

Concluding comments of the Committee on the Elimination
of Discrimination against Women: Philippines

Second periodic report

199. The Committee considered the second periodic report of the Philippines (CEDAW/C/13/Add.17 and Corr.1 and Amend.1) at its 179th meeting, on 25 January (see CEDAW/C/SR.179).

200. The representative of the Philippines reported that eight consultative workshops on gender analysis had been conducted by the National Commission on the Role of Filipino Women (NCRFW). The workshops had resulted in an increased consciousness of women's issues among the key staff of government agencies and non-governmental organizations and in improved cooperation between NCRFW and those offices. In a second phase, the Commission would conduct further consciousness-raising workshops as part of a five-year training package entitled "Women in Development Training and Orientation Programme". In response to a request for more details on measures undertaken by the Bureau of Women and Young Workers, she stated that, as focal point in the Department of Labour and Employment, the Bureau had conducted consciousness-raising workshops in the Department itself. The Bureau had proposed the establishment of the Women Workers Development Institute, which would increase awareness on the part of women workers with regard to legislation, standards, policies and benefits. Those measures represented the main strategies for increasing an awareness of the double burden of working women.

201. On article 2, the representative stated that the most obvious discriminatory provisions in Philippine law had been eliminated. Gender analysis of existing laws was being undertaken to identify the more subtle or unintended discriminatory provisions. It was considered that the legal status of Filipino women was good but that de facto equality still had to be achieved. Responding to a question on cases brought before the courts based on the provisions of the Convention, she informed the Committee that the enactment of most national laws against discrimination had preceded ratification of the Convention so any such cases would invoke Philippine law rather than the Convention itself. However, great emphasis was placed on increasing an awareness of the provisions of the Convention, particularly within the Government, and a consciousness of the law and the empowerment of women under it.

202. In reply to a question on the enactment of the 1987 bills, the representative stated that those which had been enacted included an act strengthening the prohibition on discrimination against women with respect to terms and conditions of employment (Republic Act 6725) and the Comprehensive Agrarian Reform Law guaranteeing rural women rights to ownership of land and an equal share of the farm's produce, as well as representation on appropriate advisory and decision-making bodies (Republic Act 6657). Another act had been enacted to declare as unlawful the practice of "mail-order brides" and such other practices as the advertisement, publication, printing or distribution of brochures and other publicity material to promote the matching of Filipino women for marriage to foreign nationals; penalties were provided for violations (Republic Act 6955). She informed members that the mandate of NCRFW was to work with non-governmental organizations and not necessarily to replace them. The Filipinas for Education, Research, Law Reform Advocacy and Service (PERLAS) had been established following an initiative of NCRFW. The Civil Service Commission had Equality Advocates (EQUADS) in the central office

and 14 regional offices who investigated complaints in any area of discrimination, including sexual harassment at the workplace. It was reported that, at present, there were two cases of discrimination before the Civil Service Commission and one concerning sexual harassment.

203. On article 2, further information was requested on how the Civil Service Commission could intervene in cases of discrimination and to what extent.

204. In relation to article 3, the representative stated that the powers of NCRFW were sufficiently broad under Executive Order 348 approving and adopting the Philippine Development Plan for Women, 1989-1992. She said that the second periodic report (CEDAW/C/13/Add.17 and Corr.1 and Amend.1) had provided more information on the Philippines Development Plan for Women and the Medium-Term Philippine Development Plan. A structure existed to monitor and evaluate the impact of the Plans, which would be updated regularly. The first analysis had been completed establishing the methodology and base level for future evaluations. The economic and political difficulties experienced by the Philippines in recent years had hampered a complete implementation of the Plans.

205. On article 5, the matter of complementarity was the subject of debate among the various groups working for equality, whose levels of consciousness were not always the same. With regard to a request for more information on the elimination of sexist prejudice and the stereotyped image of women in education, she stated that efforts to counteract sex stereotyping in textbooks were being made by the Department of Education, Culture and Sports, where a focal point on women had been established. The Department had formulated guidelines for the evaluation of instructional manuals and were testing them at different educational levels. The guidelines had been designed to review and edit educational materials in connection with the visibility of both sexes, role models for women, behaviour and the use of language. Material had been produced to counteract gender discrimination in textbooks and would be incorporated in the current review of textbooks; that exercise would be repeated every six years. Efforts had been made to strengthen the gender-specific guidelines for evaluation exercises in future by conducting programmes on consciousness-raising and gender awareness. The focal point on women had also reviewed existing policies and training programmes for their impact on women. In response to a question on the involvement of women in the mass media as journalists, the representative stated that, although the number of journalists was not large, they formed a very visible group both in the print media and in broadcasting, but not many of them were editors. Those women had formed themselves into a group entitled "Women in Media" and supported the work to achieve equality by publicizing programmes for women. During Women's Month (March), there were many programmes on women but at other times activities were related mostly to individual events. A programme entitled "Woman Watch" was broadcast weekly. Concerning the Practical Skills Development courses, the representative said that they were part of the high-school curriculum and introduced a more practical aspect into it. The courses were of an introductory nature and not aimed particularly at the advancement of women in the economic sphere. However, the courses were strictly non-stereotyped and both sexes were encouraged to take part in all of them.

