

**PHILIPPINE NGO-PO NETWORK SUBMISSION ON THE  
IMPLEMENTATION OF THE INTERNATIONAL COVENANT  
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS FOR THE  
FIFTH AND SIXTH PERIODIC REPORT TO THE UN  
COMMITTEE ON ECONOMIC SOCIAL AND CULTURAL  
RIGHTS**

Prepared by a coalition of NGOs and POs in the Philippines  
*(See Appendix for List of Participating Organizations)*

August 2016

## Executive Summary

While there are laws protecting indigenous peoples' (IPs) rights, such as the 1997 Indigenous Peoples Rights Act (IPRA), IPs in the Philippines continue to face rights violations, notably in relation to their land and the application of the principle of Free, Prior and Informed Consent (FPIC). Mining projects have often gone ahead in IP areas without the correct implementation of this principle. These projects have resulted in the displacement and exploitation of IPs, as well as depleted natural resources relied upon by these communities for their survival.

Armed conflict between the Armed Forces of the Philippines (AFP) and the New People's Army (NPA) continues to be a serious threat in many IP areas. From July 2010 to September 2015, there were 46 documented cases of extrajudicial killings in Mindanao, reportedly carried out by the AFP, or other state-backed militias and paramilitary groups.

Human rights defenders continue to be targeted for their legitimate activities to protect their rights. Indigenous human rights defenders are particularly at risk in areas where conflict over land and natural resources has been aggravated by the activities of national and transnational companies engaged in mining and/or agro-industries. The aggressive development of the mining industry in the country has resulted in the killing of dozens of anti-mining advocates opposing mining activities within their ancestral domain.

Unemployment in the Philippines remains high, with almost half of those unemployed being youths. In April 2016, the unemployment rate stood at 6.1%, or 2.6 million people. The Philippines also suffers from a high underemployment rate, which stood at 18.4% as of April 2016. Underemployed workers are less likely to have formal work arrangement or access to any legally mandated benefits or social protection.

The absence of policies and programs promoting equal employment opportunities for women has likely contributed to women's low participation rates in the labor force, with only 49.8% of women employed in 2013. According to the Philippines Statistics Authority, there were 15,669,000 women employed compared to 24,106,000 men, as of October 2015.

An estimated 21 million Filipinos work in the informal economy in the Philippines. These workers are not protected under the Labor Code and other labor laws, and generally work in conditions that are not regulated by the state's health and safety standards. Their informal status also leaves them without access to the social protection and benefits that the state provides such as health, disability, and pension benefits.

There are strong indications that trade unionism is becoming less prevalent in the Philippines. The increase of precarious work, large share of small establishments (employing less than 10 workers), and the large proportion of workers in self-employment and unpaid family work, prevents many workers from joining unions.

The Philippines has not made any significant progress in poverty reduction. The state's flagship poverty reduction program, the *Pantawid Pamilyang Pilipino*

*Program* (4Ps), has serious shortcomings in terms of its selection of beneficiaries. The program excludes poor families that reside outside of municipalities that have been identified as having a high incidence of poverty, and only covers those with children aged 0–17.

The proportion of the population below the national subsistence or food threshold was 8.8% in 2015. The 2015 Global Hunger Index rated the Philippines “serious” in terms of its levels of hunger, with 13.5% of the population considered to be malnourished. The Philippines’ Parliament is yet to pass the Zero-Hunger Bill (Right to Adequate Food Framework Bill) intended to address the hunger situation.

An estimated 22.8 million people in the Philippines – including approximately 1.2 million children – live in slums, most of which are in urban areas. Slum dwellers have limited or no access to security of tenure, capital, social networks, environmental safety, or legal security. The state’s government-housing programs usually involve the relocation of entire communities to places that lack affordable connectivity to employment, income, and livelihood opportunities.

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## **Shadow report on the implementation of the International Covenant on Economic, Social and Cultural Rights for the 5th and 6th periodic reports to the UN Committee on Economic, Social and Cultural Rights**

### **Introduction**

The present report provides an up-to-date evaluation of the effectiveness of the Philippine government's implementation of the provisions of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in the following key areas: indigenous peoples' rights; human rights defenders; right to work, including for women; right to just and favorable conditions of work; right to form trade unions; and rights to adequate standard of living, adequate food, and adequate housing.

### **Indigenous Peoples' rights continue to be violated**

In the Philippines, indigenous peoples (IPs) are among the poorest and most marginalized members of society.<sup>1</sup> They continue to suffer from social discrimination, economic marginalization, and political disempowerment. IPs are the most disadvantaged peoples; the regions with the highest concentration of IPs – Cordillera Autonomous Region (CAR), Caraga, and Region IX – have higher levels of poverty incidence compared to other regions. Despite this, the state has consistently provided smaller allocations for these poverty-stricken regions.<sup>2</sup> The general health situation in regions and provinces with the largest concentrations of IPs is below the national average. IPs also experience seasonal to chronic food shortages as a result of the loss of their ancestral land, as well as the environmental degradation caused by development projects, extractive industry projects, and agricultural modernization projects.<sup>3</sup>

The 1997 Indigenous Peoples Rights Act (IPRA) recognizes and protects: a) the right to ancestral domains and lands; b) the right to self-governance and empowerment; c) social justice and human rights; and d) cultural integrity. However, the implementation of this law remains a serious problem, as there is no authority equipped with the mandate to fulfill the objectives of the IPRA. The National Commission on Indigenous Peoples (NCIP) – the primary government agency responsible for the formulation and implementation of policies, plans, and programs to promote and protect the rights of IPs and their ancestral domains – is characterized by inadequate human resources and limited funds to conduct necessary activities.<sup>4</sup> Consequently, there have been reports of companies that have failed to comply with

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<sup>1</sup> IFAD, AIPP, *Country Technical Note on Indigenous Peoples' Issues, Republic of the Philippines*, November 2012. <http://www.ifad.org/english/indigenous/pub/documents/tnotes/philippines.pdf>

<sup>2</sup> Philippines Senate, Legislative Budget Research and Monitoring Office (LBRMO), *Budget Facts & Figures, Volume 1, Issue 1 January – March 2013*. <https://www.senate.gov.ph/publications/LBRMO%202013-01%20Budget%20Facts.pdf>

<sup>3</sup> IFAD, AIPP, *Country Technical Note on Indigenous Peoples' Issues, Republic of the Philippines*, November 2012. <http://www.ifad.org/english/indigenous/pub/documents/tnotes/philippines.pdf>

<sup>4</sup> Philippines Poverty-Environment Initiative (PPEI), *Integrating Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) into Local Development Plans to Promote Environment Sustainability and Poverty Reduction*. <http://ppeidilg.gov.ph/sites/default/files/IPRA-LGC%20RTD%20Briefer.pdf>

the provisions of the IPRA, which require Free, Prior and Informed Consent (FPIC) from IPs for any prospective projects on their land.<sup>5</sup>

While the state recognizes time immemorial ownership of ancestral domains and lands, IPs find it hard to prove ownership of their land. As it stands, the existing guidelines and processes for the issuance of a Certificate of Ancestral Domain Title (CADT) and a Certificate of Ancestral Land Title (CALT) are burdensome processes and have not undergone any review to streamline the process.<sup>6</sup>

In addition, a number of national laws are in conflict with the provisions of IPRA and are at odds with IP rights within their ancestral domains as they facilitate the issuing of mining, logging, and timber permits for companies wishing to undertake activities in IP (and other) areas. These laws are namely the 1995 Philippine Mining Law, the 1975 Revised Forestry Code (or Presidential Decree 705), and other Department of Environment and Natural Resources (DENR) administrative orders related to the management and utilization of natural resources.

