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THE CALM BEFORE THE STORM

More job losses expected as
the global economic crisis
continues

PHILIPPINE HUMAN RIGHTS INFORMATION CENTER
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PEPITO FRIAS



FACT-FINDING MISSION



MEDICAL ACTION GROUP



TRACY PABICO

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Cover photo: Mine laborers in Itogon, Benguet. Photo by PEPITO FRIAS



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■ EDITORIAL

Karapatan sa Paggawa sa Gitna ng Krisis Pang-ekonomiya

SIMULA NOONG Oktubre 2008, mahigit limang libong overseas Filipino workers (OFWs) na ang natanggal sa trabaho at pinauwi sa Pilipinas, karamihan galing sa Taiwan, dulot ng lalo pang tumitinding pandaigdigang krisis pang-ekonomiya.

Halos lahat ng ekonomiya ngayon, mayaman o mahirap na bansa, ay apektado ng mababang 'demand' o 'consumption' na humahantong sa pagsasara ng mga pabrika o kaya ay maramihang pagbabawas ng mga manggagawa.

Sa ating bansa, tinatayang aabot sa 11 milyong trabahador ang bilang ng mga walang trabaho sa taong 2009. Ibig sabihin, labing-isang milyong pamilya rin ang malamang na magutom at malagay sa alanganin ang pag-aaral ng mga anak.

Sa sitwasyong ito, mahirap lang intindihin na ang pangunahing tugon pa rin ng gobyerno ay mas pinaigting na pagpapadala ng mga trabahador sa ibang bansa.

Nitong ika-4 ng Disyembre, 2008, pinirmahan ni Pangulong Gloria Arroyo ang Administrative Order (AO) 247 na nag-uutos sa Philippine Overseas Employment Agency (POEA) na maging agresibo sa paghahanap ng 'market' sa ibang bansa para sa mga Pilipinong manggagawa.

Sa madaling salita, pagbebenta ng lakas paggawa pa rin ang solusyon para makaalpas sa krisis at mabigyan ng hanap-buhay ang milyon-milyong Pilipino. Ngunit ano ang kapalit nito?

Una, matagal nang sinasabi ng mga samahan ng mga migrante na ang pakikipagsapalaran ng mga trabahador sa ibang bansa bunga ng kawalan ng maayos na lokal na hanap-buhay ay isa nang paglabag sa karapatan sa paggawa ng mga Pilipino.

Sabi ng Center for Migrant Advocacy (CMA), magiging katanggap-tanggap lamang ang pagtatrabaho sa ibang bansa kung ito ay isang opsyon na lamang at hindi pagkapit sa patalim ng isang manggagawa upang mapakain at mapag-aral lamang ang mga anak.

Hindi kayang isulat sa ispasyong ito ang walang katapusang kwento ng mga pang-aabusong naranasan at mararanasan pa ng mga OFWs at mga istorya ng pagkasira ng mga pamilya bunsod ng mahabang panahong pagkakahiwalay.

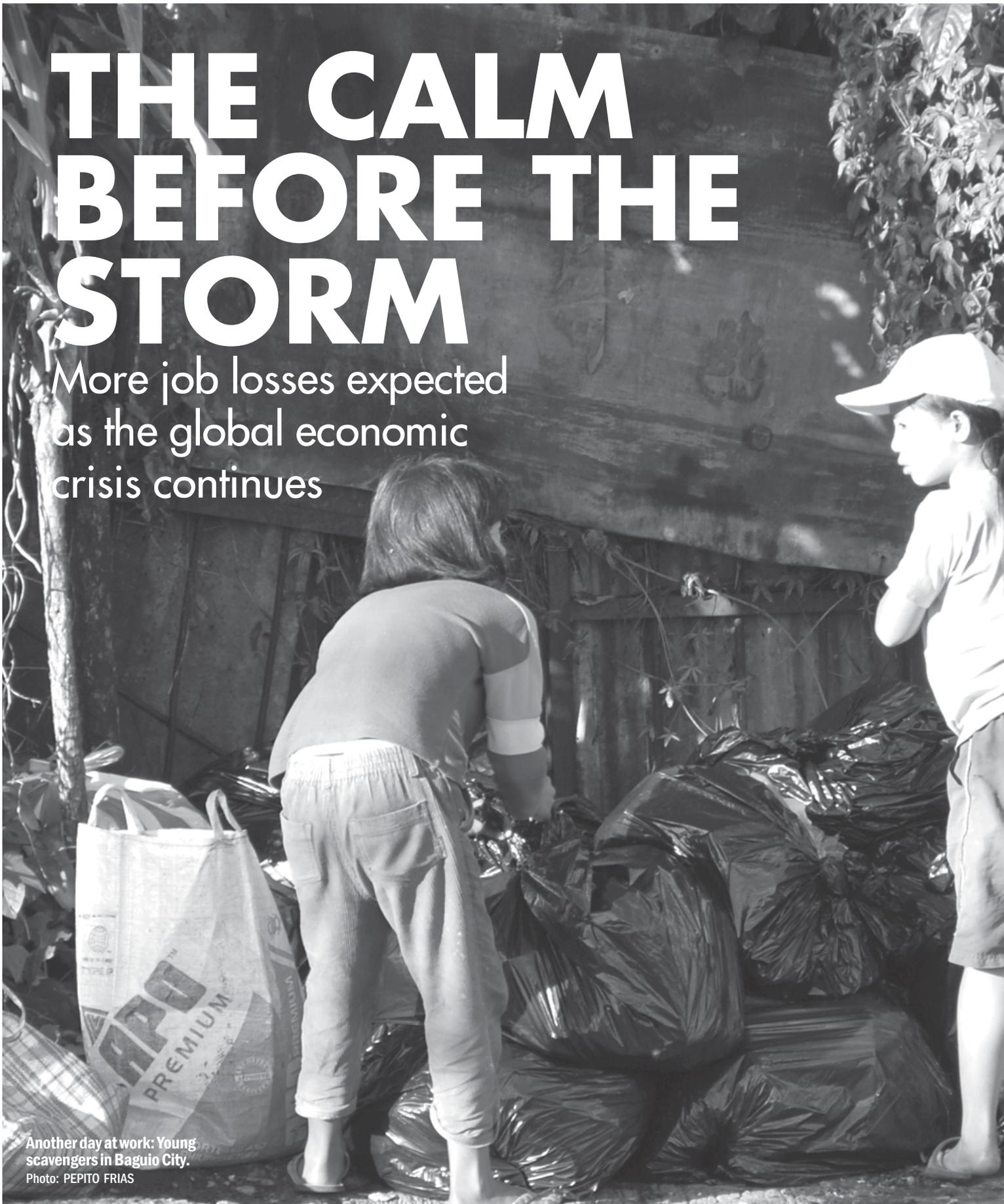
Pangalawa, binanggit na rin ng International Labor Organization (ILO) na sa panahong ito ng krisis, ang unang masasakripisyo at makakaranas ng papasamang kondisyon sa paggawa ay mga migranteng manggagawa. Bagama't hindi dapat, madalas na mga dayuhang trabahador ang unang pinauuwi kapag nagkakagipitan o di kaya ay naaabuso kapag kailangang magtipid ng mga kapitalista.

Nang pirmahan ni Pangulong Arroyo ang AO 247, sinabi nyang ang krisis pang-ekonomiya ay nangangailangan ng 'out of the box' o di-pangkaraniwang solusyon, ngunit ano ang bago rito? Ilang dekada na rin nating isinasakripisyo ang ating lakas paggawa bunga ng kawalan ng kakayahan ng pamahalaang lumikha ng sapat at makatarungang hanap-buhay sa bansa.

Ang masaklap pa, ilang dekada na rin natin silang tila ipinapain sa mga pating dahil patuloy natin silang pinapalabas ng bansa sa kabila ng kakulangan ng kakayahan ng ating gobyernong proteksyunan sila laban sa mga pang-aabuso at paglabag sa kanilang mga karapatan. ■

THE CALM BEFORE THE STORM

More job losses expected as the global economic crisis continues



Another day at work: Young scavengers in Baguio City.
Photo: PEPITO FRIAS



■ By VANESSA RETUERMA

While government and analysts have yet to agree if it is just a mere economic slowdown or a recession the country is facing ahead, the initial impact of a bigger economic storm are already being felt by workers across the nation.

AS THE economies of developed countries plunged one-by-one into recession, President Macapagal-Arroyo boldly assured the public that the country's economy, though not totally immune, would be less vulnerable to the massive impact of the economic crisis unravelling globally. In her speech during the Philippine Economic Briefing held in September, President Arroyo claimed that because of the sound fundamentals as well as the 'tough economic reforms' implemented by her administration, the country's economy is equipped to withstand the effect of the US-led financial crisis.

The President's statement, bold and convincing as it may seem, may not stand long enough to downplay the potential massive impact of the global economic turmoil and allay the public's fears of a looming economic crisis. As reports and figures on layoffs, cuts in work hours, forced leaves and repatriation of migrant workers increasingly made their way into the daily news, and economic briefings became frequent, it has become clear that the impacts of the global economic crisis have already started to be felt by the local economy. The local business sector as well as economic analysts have already become increasingly cautious over the current economic environment, warning that the impacts may actually be worse than anyone could have predicted.

In a survey done by the Makati Business Club (MBC) between October 24 to November 7, 2008 among its 738 members, 87 percent of respondents expressed pessimism, saying the Philippine economy will likely go into recession in 2009.

Given this gloomy reading of the economic environment in

early 2009, it is most likely that businesses would "contract their workforces" and "drop their capital expenditures."

Paul Quintos, executive director of the Ecumenical Institute for Labor Education and Research (EILER) and a London School of Economic (LSE)-trained economist, said in an interview that the US financial crisis could result, among other things, in job losses in the Philippines.

