Philippine Human Rights Information Center

ESTABLISHED in July 1991 by the Philippine Alliance of Human Rights Advocates (PAHRA), PhilRights seeks to undertake and disseminate human rights information, research, and analyses where and when they are needed.

As a service institution that exists for both PAHRA and the general public, PhilRights aims to:

- Deepen awareness, knowledge, and understanding of PAHRA and the general public about human rights conditions, issues, and mechanisms;
- Work for a dynamic human rights movement that is able to mobilize sectors and groups for timely and effective intervention in the promotion and defense of human rights by making available human rights information and tools in information handling and dissemination;
- Help ensure state compliance with its human rights obligations through active monitoring and engagement;
- Strengthen cooperation and partnership with local and international networks in the conduct of human rights activities through lively exchange and sharing of information; and
- Enhance capability of human rights organizations in the promotion and defense of human rights through education and training on research, advocacy and information handling and dissemination.
Members of the Philippine Alliance of Human Rights Advocates (PAHRA) and other network organizations provided data in the writing of this report.

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Human Rights Forum (HRF)
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The HRF is a quarterly publication of PhilRights that tackles burning human rights issues and concerns. It gives special focus on Economic Social and Cultural (ESC) Rights.

Deadly Playgrounds: The Phenomenon of Child Soldiers in the Philippines (P250.00)

THE CHILD soldiers research project, a three-year collective undertaking of PhilRights, is a major achievement and contribution of the institution to the struggle to address children’s involvement in armed conflict in the country.

The book presents findings of interviews with 194 child soldiers involved in government-backed paramilitary groups as well as armed rebel groups.

Training on Your Rights: Modules on Monitoring Economic, Social and Cultural Rights

Training on Your Rights consists of four modules that will equip people with the skills to monitor the realization or abuse of their rights. Also included are monitoring tools that can be used to document the extent of fulfillment of – or deficiency in – their ESC Rights.

Invisible realities, forgotten voices: The women on death row from a gender and rights-based perspective

Combining quantitative and qualitative modes of inquiry, this study looks into the world of women who have been marked for death. It offers new ways of understanding the circumstances of women in prison, specifically the women on death row, from a gender and rights-based perspective.
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TURMOIL marked the second half of 2005, with the intensification of mass protests, resulting from both the worsening economic crisis and the political fall-out in the aftermath of the jueteng scandals and the ‘Hello Garci’ exposé. Fed up with the stratospheric cost of living, and enraged at a president whose legitimacy became less certain the more she clung to her privileges, increasing numbers of people took to the streets demanding for change. Or at least some respite from the unbearable burden of subsisting under harsh economic conditions – and under a dubiously-elected president at that.

Arroyo’s backlash was only expected: step up repression, intimidation, harassment. A long-forgotten Marcosian edict was resuscitated – the “no permit, no rally” policy, which, inexplicably, no one had bothered to repeal, abolish, nullify or even amend since 1986. Along with the deployment of fully-armed anti-riot squads was the deployment of officialese: the “calibrated preemptive response” (or CPR) became a household word. In utter defiance of the Constitution, she issued E.O. 464, barring any member of her cabinet and military officials from testifying in legislative hearings sans her say-so.

By way of diverting her opponents’ energies, the president suddenly vigorously pushed for charter amendments. Controversial even before take off (because of another exposé involving the Venable contract), Arroyo’s cha-cha steps nevertheless bull-dozed its way onwards. In the meantime, crude tactics bashed a much-publicized impeachment attempt in Congress.

Such arrant abuse of power can only further enrage a nation desperate for relief from the miseries brought about by political bickerings, the high cost of living, lack of opportunities for decent livelihood, and lack of access to basic social services.
This issue of *In Focus* looks at how a scandal-ridden administration, desperately hanging on by a thread, wields its state/police power to crush legitimate expressions of people power. Our writers examine the ever-narrowing political space by which people can exercise and enjoy their human rights and civil liberties, as state repression slowly chokes the basic rights and freedoms of Filipinos.

The first article, ‘*Violence, political repression and impunity: Survival tools of a struggling regime*’ details how human rights and civil liberties have been arrogantly trampled on by an administration desperate to hang on to power in the face of popular opposition.

As the squabbling of politicians dominated most of the national attention in the second half of 2005, other more important problems were being forgotten. ‘*The labor sector: Tall tales, sad stories*’ examines the woes of the labor sector — the supposed “rosy employment situation” that was made possible through statistical inventiveness. And whoever said that numbers cannot lie?

A collapsing health industry is dissected with scalpel-sharpness in ‘*Doctors as nurses: How to brew a health crisis*’. The article looks with an unflinching eye on the ongoing hemorrhage of the country’s health industry — medical doctors abandoning their country, their patients, their practice, their hospitals and clinics, and even their MD titles, and fleeing the country to work as nurses in medical facilities abroad. For the country’s ailing health sector, a shot in the arm is apparently not enough.