In addition, a number of bills (the Philippine Mineral Resources Act, the Alternative Mining Bill, the Alternative Mineral Management Bill, and the People's Mining Bill) that seek to balance the needs of indigenous communities with the benefits of mining have been pending in Parliament for several years. The Philippines has not ratified the Indigenous and Tribal Peoples Convention, 1989 (No. 169).

Mining projects have often resulted in the displacement and exploitation of IPs, and caused the depletion of natural resources that these communities rely upon for their survival and livelihoods. While the state claims that the policy guidelines on FPIC have been strictly enforced before the commencement of any project or activity within ancestral domains, there have been several recorded instances of mining companies subverting the FPIC process to the detriment of indigenous communities.<sup>7</sup> The Subanen indigenous group on the Zamboanga Peninsula in Mindanao can attest that mining companies in the area have operated projects, despite the lack of adequate implementation of the FPIC requirement.<sup>8</sup> In other examples, various mining projects have covered at least 60% of the Cordillera mountain range, on the island of Luzon, in addition to the existing operations of Lepanto Consolidated Mining Company and Philex Mining Corp. in Benguet Province, also on the island.<sup>9</sup>

More troubling are instances where the authorities have failed to act upon documented human rights abuses committed against IP communities by mining

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<sup>5</sup> The Observatory for the Protection of Human Rights Defenders, *"We are not afraid", Land rights defenders: attacked for confronting unbridled development*, 2014, p35. [https://www.fidh.org/IMG/pdf/obs\\_2014-uk-web2.pdf](https://www.fidh.org/IMG/pdf/obs_2014-uk-web2.pdf)

<sup>6</sup> Alternative Law Groups, Inc. (ALG), Ateneo Human Rights Center (AHRC), Environmental Legal Assistance Center, INC. (ELAC), Indigenous Peoples Rights Monitor (IPRM), *Joint Submission on the Human Rights Situation of Indigenous Peoples (IPs) in the Philippines For the Universal Periodic Review of the Philippines 2nd Cycle, 13th Session, 2012*, para. 28. [http://www.aippnet.org/pdf/Joint%20Submission%20on%20the%20Human%20Rights%20Situation%20of%20Indigenous%20Peoples%20in%20the%20Philippines%20\\_for%20the%20UPR-1.pdf](http://www.aippnet.org/pdf/Joint%20Submission%20on%20the%20Human%20Rights%20Situation%20of%20Indigenous%20Peoples%20in%20the%20Philippines%20_for%20the%20UPR-1.pdf)

<sup>7</sup> *ibid.* para. 33-37.

<sup>8</sup> Oxfam America, *Free Prior and Informed Consent in the Philippines, Oxfam America Briefing Paper*, September 2013, p. 11. <http://www.oxfamamerica.org/static/media/files/fpic-in-the-philippines-september-2013.pdf>

<sup>9</sup> Cordillera Peoples Alliance, *Statement of the Cordillera Peoples Alliance on the Occasion of the Fourth State of the Nation Address of President Aquino III*, 22 July 2013. <http://www.cpaphils.org/campaigns/CPA%20Statement.%20SONA2013.FINAL.pdf>

companies, such as in the case of Canadian-Australian OceanaGold in Didipio, Nueva Vizcaya. In 2011, the Commission on Human Rights in the Philippines (CHRP) concluded that OceanaGold, in causing the demolition of at least 187 IP homes, had violated IPs' rights to residence, adequate housing and property, security of person, and right to freedom of movement. The CHRP also found that OceanaGold irreparably impaired the conditions by which IPs practiced their culture, traditions, and way of life. Despite these findings, OceanaGold continues its mining operations in Didipio.<sup>10</sup>

Armed conflict between the Armed Forces of the Philippines (AFP) and the New People's Army (NPA) continues to be a serious threat in many IP areas. While some community-based organizations and religious institutions have sought to provide alternative schools for IPs, there are reports that these schools, as well as government-run daycare centers, have been used for military purposes by the state armed forces from July 2010 to June 2014.<sup>11</sup> The state's counterinsurgency program, *Oplan Bayanihan* (the Internal Peace and Security Plan), has resulted in grave human rights violations in IP areas, which have continued with impunity. Human rights organization Karapatan reports that from July 2010 to September 2015, there were 46 documented cases of extrajudicial killings in Mindanao, reportedly carried out by state-backed militias or private armies, the APF, and their paramilitary groups under *Oplan Bayanihan*.<sup>12</sup> There were 75 documented cases of extrajudicial killings of IPs and two cases of enforced disappearance across the country from July 2010 to September 2015.<sup>13</sup>

## **Recommendations**

- Amend the 1975 Revised Forestry Code (P.D. 705), and other DENR administrative orders related to the management and utilization of natural resources to reconcile conflicting provisions with the rights of IPs specifically recognized and protected under the IPRA.
- Repeal the 1995 Mining Act and immediately pass the Alternative Philippine Mineral Resources Act.
- Ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169).
- Ensure the principle of FPIC with regard to development and other projects.
- Protect IP leaders from extrajudicial killings, enforced disappearances, forced displacement, rape, and harassment. Launch investigations into past cases of extrajudicial killings and bring perpetrators to justice.
- Ensure full implementation of IP representation in the local government units (LGUs) where they reside, particularly when it comes to the formulation of

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<sup>10</sup> Commission on Human Rights of the Philippines (CHRP), *CEB Resolution (IV) A2011-004*, 10 January 2011.

<sup>11</sup> Salinlahi Alliance for Children's Concerns/Children's Rehabilitation Center, *People's Alternative Schools: Under Attack, Ulat Bulilit, Series 3*, 8 July 8, 2014

<sup>12</sup> Karapatan, *Monitor, Issue No. 2*, 2015.

<http://www.karapatan.org/files/K%20Monitor%202015%20Issue%202%20WEB%200.pdf>

<sup>13</sup> *ibid.*

development and land use plans, and allow IP communities to formulate their own development plans.

- Increase investment on inclusive education, ensuring that programs reach indigenous communities and areas with high poverty incidence. Support multi-lingual education and encourage the accreditation of IP teachers.