According



Construction work: Risky and underpaid. Photo: PEPITO FRIAS

At least 18,000 workers nationwide have been laid off and 33,000 have been affected by compressed work hours.



Photo: PHILRIGHTS PHOTOBANK

to Quintos, it is inevitable for the Philippines to be affected by the current financial crisis given its economic ties and dependence on the US market. "Neoliberal policies of liberalization of trade, investment and finance; deregulation, privatization, and others have exacerbated the country's vulnerability to the crisis of the global capitalist system," Quintos said.

One does not need to go into elaborate calculation to predict the potential impact of the current global economic crisis: around 18 percent of Philippine exports go directly to the US, as well as European Union markets, while up to 70 percent are indirectly dependent on the US; 90 percent of the Business Process Outsourcing (BPO) revenues come from the US market; and 51 percent of remittances come from US-based Filipinos.

Indeed, even a slight economic tremor in the US directly impacts on the country's already volatile economy. The effect on the local economy this time would be more serious, given that the US has plunged into recession in the last two quarters of 2008.

The worst is yet to come

As the economies of core developed countries continue to slip deeper into recession, this would most definitely result, among other things, in massive job losses in the peripheral economies such as that of the Philippines. A looming massive job loss would be a multiple blow to a country like the Philippines who has always struggled with high unemployment rates and deteriorating working conditions.

Even before the onset of the global financial crisis, the Philippines had already one of the highest unemployment rates in the Southeast Asian region. As of October 2008, some 2.5 million (6.8%) Filipino workers were unemployed, while another 6 million (17.5%) were underemployed, according to the National Statistics Office. On top of the stock of unemployed and underemployed, some 1.5 million workers join the labor force



Students' fears: Even a college degree these days cannot guarantee a decent job.
Photo: PEPITO FRIAS

"We need abnormal solutions in these abnormal times."

every year. The Philippine government is perennially faced with the task of creating jobs to absorb the rapidly expanding labor force - a task it is unable to accomplish.

The global economic crisis has slowed down demand in Japan, the United States and Western Europe - large markets for Philippine export goods, services and migrant workers. With the contraction of these markets, the demand for Philippine labor is most likely to shrink as well. The workers being in the last chain of the production line are the ones that would take the hardest blow in the current global economic turmoil.

Analysts say that the most vulnerable are workers in export-oriented industries such as electronics, automotive, garments and furniture sectors, as local companies are expected to lay off and cut working hours of their workforce to avoid possible shutdown. Labor Secretary Marianito Roque said weakening export demands in traditional export markets such as the US, Europe and Japan have

severely affected local manufacturing firms. Roque declared that some local companies are already removing overtime pay, reducing shifts and even reducing work hours of their workers, and are expected to eventually resort to layoffs.

Even a slight downfall in these industries would have detrimental impact on the economy and the lives of Filipino workers. Based on government records, the electronics sector accounts for about 58 percent of the Philippines' export and employs about 480,000 workers. Meanwhile, the garments sector employs around 120,000 workers, while the automotive industry, particularly the wiring harness sector, employs 35,000 people.

As early as November, companies in these sectors have already started to lay off some of their workers.

The labor group *Partido ng Manggagawa* (PM) reported in November that layoffs have already started in export-oriented factories in the Mactan Export Processing Zones and other industrial estates in the Visayas.



Shooting the breeze: A group of jobless men while away the time playing checkers. Photo: PhilRights PHOTOBANK

It noted that seven (7) companies in Cebu - Altamode, Cosonsa Manufacturing Inc., Arkaine Industries, Giordini del Sole, Paul Yu, Maithland Smith, and Neostone - have laid off workers or reduced working hours due to the decreasing demands from the US and European markets. It is estimated that around 1,690 workers, many of them women, have been affected by retrenchments, shutdowns, and work rotation being implemented by employers.

In December, Texas Instruments, one of world's biggest semiconductor manufacturers, announced that it is laying off 400 workers in its Baguio City



touted as one of the few bright spots of the Philippine economy, is expected to feel the full brunt of the current economic crisis.

The call center industry is considered the biggest sector in the Philippine BPO industry, generating the biggest revenue and employing the most workers. In 2007, contact centers accounted for 73 percent of the industry's US\$4.8 billion revenue and its employees accounted for 60 percent of the 300,000 BPO workers.

Local BPO firm Affiliated Computer Services (ACS) was reported to have recently dismissed 889 employees or one-fifth of its workforce after losing a major US-based client that had gone bankrupt. It was indicated in the report that from January to September 2008, the company had a net loss of P100 million on revenues of P1.48 billion.

In the latest tally of the Department of Labor and Employment, at least 18,000 workers nationwide have been laid off and 33,000 have been affected by compressed work hours being implemented by companies as a way of coping with the global economic crisis.

These figures may already be alarming, but what is more worrying is that the full impact of the current economic crisis is yet to unfold. Businessmen and economists warn that initial layoffs could just be a prelude to deeper job cuts as unemployment figures are expected to get worse in 2009.

Labor Secretary Roque has already warned that should the economic crisis get worse, the country's unemployment rates will definitely shoot up with 250,000 to 300,000 people likely to lose their jobs.

As figures and realistic interpretations on the current global economic crisis have just started to surface, it appears that we are inching closer to the beginning of the labor market downturn.

Shorter work hours and pay cuts

Aside from increasing layoffs, a host of cost-cutting measures are expected to be adopted



Jobless and homeless: A scavenger, with all his worldly possessions all in a pushcart, takes a rest in a sidewalk in Quezon City. Photo: JAY AZUCENA

plant. Texas Instruments has been operating in the Philippines for 28 years and was one of the pioneers of the electronic industry which has become the biggest export sector in the country. TI is reportedly employing a total of 2,300 people in its Baguio operation.

Most recently, Intel Corp, the world's largest maker of microprocessors and the second largest exporter next to Texas Instruments, announced that it is closing its manufacturing plant in General Trias, Cavite and offering severance package to 1,800 employees.

Even the local Business Process Outsourcing (BPO) sector,

by companies as they struggle to keep businesses open and prevent massive retrenchments as an economic downturn takes hold.

International Labor Organization (ILO) labor economist Steven Kapsos warns that even if massive layoffs have yet to be seen in the Philippines, the current crisis is "likely to affect workers in other ways that are somewhat more difficult to measure, such as declining hours of work, increase in part-time work, pressure for lower wages, and less job security."

The Makati Business Club (MBC), for its part, says that cost-cutting measures are already being done in some industries. Based on the survey they conducted among their members, only 8 percent of companies say they are not affected by the crisis. 64 percent say they are slightly affected and would likely implement compressed work hours, while 32 percent are heavily affected and would implement pay cuts and job sharing.

In the midst of the unfolding economic crisis, business leaders have called on the government and labor unions to be more open and flexible to cost-cutting measures such as cut-backs on work hours and work rotation that firms may have to resort to as an alternative to layoffs.

Edgardo G. Lacson, President of Philippine Chambers of Commerce and Industry (PCCI), told the media that the proposal for labor flexibility is a laudable move as it sought to protect jobs. "We need abnormal solutions in these abnormal times... It will mean a reduction in pay. But this is just temporary and it has to be done to save the economy and save jobs," he said.

University of the Philippines School of Labor and Industrial Relations professor Rene E. Ofreneo is quick to point out that the law already allows for such flexibilities like compressed work weeks, staggered work hours, and job rotation. But what is critical, according to Ofreneo, is that there should be an agreement between the man-



Bringing home the junk: An elderly woman, with her grandchildren and a pedicab full of junk scavenged in the waste bins of a university.

Photo: PEPITO FRIAS

agement and the workers.

However, in as much as the objective is to protect jobs and avoid massive retrenchment of workers, the proposal for more labor flexibilities are feared to exacerbate the already deteriorating quality and condition of work in the country.

Aside from the perennial high rates of unemployment and underemployment, conditions of many of workers, particularly those in skilled and semi-skilled categories, have increasingly deteriorated as businesses and employers have continuously taken steps to increase labor market flexibility in their drive to become more competitive in the global market. As a result, casualization of labor, job contracting, and subcontracting have increasingly become a norm, consequently weakening entitlements for workers and creating more job insecurity.

The practice of contractualization has increasingly become a standard practise in doing and maintaining business in the country, further endangering workers' welfare and job security. Compared to a regular employee, contractual workers do not have job security and

are not entitled to a wide range of employment protection and benefits such as wage increase, overtime pay and membership in labor unions. Miguel Maga, Jr., National Coordinator of Trade Union Rights Project Philippines, pointed out in an interview that one detrimental impact of contractualization is that it "kills organized workers' movements." Such impact is clearly reflected in current statistics on organized labor. According to Maga, "from the 37 million workforce nationwide, only 5 percent is organized as regular employees are now outnumbered by contract basis workers, i.e. contractual, casual, trainees."

Government contingency plan: will it suffice?

As a response to the worsening global economic crisis, President Arroyo announced in October that her administration will implement a comprehensive livelihood emergency program to protect the poor from the impact of the global economic crunch. Latest reports unveil further details of the plan, stipulating that the government will spend at least P1.7 billion to create 250,000 jobs

within the first two months of 2009, and one million before the end of July 2009, through regional livelihood programs.

National Anti-Poverty Commission (NAPC) chairman Domingo F. Panganiban said the programs will be implemented starting January 15, 2009. Among the jobs to be created are for street sweepers, construction workers for government-owned drug stores and irrigation projects, producers of organic fertilizers, soap and hollow-block makers, and livestock producers.

In addition, President Arroyo early on laid down her administration's plan of setting up a P250 million livelihood fund to aid retrenched OFWs.

According to the president, the government's contingency plan would offer an expanded livelihood and business formation program to returning expatriates. The contingency plan is said to include "a 24/7 heightened monitoring of displacements, monitoring job orders and redeploying of displaced OFWs to emerging labor markets as well as assistance in repatriation."