Ill-conceived ‘development’ plans have always doomed the marginalized and disempowered, whose interests and welfare are always shunted aside and squashed underfoot in the blind race called development. ‘*The herculean task of relocating 40,000 NorthRail families*’ examines the unheroic feat of shooing away thousands of families living along the railroad tracks. The article raises the pressing question: development for whom? It likewise leaves us with the unsettling realization: that it is indeed an ill wind that blows under the force of development aggression.

In the face of all criticism and condemnation, President Arroyo’s favorite coda has always been that she has done well for the country’s economy. But it is an argument that flies in the face of gut-level evidence: Filipinos are a hungry people. ‘*What’s on Your Plate? The Food Situation in the Philippines*’ looks into the reasons why more and more Filipinos have so much to grumble about. Food is a basic right, and without it, the enjoyment and exercise of all other rights is severely hampered.

But take heed: a hungry person is an angry person.
Backlash on the people’s civil liberties and political rights

The last half of 2005 projected a landscape of heightening political repression manifested in the curtailment of civil liberties and violations of human rights. Dominant features of the period were the release of executive orders and policies reminiscent of the martial law period under former President Marcos; escalation of cases of extrajudicial killings of leaders and members of party-list groups, journalists, lawyers, trade unionists and activists; violent dispersals of rallies and demonstrations; and the manhandling of arrested rallyists and demonstrators.

The overall atmosphere following the “Garci tapes” exposé in July 2005 and the subsequent “I am sorry” admission of President Gloria M. Arroyo (for having talked to an official of the Commission on Elections during and after the elections) had pushed the GMA government to resort to all means at its disposal to maintain itself in power. Survival was, and continues to be, the President’s major agenda of the day. In the midst of increasing mass protests and efforts to remove her in power, PGMA mobilized the state machinery like the Philippine National Police (PNP), Armed Forces of the Philippines (AFP) and the Cabinet, and abused her executive powers including the measures taken to amend the Philippine Constitution, to save its embattled government.

The GMA government has found it most convenient to resort to unconstitutional means like the “calibrated preemptive response” (CPR), the “no permit, no rally” policy, EO 464 or the “gag policy”, to prop up its illegitimate rule. On the pretext of upholding the rule of law and protecting the “welfare of the greater majority”, the GMA government has demonstrated its strong posture and what it meant by “using the full force of the law” by prohibiting people from exercising their freedoms.
of expression and assembly. It has outrightly ignored the legitimate rights of the people to petition and seek redress against the government by banning peaceful protest actions and gatherings, sowing lies and intrigues, and labeling its critics and those openly calling for its resignation as “terrorists”, “Communists”, “destabilizers”, etc. State violence and deception have been the GMA government’s response to the continuing expressions of people’s dissent and defiance against its illegitimate rule and repressive laws and policies. Perpetuating a culture of impunity and indifference has been its consistent stance in the midst of the growing violations of human rights. A deafening silence and inaction in the unprecedented rise in extrajudicial executions and political killings of activists, lawyers, journalists and religious people only signify its approval, if not policy, of using the harshest measures in dealing with political dissent.

In these times of increasing insecurities, vulnerabilities and attacks against the people’s civil and political rights and freedoms, as manifested in the persistence of extrajudicial killings, massacres, illegal arrest and detention, torture and cruel treatment, the right to protest and petition the government remains as an effective and meaningful weapon. Curtailing this right leaves the people with no option but to resist and defy a government that no longer enjoys its recognition, trust and confidence. It leaves the people with no recourse but to transform the streets, communities, factories, markets, schools, offices, places for religious practice and other viable spaces into venues for protest and resistance.

The right to life and dignity

The last half of 2005 was marked by gross violations of the right to life and dignity with the series of extrajudicial executions, killings and massacres perpetrated against the leaders, members and supporters of progressive party-list groups (particularly those affiliated with Bayan Muna), journalists, religious leaders and trade unionists, most of whom were highly critical of the GMA government (See Table 1). According to the Karapatan 2005 Human Rights Report, at least 150 leaders, members and suspected members of progressive party-list organizations and NGOs have been summarily executed in various parts of the country. 28 of the victims were affiliated with the party-list Bayan Muna, 14 with Anakpawis, and 8 with the human rights organization, Karapatan (Karapatan, 2005, pp. 4-5). From April 2001 up to October 2005, a total of 55 Bayan Muna leaders and members have been summarily executed. On the other hand, a total of 20 leaders and members of Anakpawis Party-list had been assassinated between November 2003 and March 2005 (Orejas, et al., PDI, Oct 27, 2005, p. 1).
Table 1: Profile of some victims of extrajudicial executions/killings/assassinations, July-December 2005