### **Human rights defenders targeted**

Marginalized people, including farmers, rural workers, urban poor, IPs, fishermen, and factory workers, have mobilized to protect their economic, social, and cultural rights. As a result, government and non-government actors have targeted these human rights defenders, who have been arrested, faced criminal charges, abducted, or summarily killed for trying to protect their rights.

Within the reporting period (July 2010 to September 2015), enforced disappearances and extrajudicial killings of human rights defenders, including labor rights activists, indigenous leaders, and peasant activists continued to occur. Within this period, Karapatan documented at least 15 labor rights activists, 75 indigenous activists, 215 peasant land rights defenders, seven environmental rights defenders, and five fishermen as victims of extrajudicial killings.<sup>14</sup>

The state has made limited progress in investigating cases of enforced disappearances and extrajudicial killings and in prosecuting the perpetrators of these crimes. Under Administrative Order No. 35 (A.O.35), the state created the Inter-Agency Committee (IAC) on Extralegal Killings, Enforced Disappearances, Torture, and Other Grave Violations on the Right to Life, Liberty, and Security of Persons in November 2012 to expedite the investigation and prosecution of perpetrators of extrajudicial killings and enforced disappearances.<sup>15</sup> However, as of November 2013, the inter-agency body has not had any success in convicting persons responsible for ordering these killings.

According to the Department of Labor and Employment, the IAC has been looking into 62 cases of alleged extrajudicial killings of trade unionists. It has noted that 50 of the 62 cases happened between 2001 to June 2010, while 12 cases transpired under the Benigno Aquino III Administration (30 June 2010 – 30 June 2016), including four newly reported cases in 2013 involving transport group leaders.<sup>16</sup> According to the IAC's report, only 10 of the 62 cases were identified as A.O. 35 cases (i.e., cases of extrajudicial killings, enforced disappearances or involuntary disappearances, torture, and other grave human rights violation cases, involving the right to life, liberty, and security of person) and only one case has been verified as an 'extrajudicial killing.'<sup>17</sup>

In addition, Executive Order 546 (EO 546) – which local government officials use to justify the providing of arms to private armies and armed paramilitary groups to

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<sup>14</sup> *ibid.*

<sup>15</sup> Administrative Order No. 35, s. 2012, 22 November 2012. <http://www.gov.ph/2012/11/22/administrative-order-no-35-s-2012/>

<sup>16</sup> Department of Labor and Employment, *We uphold, respect, and promote trade union rights—Baldoz*, 30 May 2014. [www.dole.gov.ph/news/view/2493](http://www.dole.gov.ph/news/view/2493)

<sup>17</sup> *ibid.*

address insurgency in rural areas – remains in force.<sup>18</sup> The Aquino III Administration expanded and strengthened EO 546 by creating the Special CAFGU Auxiliary Action (SCAA) for the purpose of protecting the operations of mining firms.<sup>19</sup> The Philippines has yet to ratify the International Covenant for the Protection of All Persons from Enforced Disappearances (ICPPED).

Indigenous human rights defenders are particularly at risk in areas where conflict over land and natural resources has been aggravated by activities of national and transnational companies engaged in acquisition of land for mining and/or agro-industry. Aggressive development of the mining industry in the country has resulted in the killing of anti-mining advocates and IPs opposing mining activities within their ancestral domain. This includes the killing of indigenous activist Judy Capion and her two young children in Tampakan, Southern Philippines on 18 October 2012 by members of the 27th Battalion of the Philippine Army.<sup>20</sup> Judy Capion and her husband Daguil, a B'laan tribe leader, were involved in actively opposing the proposed Sagittarius Mines Inc. (SMI) and Xstrata open-pit mining operations in South Cotabato.<sup>21</sup>

In another instance, on 5 March 2012, Jimmy Liguyon, an indigenous leader and village chief in Bukidnon, Mindanao, was shot dead in front of his family members by Alde Salusad, the leader of the New Indigenous Peoples' Army (NIPAR), a local paramilitary force. Jimmy Liguyon was a staunch critic of mining, and had firmly opposed operations of mining companies and local organisations, such as Sanmatrida (San Fernando Matigsalug Tribal Datus), which had been aggressively pushing for the entry of large-scale mining firms in the area. As a local leader, Jimmy Liguyon had refused consent for mining.<sup>22</sup>

Task Force Detainees of the Philippines (TFDP) has also documented the case of Francisco Canayong, an anti-mining advocate and local community leader involved in a campaign against the mining operations in Salcedo, Eastern Samar. Canayong was stabbed to death along the National Highway in Eastern Samar. Before he was killed, witnesses claimed that an alleged trustee of a mining company operating in the area had threatened him. In Kiblawan, Davao del Sur, members of the B'laan Tribe opposing the mining operation in their area have been targeted in alleged “military operations.”<sup>23</sup>

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<sup>18</sup> “Directing the Philippine National Police to undertake active support to the Armed Forces of the Philippines in internal security operations for the suppression of insurgency and other serious threats to national security, amending certain provisions of Executive Order No. 110 series of 1999 and for other purposes.”

<sup>19</sup> Philippine Star, *Karapatan reiterates call to dismantle paramilitary groups, revoke EO 546*, 11 July 2013. <http://www.philstar.com/freeman-opinion/2013/07/11/964171/karapatan-reiterates-call-dismantle-paramilitary-groups-revoke>

<sup>20</sup> The Observatory for the Protection of Human Rights Defenders, *The Philippines: Human rights defenders at the forefront despite an ongoing culture of violence and impunity*, February 2015. [http://www.omct.org/files/2015/07/23254/v1.3\\_en\\_w\\_rprrphilippines\\_obs15.pdf](http://www.omct.org/files/2015/07/23254/v1.3_en_w_rprrphilippines_obs15.pdf)

<sup>21</sup> Cordillera Peoples Alliance, *Statement of the Cordillera Peoples Alliance on the Occasion of the Fourth State of the Nation Address of President Aquino III*, 22 July 2013. <http://www.cpaphils.org/campaigns/CPA%20Statement.%20SONA2013.FINAL.pdf>

<sup>22</sup> The Observatory for the Protection of Human Rights Defenders, *The Philippines: Human rights defenders at the forefront despite an ongoing culture of violence and impunity*, February 2015. [http://www.omct.org/files/2015/07/23254/v1.3\\_en\\_w\\_rprrphilippines\\_obs15.pdf](http://www.omct.org/files/2015/07/23254/v1.3_en_w_rprrphilippines_obs15.pdf)

<sup>23</sup> Task Force Detainees of the Philippines, *Human Rights Situationer 2012: A Mid-term view of the PNoy Presidency*, 13 May 2013. <http://www.tfdp.net/publications/hr-situationer/371-human-rights-situationer-2012-a-mid-term-view-of-the-pnoy-presidency>

## Recommendations

- Adopt measures to ensure the protection of human rights defenders and prevent enforced disappearances and extrajudicial killings. Launch investigations into past cases of extrajudicial killings and bring perpetrators to justice.
- Institutionalize human rights training as part of military and law enforcement education.
- Expressly prohibit the military practice of issuing Order of Battle (OB).
- Repeal EO 546.
- Ratify the International Convention for the Protection of All Persons Against Enforced Disappearance (ICPPED).
- Ensure comprehensive due diligence in all large scale projects, specifically extractive industries.
- Support the push for a legally binding treaty for transnational corporations' accountability.