In the meantime, President Arroyo claims that retrenchment of OFWs would not pose a critical problem since her administration is confident that there are still more jobs available abroad and that overseas jobs held by OFWs are less sensitive to recession. Most Filipinos employed in severely affected countries like the US, Europe and Japan are somehow employed in indispensable areas of the workforce, such as health care and education.

President Arroyo is confident that should there be retrenchment of OFWs in affected countries, there are other countries with booming economies that could absorb them. Oil-rich countries in the Middle East such as Saudi Arabia, Dubai and Oman that are currently investing in heavy construction are being targeted by the government as possible major destinations of OFWs. Moreover, the president claims that there are more jobs waiting for Filipino

migrant workers; there would be a demand for 500,000 OFWs in Europe; 30,000 in Australia; 10,000 in New Zealand; and 20,000 in Guam.

However, migrant and labor groups remain unimpressed and critical of the government's response to the deepening economic crisis. They are sceptical both with the figures as well as with the policy framework on which the government seeks to address the economic challenges ahead. The government's continuous aggressive promotion of its labor-export programs and heavy reliance on remittances is nothing more than a reflection of the government's inability to create quality and decent jobs at home.

According to Ellene Sana, coordinator of the Center for Migrant Advocacy (CMA), "they are not against migration *per se*. But it should not be a forced migration. The problem is that the government is the one selling our workers by targeting to send a million OFWs every year."

Connie Bragas-Regalado, chair of Migrante International and Secretary-General of the Hong Kong-based International Migrants Alliance, warns that the global economic crisis will make the situation worse for OFWs as "employers will use the crisis to cut salaries and benefits further, exploit migrants' desperation for work by offering lower pay as it is, and generally pass on the crisis to migrant workers through more abuses."

In the end, it is no doubt that the workers are the ones in the first line to bear the heaviest burden of the global economic crisis. Despite declarations and efforts of the government to lay down plans that would compensate for the impact of the crisis and cushion workers from its attendant hardships, the question still remains: will these plans and the dismal economic achievement that the Arroyo administration boastfully declared be enough to weather the stormy days ahead?

The events of the last three months may have been a fore-



Back-breaking: Itogon Mines, Benguet.

Photo: PEPITO FRIAS

taste of the economic turmoil the country would be facing ahead, but the coming months or even years may just prove that the impact of the crisis is far more severe than what anyone could have expected or predicted.

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UNDER FIRE

IN ANY war, the losers are always the civilians caught in the crossfire.

From October 12-22, 2008, 80 human rights defenders visited the war zones in Mindanao to document the various violations committed against civilians in Lanao del Norte, Lanao del Sur, Maguindanao and North Cotabato, the provinces heavily affected by the fighting between the Muslim separatist groups and the Armed Forces of the Philippines (AFP) and paramilitary forces.

The fact-finding mission (FFM) was organized by SALAM, Inc - Task Force Civilian Protection (TFCP), Alyansa

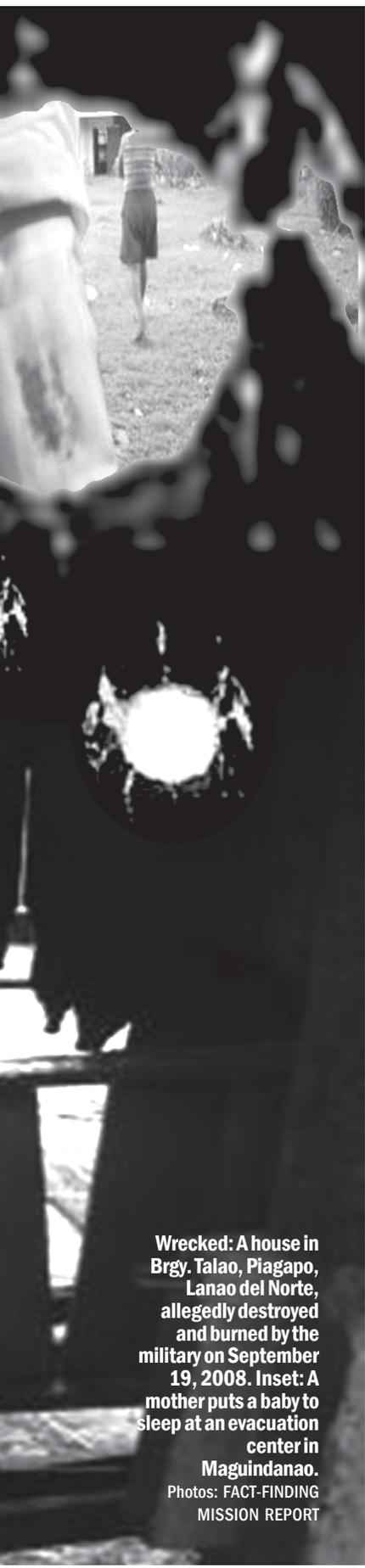
ng mga Mamamayan para sa Karapatang Pantao (AMKP), Mindanao Peoples' Peace Movement (MPPM) and the Philip-

pine Alliance of Human Rights Advocates (PAHRA). 52 local and national-level organizations sent representatives to the FFM, most of which were members of TFCP, AMKP, MPPM and PAHRA networks.

As the FFM reports, the full-scale battle waged in the areas has disrupted the lives of civilians. Hundreds of thousands were displaced; cases of illegal arrest were rampant; civilians were tortured. There were also cases of extrajudicial execution reported.

AFP and MILF operations





Wrecked: A house in Brgy. Talao, Piagapo, Lanao del Norte, allegedly destroyed and burned by the military on September 19, 2008. Inset: A mother puts a baby to sleep at an evacuation center in Maguindanao.

Photos: FACT-FINDING MISSION REPORT



Refuge: The stage of Mamasapano Elementary School served as refuge to the IDPs. Coconut leaves provided protection from the scorching heat of the sun and from the rain. Photo: FACT-FINDING MISSION REPORT

MAMASAPANO, MAGUINDANAO

LOCAL OFFICIALS of Mamasapano and some evacuees told the FFM team that the conflict between the AFP's 75th Infantry Battalion and elements of the MILF's 105th Command under Ameril Umbra Kato and some members of the 106th Command started on September 2008, before the month of Ramadhan. The conflict escalated in the second week of October in Sitio Manggapang, Barangay Manungkaling. The firing of three mortars destroyed a housing project in the said barangay.

On October 12, 2008, the AFP entered Brgy. Tukanalipao. Following a road-side bomb explosion, the AFP conducted air strikes, which lasted from 9 to 10 in the morning. Civilians reported seeing five planes dropping bombs in the area.

Civilians were trapped in the area, with only one exit available at Libutan, Mamasapano.

On October 14, 2008, a soldier stepped on a landmine in Brgy. Tukanalipao. The landmine explosion caused panic among the other soldiers. Thinking that the explosion came from the MILF, the panicked soldiers started firing indiscriminately. At around 4 in the afternoon, mortar shelling started. This lasted for almost two hours. When the shelling stopped, one person was found dead. Another resident also reported that his water buffalo

was killed during the shelling, while a certain Hadja Sumina Gaka reported that his house was burned during the encounter. Fearing for their lives, the barangay residents fled from the area.

Military forces occupied some parts of the community. They established the 75th Infantry Battalion base in Mamasapano High School, which is a few meters from the main road and is near the municipal hall and civilian homes.

Meanwhile, in Brgy. Tukanalipao, a few meters from the evacuation center and integrating with the civilian populace is the Reconnaissance Military Group (RMG) outpost. The municipality itself is highly militarized, with the 75th, 68th, and 64th Infantry battalions as well as the RMG, local police and auxiliaries standing guard. The

AFP declared that its military operations in these areas were legitimate. The presence of military personnel in the area suspended all normal activities of the municipality.

Among those destroyed by military shelling were the mayor's house, the roof of the grandstand of Mamasapano High School, and a water tank. At the back of the grandstand, the holes in the ground were proof of heavy shelling.

Presence of the military forces under the 75th Infantry Battalion and local police were felt as the FFM team conducted ocular inspection of the area. In fact, the team could still hear several mortar blasts during their post-interview meetings.

During the conduct of the interview, classes were still suspended in some schools in Mamasapano (Linantangan Elementary School, Lusay Elementary school, Dugengen Elementary School and Mamasapano High School) for various reasons (they were in the conflict zones or used as evacuation areas or occupied by the AFP forces and used as their base). ■

DATU PIANG, MAGUINDANAŌ

AERIAL BOMBINGS were visible and audible from the highway while the team was having lunch along the highway leading to Datu Piang.

A certain Capt. Turaray of the Delta Company, 38th Infantry Battalion, Pigaten II Detachment in Datu Saudi, Maguindanao permitted the team to inspect the burned and destroyed houses. More than twenty houses along the highway had been destroyed and burned; in some, only the charred posts remained. The team noted that the barangay health center had been ransacked; it was being used as a defensive base. A rope hung with cans and bottles ran along its perimeters; its obvious function was to sound off the approach of anyone.

Just 5-7 meters from this first detachment is the barangay hall, occupied by the military also. Members of the team also noted that a soldier walked in and out of the mosque adjacent to the barangay hall. Another military base was also established in Sta. Teresita Parish.

The team was supposed to meet with the municipal mayor; they learned that “he was too busy playing mahjong” with some of his municipal councilors. The mayor sent the municipal Social Welfare officer, who accompanied the team to the municipal hall. There, the team talked to the municipal administrator.

The team learned that the conflict between the MILF and the AFP started in Dapyawan on August 21, 2008. The escalating conflict caused the influx of both military personnel as well as internally displaced persons (IDPs) from the surrounding villages and communities. Military forces occupying Datu Piang are the 54th Infantry Battalion in Upper Salvo and 64th Infantry Battalion in Gumbay as well as the newly dispersed troops, the RMG of the 62nd infantry Battalion.

