



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Summary record of the 1957th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 19 August 2009, at 10 a.m.

Chairperson: Ms. Dah

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The meeting was called to order at 10.15 a.m.

Minute of silence

1. **The Chairperson** said that a ceremony commemorating the attack carried out in Baghdad on 19 August 2003 was under way in another meeting room of the Palais Wilson, in homage to the memory of the United Nations staff members who had died, among them the late High Commissioner for Human Rights, Mr. Sergio Vieira de Mello. She proposed that the participants share in that ceremony by observing a minute of silence.
2. *At the invitation of the Chairperson, the members of the Committee observed a minute of silence in memory of Mr. Sergio Vieira de Mello and other United Nations staff members killed in Baghdad on 19 August 2003.*

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (agenda item 5) (continued)

Fifteenth to twentieth periodic reports of the Philippines (CERD/C/PHL/20; HRI/CORE/1/Add.37; CERD/C/PHL/Q/20; written replies to the list of issues, document without a symbol distributed in the meeting room, in English only) (continued)

3. *At the invitation of the Chairperson, the delegation of the Philippines took places at the Committee table.*
4. **The Chairperson** said that, if the delegation of the Philippines so agreed, she would give the floor to Ms. Quisumbing, representative of the Commission on Human Rights of the Philippines, who had prepared some remarks for the Committee. The delegation would later answer questions raised by the Committee at the previous meeting (CERD/C/SR.1956).
5. **Ms. Quisumbing** (Commission on Human Rights of the Philippines) thanked the Committee and the delegation of the Philippines for giving it the opportunity to speak in the context of the consideration of the country's periodic report. The Commission on Human Rights of the Philippines was an independent body, known for its commitment to free speech, which did not prevent it from having a constructive relationship with the Philippine Government.
6. She emphasized that although in the Philippines many of the vulnerable ethnic groups were indigenous, non-indigenous minorities also deserved to be protected against discrimination under the International Convention on the Elimination of All Forms of Racial Discrimination. There was no predominant race in Philippine society, the majority of the population being the result of centuries of intermingling among Indo-Malays, members of indigenous communities, Chinese, and persons of European origin. One area of the country needing close monitoring of the application of the Convention was the Autonomous Region in Muslim Mindanao, which had been established after decades of armed conflict, and where the population, both indigenous and non-indigenous, was mostly Muslim.
7. The Commission on Human Rights of the Philippines had been established under constitutional mandate to promote human rights and to monitor their implementation, in particular the provisions forbidding racial discrimination. It was empowered to consider complaints involving violations of civil and political rights, and, when warranted, it offered recommendations to the appropriate tribunals. It also formulated recommendations on public policies and programmes and participated actively in the consideration of proposed human rights legislation to ensure its conformity with human rights standards and instruments. It held seminars, workshops and training programmes for all sectors. In particular, it had conducted workshops for members of the National Commission on

Indigenous Peoples, which had helped them to formulate the periodic report under consideration. Currently, the National Commission on Indigenous Peoples and the Human Rights Commission of New Zealand were partnering a project to empower indigenous communities.

8. In 2005, as part of the Metagora project of the Organization for Economic Co-operation and Development, the Commission on Human Rights of the Philippines had launched a pilot study to determine whether indigenous minorities were aware that they could claim their ancestral domain rights and other basic rights, and could have access to key services. That survey, which it had carried out together with the National Commission on Indigenous Peoples, the National Statistics Office and three indigenous communities in the northern regions, had shown that, in general, members of the participating communities were well-informed of their rights, including the ability to request assistance from the National Commission on Indigenous Peoples in litigation concerning their ancestral domain rights.