## Unemployment and underemployment rate remain high

While the state has implemented a number of programs to address the country's unemployment and underemployment problem, within the period covered (July 2010 – April 2016), the unemployment rate in the country has remained virtually unchanged at 6.1% (as of April 2016).<sup>24</sup> This means that 2.6 million people in the country were without employment in April 2016.<sup>25</sup> However, a survey conducted by the Social Weather Stations (SWS) – a social research institute in the Philippines – put the adult unemployment rate at 21.4%, or 9.1 million people, as of December 2015.<sup>26</sup>

According to the Department of Labor and Employment, unemployment is largely a problem of the youth, accounting for about half of the unemployed (in 2014).<sup>27</sup> More problematic is the underemployment rate, which stood at 18.4% as of April 2016.<sup>28</sup> The underemployment rate has remained relatively unchanged for the past several

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<sup>24</sup> Philippine Statistics Authority, *Employment Rate in April 2016 is Estimated at 93.9 Percent*, 9 June 2016. <https://psa.gov.ph/content/employment-rate-april-2016-estimated-939-percent>

<sup>25</sup> PhilStar, *Unemployment eases to 6.1% in April*, 10 June 2016.

<http://www.philstar.com/headlines/2016/06/10/1591457/unemployment-eases-6.1-april>

<sup>26</sup> PhilStar, *9.1 million Pinoys remain unemployed – SWS*, 10 February 2016.

<http://www.philstar.com/headlines/2016/02/10/1551567/9.1-million-pinoys-remain-unemployed-sws>

<sup>27</sup> Department of Labor and Employment, *Baldoz says half of unemployment could go down if youth unemployment is addressed*, 17 June 2014. <http://www.dole.gov.ph/news/view/2517>

<sup>28</sup> Underemployment: 'Involuntary part-time' work, where workers who could (and would like to) be working full-time can only find part-time work.; Philippine Statistics Authority, *Employment Rate in April 2016 is Estimated at 93.9 Percent*, 9 June 2016. <https://psa.gov.ph/content/employment-rate-april-2016-estimated-939-percent>

years.<sup>29</sup> Underemployed workers are less likely to have formal work arrangement or access to any legally mandated benefits or social protection.

Another issue of concern is the significant number of non-regular (contractual/seasonal/casual) workers. The most recent statistics from the Philippine Statistics Authority on non-regular workers documented just over 1.335 million non-regular workers employed in establishments with at least 20 workers in 2014, representing 29.9% of the total workforce for establishments with at least 20 workers. 50.3% of these non-regular workers were contractual employees.<sup>30</sup>

These numbers point towards the inadequacy of state programs and interventions meant to increase employment opportunities for the youth, and to reduce unemployment, underemployment, and labor contractualization practices.

### **Recommendations**

- Develop employment programs that specifically target and provide better employment opportunities to young, unskilled, and inexperienced workers. These employment programs should:
  - (a) Strengthen the dissemination of labor market information and provide career counseling support to youths to address the mismatch of youth skills and the demands of the labor market;
  - (b) Create a support mechanism that will enable youth to obtain documents necessary for job application, such as birth certificates, National Bureau of Investigation (NBI) clearance, etc. in a timely manner;
  - (c) Create entrepreneurship opportunities for youth who do not seek formal employment.
- Generate rural employment by expanding livelihood support to farmers, fishermen, and other sectors, including the youth.
- Reevaluate the effectiveness of the provisions of the Philippine Labor Code on the security of workers, especially the underemployed.
- Review the provisions of the Philippine Labor Code as well as Department of Labor Department Orders, with the view to protect workers from nefarious contractualization practices.

### ***Women still underrepresented in workforce***

According to the Philippines Statistics Authority's October 2015 Labor Force Survey, there were 15,669,000 women employed compared to 24,106,000 men.<sup>31</sup> This may be

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<sup>29</sup> Philippine Statistics Authority, *Understanding the Trends and Patterns in the Philippine Labor Market*, May 2014

<sup>30</sup> Philippine Statistics Authority, *Labstat Updates, 2014 Survey of Employment in establishments with 20 or more workers*, May 2016.

[https://psa.gov.ph/sites/default/files/attachments/ird/pressrelease/Vol20\\_10%20Statistics%20on%20Non-Regular%20Workers%20%28Second%20of%20a%20%20series%29\\_FINAL2.pdf](https://psa.gov.ph/sites/default/files/attachments/ird/pressrelease/Vol20_10%20Statistics%20on%20Non-Regular%20Workers%20%28Second%20of%20a%20%20series%29_FINAL2.pdf)

<sup>31</sup> Philippine Statistics Authority, *October 2015 Labor Force Survey, TABLE 1B Percent Distribution of Population 15 Years Old and Over by Employment Status by Sex and Age Group: October 2015*.

<https://psa.gov.ph/sites/default/files/attachments/hsd/article/TABLE%201B%20Percent%20Distribution%20of%20>

explained by the absence of policies on equality in employment and sustainable programs and strategies to promote women's employment. There is also the problem of work places not having adequate facilities that would enable women to combine work with their family responsibilities.

Gender disparity is also seen in workers' unions' and organizations' dynamics. The percentage of distribution of union membership is 65.3% men and 34.7% women in 2014.<sup>32</sup> Unsurprisingly, more men (65.6%) were covered by collective bargaining agreements (CBA) and received CBA benefits than women (34.2%) in 2014.<sup>33</sup>

## **Recommendations**

- Ensure women have equal opportunity to employment by providing sufficient maternal leave for women and adequate daycare facilities for women with young children.

### ***Inadequate working conditions and employment type***

According to a 2013 World Bank report, there are 21 million Filipino workers in the informal economy, accounting for 75% of total employment.<sup>34</sup> Because of their informal status, their rights are not protected under the Labor Code and other labor laws, making them vulnerable to abuse by employers who make them work long hours at very low wages and without benefits. Members of the informal economy also work in conditions that are not regulated by the state's health and safety standards.

Their informal status also leaves them with no access to the social protection and benefits that the state provides such as health, disability, and pension benefits, despite the growing recognition of the significant contribution that members of the informal economy make to the economy.