206. On article 6, poverty was considered the main reason why women entered into prostitution but there were also other factors. The presence of large foreign military bases, tourism and psychological factors were also causes. In the absence of real alternatives, prostitution represented the path of least resistance in order for women to obtain an adequate income. The representative clarified that the present Department of Social Welfare and Development was essentially the same as the former Ministry of Social Services and Development and the change had been in name only. The representative stated that it was difficult to evaluate the success of the programmes of the Department to protect young prostitutes as their effectiveness was limited by a lack of resources, facilities and alternative sources of income. Concerning the sanctions imposed on customers of prostitutes, such as sex-tourists, it was reported that if the offender was a foreign national, immediate deportation followed the enforcement of a penalty for the offence, which could be either a fine or imprisonment. Most laws and ordinances relating to prostitution focused on the procurer.

207. Members endorsed the need for bilateral cooperation in efforts to stop the mail-order bride trade. A further request was made to include sociological statistics in the third periodic report with regard to: the social reality of prostitution in the Philippines; the level of intervention by the social services; and the implementation of legal penalties, including the number of sentences and the incidence of involvement by minors.

208. On article 7, in response to questions on representation in political forums and the right of NCRFW to propose candidates for political appointments, the representative stated that in the Government there were special offices that focused on marginalized groups such as women, youth, urban poor, children and the disabled. NCRFW was attached to the Office of the President and had the right to propose candidates for all levels, including the Cabinet. NCRFW had proposed candidates in the past and would continue to do so.

209. The representative introduced article 10 on education by stating that women were disadvantaged because of socio-economic and regional factors. In response to a question on the major reasons why girls discontinued their education, she stated that the participation figures for both men and women were basically equal and that the main reasons for students to discontinue school had little to do with gender but were mostly related to poverty. Although tuition was free of charge, peripheral costs (clothing, transportation, food) often prevented children from poor households continuing in school. In such households, absenteeism was caused by the fact that children had to augment the family income and were often ill because of the lack of medical attention and general malnutrition. There was no evidence that the drop-out rate for girls was higher than that for boys. Literacy campaigns for women, particularly rural women, were run by both governmental and non-governmental organizations. Concerning the percentage of female university graduates, the representative stated that data was limited as gender analysis at the tertiary level of education was usually based on the number of registrations for professional examinations and on the accreditation to professional groups. The fields of engineering, technical vocational education, law, architecture and sciences were traditionally male-dominated, and it was considered unlikely that female participation would be above 25 per cent. In the field of medicine, there was equal participation between

men and women. Quotas existed in medical schools and the graduation rate was almost equal, although the choice of specialization often showed gender preferences. In answer to a question on the availability of scholarships, awards and grants to women, she replied that they were generally granted to males and females equally but the total number was insufficient. She reported that most teachers, particularly at the elementary and secondary levels, were women, but she had no exact figures for teachers at the university level. Although strong lobbying occurred, most top-level posts, such as principals and heads of department, were occupied by men. In response to a query on the inclusion of women's studies in university curricula, the representative informed members that the University of the Philippines had established a Center for Women's Studies that conducted a master's degree programme but she had no details on the law programme.

210. Responding to a question as to whether teenage pregnancies had any effect on the drop-out rate of women, the representative considered that the figure was probably not high enough to be considered a major cause in comparison with the factor of poverty. More information would be provided in the subsequent report of the Philippines. The Philippine Government was commended on the fact that primary education was mandatory but further information was requested on any sanctions that were applied in cases of non-compliance with the law.

211. In relation to article 11, the representative considered that career and vocational counselling was not well developed; it tended to be traditional in its approach to careers for women. She said that no special mechanisms had been set up to deal with cases of sex discrimination; redress for women who did not receive equal pay for work of equal value could be sought through the regular mechanisms for all violations under the Labour Code. Further information on the details and enforcement of labour legislation would be provided in the third periodic report. Responding to a question on the programmes being developed to encourage men's participation in the care of children, the representative said that some efforts were being made by non-governmental organizations. Proposals for benefits for paternity leave that were before Congress had not received universal support as it was considered possible that the leave would not necessarily be used for helping care for the children. The Philippine Government provided child-care facilities but, with the large, young population and an average of five children per household, those facilities were insufficient to meet the demand. Following efforts by non-governmental organizations, there was a growing awareness in the Government of the problem, and pilot projects to provide day-care centres at the workplace had been instigated. On the subject of "domestic outworkers", the representative informed members of an important recent development: the formulation of a homeworkers code, which was the result of initiatives by rural women workers and the Association of New Filipino Women, a non-governmental organization. The code endeavoured to extend labour protection laws to homeworkers.