9. The Commission on Human Rights of the Philippines did not share the view of the Government that the existence of the Indigenous Peoples Rights Act of 1997 made it unnecessary to become a party to the International Labour Organization (ILO) Convention concerning Indigenous and Tribal Peoples in Independent Countries (No. 169). It had recently signed a Memorandum of Understanding with the National Commission on Indigenous Peoples for the purpose of discussing the implementation of the provisions of that instrument with concerned Government offices, with a view to ratification by the Senate before the end of 2009. She emphasized that the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which the Philippines was a party, was vitally important for fighting racial discrimination and urged developed countries that had not yet done so to ratify it.

10. Moreover, the National Commission on Indigenous Peoples was the Government body responsible for monitoring the implementation of the Convention, and therefore also formulated reports to the Committee. The Philippine Government had appointed an Ombudsman who was empowered, in particular, to investigate any illegal, unjust or inefficient act committed by an officer of the State, and to direct an employee of the Government to take measures to enforce the provisions of the law, including human rights legislation. Pointing out the breadth of the powers and the considerable scope of action of the Ombudsman, she said it was regrettable that he made so little use of those powers, concentrating almost exclusively on corruption. Nor was he empowered to receive complaints from individuals.

11. The Muslim Mindanao Autonomy Act (No. 241) had been adopted in 2008. Although its purpose was to respect, protect and promote the rights, governance and customary laws of the indigenous peoples of the Autonomous Region in Muslim Mindanao, the Act had rarely been invoked. In addition, a bill intended to prohibit racial or religious profiling against members of indigenous communities had been awaiting adoption by the Senate since September 2008, but since it was not considered a priority, it would probably not be passed in the near future. Moreover, the definition of racial profiling contained in that bill was not fully harmonized with the definition of racial discrimination found in article 1 of the Convention.

12. She also emphasized that it was necessary to gather credible, empirical data from the whole of the Philippine population to determine the pervasiveness of racist conduct, and to measure the success of public programmes and policies. The National Statistics Office and the National Commission on Indigenous Peoples planned to add questions on ethnic and racial origin to the questionnaire for the next census, to be held in 2010.

13. With regard to the enjoyment of economic, social and cultural rights by all individuals without distinction as to race or ethnicity, she said that to date, the Commission on Human Rights of the Philippines was unaware of any instance in which a person had been refused access to basic services on the grounds of race or ethnic origin. The inaccessibility of services was a problem affecting all communities living in remote areas regardless of ethnic origin, and was therefore attributable to geographical factors and not to discriminatory policies. However, the Commission on Human Rights of the Philippines considered that the Government could make greater efforts to apply the provisions of article 2, paragraph 2, of the Convention with regard to certain minority communities. Poverty and geographical isolation — not race or ethnicity — were the principal obstacles to the enjoyment of electoral rights and access to justice. In that respect, the Philippine Government could take measures to provide more interpreters working in non-official languages, in particular the indigenous languages, for persons involved in legal proceedings.

14. Although there were no racist organizations in the Philippines, a disturbing phenomenon had emerged 20 years before: kidnappings of Chinese and Filipinos of Chinese origin for ransom. The choice of that minority arose from the fact that the Chinese generally had large savings accounts, usually did not turn to the police when problems arose, and had family loyalty and a sense of ethnic solidarity. Although responsibility for those kidnappings could not be attributed to racist groups or organizations, those acts did fall within the purview of the Convention because a particular national minority was the target. The Commission on Human Rights of the Philippines considered that the Government should work harder to combat that problem.

15. Furthermore, most children born out of wedlock to Filipino women and United States soldiers who had served in the Philippines were rejected by their mothers' communities because they were usually not recognized by their fathers, because their mothers were engaged in prostitution, or because they were the result of a rape. The situation of the illegitimate children of women from the Aeta indigenous minority living in Central Luzon, not far from the former United States bases, Subic and Clark, was especially difficult.