Asked if the local government tried to influence the GRP and MILF to stop the ongoing conflict and go back to the negotiating table, the municipal administrator said that their greatest concern is “how to give solution to the needs of the IDPs; not how to stop the war between the GRP and the MILF.”

The local government of Datu Piang had tried asking the military to allow the displaced civilians access to their communities. They were told that the military could not assure the security of the civilians because “there was no command from the higher echelons of the military to allow such access.”

Local officials are planning a rehabilitation program for the displaced civilians who are not yet allowed to go back to their communities. ■



3-year-old Datumanong Takulanga, wounded by a shrapnel during a shelling that hit the Datu Gumbay Evacuation Center in Datu Piang, Maguindanao on September 28, 2008. The evacuation center is only 150 meters away from the detachment of the 54th IB.

Photo: FACT-FINDING MISSION REPORT

caused tremendous damage to homes, farms and properties. Livelihood activities practically came to a stand-still, as civilians were mostly terrified of working in their farms and local businesses stopped operating. Education was also interrupted. The military established bases in schools and in civilian communities in Piagapo, Lanao del Sur and Mamasapano, Maguindanao; camped in masjid/mosques and private dwellings; and integrated themselves into the communities. Mortar shelling and indiscriminate firing of firearms reportedly done by the AFP in Muslim areas, and the presence of landmines have only added to the terror felt by civilians.

The war and the violations that it brought traumatized the civilian populations, especially the women and children. The harmonious relationships between Moro and Christian populations, built over generations, had been somehow affected. Dreaded vigilante groups began cropping up in several areas.

Because of continuous mili-



Rabia Abdulrahman, a 3-year-old resident of Brgy. Butilen, Datu Piang, Maguindanao, was wounded on her thigh when a 105 bomb fell 5 meters from her house on August 22, 2008. The bomb allegedly came from the detachment of the 64th IB PA in Brgy. Salbo, Datu Saudi. Rabia's 5-year-old brother, Humide, did not survive the blast. Photo: FACT-FINDING MISSION REPORT



Mamasapano, Maguindanao: Dwellings destroyed during the armed encounters. Photo: FACT-FINDING MISSION REPORT



tary operations, the thousands who were displaced by the war found it difficult to return to their homes and would rather remain in evacuation centers, no matter how difficult their living conditions were at the centers. They said the government was unable to secure their safety and their means of livelihood, and had not taken serious efforts to attain genuine peace for Mindanao. In overcrowded evacuation centers, people are getting sick, malnutrition runs high, and some people have already reportedly died. Adding to the congestion problem is the lack of water, relief goods and medical assistance.

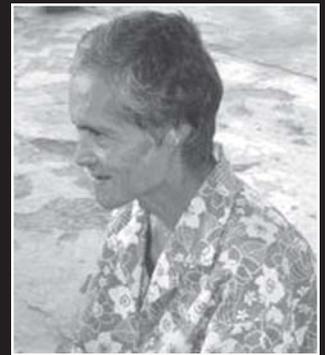
Among communities in Mamasapano, Maguindanao and in Christian communities in Lanao del Norte, the Moro Islamic Liberation Front (MILF) reportedly committed numerous atrocities against innocent civilians. The Christian communities affected appealed to the government to permanently detail military forces in the hinterlands of these areas to protect civilians from MILF attacks.

On the other hand, among Moro communities in Lanao del Norte, Lanao del Sur, Maguindanao (including Mamasapano) and North Cotabato, human rights violations were committed by the AFP. The Moro communities urged the government to stop the "senseless militarization" and to pull out the military forces in their areas in order for them to continue their normal and peaceful way of living.

Among the human rights

LAPAYAN, KAUSWAGAN, LANA DEL NORTE

BEFORE THE August 18, 2008 attack, the Muslim and Christian families in Lapayan coexisted harmoniously.



The gunfire started at around 4 AM of August 18. About 100 MILF members passing through the highway were responsible for this. As residents recounted, the men spoke in Tagalog, but it was quite clear, from their intonation, that they were Maranaos.

In the ensuing gunfight, houses were burned and properties were damaged and looted. Civilians were held hostage, many of them were tortured, hacked and mutilated. Several civilians were killed. Civilians first sought refuge at the auditorium, but while they were there, a Maranao woman told them to leave the place since the MILF forces were approaching. The civilians were forced to flee to the coastal areas. In their flight, they were not able to bring any provisions. The majority of those who fled proceeded by motorboats to Iligan City and stayed at the evacuation centers for several days. At the time of the FFM, a number of them had already returned to Lapayan, but there were also families who decided to transfer to other areas.

It was learned by the FFM team that during the attack of the MILF-BIAF, the AFP's 32nd IB was not present in the area. The area was secured by paramilitary forces only, the CAFGU and CVO-SCAA. The paramilitary groups did not initiate any counter action against the MILF forces because they were instructed by

71-year-old Tiburcio Ruflo was taken hostage and was hacked at the back, arms and head. His left ear was mutilated.

Photo: FACT-FINDING MISSION REPORT

the military officers to wait for an order before taking any action. The police officers assigned to the detachment in Lapayan also did not attempt any counter action because they were outnumbered. Instead, they removed their uniforms and ran to the shore along with the civilian population.

There was a gap of five hours before government forces responded. The military arrived at around 9 in the morning, when the MILF had already left the area, to rescue wounded civilians and bring them to hospitals in Iligan, and to retrieve those who had died and bring them to funeral parlors.

According to those interviewed, a total of 16 persons were killed. Some of them were hacked before being shot. Eight other civilians suffered multiple wounds. Eleven persons were held as hostages and two others were forcibly taken in exchange for P50,000.00 cash and one (1) M16 armalite rifle. Twenty-two houses were destroyed. ■



Jeramil Maghanay, 20 years old, of Brgy. Pantar, Kolambugan, was wounded when members of the MILF-BIAF allegedly started firing indiscriminately on August 18, 2008.

Photo: FACT-FINDING MISSION REPORT

TACUB, KAUSWAGAN, LANAO DEL NORTE

JUST LIKE in Lapayan, relationships between the Muslim and Christian population in Tacub were harmonious. There were even several intermarriages between the two groups.

On August 18, 2008, between 4:30 and 5:00 AM, loud gun shots were heard by residents of Tacub. An estimated 600 MILF-BIAF men attacked the area.

The municipality requested the military to beef up their presence. The LGU was assured by the military that they would respond in 10-15 minutes. This promised back up defense did not arrive in time, however. The standby military armored vehicles were stationed to guard the municipal hall. According to civilians, they noticed that the military “only observed the incident and did not try to protect the civilians.” (Military personnel assigned to the area belong to the 32nd IB PA, 1st Inf. Tabak Division.)

The military reinforcement arrived at around 9:00 AM. While the military had already been informed early of the MILF attack, they could not respond because “there was no order yet.”

Before the military came, the civilians fought back. Five of them died defending their place. According to those interviewed, had the civilians not fought back, more houses might have been torched by the MILF.

The majority of the civilians who ran to the shore and escaped in motorboats to Iligan City did not manage to bring any belongings with them.

Twenty-one civilians were killed and another one died of cardiac arrest during the attack; four were wounded. Twenty-one persons were held hostage (six farm workers were forcibly abducted, one of whom died while he was fleeing), including the 15 others who were held hostage inside their houses. Twenty-one houses were torched, affecting 47 families. The total number of evacuees from Tacub reached more than 700 families. Some of them lost cash and other properties which were looted by the attackers. ■

Members of the FFM team at a press conference before the start of the fact-finding.

Photo: FACT-FINDING MISSION REPORT



Human rights defenders conduct a group interview with evacuees at an evacuation center in Kulasihan, Kolambugan.

Photo: FACT-FINDING MISSION REPORT

violations documented by the FFM teams are the following:

1. Violations against the right to life, safety and security. Hundreds of civilians died, some were seriously wounded and maimed, there were several who were taken hostages. Some civilians were also illegally arrested and detained.
2. Loss of homes and means of livelihood; and loss and destruction of properties.
3. Massive displacement of civilian, both Muslims and Christians.
4. Violation of the right to education, as thousands of children were forced to stop schooling. The establishment of military bases in schools is a clear violation of this right.



5. Violation of the rights to health and food. In evacuation centers, IDPs fell prey to epidemics, various illnesses and malnourishment. Contagious diseases easily spread within the cramped and poorly maintained centers, preying mainly on the children. Evacuees also complained of lack of potable water.

Among the deleterious effects of militarization noted by the FFM teams are:

1. Psycho-emotional trauma as manifested by trembling, fear of men in uniform, and low performance, inattentiveness and absent-mindedness among school children due to the MILF attacks in Christian areas and ongoing mortar shelling, presence of landmines and indiscriminate fir-

ing by the AFP in Muslims areas.

2. Changes in the relationship between Christians and Muslims, particularly in Kauswagan and Kolambugan, Lanao del Norte.
3. Atmosphere of insecurity among the civilian populations, who are constantly in fear of another possible attack by the MILF and continuous military operations by the AFP.

The FFM teams also noted with concern the revival of vigilante groups in Christian areas, including the dreaded Ilaga. What is more alarming is that there are sectors of the population that favor the arming of civilians.

Community members voiced out their concerns, among them:

1. Support to the evacuees in the meantime that they have not yet returned to their communities and their farms.
2. Bring to an end the militarization in Muslim communities. Muslims are also asking that the rampant and continuing human rights violations being committed by the military be stopped.
3. A serious government effort to preserve peace and order in the communities, and secure the means of livelihood of the people.
4. Justice for the innocent civilians, both Christians and Moros.