The share of wage employees in total employment in the Philippines has been growing steadily, from 30.0% in 2009 to 34.7% in 2014.<sup>35</sup> Despite the gains from economic growth, all indicators show that minimum wage increases cited by the state in its report still fails to provide wages high enough to sustain an adequate standard of living. Between 2009 and 2012, the percentage of working poor (from 22.8% to 21.9%) did not show a significant improvement, implying that a significant number of wage workers in the country receive earnings that are insufficient to meet their basic daily needs and elevate themselves above poverty.<sup>36</sup>

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[0Population%2015%20Years%20Old%20and%20Over%20by%20Employment%20Status%20by%20Sex%20and%20Age%20Group%20October%202015.pdf](#)

<sup>32</sup> Philippine Statistics Authority, *Table 11 Social Dialogue, workers' and employers' representation*, 2015.

[http://labstat.psa.gov.ph/dews/Resources/Summary/ELEMENT%2011\\_summary.pdf](http://labstat.psa.gov.ph/dews/Resources/Summary/ELEMENT%2011_summary.pdf)

<sup>33</sup> *ibid.*

<sup>34</sup> World Bank, *Philippine development report: creating more and better jobs*, September 2013, p.6, 28.

[http://documents.worldbank.org/curated/en/895661468092965770/pdf/ACS58420WP0P120Box0382112B00PUB\\_LICO.pdf](http://documents.worldbank.org/curated/en/895661468092965770/pdf/ACS58420WP0P120Box0382112B00PUB_LICO.pdf)

<sup>35</sup> Philippine Statistics Authority, *Labstat, Table 1. Economic and social context for decent work*, 2015.

[http://labstat.psa.gov.ph/dews/Resources/Summary/ELEMENT%201\\_summary.pdf](http://labstat.psa.gov.ph/dews/Resources/Summary/ELEMENT%201_summary.pdf)

<sup>36</sup> Philippine Statistics Authority, *TABLE 4 - Working Poverty Rate by Sex, Philippines: 2006, 2009 and 2012*.

<https://psa.gov.ph/sites/default/files/Tab%204.pdf>

The current legal framework for fixing the minimum wage and the decentralization of minimum wage setting has led to large differences within the country, with the Philippines having some of the lowest and highest minimum wages in the region.<sup>37</sup> The lowest wage earning sectors (laborers and unskilled workers, farmers, forestry workers, fishermen, service workers, shop and market sales workers) are where most of the informal workers can be found. These workers are usually the most vulnerable to employers who choose to pay them below the mandated minimum wage rate. Given their vulnerable, often desperate situation, these workers often feel helpless to do anything against their employers.

The incidence rate of occupational injuries and fatalities (measured per 100,000 employed person) increased from 3.9% in 2009 to 4.4% in 2011.<sup>38</sup> The Institute for Occupational Health and Safety Development (IOHSAD) noted that for the year 2009–2010, there were at least 511 deaths and 791 injured due to work in the Philippines, with local construction and mining among the deadliest industries.<sup>39</sup> However, there are a lack of up-to-date statistics on worker-related deaths and injuries, and many of these go unreported. According to IOHSAD, one of the main reasons so many work-related injuries and deaths go unreported and undocumented by the Department of Labor and Employment is because the Department's Order 57-04 allows workplaces with more than 200 employees to undergo self-assessment.<sup>40</sup>

The state has yet to ratify the ILO Labour Statistics Convention, 1985 (No. 160) mandating the state to regularly collect, compile, and publish basic labor statistics on occupational injuries and, as far as possible, occupational diseases.

## **Recommendations**

- Undertake a sufficient and proper assessment of the circumstances of those in the informal sector in order to properly design and implement laws and regulations, policies and other measures that can facilitate the transition to formality.
- Implement national development strategies that include an integrated policy framework to facilitate the transition from the informal to the formal economy, taking into account the role of different levels of government.
- Seek to extend, as soon as possible, social security and healthcare coverage to members of the informal economy.
- Seek to establish effective occupational safety and health policies and programs that specifically target the various sub-sectors of workers in the informal economy.

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<sup>37</sup> Current legal framework for fixing the minimum wage is provided under the Labor Code, Articles 97-99; 101; 120-124. ADB and ILO, *ASEAN Community 2015: Managing Integration for better jobs and shared prosperity*, 2014, 78. <http://www.adb.org/sites/default/files/publication/42818/asean-community-2015-managing-integration.pdf>

<sup>38</sup> Department of Labor and Employment Safe Work Environment Statistics [http://www.bles.dole.gov.ph/dews/Resources/Summary/ELEMENT%209\\_summary.pdf](http://www.bles.dole.gov.ph/dews/Resources/Summary/ELEMENT%209_summary.pdf)

<sup>39</sup> Bulatlat, *Neglect of occupational health and safety results in death, injuries of workers*, 29 April 2011. <http://bulatlat.com/main/2011/04/29/neglect-of-occupational-health-and-safety-results-in-death-injuries-of-workers/>

<sup>40</sup> *ibid.*

- Pay special attention to women, young people, migrants, older people, indigenous and tribal peoples, persons affected by HIV/AIDS, persons with disabilities, domestic workers, subsistence farmers, artisanal fishermen, and small transport workers who are especially vulnerable to the most serious decent work deficits in the informal economy.
- Reexamine the current legal framework on fixing minimum wage, and consider amending the minimum wage system from being based on regional differentiation to fixing minimum wage based on the industry and contiguous regions.
- Ratify ILO Convention No. 187 on Promotional Framework for Occupational Safety and Health Convention (2006),<sup>41</sup> and ILO Convention No. 155 on Occupational Safety and Health Convention (1981) and its Protocol of 2012.<sup>42</sup>
- Through the Committee on Labor and Employment of the House of Representatives, fast-track the passage of the Occupational Safety and Health bills proposing the criminalizing of OSHS violations.
- Provide sufficient human and financial resources to the Department of Labor and Employment to enable regular and independent inspections aimed at ensuring compliance with the occupational health and safety legislation.
- Repeal Department of Labor and Employment Order 57-04 and ensure the effective realization of the right to safe and healthy working conditions in establishments with more than 200 workers.

The right of workers to self-organization and peaceful concerted activities, including the right to strike, is protected under the constitution and the Labor Code. As of September 2013, there were a total of 52,126 registered unions (with 3.2 million members), where 16,828 (32.3%) were private sector unions (with 1,391,621 members), 1,776 (3.4%) were public sector unions (with 462,835 members), and 33,522 (64.3%) were workers associations (with 1,429,966 members).<sup>43</sup> There are strong indications that trade unionism is becoming less prevalent, with a decline in the union density rate from 30.5% in 1995 to 10.6% in 2010.<sup>44</sup> This can be explained by the increase of precarious work, large share of small establishments (employing less than 10 workers), and the large proportion of workers in self-employment and unpaid family work, restricting union formation efforts.<sup>45</sup>

Experience reveals that the helplessness of workers in bargaining with employers, and the fear of losing their jobs and pursuing available remedies to redress poor working conditions have resulted in workers becoming submissive to their employers.