16. Turning to the matter of extrajudicial killings, torture and the disappearance of members of indigenous minorities during the internal conflicts that had ravaged the country (the responsibility for which lay with the Armed Forces as well as with communist and Muslim insurgent groups), she said that since the fighting had occurred in areas inhabited by indigenous peoples, they had been caught in the crossfire. The rebel groups had collected "taxes", forcibly recruited indigenous youths, and killed members of the indigenous community refusing to cooperate with them. In the Cordillera Administrative Region alone, the Commission on Human Rights of the Philippines had registered 17 extrajudicial killings since 1999. It had launched some investigations, in particular regarding the disappearance in September 2008 of James Balao, an activist belonging to the Ibaloi and Kankanaey minority, about whose fate nothing was yet known. The Melo Commission, which had been set up in 2006 to investigate the extrajudicial killings and forced disappearances that had taken place during the conflict, had prepared a number of recommendations which had been made public shortly before the visit to the Philippines of the Special Rapporteur of the United Nations Human Rights Council on extrajudicial, summary or arbitrary executions, Mr. Philip Alston. In accordance with those recommendations, special courts had been created, teams of prosecutors and special investigators had been formed, and 25 million pesos (over \$500,000) had been allocated to the Commission on Human Rights of the Philippines for capacity-building. The Commission staff had been given training by a team of Peruvian forensic experts, who had taught them some forensic investigation methods that were simple and easy to use. Some of the special teams set up under the Melo Commission had been effective, while others had

had no results whatever. Problems persisted, in particular with regard to investigations and the collection of evidence.

17. Turning to other consequences of the internal conflict for indigenous and minority communities, she said that many indigenous communities had been displaced within the country. In Lanao del Sur, for example, over 200,000 indigenous persons had fled during the attacks launched in summer 2008, and most were still living in evacuation centres. In July 2009, more than 1,500 members of the Manobo tribe had left their village because they had been caught in the crossfire between the army and rebel groups. However, the conditions prevailing in the evacuation centres were deplorable: the food was highly inadequate, and indigenous persons were not separated from non-indigenous persons, or men from women, which infringed indigenous cultural and religious practices and traditions.

18. In the Autonomous Region in Muslim Mindanao, the situation with respect to the participation and representation of indigenous peoples was particularly complex. A consultative body had been created in that region for the indigenous communities, and asked to draw up recommendations regarding the programmes of the National Commission on Indigenous Peoples and to assist individuals in resolving conflicts using customary law, if that was their preference. However, although the consultative body had been created in 2004, it was not yet functioning.

19. As for violence against women, she said that in the southern region, family conflicts and acts of physical violence were usually handled by the sharia courts or under customary law. For example, the perpetrator of a rape could, under the sharia system, compensate for his misdeed by paying a sum of money to the victim. On Luzon, however, people usually used the ordinary courts of law. In the view of the Commission on Human Rights of the Philippines, certain sharia practices should be brought into conformity with international human rights law.

20. Displacements of indigenous peoples had resulted not only from armed conflicts but also from mining by private companies and the building of dams. Many ancestral lands and domains were rich in natural resources and therefore vulnerable to commercial exploitation. The Commission on Human Rights of the Philippines had learned that some private companies had commenced mining exploration without first consulting the indigenous communities. It had also noted that some indigenous peoples were dissatisfied with the consent process. Experience had shown that indigenous communities were subject to violations of their right to land because they were not well informed and were inadequately represented before the competent authorities. In any event, if they were victims of acts of intimidation and harassment, or deprived of their property, that meant that the process of free prior informed consent was not being heeded. In the view of the Commission, consultations must be held in order to uphold the principle of participation, which was crucial for ensuring respect for the rights of the indigenous peoples.

21. As for the conflict between the Subanen tribe and the mining company Toronto Ventures Incorporated, there were several versions of the facts. The situation was complicated by the fact that some members of the tribe had taken sides with Toronto Ventures Incorporated – setting aside the question of whether or not those individuals genuinely were members of the Subanen community. In February 2004, the traditional tribal court, known as the Gokum, had issued a decision declaring that those persons who were not opposed to the mining project were not part of the community. It was difficult to know what State body was competent to rule on decisions taken by the Gokum or to review decisions taken by traditional courts. That case demonstrated the existence of a number of institutional and procedural gaps.

