500. She was concerned, however, at the lack of monitoring systems, which posed problems not just for the advancement of women, but for the country's development in general. It was to be hoped that the next report would reflect an improvement in the techniques for measuring the impact of programmes.

11. In general, a budgetary allocation of 5 per cent appeared to be insufficient to meet women's needs.

12. It would be interesting to learn whether Philippine men supported the measures to improve the status of women. Educational programmes must also be directed towards men in order to avoid a backlash.

13. With regard to the evaluation of housework, the Government should refer to the indicators developed by the Organisation for Economic Cooperation and Development.

14. As to the role of the Catholic Church, she would appreciate information on whether Catholic women's groups were in contact with their counterparts in other countries. The Government should indicate whether it would accept assistance from other countries for the promotion of consciousness-raising activities.

15. Lastly, while the Government had done a great deal to promote women's participation in decision-making in the governmental sector, affirmative action measures were needed to achieve results in the private sector.

16. Ms. FERRER GÓMEZ said that she was concerned at the difficulties faced by the central Government in ensuring that national plans and policies were implemented at the local level. There was a need to raise awareness and monitor compliance on the part of local authorities.

17. Ms. AOUIJ said that the Committee's task had been facilitated considerably by the Government's frank recognition of the problems that remained to be addressed. Attention should be paid to two areas in particular: first, the laws were badly drafted and not yet systematically enforced. The State's primary responsibility was to ensure equality before the law by repealing or amending discriminatory legislation. Filling gaps in the law, such as the lack of specific legislation prohibiting violence against women, would contribute to changing public attitudes.

18. Second, the situation of migrant workers, over 60 per cent of whom were women, must be addressed through specific machinery at the national level, perhaps within the Ministry of Labour. Her country, Tunisia, had set an example in that regard; many of its citizens worked abroad, and a special office had been established to provide workers, prior to their departure, with an understanding of their rights and obligations under a foreign legal system.

19. Ms. NICOLAS (Philippines), replying to the questions raised, said that she would convey the Committee's comments and suggestions to her Government.

20. The lack of a monitoring system was one of the most formidable challenges faced by her Government. Efforts had been made to develop monitoring criteria for government agencies based on the establishment of gender goals, administrative guidelines, enabling mechanisms and specific programmes and projects; those proposals, however, had been rejected by the President and the Cabinet. A new, self-monitoring mechanism was currently being devised.

21. With regard to the Local Government Code, decentralization posed a dilemma for her Government: whether to concentrate on monitoring at the national or the regional level. The national leadership was having difficulty in empowering local government units.

22. While the current laws on prostitution were defective, decriminalizing prostitution was seen as tantamount to legalizing it, although non-governmental organizations favoured decriminalization.

23. Lastly, as abortion was explicitly outlawed by the Constitution, her Government could not propose a bill to overturn the ban without a constitutional amendment.

24. Ms. FELICIANO (Philippines), replying to a question raised by Ms. Shalev, said that, as indicated by her Government in its reply to question No. 139, the sale of contraceptives was not unlawful.

25. There were no statistics on the incidence of abortion; the data could be elicited only through surveys.

26. The CHAIRPERSON said that the achievements of the Philippines in mainstreaming women into development programmes had been emulated by other countries, including her own, Bangladesh. The Government had formulated effective strategies for implementing the Beijing Platform for Action. While excellent data were available in a number of areas, additional gender-segregated data would be appreciated. The report and the written replies had concentrated heavily on the administrative and legal frameworks; it was to be hoped that the next report would provide a fuller picture of the real status of women, and that legislation banning rape and domestic violence would be introduced.

27. The Committee had thus concluded its consideration of the third and fourth periodic reports of the Philippines.

The meeting rose at 4:05 p.m.