Excerpted here are some of the findings of the various teams that visited the communities. The full report is available from organizations that participated in the fact-finding mission. ■



Alamin ang inyong mga

KARAPATAN

Mga mahahalagang usapin tungkol sa Internally Displaced Persons (IDPs)

Ano ang 'internal displacement' (sapilitang paglikas sa loob ng bansa)?

ITO AY tumutukoy sa hindi boluntaryong paglikas ng mga tao sa loob ng isang bansa. Ito ay nangyayari kapag ang isang tao, pamilya o komunidad ay napilitang umalis sa lugar kung saan sila naninirahan, o kaya ay napuwersang iwanan ang kanilang mga bukirin at iba pang pinagkukunan ng kanilang kabuhayan.

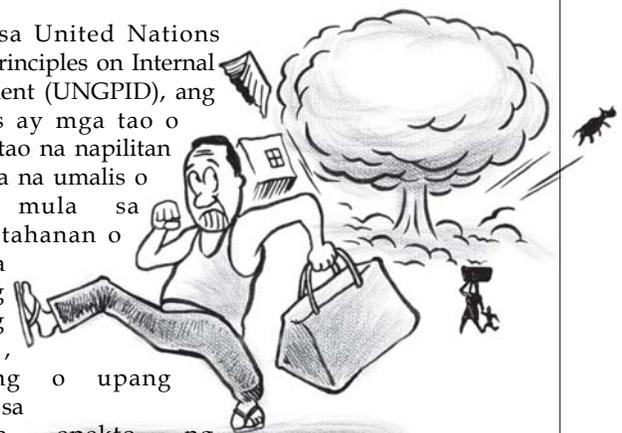


Ang mga taong napilitang lumikas ay tinatawag na *internally displaced persons* (IDPs) o "bakwit." Sila ay nagtutungo sa ibang lugar sa loob ng bansa at hindi nagpupunta sa ibayong lugar. Ang paglikas ay ginagawa nila upang makaiwas sa kapahamakan, kaguluhan o panunupil na dulot o resulta ng armadong labanan, malawakang pag-iral ng kaguluhan, paglabag sa karapatang pantao, demolisyon, pagkasira ng kapaligiran o dahil sa tinatawag na proyektong pangkaunlaran na nagtataboy sa mga tao at pamilya mula sa kanilang tirahan at pamayanan.

Sino ang mga taong tinatawag na Internally Displaced Persons (IDPs)?

Ayon sa United Nations Guiding Principles on Internal Displacement (UNGPID), ang mga IDPs ay mga tao o grupo ng tao na napilitan o na-obliga na umalis o lumikas mula sa kanilang tahanan o lugar na kanilang palagiang tirahan, bunga ng o upang makaiwas sa

- mga epekto ng armadong tunggalian,





Alamin ang inyong mga **KARAPATAN**

- mga kalagayan ng pangkalahatang kuguluhan,
- mga paglabag sa karapatang pantao,
- mga sakunang kagagawan ng tao o dulot ng natural na kadahilanan

at sila ay hindi tumawid sa isang kinikilalang internasyonal na hangganan ng isang estado/bansa.

Kabilang din dito ang mga taong lumikas dahil sa paglabag sa kanilang karapatang pang-ekonomiya, panlipunan at pang-kultura. Halimbawa dito ay ang mga katutubong mamamayang itinaboy upang makapasok sa kanilang lupaing ninuno ang mga dayuhang negosyo (tulad ng pagmimina) at mga tinatawag na “proyektong pangkaunlaran” na hindi naman sila ang nakinabang.

Sino ang kadalasang apektado ng sapilitang paglikas?

Karamihan sa kanila ay nagmumula sa mga kana-yunan at bulubunduking lugar. Sa mga sentrong bayan o kalunsuran naman, ang mga madalas na maitaboy ay yaong mga kabilang sa sektor ng maralitang tagalungsod, dahil sila’y madalas na nahahagip ng demolisyon.



Sa kasalukuyan, ang pinakamalaking bilang ng mga IDPs ay mula sa mamamayang Moro tulad ng Maguindanaoan, Maranaw, Iranun, Tausug, Kalibugan at Kalagan. Ang iba ay mula sa mga pangkat ng Lumad na tulad ng B’laan, T’boli, Higaonon, Subanon, Manobo at Teduray. Maraming mga Kristiyanong naninirahan sa Mindanao ay naapektuhan din ng labanan sa panig ng tropa ng pamahalaan at mga rebelde.

Ayon sa isang pag-aaral ng Citizens Disaster Response Center (CDRC) noong 1993, mahigit sa kalahati ng bilang ng mga IDPs na biktima ng armadong labanan ay mga bata. Sa isang pag-aaral ng ginawa ng Balay Rehabilitation Center noong 2003, tinatayang apat sa bawat sampung tao sa mga *evacuation centers* sa Pikit noong taong iyon ay mga bata.

Ano ang karaniwang dahilan ng paglikas ng mga tao?

Maliban sa natural na kalamidad, ang militarisasyon at sagupaan sa pagitan ng mga sundalo ng pamahalaan at mga rebeldeng grupo ang pinakapangunahing dahilan ng



paglikas ng mga tao sa loob ng Pilipinas.

Ano ang tungkulin ng gobyerno sa kalagayan ng pwersahang paglikas?

Ang pinakamainam na paraan upang harapin ang problema ng sapilitang paglikas ay iwasan ang mga kundisyon o kalagayang nagtutulak sa mga taong iwanan ang kanilang mga tahanan kahit labag sa kanilang kalooban.

Ang pangunahing tungkulin na isakatuparan ang kaligtasan, kapakanan at kalayaan ng mga tao ay nakaatang sa

pamahalaan. Ang prinsipyong ito ay malinaw na nakasaad sa deklarasyon ng karapatang pantao at sa internasyunal na batas na makatao.



Ano ang United Nations Guiding Principles on Internal Displacement (UNGPID)?



Binibigyang linaw ng UNGPID ang mga tungkulin ng pamahalaan at mga pribadong ahensiya sa mga sitwasyong may sapilitang paglikas sa loob ng isang bansa. Higit sa lahat, inihahanay nito ang mga karapatan ng

mga IDP hinggil sa:

- Proteksyon laban sa arbitraryo o walang-pakundangan na pagtataboy ng mga tao;
- Proteksyon sa panahon ng aktuwal na paglikas;
- Katiyakan sa ligtas na pagbabalik, muling pagtatayo ng komunidad at malayang pakikisalamuha at pamumuhay ng mga IDPs;
- Katiyakan sa makataong tulong o *humanitarian assistance*.

.....
Halaw mula sa isang praymer hinggil sa Internally Displaced Persons na inilimbag ng Balay Rehabilitation Center, Inc.



■ Text and Photos by **TRACY PABICO**

Araw ng mga Bata Para sa Karapatan at Kapayapaan

AMIDST THE conflict and instability in Mindanao, the Philippine Human Rights Information Center (PhilRights) in partnership with the Southern Christian College-Community Education, Research and Extension Administration (SCC-CEREA), organized a Children’s Fun Day in conflict-affected communities in Aleosan, North Cotabato. The Children’s Fun Day was conducted on December 19, 20 and 22 (2008) in Barangays Bagolibas, Dunguan and Pagangan, respectively.

Carrying the theme, “*Araw ng mga Bata para sa Karapatan at Kapayapaan*”, the Children’s Fun Day provided a venue for children to play, have fun and express their feelings and opinions.

The Children’s Fun Day was conducted to contribute to the fundamental goal of increasing the resiliency of children to help them cope with the difficult situations they face during war.

Games and activities that promote the rights and total well-being of children were conducted during the Children’s Fun Day.

Booths were also set up for several activities such as play pen, story-telling, freedom wall, Origami (paper folding), Wheel of Resilience.

A total of 1026 children from the three partner communities participated in the Children’s Fun Day.

- Barangay Bagolibas - 244 children
- Barangay Dunguan - 197 children
- Barangay Pagangan - 585 children





Program and Children's Presentations

The Children's Fun Day begins with a short program and presentations (song and dance) from the children.





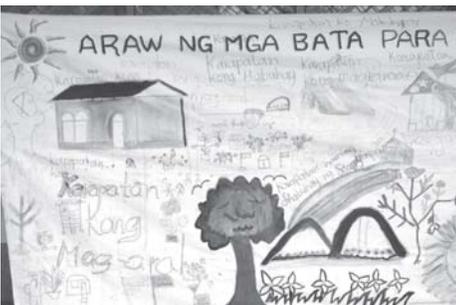
Games and Group Activities

Facilitated games included the longest line, Tug-of-war, dragon's tail, sack race, stone relay, bahay-bata-bakwit (modified "open the basket"). Indigenous games were also facilitated such as lantsug and other games requested by the children.



Express Yourself

A freedom wall for children to express their feelings, wishes, hopes and fears through text and artwork.





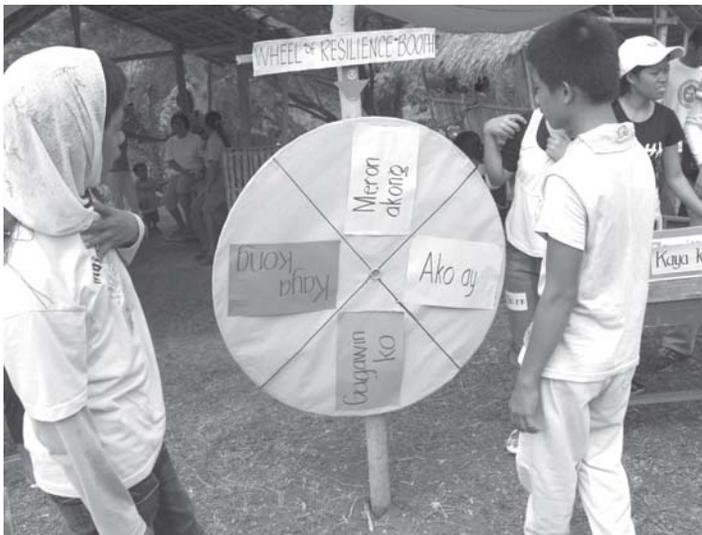
Dove Paper Folding

Children learn the art of origami. They made doves to symbolize Peace in Mindanao.