22. In May 2002, the Commission on Human Rights of the Philippines had sent teams into the field to gather information from members of the Subanen tribe. The case touched on a number of fundamental rights, in particular the right of indigenous peoples to self-determination and to their ancestral domains. The Commission had received reports that a military group that was providing security for Toronto Ventures Incorporated had employed acts of intimidation and violence to quell opposition to the project. The Commission on Human Rights of the Philippines had investigated the cases and filed complaints, but the plaintiffs had recanted or asked for their cases to be dropped. The matter had also been considered by the Senate in 2005 and 2008. No law had been adopted to remedy the legislative gaps. The Commission emphasized that there had been no administrative or judicial resolution of that matter, and that efforts to find a final solution seemed to have lost momentum. Toronto Ventures Incorporated was continuing its mining activities and its security service had not changed its methods. The Commission would continue to monitor the situation closely.

23. Lastly, she said that all sectors of Philippine society must understand that, under the applicable international human rights instruments, the domestic remedies available in the country must be utilized. Even if they did not have complete confidence in the administration or in the compensation mechanism, the parties alleging that they had been injured or threatened must lodge a complaint with the Commission on Human Rights of the Philippines and the Office of the Ombudsman.

24. **Mr. Lepatan** (Philippines) said that the Philippines was planning to ratify the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (No. 169). It was impossible, however, to establish a correlation among the 70 indigenous languages and the 110 indigenous groups that had been listed, because the same group might speak a different language in a different region. The Government of the Philippines had no intention of amending the Indigenous Peoples Rights Act of 1997, which formed part of the framework for action to promote and protect the fundamental rights of small indigenous groups. The Philippines had not yet assessed the benefits that could result from the disaggregation of data in accordance with ethnic or other origin. Censuses already constituted a heavy financial burden for the State. In any event, the competent statistical services sought to comply with the guidelines provided by the United Nations Statistics Division. Members of the Committee who wanted to obtain more statistics could consult the website of the National Statistics Office of the Philippines.

25. **Ms. Venturanza** (Philippines) said that under article 2, paragraph 2, of the Constitution, the Convention was automatically part of the domestic legal order of the Philippines and that no enabling legislation was therefore necessary to implement international human rights instruments. All generally accepted international principles were protected by the Constitution or domestic legislation. The legislation expressly recognized the principle of equality before the law.

26. Turning to labour matters, she said that article 135 of the Labour Code set forth the principle of equal pay for equal work and expressly prohibited discrimination in access to employment and in the workplace. Moreover, the Supreme Court had referred to those fundamental principles many times in its decisions. The Philippines did not by any means hold that a framework law against racial discrimination would be useless in that country. A bill on that subject had been introduced in the Chamber of Representatives. However, as had already been mentioned, the State was bound by international principles related to non-discrimination and there was no lack of legislation expressly prohibiting racial discrimination.

27. **Mr. Halabaso** (Philippines) said that the peace talks between the Government of the Philippines and the Communist Front had stalled in 2004. In 2009, however, the two parties had agreed to resume negotiations and the Government had halted army offensives against

the communist rebels. In addition, it had decided to allow the free movement of rebels in the country on condition that they promised to participate in peace talks. The official negotiations were being prepared and should be held in late August. Negotiations between the Government and the Moro Islamic Liberation Front had also resumed. In July 2009, the Government had announced a halt in army offensives against the Moro Islamic Liberation Front and the two parties had re-established official contact with each other. They had also agreed to guarantee insofar as possible the protection of non-combatants in the zones affected by the conflict. As for the involvement of children in armed conflict, his delegation had no official data, but a number of reports confirmed that armed groups had recruited children from the indigenous communities. A monitoring and information mechanism had been set up with support from the United Nations Children's Fund.