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<sup>41</sup> This convention aims to establish and implement coherent national policies on occupational health and safety through dialogue between government, workers, and employers' organizations to promote a national preventive safety and health culture.

<sup>42</sup> This convention and Protocol call for the periodic review of requirements and procedures for the recording and notification of occupational accidents and diseases and for the publication of related statistics.

<sup>43</sup> Bureau of Labor Relations, September 2013.

[http://www.blr.dole.gov.ph/blr\\_files/blr\\_transparency/union\\_cbasandrwasregistration.pdf](http://www.blr.dole.gov.ph/blr_files/blr_transparency/union_cbasandrwasregistration.pdf)

<sup>44</sup> ILO, *Decent Work Country Profile: The Philippines*, 2012, p 77. [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/documents/publication/wcms\\_167677.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/documents/publication/wcms_167677.pdf)

<sup>45</sup> ILO, *Decent Work Country Profile: The Philippines*, 2012, p 77. [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/documents/publication/wcms\\_167677.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/documents/publication/wcms_167677.pdf)

Statistics show progress has been made in tripartite social dialogue, with an increase in the number of industry tripartite councils from 70 councils in 2010 to 264 councils in 2014.<sup>46</sup> Labor groups have been pursuing the true meaning of industrial peace. Yet in some cases, meaningful labor participation has yet to be fully realized, especially since government officers remain unreceptive to labor unions' and federations' participation.

## **Recommendations**

- Conduct policy work on industrial and employment relations showing working conditions in both organized and unorganized establishments.

## **Adequate standard of living lacking**

Although the state's national budget allotment to social services steadily increased (from 28.7% in 2009 to 34.9% in 2013), key socio-economic indicators show that there has been no substantial improvement in the standard of living of majority of the population.<sup>47</sup> The various social service programs enumerated by the state in its report to the CESCR appear to be ineffective in reducing poverty and improving the lives of the majority of the population.

Inequality remains a pressing problem, with the country's Gini coefficient barely moving from 0.48 in 1991 to 0.47 in 2012.<sup>48</sup> In real terms, this means that from 2006 to 2012, the bottom 20% of families accounted only for 6.6% of total income while the upper 20% account for approximately 47% of total income.<sup>49</sup>

Both national and international indicators show that the state has not made any significant progress in poverty reduction. According to the Philippine Statistics Authority, poverty incidence among Filipinos in the first semester of 2015 was estimated at 26.3%, a slight improvement from the same period in 2012, when it was recorded at 27.9%.<sup>50</sup> According to World Bank data, which sets the poverty headcount ratio at \$3.10/day (2011 PPP), the poverty headcount in the country actually increased from 36.5% in 2009 to 37.6% in 2012.<sup>51</sup>

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<sup>46</sup> Philippine Statistics Authority, *Table 11 Social Dialogue, workers' and employers' representation*, 2015.

[http://labstat.psa.gov.ph/dews/Resources/Summary/ELEMENT%2011\\_summary.pdf](http://labstat.psa.gov.ph/dews/Resources/Summary/ELEMENT%2011_summary.pdf)

<sup>47</sup> UN Committee on Economic, Social and Cultural Rights, Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights; Combined fifth and sixth periodic reports of States parties due in 2013 | Philippines, 27 April 2015; UN Doc. E/C.12/PHL/5-6

<sup>48</sup> National Economic and Development Authority, UNDP, *The Philippines, Fifth Progress Report, Millennium Development Goals*, 2014, p. 2. <http://www.neda.gov.ph/wp-content/uploads/2014/08/MDG-Progress-Report-5-Final.pdf>

<sup>49</sup> Alternative Budget Initiative, *Alternative Budget FY 2015*, 2014

<sup>50</sup> Philippine Statistics Authority, *Poverty incidence among Filipinos registered at 26.3%, as of first semester of 2015 – PSA*, 18 March 2016. <https://psa.gov.ph/content/poverty-incidence-among-filipinos-registered-263-first-semester-2015-psa>

<sup>51</sup> World DataBank, *World Development Indicators*, <http://databank.worldbank.org/data/reports.aspx?source=2&series=SI.POV.2DAY&country=>

In 2012, one out of every 10 Filipinos was still not earning enough to meet basic food requirements.<sup>52</sup> The rate of poverty reduction has been incredibly slow, with a reduction of only 1.4% for the period 2006–2012.<sup>53</sup> The results of the survey conducted by the Social Weather Stations (SWS), during the fourth quarter of 2013, showed that 55% of the respondents (estimated to represent 11.8 million households) considered themselves poor, while 41% (estimated 8.8 million households) considered themselves poor in terms of food.<sup>54</sup>

The state's flagship poverty reduction program is the *Pantawid Pamilyang Pilipino Program* (4Ps), a social development strategy that provides conditional cash grants to extremely poor households. However, a study conducted by Social Watch on the 4Ps program revealed serious inclusion and exclusion errors in its implementation. One of the most significant problems is the method used to identify target beneficiaries of the program, with eligible beneficiaries selected only from municipalities with a high incidence of poverty, neglecting poor families that reside outside of the areas that have been identified as pockets of poverty.<sup>55</sup> Furthermore, the program targets a specific sub-sector of the poor – the program covers only those with children aged 0–17. Consequently, the 4Ps program currently excludes the elderly, the chronically ill, the unemployed poor, and the millions of out-of-school youths.<sup>56</sup>

### **Recommendations**<sup>57</sup>

- Improve targeting of poverty alleviation programs, specifically to address the wide disparities across the different regions of the Philippines.
- Improve targeting, database, and monitoring to ensure that government programs are based on up-to-date, disaggregated data, so that it can come up with effective and efficient government interventions.
- Strengthen the capacity of LGUs to deliver basic social services and manage poverty alleviation projects and programs.
- Invest in a more comprehensive and sustainable social protection program that directly benefits children and which considers children's interests.
- Ensure that the 4Ps program is made more inclusive and accessible to the most deprived families and the most excluded groups by improving targeting systems and installing transparency and accountability mechanisms for marginalized sectors.