I Have, I Can, I Am, A Will

Children spin the wheel marked with the different factors that facilitate resiliency (*I have, I am, I can, I will*) and answer a particular resiliency factor.



Play Pen

A safe space for younger children was set up, filled with educational toys.





Story-telling

Story telling session for kids. PhilRights' children's books on peace were shared with the children.



Distribution of Child Pack

UNICEF child packs were distributed to children.





PAGBASAG NG PALAISIPAN

Ang Implementasyon ng Cheaper Medicines Law

■ Ni CANDY DIEZ

MATAPOS ANG sunod-sunod na deliberasyon sa kongreso, senado at iba't ibang ahensya ng gobyerno, ang naipasang batas na makakapagpababa ng presyo ng gamot ay nananatiling palaisipan sa karamihan ng mga Pilipino.

Naisabat ang *Cheaper Medicines Law* buwan ng Hunyo, 2008. Napirmahan naman ang *Implementing Rules and Regulations (IRR)* nitong Nobyembre 2008. Halos dalawang buwan matapos ang proseso ng konsultasyon, patuloy na tumataas ang ekspektasyon na tuluyan nang magiging

abot-kaya ang mga gamot sa Pilipinas.

Ang *Republic Act 9502* o '*Universally Accessible Cheaper and Quality Medicines Act of 2008*' ay nahahati sa dalawang bahagi: ang *Intellectual Property Code amendments* at ang mga probisyon na may kinalaman sa gamot sa kabuuang kalusugan ng pasyente.



Pagbabago sa Intellectual Property Code ng Pilipinas

Sa ilalim ng mga pagbabago sa *Intellectual Property Code*, maari nang mag-angkat ng gamot na may kasalukuyang proteksyon ng *patent*.

Ang *parallel importation* ay naglalayong mag-angkat ng mas murang *patented* na gamot upang maipagbili ito sa mas murang halaga dito sa ating bansa. Lahat ng ahensya ng gobyerno na

nagnanais mag-*parallel import* ay kailangang idaan ang importasyon sa PITC Pharma Inc.

Maari na ring gamitin ng pamahalaan ang isang gamot na may proteksyon pa ng *patent* sa mga sitwasyong may *national emergency*, epidemya at iba pang kahalintulad na sitwasyon nang walang pahintulot ng may-ari ng *patent*. Ang mekanismong ito ay tinatawag na *Government Use*.

May probisyon din hinggil sa *Compulsory Licensing*. Maaring gawaran ng pamahalaan ng lisensya ang ibang grupo o kumpanya na gumawa at magbenta ng isang gamot na may *patent* pa kahit walang pahintulot ng may-ari ng *patent* nito. Maaring gamitin ang *Compulsory Licensing* sa mga sitwasyong may *national emergency*, epidemya at iba pang pagkakataon na nakasalalay ang kalagayan ng bansa.

Binigyang-diin naman ng probisyong *Non-Patentable Inventions* ang mga bagay at substanyang hindi dapat gawaran ng *patent*. Kabilang na dito ang mga pamamaraan ng panggagamot sa pasyente, mga halaman, uri ng mga hayop at ang mga pagtuklas, imbensyon, at substanya na hindi mapapatunayang nakakagaling ng isang sakit.

Ang probisyong ito ay nagnanais maiwasan ang pang-aabusong tinatawag na '*Ever-greening*' na malimit ginagawa ng mga kumpanya ng gamot upang mas mapahaba pa ang *patent* ng kanilang produkto. Ang mga kompanya ng gamot ay karaniwang gumagawa lamang ng kaunting modipikasyon sa substanya ng isang gamot upang mapahaba pa ang proteksyon ng *patent* sa pani-bagong produktong gamot na kaunti at kadalasan ay bahagyang lang naman ang pagkakaiba sa naunang bersyon nito.

Maximum Retail Price sa mga gamot

Sa pangkalusugang bahagi ng IRR, binibigyang karapatan

Napakahalaga ang matinding pagbabantay sa mga ahensiyang may kinalaman sa implementasyon ng Cheaper Medicines Law

.....

ang Pangulo ng Pilipinas na magtakda ng *maximum retail price* (MRP) sa mga presyo ng gamot sa bansa. Inatasan ang Department of Health (DOH) na magbigay ng rekomendasyon sa Pangulo ng Pilipinas ng mga gamot na maaring gawaran ng MRP. Inatasan din itong bumuo ng mga *advisory councils* na



KARAPATAN
SA KALUSUGAN
IPAGTALABAN
30CPNET

Photo: MEDICAL ACTION GROUP (MAG)

makakatulong sa pag-aaral at pagbibigay ng nararapat na rekomendasyon sa Pangulo hinggil sa presyo ng gamot.

Mahalagang papel ang gagampanan ng iba't-ibang grupo ng *civil society* sa maayos na implementasyon ng *maximum retail price*. Nakasaad sa IRR na aktibong makikilahok ang mga NGOs sa pagbabantay ng implementasyon at pagsusumbong sa mga kaso ng paglabag, hindi lamang sa MRP, kundi pati na rin sa kabuuan ng implementasyon ng buong batas.

Generics bilang mabisang alternatibo

Sa IRR, binigyang-diin ang pangangailangang magbigay ng reseta na may *generic name* ng gamot. Lahat ng mga duktor, *consultant* at pampublikong *health workers* ay kinakailangang gamitin at isulat ang *generic name* ng isang gamot sa kanilang mga reseta.

Binigyang-halaga rin ang pagpapalakas sa sektor ng mga mamimili sa pamamagitan ng pagdadagdag ng isang probisyon na nagsasabing may karapatan ang mamimili sa impormasyon patungkol sa lahat ng detalye hinggil sa mga ibang alternatibong *generic* na gamot.

Maglalagay din nang mensaheng, "This product has the same therapeutic efficacy as the innovator product of the same generic name" sa mga labels ng gamot na *generic* upang maibsan ang takot ng mga pasyenteng bumili ng *generic* na gamot.

Inaatasan din ang mga manufacturers sa Pilipinas na gumawa o mag-distribute ng kahalintulad na *generic* na gamot ng bawat *patented* na gamot na kanilang ipinagbibili. Sa mga pagkakataong natapos na ang *patent* ng isang gamot ngunit walang *manufacturer* na interesadong mag-aplay para gumawa ng *generic* na bersyon nito, maaaring atasan ng Kalihim ng DOH ang lahat ng *manufacturers* na gumawa ng *generic* na bersyon ng produkto.

Upang mapalawak ang kaalaman ng mamamayan hinggil sa mga gamot na *generic*,



Photo: MEDICAL ACTION GROUP (MAG)

maglulunsad ang DOH, kasama ang Department of Interior and Local Government (DILG) at mga NGOs ng kampanyang edukasyon. Ang Commission on Higher Education (CHED) at Department of Education (DepEd), sa pakikipag-ugnayan ng DOH, ay maglulunsad ng mga pagsasanay para sa mga manggagawang pangkalusugan upang mas lalong mabigyan ng pagpapahalaga ang gamot na *generic* bilang isang mabisang alternatibo sa mga *branded* na gamot.

Over-the-Counter drugs sa mga pamilihan

Sa ilalim ng pag-aamuyenda sa Pharmacy Law, pinapayagan na ang pagbebenta ng mga *over-the-counter drugs* sa mga *non-traditional outlets* tulad ng supermarket, groseri, *convenience stores* at iba pa. Ang bawat *non-traditional outlet* ay kinakailangang dumaan sa proseso ng awtorisasyon ng Bureau of Food and Drugs (BFAD).

Bago ito tuluyang gawaran ng lisensya, kinakailangang dumaan sa mga pagsasanay at iba pang mga seminar hinggil sa *over-the-counter drugs*, wastong pagbili, tamang pangangalaga sa mga gamot at ang pagkakaroon ng *supervising*

pharmacist sa kanilang outlet.

Pag-papaunlad sa sistema ng BFAD

Upang mas mapahusay ng BFAD ang kanilang regulasyon, pinapayagan na itong gamitin ang kanilang pondong nakolekta mula sa mga *fees* sa mga transaksyon, *royalties* at iba pang mga serbisyo nito. Ang nasabing pondo ay gagamitin sa pagpapaunlad ng pasilidad, kagamitan, at mga empleyado ng BFAD. Magbibigay ang BFAD ng taunang ulat sa Oversight Committee ng Quality Affordable Medicines Oversight Committee.

Matapos ang dalawang taon ng pagpapatupad ng IRR ng Cheaper Medicines Law, susuriin ng DOH, Department of Trade and Industry (DTI), Intellectual Property Office (IPO) at BFAD ang nasabing IRR upang masiguradong epektibong naisasakatuparan ang mga nakasaad dito.

Panimulang implementasyon

Sa mga unang buwan ng implementasyon ng IRR, sinimulang ayusin ng DOH ang pagbubuo ng mga *advisory councils* na inaasahang magbibigay ng gabay at rekomendasyon sa Kalihim ng DOH hinggil sa mga gamot na

nararapat na gawaran ng *maximum retail price* at mga palisiyang may kinalaman sa implementasyon nito. Sa isang pulong, naiulat ng DOH na may kasalukuyang listahan ng 25 *molecules* na irerekomandang mabigyan ng MRP. Ang lahat ng gamot na may ganitong uri ng *molecule* ay isasailalim sa MRP.