28. More than 30 communities in regions inhabited mostly by indigenous peoples had benefited from Government initiatives designed to improve the quality of life among civilian populations affected by armed conflicts. In accordance with their mandate, which included protecting the Philippine population, the Armed Forces provided assistance, essentially in the form of education and food, to stricken regions.

29. With regard to the presence of the military in indigenous communities, he said that the Government, which was obliged under the Constitution to protect the sovereignty of the State and the integrity of the national territory, carried out operations in areas inhabited by indigenous communities because insurgent groups often exploited their vulnerability. The presence of the Armed Forces in those areas was intended to deter insurgent armed groups from enlisting members of the indigenous communities.

30. To ensure compliance with the provisions of article 7 of the Convention, the Government had taken measures to educate members of the police and the Armed Forces in the principles of international humanitarian law and human rights. Moreover, the creation, in June 2007, of the Human Rights Affairs Office within the Philippine National Police had constituted a significant step toward the protection of civilians living in communities affected by armed conflicts. Members of the judicial police throughout the country had also been named as focal points for complaints on human rights violations, in particular children's rights.

31. It was an exaggeration to suggest that 3 million persons were displaced in the region of Muslim Mindanao; he would like to know what method had been used to arrive at that figure. Between 2000 and 2008, the Government had respected the cease-fire agreement concluded with the Moro National Liberation Front. Since early 2008, almost no further military operation had been carried out in the region of Mindanao, and it was therefore impossible that more than half the population had been displaced during that period. The breach of the ceasefire agreement, in 2008, had in fact caused displacements, but the data collected by the Philippine authorities showed far fewer than the 3 million alleged by some sources. The Government had taken measures to ensure the return of displaced persons in the Mindanao region and had assembled a special team to implement the programme for their resettlement.

32. **Mr. Sangki** (Philippines) said there were 5 district-level and 51 lower-level sharia courts that applied Muslim religious law. He explained that sharia applied only to Muslims, and that relations between members of the indigenous communities were governed by customary law. In the event of a conflict between sharia and customary law, national law prevailed; the same went for any conflict between Muslim religious law and national legislation. One of the reasons that the sharia courts were not yet fully functional was the lack of jurists specializing in Islamic law.

33. **Ms. Basilio** (Philippines) explained that the Regalian doctrine stipulated that all lands in the public domain used for agriculture, mining or forestry, or other Philippine

natural resources, belonged to the State, which managed them for the benefit of the Philippine people. That meant that the State could conclude agreements with private companies on the exploitation of indigenous ancestral lands. There was nothing, however, to prevent changing the laws that governed the use and exploitation of the natural and water resources of the Philippines in accordance with economic growth and scientific need.

34. The rights of indigenous communities to natural resources were recognized by law. However, the State could carry out activities on the ancestral lands and domains where indigenous communities lived, since the Constitution stipulated that the natural resources of the ancestral domains belonged to the State. Of course, the communities in question were always consulted before the conclusion of public-private partnership agreements on the exploitation of natural resources on ancestral domains. Section 35 of the Indigenous Peoples Rights Act provided that access to biological and genetic resources and to indigenous knowledge related to the conservation, utilization and enhancement of those resources should be allowed within ancestral lands and domains of the indigenous cultural communities/indigenous peoples only with their free and prior consent, obtained in accordance with their customary laws.

35. **Ms. Caoagas** (Philippines) explained that in order for lands where indigenous communities lived to be recognized as ancestral domains, the communities must present proof, which could consist of the testimony of elders, information on agreements concluded on the demarcation of lands, anthropological data or genealogical research. It always fell to the indigenous communities filing the application to provide supporting evidence. The National Commission on Indigenous Peoples had sole responsibility for deliberating on the merits of requests for the classification of particular areas of land as ancestral domains. Delays in the procedure for the recognition of ancestral lands were most often caused by the unavailability of the representatives of indigenous communities.