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<sup>52</sup> National Economic and Development Authority, *Presentation of Sec. Balisacan for the 2014 Human Development Report & 5th Phl Progress Report on the MDGs launch (as read by national statistician Lisa Grace Bersales)*, 20 August 2014. <http://www.neda.gov.ph/?p=3778>

<sup>53</sup> *ibid.*

<sup>54</sup> Social Weather Stations, 2013. <http://www.sws.org.ph/>

<sup>55</sup> Philippine Institute for Development Studies, *Conditional Cash Transfer Program in the Philippines: Is It Reaching the Extremely Poor?*, December 2012. <http://dirp4.pids.gov.ph/ris/dps/pidsdps1242.pdf>

<sup>56</sup> Congressional Policy and Budget Research Department, *An Initial Assessment of the Pantawid Pamilyang Pilipino Program: Looking at Possible Potentials and Pitfalls*, December 2013

<sup>57</sup> Adopted from recommendations found in: United Nations Department for Social and Economic Affairs, *Assessing Development Strategies to Achieve the MDGs in the Republic of the Philippines*, March 2011, p. 18. [http://www.un.org/en/development/desa/policy/capacity/output\\_studies/roa87\\_study\\_phi.pdf](http://www.un.org/en/development/desa/policy/capacity/output_studies/roa87_study_phi.pdf)

## Hunger situation still dire

The Philippine Statistics Authority reported that the proportion of the population below the national subsistence or food threshold was 16.5% in 1991. It declined to 10.4% in 2012 and hit 8.8% in 2015.<sup>58</sup> Data from a survey conducted by the Social Weather Stations (SWS) indicates that in 2015, 3 million, or about 13.5% of families (the lowest figure recorded in the last decade by the SWS) in the Philippines experienced involuntary hunger at least once during the period.<sup>59</sup> According to the 2015 Global Hunger Index, the Philippines was rated “serious” in terms of its levels of hunger, with 13.5% of the population considered to be malnourished.<sup>60</sup>

Despite these developments, the Parliament has not passed pending legislation, i.e. the Zero-Hunger Bill (Right to Adequate Food Framework Bill) intended to address the hunger situation.<sup>61</sup> The country’s laws governing food prices do not contribute significantly to hunger mitigation, while laws governing wages and employment are generally unfavorable to workers, and other laws relating to income generating opportunities are generally flawed.<sup>62</sup> Significantly, the right to food is among the country’s lowest priority areas for national spending.<sup>63</sup>

## Recommendations

- Heed the recommendation of the UN Special Rapporteur on the Right to Food and facilitate the passage the Zero-Hunger Bill (Right to Adequate Food Framework Bill).
- Formulate and adopt a national food policy with the full and active participation of all actors concerned, including those most vulnerable to hunger, along the lines recommended by the United Nations Committee on Economic, Social and Cultural Rights (CESCR) in *General Comment No. 12* (1999) and the FAO’s Voluntary Guidelines on the Right to Food (2004).
- Rationalize the legal framework governing the right to food by synchronizing laws, addressing contradictions in policy objectives, correcting flaws and ambiguities, repealing laws that obstruct the realization of the right to food, aligning the national budget to the national food policy, enhancing the mandate of the Commission on Human Rights, and improving the process of law-making.

## Millions deprived of adequate housing

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<sup>58</sup> Philippine Statistics Authority, *Philippine Millennium Development Goals Indicators*, September 2015.

[http://www.nscb.gov.ph/stats/mdg/mdg\\_watch.asp](http://www.nscb.gov.ph/stats/mdg/mdg_watch.asp)

<sup>59</sup> Inquirer, *Filipino families experiencing hunger down to 3M – SWS*, 12 May 2015,

<http://newsinfo.inquirer.net/690781/filipino-families-experiencing-hunger-down-to-3m-sws>

<sup>60</sup> International Food Policy Research Institute, Concern Worldwide, Welthungerhilfe, *2015 Global Hunger Index*, October 2015. [http://www.welthungerhilfe.de/fileadmin/user\\_upload/Mediathek/Welthunger-Index/WHI\\_2015/global-hunger-index\\_2015\\_english.pdf](http://www.welthungerhilfe.de/fileadmin/user_upload/Mediathek/Welthunger-Index/WHI_2015/global-hunger-index_2015_english.pdf)

<sup>61</sup> FIAN International, *Support for passing the ‘Zero Hunger’ Bill needed*, 11 November 2015,

[http://www.fian.org/en/news/article/support\\_for\\_passing\\_the\\_zero\\_hunger\\_bill\\_needed/](http://www.fian.org/en/news/article/support_for_passing_the_zero_hunger_bill_needed/)

<sup>62</sup> FAO, *The Philippines’ Right to Food: an Assessment of the Philippine Legal Framework Governing the Right to Food*, 2008. [http://www.fao.org/righttofood/publi10/PHILIPPINES\\_assessment\\_vol2.pdf](http://www.fao.org/righttofood/publi10/PHILIPPINES_assessment_vol2.pdf)

<sup>63</sup> *ibid.*

UN Habitat reported in November 2014 that there were 1.5 million informal settler families (ISFs) in the Philippines, with 51% of these families living in danger areas.<sup>64</sup> Homeless International estimates that 22.8 million people in the Philippines live in slums, most of which are in urban areas, including an estimated 1.2 million children.<sup>65</sup> The International Conference on Population and Development places the number of ISFs higher, recording an estimated 41% of urban population as living in slums in 2010.<sup>66</sup> Manila is believed to be the city with the highest rate of homelessness in the world,<sup>67</sup> with an estimated 70,000 children living on the streets in Manila.<sup>68</sup>

The majority of ISFs live in chronic urban poverty and face an assortment of physical, economic, social, legal, and environmental risks everyday. They have limited or no access to security of tenure, capital, social networks, environmental safety, and legal security. Their situation is made all the more precarious by the fact that the Philippines is one of the most disaster prone in the world, included in the top 10 countries most likely to be affected by climate change. Metro Manila, with its dense and rapidly growing population, has become increasingly vulnerable to natural disasters.<sup>69</sup>

The state has attempted to address these issues by implementing various government-housing programs. Unfortunately, these programs operate on the policy of massive relocation of entire communities to distant locations, often without considering the livelihood needs of the inhabitants. Relocation sites usually lack affordable connectivity to places of employment, income, and livelihood opportunities. Furthermore, many local governments have failed to respond to the challenges of the informal settlers, with city planning and the state's housing policy remaining woefully uncoordinated at the national and local levels.

Despite the existence of the Urban Development and Housing Act (UDHA) of 1992 (Republic Act No. 7279) and other laws and regulations prohibiting illegal forced evictions and demolitions, from 2008–2012, tens of thousands families were forcibly evicted throughout the Philippines.<sup>70</sup> In Metro Manila alone, more than 50 incidents of violent evictions were documented during this period. These evictions took place in 19 communities and affected more than 16,000 families.<sup>71</sup>

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<sup>64</sup> UN Habitat, *Achieving Sustainable Urban Development (ASUD)*, 10 November 2014, <http://unhabitat.org/achieving-sustainable-urban-development-philippines/>

<sup>65</sup> PhilStar, *A new stab at solving the housing backlog?*, 6 June 2015. <http://www.philstar.com/opinion/2015/06/06/1462844/new-stab-solving-housing-backlog>

<sup>66</sup> UNFPA, International Conference on Population and Development, [http://icpd2014.org/documents/download.php?f=FINAL\\_Philippines.pdf](http://icpd2014.org/documents/download.php?f=FINAL_Philippines.pdf)