Habang hindi pa tuluyang naisasaayos ang mga polisiyang ito, inilunsad ng DOH ang kanilang P100 *treatment pack* kung saan ang kumpletong medikasyon ng gamot ay isinama na sa isang paketeng mabibili sa halagang isang daang piso lamang. Napabilis din ang proseso ng rehistrasyon ng BFAD para sa mga bagong *generic* na gamot na papasok sa merkado; mula sa 5 hanggang 6 na buwang proseso, ngayon ito magiging dalawa hanggang tatlong buwan na lamang.

Isang masusing pagbabantay

Sa kabila ng ganitong uri ng mga hakbang ng DOH, nananatiling kulang ang impormasyong nakakarating sa publiko. Sa ganitong yugto ng implemen-tasyon ng batas, napakahalaga ang matinding pagbabantay sa mga ahensyang may kinalaman sa implementasyon. Kinakailangan ng masusing pagmamasiid at patuloy na pagtawag-pansin sa mga kinauukulan upang masiguradong hindi matutulad ang *Cheaper Medicines Law* sa mga naunang batas na bagama't mahusay at maganda ang nilalaman ay nananatiling isang palamuti sa mga *resume* ng mga pulitiko.

PINAGHALAWAN:

- Implementing Rules and Regulations – RA 9502 or the Universally Accessible Cheaper and Quality Medicines Act of 2008.

- Dr. Robert Louie So, Department of Health, Getting Affordable Quality Medicines to the People Soonest, powerpoint presentation, December 10, 2008.

- <http://portal.doh.gov.ph/files/IRRA9502erratum.pdf>

■ By **ANALYN LEA TUBURAN-UGALINGAN**

FOR THE first time after the recent eruption of conflict here in Mindanao, a Tri-Peoples' Peace Summit was conducted in the Islamic City of Marawi. Peace advocates came together to thresh out ways of advancing "democratic political options for peace in Mindanao." Four options were explained by resource persons and discussed in workshops. These four options will be proposed and presented in a UN-managed referendum being pushed by peace advocates.



CONVERGENCE FOR PEACE

THE 5TH MINDANAO PEOPLES PEACE SUMMIT

The 5th Mindanao Peoples Peace Summit, convened by the Mindanao Peoples Peace Movement (MPPM), the Southern Christian College-Community Education Research and Extension Administration (CEREA), and nongovernment organizations Sumpay Mindanao, Inc and the Tri-People's Organization against Disasters Foundation (TRIPOD), Inc., was held at the Institute for Peace and Development (IPDM) Convergence Hall, Mindanao State University, on December 12-16, 2008. According to Alvaro O. Senturias, MPPM chair, the summit focused on the current situation in Mindanao and the proposal for referendum for peace in Mindanao. This referendum has been advocated by MPPM since the 2nd Peace Summit held in Midsayap, N. Cotabato in December 2002. MPPM's proposal is to have the United Nations supervise, manage or facilitate this referendum, which will present four political options for peace: free association, au-

tonomy, federalism and independence.

Some 400 representatives of the Tri-Peoples (Katawhang

Lumad, the Bangsamoro and the Mindanao Migrants/Descendants), interfaith groups, students and the academe, and non-



Photos: MINDANAO PEOPLES PEACE MOVEMENT (MPPM)

government organizations working on different development concerns such as peace, human rights, disaster relief and rehabilitation, and environmental concerns based in mainland Mindanao, Sulu, Basilan, Tawi-Tawi and Palawan, affirmed their call for the conduct of the referendum.

Aside from the focal topic on the proposed referendum, thematic workshops were also conducted on the issues of ecology, migration and development, youth and young women, and the global financial meltdown.

Given the renewed eruption of conflict in Mindanao, peace and development were foremost in the minds of the summit participants. Adopting their

Marawi Declaration 2008 5th Mindanao Peoples' Peace Summit Declaration



5th MPPS Declaration (Marawi Declaration 2008), they called on all concerned parties to “assert the right to self-determination of the Tri-Peoples, build just and lasting peace, and work for genuine development in Mindanao.”

Representing the government at the Peace Summit was Undersecretary Dimasangkaya Pundato of the Office of the Presidential Adviser on the Peace Process (OPAPP).

Representatives of revolutionary groups who spoke at the Summit were Bobby Alonto, member of the Moro Islamic Liberation Front Negotiating Panel and Dr. Alepekre Basher, Secretary General of the Moro National Liberation Front-Bangsamoro National Parliament.

Other speakers were Rey Claro Casambre, executive director of the Manila-based non-

government organization Philippine Peace Center, who gave his insights on the peace process between the Philippine government and the National Democratic Front; as well as a representative from Cagayan de Oro-based Balay Mindanao, Inc., who spoke on the peace talks between the Philippine government and the Rebolusyonaryong Partidong Manggagawa-Mindanao.

Aside from ending the cycle of violence, the government and Mindanao Tri-Peoples are challenged to address other development concerns. These include the “lack of social services; lack of food sovereignty; continuing export of contract labor; threats to youth, women and children; environmental degradation and climate change; and the chronic economic crisis brought about by globalization.” ■



ASSERT THE right to self-determination of the Tri-Peoples, build just and lasting peace, and work for genuine development in Mindanao!

We, the Tri-Peoples (Katawhang Lumad, Bangsamoro, Migrants and Descendants) of Mindanao-Sulu-Basilan-Tawi-Tawi-Palawan participating in the 5th Mindanao People’s Peace Summit in the Islamic City of Marawi, to discuss ways to advance democratic political options for peace in Mindanao—

Assert our collective fundamental right to self-determination and commitment to just and lasting peace and sustainable development in our Homeland, with full recognition of our socioeconomic, political, cultural and religious diversity;

Maintain that our right to self-determination can be served in many forms, such as free association, autonomy, federalism, and independence;

Uphold that the most peaceful and democratic way of resolving the issue of self-determination of the Tri-Peoples is the conduct of a United Nations-supervised/ managed/facilitated referendum on the above political options;

Believe that the government’s total war policy threatens the achievement of just and lasting peace and creates a spiral of violence detrimental to our people and environment;

Propose that the way to peace and development requires the systematic resolution of political, economic, and socio-cultural problems, including long-held biases and prejudices that have prevented our genuine appreciation of each other’s actual and potential contributions;

Commit ourselves to continue exploring ways to correct historical mistakes and misunderstandings that have led to the persistence of violence and destruction;

Call for an openness from the different peoples, as well as the various armed groups operating in our Homeland, to build communities of peace, to find their path to harmony and tolerance, and to resolve the fundamental causes of conflict;

Support efforts of all concerned parties to bring all forms of relief (physical, social, legal, political and spiritual) to the Tri-Peoples caught in the web of conflict;

Appeal to the Philippine government to resume peace talks with the armed rebel groups operating in Mindanao, to refrain from insisting on the disarmament, demobilization, and reintegration (DDR) framework; to stay the hand of war that has scuttled many initiatives from civil society groups; and, to address the valid concerns these armed groups raise;

Encourage the different armed rebel groups to go back to negotiations, with an openness and flexibility needed to facilitate a genuine dialogue and resolution of issues;

Emphasize the need for continuing consultations with all affected parties and communities and civil society groups, especially the Katawhang Lumad, in the conduct of all peace- and development-related processes; and,

Underscore that aside from ending the cycle of violence, the government and Mindanao Tri-Peoples are challenged to address the lack of social services; lack of food sovereignty; continuing export of contract labor; threats to youth, women and children, environmental degradation and climate change; and, the chronic economic crisis brought about by globalization.

With our resolve to pursue all peaceful means, we invite all peoples of goodwill around the world to join in this journey to just and lasting peace and sustainable development in our Homeland.

Done in the Institute for Peace and Development in Mindanao (IPDM) Mindanao State University, Islamic City of Marawi
15 December 2008.

Signed:

Mindanao Peoples’ Peace Movement (MPPM)

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Child traffickers prey on displaced children

CHILDREN DISPLACED by the fighting between Moro groups and government forces in Mindanao are being smuggled by human traffickers for jobs abroad, a group that monitors trafficking reported.

The Visayan Forum recently saved a group of minors, whose ages ranged from 14 to 16, at a Manila airport. They were on their way to jobs in Middle Eastern countries, the group reported.

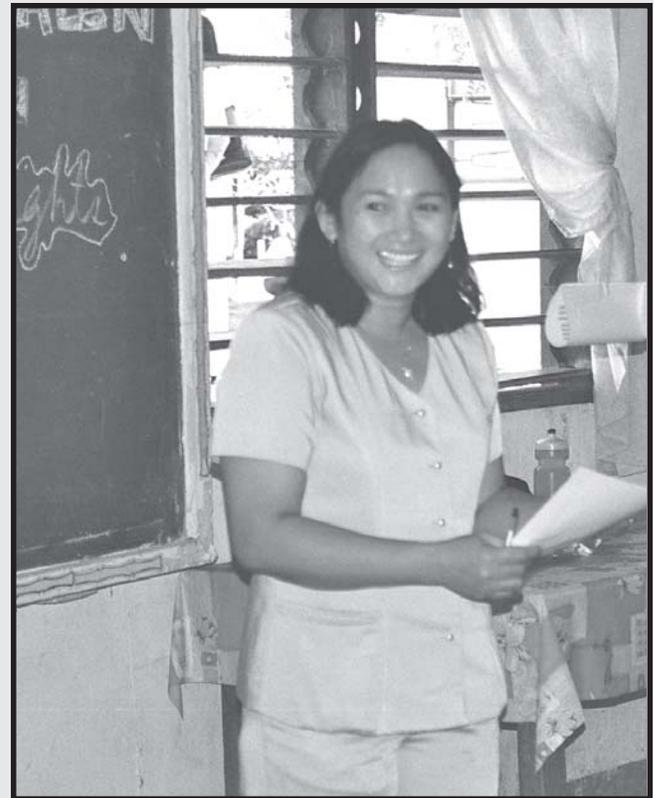
Cecilia Oebanda, Visayan Forum president, said the children were made to appear older in fake passports. Oebanda warned that the



trafficking of children from Mindanao will continue, given the chaotic condition of evacuation centers.