36. **Mr. Wandag** (Philippines) said that the notion of free prior informed consent meant that all concerned members of the indigenous cultural communities/indigenous peoples, in accordance with their customary laws and practices, must give their consent to any project involving the exploitation or use of the natural resources on their territory. Such consent should take the form of a Memorandum of Agreement setting out the intentions of the parties and the conditions and benefits on which the consent was based. Under the Indigenous Peoples Rights Act, no ministry or other Government agency was permitted to issue, renew or grant a concession, license or lease for the purpose of use or exploitation of natural resources found on ancestral lands or domains without prior certification that the area affected by the development project did not encroach on an ancestral domain of an indigenous cultural community/indigenous people.

37. Nor could any certification be issued without free prior informed consent in writing from the indigenous peoples concerned. For them, the granting of such consent was the primary mechanism for safeguarding their rights, interests and welfare, as well as for ensuring equitable benefits when those development projects encroached on their ancestral lands and domains.

38. It was the members of the concerned indigenous community that gave the official consent. The National Commission on Indigenous Peoples merely certified that the community concerned had indeed given its free prior informed consent for a project to use or exploit natural resources on the lands they inhabited.

39. **Mr. Insigne** (Philippines) said that the city of Baguio, which was also a reservation, was solely governed by the Baguio Charter of 1909, and not by the provisions of the Indigenous Peoples Rights Act. The Charter stipulated that the ancestral lands on the Baguio reservation were inalienable and could not be turned over to the public domain.

Moreover, the Supreme Court of the Philippines had confirmed that the provisions of that Act did not apply to Baguio.

40. **Mr. Quilaman** (Philippines) said that, together with the National Commission on Indigenous Peoples and other bodies working on behalf of the indigenous communities, the Ministry of Education had set up a parallel educational programme for the members of those communities. That literacy programme sought to impart to children of various indigenous communities the basic skills they needed for primary or secondary school education. Each indigenous group was free to adapt the programme to its own needs. The basic programme could, in addition, serve as a reference document for organizations working to provide education to indigenous children.

41. As for the conflict situation in the city of Siocon, in the province of Zamboanga del Norte, he said that information from persons on the ground indicated that the Subanen chiefs who were contending for power had met and were moving toward a resolution of their conflict in accordance with customary law as well as with the mechanisms established under the Ancestral Domains Sustainable Development and Protection Plan. It was hoped that peace and prosperity would be restored in the community.

42. The consultative bodies of the indigenous peoples were independent councils functioning at the provincial, regional and national levels. They were composed of representatives of traditional leaders, elders, women and young people from each ancestral domain and each indigenous community that had been displaced and resettled, as well as of each indigenous tribal organization and council. They were empowered to formulate recommendations for the National Commission on Indigenous Peoples, to propose programmes and projects, to monitor the implementation of public-agency programmes for indigenous communities and to assist in conflict resolution based on traditional approaches. Sixty-three provincial consultative bodies and three municipal consultative bodies had already been created; eight ethnographic regional consultative bodies and a national consultative body had yet to be formed.

43. The provincial consultative bodies often played a central role in resolving conflicts, since the wisdom and judgement of their members commanded respect and inspired trust in the community they served. One of their greatest successes had been the amendment of the Constitution to open ancestral domains and public and private lands to foreign investors. They had also succeeded in acquiring seats for indigenous representatives on local legislative councils.

44. **Mr. Cali Tzay** said he would like to discuss the military intervention against the Ifugao community, whose homes had been demolished. According to information available to the Committee, the complaints lodged by the victims had not been acted upon, and most had not received compensation. In January 2007, the Government had reportedly put an end to the claims made by members of the Ifugao community, by initiating a suit against them for illegal occupation of the land they lived on. Out of fear of prosecution, a number of the indigenous persons concerned had preferred to sell their lands. Others had complained to the local, municipal and provincial authorities, but had received no answer. Additional information on that matter would be welcome.