212. In response to a request for more information on female overseas workers, the representative said that statistical data were generally not gender sensitive, but measures had been taken to amend the forms of the administrating authority in order to improve the collection of data. The National Commission on Women had launched a programme to develop a database on women in international labour migration. Measures such as bilateral

agreements with receiving countries, pre-departure orientation programmes, and the assignment of social welfare officers in receiving countries had been partially effective in protecting overseas workers. She pointed out that it was difficult to gain access to private homes in order to assess the conditions of domestic service.

213. The representative welcomed the follow-up comment that more bilateral cooperation was needed to combat the exploitation of overseas workers and the illegal export of their earnings from some countries. She reported that some women had formed themselves into groups to increase the awareness of their rights and to improve their conditions of employment.

214. She said that details on job creation programmes specifically intended for women in skilled jobs and on measures to improve the health conditions for women in the electronics industry would be provided in the subsequent report.

215. On article 12, the right to choose the number and spacing of children was protected by the Constitution and was the right of the couple and not specifically of the woman. The general laws against violence contained provisions to protect women and family members against violence. Laws specifically against domestic violence had been proposed as the awareness of the problem had increased. Responding to a question on data on the incidence of HIV infection and AIDS among men and women, the representative said that government statistics were still limited and inadequate. Public awareness of the problem was only beginning. She reported that there were no plans to revise the law on abortion as there was a strong lobby against it in the Philippines, where the Roman Catholic Church was influential. Family planning counselling was available but the services were considered inadequate.

216. Further questions were asked on measures to improve access to family planning services in connection with the high fertility rate and on whether contraceptives could be purchased readily. Responding to a further question as to whether family planning counselling was available only to married women, the representative stated that all methods of contraception were available, theoretically, so women were free to choose, but social pressures often prevented single girls from availing themselves of the services. The representative said that no data were available on illegal abortions and recognized that more data were required. Further information was requested on vaccination programmes, the measures being taken to inform women of, and to protect them against, sexually transmitted diseases and AIDS, and on whether women's organizations were involved in the preparation of health policies.

217. Regarding provisions under article 13, the representative reported that there was currently a bill in Congress entitled "Women in Development" that sought to remove the requirement for the husband's signature in order that his wife could apply for an agricultural loan. The social security system in the Philippines already covered workers in agriculture, domestic service and overseas employment and would be extended to cover homeworkers as well.

218. She said that information on article 14 with regard to the enrolment of rural women in primary, secondary and university education, and the level of literacy among rural women, would be provided in the subsequent report. Generally, the rural population was more disadvantaged than the urban population, which was reflected in the level of educational attainment of

rural women. In response to a question on the Rural Improvement Clubs, members were informed that the activities were funded centrally from the budget of the Department of Agriculture. Rural women benefited from the activities of the Clubs, but she considered that the benefits to women, and to the country as a whole, could be increased if the activities for rural women focused on their role in farming rather than in peripheral occupations.

219. Responding to questions on article 16, the representative stated that inheritance laws in the Philippines did not discriminate against women or illegitimate children. Strict rules existed covering the adoption of Filipino children by foreign nationals. In response to a question on whether there had been any cases before the courts of a husband objecting to his wife seeking employment, the representative replied in the affirmative but said that the information was not well documented. One example she gave was of a husband who had unsuccessfully sued a certain agency for assigning his wife overseas.

220. The representative concluded by stating that the de facto implementation of the provisions seeking to remove discrimination was a problem in the Philippines. Gender-consciousness-raising programmes were being introduced to train judges and legal personnel with regard to women's issues. Equally important was the need to make women aware of the laws and to educate them regarding their rights.

221. The Committee thanked the representative for her informative presentation and frankness. The Philippine Government was congratulated on the progress it had made to eliminate discrimination against women, particularly in the control of the mail-order bride trade, the protection of homeworkers, the prevention of violence against women in the family and the promotion of agrarian reform. It was commended on the awareness-raising campaign of judicial personnel in particular. The Government was also commended for having followed the guidelines for the preparation of the second periodic report, which was a great improvement on the initial one.

222. Responding to a follow-up question on the suffering that was experienced by women as refugees within the Philippines owing to the recent civil unrest, the representative informed members that the incidence of violence against women and of women who were victims of military action in certain areas of the country would become visible when the relevant sections had been added to the Philippine Development Plan for Women. The non-governmental organizations were particularly active. The representative replied to a question on the implementation of a series of seminars on gender analysis in project development for key planners and technical personnel by confirming that all 13 seminars had been conducted prior to the development of the Plan. The programme of the Canadian International Development Agency had included a five-year grant to continue the series and to extend it to all levels of the Government, including the Cabinet.

223. Responding to a suggestion from members that a ministerial body for women's affairs would be beneficial, the representative said that the issue had been discussed but it was considered more advantageous for NCRFW to be closely associated with the President's Office and to work with all government offices under the broad mandate accorded it under Executive Order 348.