Source: www.bworldonline.com

At risk: A child from war-torn Mindanao.
Photo: TRACY PABICO



Overworked, underpaid: A teacher from North Cotabato.

Photo: PEPITO FRIAS

Most of cheap rice did not go to the poor

NOT EVEN 1/3 of the subsidized rice retailed by the National Food Authority (NFA) reached the poorest 20% households.

This was found out in a study conducted by the World Bank (WB).

The report said that "Much of the NFA rice was not consumed by the poor." About 31% of NFA rice went to the poorest quintile, while as much as 41% leaked to "non-poor households." The study also found out that in 2006, about 16% of subsidized rice found its way to the tables of the richest two quintiles.

The government's social protection program, which includes the selling of subsidized rice, was compromised by "design weaknesses, mis-targeting, and significant leakages to the non-poor," WB said.

Government subsidy to NFA

alone was estimated at P60.9 billion in 2008.

"There is scope to improve targeting to minimize leakage and maximize the impact of transfers on poverty reduction," WB noted.

Source: <http://newsinfo.inquirer.net>



A young mother, with a kilo of rice. Calamba, Laguna. Photo: JMVILLERO

Protest marks World Teachers' Day

MORE THAN 300 public school teachers, led by the Alliance of Concerned Teachers (ACT), marched to the Batasang Pambansa Complex on October 6, 2008 to commemorate the World Teachers' Day.

The teachers called for higher wages not only for those in the teaching profession, but also for rank-and-file government employees.

The teachers' group also declared their opposition to Joint Resolution No. 24, or the Salary Standardization Law 3 (SSL3) filed by House Speaker Prospero Nograles and pending before the House Ap-

propriations Committee.

Chairperson Antonio Tinio of ACT said that the proposed SSL3 "will provide a mere P6,000 increase over a four-year period."

The increase is "too little over too long a period of time," Tinio said, as the compensation will "barely keep up with the inflation rate, much less make real gains in purchasing power." In contrast, the highest-ranking government officials will receive increases of up to 100%. "That's clearly unjust," Tinio declared.

The teachers expressed their support for House Bill 4734 and Senate Bill 2408. Both bills seek a salary hike of P9,000 for teachers, to be given over a three-year period.

Source: <http://bulatlat.com>

HR Trivia:

THE RIGHT WORDS

The Declaration remains as relevant today as it did on the day it was adopted. But the fundamental freedoms enshrined in it are still not a reality for everyone. Too often, Governments lack the political will to implement international norms they have willingly accepted.

Ban Ki-moon, UN Secretary General

Tens of millions of people around the world are still unaware that they have rights that they can demand, and that their governments are accountable to them, and to a wide-ranging body of rights-based national and international law. Despite all our efforts over the past 60 years, this anniversary will pass many people by, and it is essential that we keep up the momentum, thereby enabling more and more people to stand up and claim their rights.

Navi Pillay,

UN High Commissioner for Human Rights

IN THIS QUARTER

UDHR at 60

THE UNIVERSAL Declaration of Human Rights (UDHR), described as “the most translated document in the world,” marked its 60th year on December 10, 2008.



**UNIVERSAL
DECLARATION
OF HUMAN
RIGHTS**

The document’s drafting was informed by the horrendous experiences during the Second World War. The UDHR is considered “the first global expression of rights to which all human beings are inherently entitled.” The document’s 30 articles have been subsequently elaborated and echoed in international treaties, regional human rights instruments, national constitutions and laws.

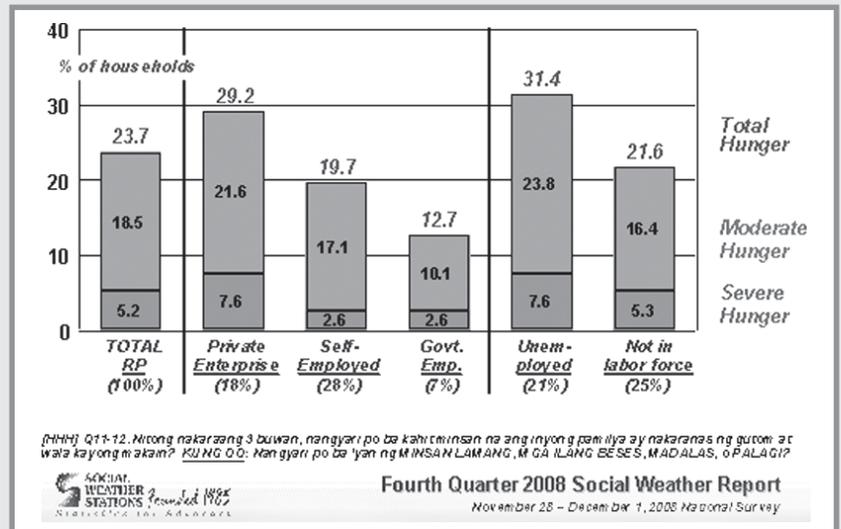
For its 60th anniversary, the United Nations-led commemoration bannered the theme: “Dignity and justice for all of us”. This global campaign aimed to reach the largest number of rights holders and raise their knowledge and awareness of human rights so that they will be able to claim and enjoy their rights.

Sources:

<http://www.ohchr.org>
wikipedia

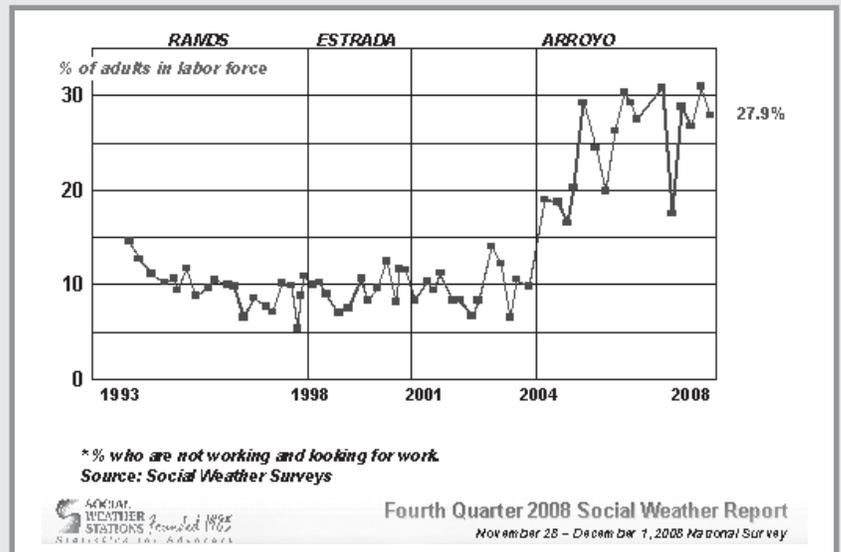
FACTS AND FIGURES

DEGREE OF HUNGER IN HOUSEHOLDS, BY WORK STATUS OF A RANDOM ADULT, DECEMBER 2008



Source: www.sws.org.ph

UNEMPLOYMENT RATE*, 1993-2008



Source: www.sws.org.ph

LABADA REPUBLIC



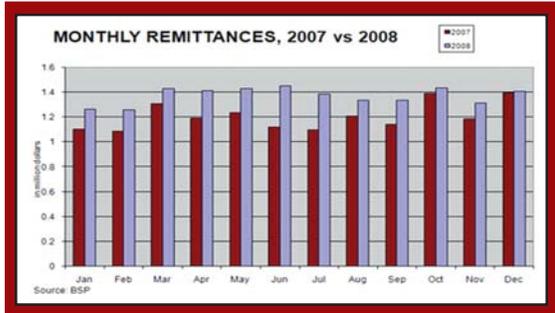
Overseas Filipinos' Remittances, January - December 2008 (In Thousand U.S. Dollars)

2008 (Preliminary)

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
TOTAL*	1,264,036	1,258,638	1,427,807	1,410,210	1,429,832	1,450,838	1,366,796	1,332,023	1,332,912	1,434,726	1,311,322	1,407,714	16,426,854
Landbased	1,093,999	965,598	1,132,200	1,111,549	1,182,392	1,177,905	1,100,058	1,063,748	1,052,302	1,145,399	1,160,083	1,207,068	13,392,301
Seabased	170,037	293,040	295,607	298,661	247,440	272,933	266,738	268,275	280,610	289,327	151,239	200,646	3,034,553

Note: *Breakdown may not add up to totals due to rounding off.
Source: <http://www.bsp.gov.ph/statistics/keystat/ofw.htm>

Overseas Filipinos' Remittances Month-on-month Comparison, 2007 & 2008 (In Million U.S. Dollars)



Growth Rate, Overseas Filipinos' Remittances (2007-2008) (In Thousand U.S. Dollars)

	2008 (Preliminary)	2007	Growth Rates (%)
TOTAL	16,426,854	14,449,928	13.68
LANDBASED	13,392,301	12,213,565	9.65
SEABASED	3,034,553	2,236,363	35.69

Source: <http://www.bsp.gov.ph/statistics/keystat/ofw.htm>



ANNOUNCEMENT

SINCE APRIL 2004, the Philippine Human Rights Information Center (PhilRights) has been accepting interns from local and international institutions and universities. This Internship Program is open to college students, researchers or professionals who want to expand their experience in human rights work. Interns are assigned to one of PhilRights' four institutional programs: information, research, training, and monitoring/documentation.

For details, please contact Mr. Pepito D. Frias, PhilRights Training Associate, at 433-1714 and 426-4048; E-mail: philrights@philrights.org.

PHILIPPINE HUMAN RIGHTS INFORMATION CENTER (PHILRIGHTS)
53-B Maliksi St. Barangay Pinyahan
1100 Quezon City

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