45. **Mr. Lahiri** observed that, for over 30 years, the State party's social and economic indicators had been better than those of other Asian countries, fostering an environment that was favourable to the protection and promotion of human rights. He noted with satisfaction that the Philippines had achieved nearly universal literacy. On the other hand, he regretted that the State party did not gather disaggregated data by population group because the process was costly, which made it impossible to compare the situation of the indigenous peoples with that of the general population and to assess the impact of measures taken on behalf of those communities. In his view, it would be useful to have disaggregated data on

Muslims, in particular on their economic and social situation and their level of education, health and income.

46. As for racism in the State party, he said that as a member of the Committee on the Elimination of Racial Discrimination, he found it unacceptable that skin colour should systematically be associated with a given socio-economic class.

47. **Mr. Prosper** said he appreciated the State party's interest in protecting non-combatants and working for peace. He would like to know to what extent members of the Armed Forces who had perpetrated acts of violence against non-combatants were held accountable before the law for those acts, since in his view that was the only means of protecting vulnerable population groups.

48. **Mr. Sicilianos** observed that not all articles of the Convention were directly applicable in domestic law and that some, such as articles 2 and 4, required the enactment of a law to give effect to them. The State party should therefore adopt specific legislation to ensure that all the provisions of the Convention were fully implemented.

49. He informed the representative of the National Commission on Human Rights of the Philippines that on the previous day the Committee had adopted a number of standard paragraphs for inclusion in the concluding observations formulated following its consideration of States parties reports, one of which invited States parties which had not yet done so to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

50. **Mr. Diaconu** regretted that there was no provision expressly prohibiting racial discrimination in the Philippines, not even in the Labour Code.

51. **Mr. Thornberry** said that the delegation of the Philippines had rightly described in detail the situation of the indigenous peoples in that country. Yet other groups might also be affected by the implementation of the Convention — including non-citizens, migrant workers, and persons who were neither Muslims nor members of an indigenous community — and it would have been useful to devote part of the discussion to them.

52. The Committee had noted that a debate was under way in the Philippines about its possible accession to the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (No. 169), and that draft legislation prohibiting racial and religious profiling was currently being reviewed by the Congress. In its next periodic report, the State party should indicate the progress of that bill.

53. In its concluding observations on the report of the Philippines, the Committee would surely express regret that the various domestic laws so often contradicted each other, and sometimes contravened the provisions of the Indigenous Peoples Rights Act, whose adoption he welcomed. He also noted that it would be useful for the State party to make a distinction between the granting of permanent rights to certain categories of people and recourse to special protection measures.

54. As for the situation of the Subanen of Siocon, in the Province of Zamboanga del Norte, the Committee had sensed some optimism on the part of the delegation, and hoped that the situation would come to a swift and favourable resolution.

55. Lastly, he said that the Committee was likely to praise the State party for the improvements it had made in many areas, while pointing out the difficulties impeding the implementation of the Convention, such as financial difficulties or armed conflict.

56. **The Chairperson** said that the dialogue with the delegation of the Philippines had been extremely rich and interesting. She hoped that the State party would continue to progress in promoting and protecting human rights.

57. **Mr. Insigne** (Philippines) said that his delegation had attempted to provide as faithful an account as possible of the implementation of the rights covered by the Convention in the Philippines, and to demonstrate the will of the Government, under the leadership of President Macapagal-Arroyo, to continue to promote and protect the rights of all, including the indigenous peoples. He recalled that Philippine society was multi-ethnic and multicultural (having been influenced by many cultures – eastern and western, indigenous and foreign) and that it sought to promote diversity, equality, social justice and national unity.

58. He assured the members of the Committee that his Government would give the necessary attention to the concluding observations, and would use them as a basis for designing future programmes and policies and fulfilling its obligations under the Convention.

59. Lastly, he said that the Philippines would continue to support the efforts of the Committee to combat racism, xenophobia and related intolerance throughout the world.

60. *The delegation of the Philippines withdrew.*

The meeting rose at 1.10 p.m.