<sup>67</sup> Financial News, *Letter from Manila: Web of poverty offers little hope of escape*, 26 May 2014. <http://www.efinancialnews.com/story/2014-05-26/letter-from-manila-philippines>

<sup>68</sup> International Business Times, *Homeless Day 2014: New York and Manila among Cities with Most People Living on Streets*, 10 October 2014. <http://www.ibtimes.co.uk/homeless-day-2014-new-york-manila-among-cities-most-people-living-streets-1469288>

<sup>69</sup> GMA News Online, *Philippines 4th most disaster-prone country in the world — UN report*, 25 November 2015. <http://www.gmanetwork.com/news/story/545760/scitech/weather/philippines-4th-most-disaster-prone-country-in-the-world-un-report>

<sup>70</sup> The Global Initiative for Economic, Social and Cultural Rights (GI-ESCR), the Western New England University School of Law International Human Rights Clinic, *Joint shadow report to the United Nations Human Rights Committee*, 2012. [http://www2.ohchr.org/english/bodies/hrc/docs/ngos/GIESCR\\_Philippines\\_HRC106.pdf](http://www2.ohchr.org/english/bodies/hrc/docs/ngos/GIESCR_Philippines_HRC106.pdf)

<sup>71</sup> PhilStar, *Complaints on Violent Demolitions Filed Before UN*, 21 March 2012. <http://www.philstar.com/Article.aspx?articleId=788990&publicationSubCategoryId=>

A case illustrative of the problematic nature of these state-led demolitions is the eviction that occurred in Corazon de Jesus, San Juan, Metro Manila. On 11 January 2012, 121 residents of Corazon de Jesus were brutally evicted from their homes. Joint forces of Philippine National Police, Special Weapons and Tactics, and a demolition team bombarded the residents with water cannons, used a bulldozer to enter the community, and fired guns and threw teargas at the residents and community. Policemen were armed with M14, M16, and 45 caliber firearms.<sup>72</sup> While the state provided the residents with relocation sites, residents found that these sites provided inadequate housing, lacked employment opportunities, and failed to provide basic social services. The UN Human Rights Committee officially registered a complaint the residents of Corazon de Jesus filed against the state for violating their right to housing.<sup>73</sup>

## **Recommendations**

- Work with local governments, private sector groups and civil society organizations, including community organizations, to implement sustainable informal settlements upgrading programs. Take into consideration the needs of communities for on-site housing.
- Consider the needs and views of children who bear the brunt of the impact of relocation in the design of urban relocation and urban development programs.
- Ensure the effective implementation of the Urban Development and Housing Act (UDHA) of 1992 (Republic Act No. 7279) and other laws and regulations prohibiting illegal forced evictions and demolitions.
- Undertake open, participatory, and meaningful consultations with affected residents and communities prior to implementing development and urban renewal projects. The views of children who are specifically impacted by relocation should also be taken into consideration.
- Ensure that persons forcibly evicted from their properties be provided with adequate compensation and/or offered relocation, in accordance with section 28 of the UDHA and the guidelines adopted by the Committee in its general comment No. 7 (1997) on forced evictions.
- Guarantee that relocation sites are provided with basic services (including drinking water, electricity, washing and sanitation facilities) and adequate facilities (including schools, health care centers and transportation) at the time the resettlement takes place. The safety and protection needs of children should be ensured before, during, and after relocation.

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<sup>72</sup> Demolition Watch, *Second Formal Complaint to UN by Corazon de Jesus Residents on Adequate Housing*, 6 February 2012

<sup>73</sup> The Global Initiative for Economic, Social and Cultural Rights (GI-ESCR), the Western New England University School of Law International Human Rights Clinic, Defend Job Philippines, *Individual Complaint to the Human Rights Committee under the Optional Protocol to the International Covenant on Civil and Political Rights*, 3 December 2013. <http://globalinitiative-esecr.org/wp-content/uploads/2015/02/150219-Philippines-Complaint-Corazon-de-Jesus.pdf>

## **APPENDIX: LIST OF PARTICIPATING NON-GOVERNMENT ORGANIZATIONS AND PEOPLE'S ORGANIZATIONS**

The preparation of the entire report was facilitated by the Philippine Human Rights Information Center (PhilRights). Participating NGOs and POs included:

1. Legal Rights and Natural Resources Center (LRC-KsK/FoE)
2. NGO Coalition CRC
3. Coalition of Services for the Elderly (COSE)
4. Freedom from Debt Coalition (FDC)
5. Focus on the Global South
6. Philippine Coalition on the UNCRPD
7. Task Force Detainees of the Philippines (TFDP)
8. Philippine Alliance of Human Rights Advocates (PAHRA)
9. Education Network (E-Net Philippines)
10. Alyansa Tigil Mina (ATM)
11. Woman Health
12. Pambansang Koalisyon ng Kababaihan sa Kanayunan (PKKK)
13. Sarilaya
14. Women's Legal and Human Rights Bureau (WLB)

### Participating NGOs and POs for the Right to Work Cluster

1. Sentro ng Alternatibong Lingap Panligal (SALIGAN)
2. Sentro ng mga Nagkakaisa at Progresibong Manggagawa (SENTRO)
3. National Union of Building and Construction Workers-Building and Wood Worker's International (NUBCW-BWI)
4. Alliance of Progressive Labor - SENTRO (APL- SENTRO)
5. Federation of Free Workers (FFW)
6. Center for Migrant Advocacy (CMA)
7. Pagkakaisa ng Manggagawa sa Konstruksyon (PAMAKO)

### Participating NGOs and POs for the Right to Food Cluster

1. Foodfirst Information and Action Network (FIAN Philippines)
2. Peoples Development Institute (PDI)
3. Economic, Social and Cultural Rights Asia (ESCR-Asia)
4. Kaybanban Farmer's Association, Inc. (KFAI)
5. Pasig Libre
6. Samahan ng Nakatatanda sa Payatas, Inc. (SNAPI)
7. Samahang Magsasaka at Mangingisda ng Kahawangan at Balaganon (SAMMAKAB)
8. ChildFund Philippines
9. PLAN Philippines

### Participating NGOs and POs for the Right to Health Cluster

1. Medical Action Group (MAG)
2. Hope for the Youth
3. HealthActivist.PH

4. Coalition of Services of the Elderly, Inc. (COSE)
5. Public Services Labor Independent Confederation (PSLINK)
6. Integrative Medicine for Alternative Healthcare Systems (INAM)
7. Health Justice
8. Catholics for RH (C4RH)
9. Katipunan ng Mamamayan ng Bagong Pilipinas (KMBPI)
10. Pambansang Koalisyon ng Kababaihan sa Kanayunan (PKKK)
11. Alternative Health Foundation (Alt\*Health)
12. Philippine Rural Reconstruction Movement (PRRM)
13. Kongreso ng Pagkakaisa ng Maralita ng Lungsod (KPML)
14. Ang NARS