<table>
<thead>
<tr>
<th>NAME</th>
<th>SEX</th>
<th>AGE</th>
<th>AFFILIATION</th>
<th>DATE OF INCIDENT</th>
<th>PLACE OF INCIDENT</th>
<th>SUSPECTED PERPETRATORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Reiner “Alvin” Cusio</td>
<td>M</td>
<td>33</td>
<td>UMAGPAS-KMP</td>
<td>Sept. 12 (abducted) Sept. 16 (found dead)</td>
<td>Guimba, Nueva Ecija (NE)</td>
<td>5 elements of 71st Infantry Battalion Phil. Army (IBPA) under Lt. Viterbo &amp; a certain Paul Serrano</td>
</tr>
<tr>
<td>4. Leodegario Punzal</td>
<td>M</td>
<td>41</td>
<td>Anakpawis Party List</td>
<td>Sept. 13</td>
<td>Norzagaray, Bulacan</td>
<td>Elements of 56th IBPA</td>
</tr>
<tr>
<td>5. Diosdado Fortuna</td>
<td>M</td>
<td>50</td>
<td>President, Nestlé Philippines Union of Filipino Employees, Calamba, Laguna</td>
<td>Sept. 22</td>
<td>Calamba, Laguna</td>
<td>Unidentified killers</td>
</tr>
<tr>
<td>6. Jose L. Rieza</td>
<td>M</td>
<td></td>
<td></td>
<td>Sept. 24</td>
<td>Orani, Bataan</td>
<td>Unidentified assailants</td>
</tr>
<tr>
<td>7. Mario Tuvera</td>
<td>M</td>
<td></td>
<td></td>
<td>Sept. 27 (arrested) Sept. 29 (found dead)</td>
<td>Bgy Pag-asa, Orani, Bataan</td>
<td>Soldiers of 24th IBPA</td>
</tr>
<tr>
<td>8. Victoria P. Samonte</td>
<td>F</td>
<td>51</td>
<td>KMU-CARAGA</td>
<td>Sept. 30</td>
<td>Bislig City, Surigao</td>
<td>Unidentified killer</td>
</tr>
<tr>
<td>9. Edmer Rufino</td>
<td>M</td>
<td></td>
<td>Driver of vehicle used by Karapatan Central Luzon Fact-Finding Mission team which investigated killings in Orani, Bataan of Rieza &amp; Tuvera</td>
<td>Oct. 1</td>
<td>Orani, Bataan</td>
<td>Soldiers</td>
</tr>
<tr>
<td>10. Armando Javier</td>
<td>M</td>
<td>36</td>
<td>Anakpawis Party List</td>
<td>Oct. 2</td>
<td>Bgy. Sta Clara, Cuyapo, NE</td>
<td>Elements of 71st IBPA</td>
</tr>
</tbody>
</table>
Table 1: Profile of some victims of extrajudicial executions/killings/assassinations, July-December 2005

<table>
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<th>DATE OF INCIDENT</th>
<th>PLACE OF INCIDENT</th>
<th>SUSPECTED PERPETRATORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rolando Mariano</td>
<td>M</td>
<td>53</td>
<td>Anakpawis Party List &amp; Former head of Tarlac Electric Co. (TARELCO)</td>
<td>Oct. 7</td>
<td>Gerona, Tarlac</td>
<td>Unidentified assailants</td>
</tr>
<tr>
<td>Ponciano Silva</td>
<td>M</td>
<td>54</td>
<td>Anakpawis Party List</td>
<td>Oct. 11</td>
<td>Unisan, Quezon</td>
<td>Unidentified motorcycle-riding men</td>
</tr>
<tr>
<td>Florante Collantes</td>
<td>M</td>
<td>54</td>
<td>Bayan Muna Party List</td>
<td>Oct. 15</td>
<td>Tarlac</td>
<td>Unidentified motorcycle-riding men</td>
</tr>
<tr>
<td>Bienvenido Capuno</td>
<td>M</td>
<td></td>
<td>Central Luzon Aeta Assn.</td>
<td>Oct. 20</td>
<td>Porac, Pampanga</td>
<td>Elements of 24th IBPA</td>
</tr>
<tr>
<td>Tito Macabitas</td>
<td>M</td>
<td></td>
<td>Bayan Muna Party List</td>
<td>Oct. 20</td>
<td>San Jose City, NE</td>
<td>Unidentified men</td>
</tr>
<tr>
<td>Ricardo Ramos</td>
<td>M</td>
<td>47</td>
<td>President, Central Azucarera de Tarlac Labor Union (CATLU)</td>
<td>Oct. 25</td>
<td>Bgy. Mapalacsião, Tarlac</td>
<td>Unidentified gunman</td>
</tr>
<tr>
<td>Francisco Rivera</td>
<td>M</td>
<td></td>
<td>Bayan Muna Party List</td>
<td>Oct. 26</td>
<td>Angeles City, Pampanga</td>
<td>Armed men on board a van &amp; a back-up vehicle</td>
</tr>
<tr>
<td>Dr. Angel David</td>
<td>M</td>
<td></td>
<td>Companion of Francisco Rivera</td>
<td>Oct. 26</td>
<td>Angeles City, Pampanga</td>
<td>Armed men on board a van &amp; a back-up vehicle</td>
</tr>
<tr>
<td>Nemesio Maniti</td>
<td>M</td>
<td></td>
<td>Companion of Francisco Rivera</td>
<td>Oct. 26</td>
<td>Angeles City, Pampanga</td>
<td>Armed men on board a van &amp; a back-up vehicle</td>
</tr>
<tr>
<td>Federico de Leon</td>
<td>M</td>
<td>53</td>
<td>Anakpawis Party List &amp; Piston Bulacan President</td>
<td>Oct. 26</td>
<td>Malolos, Bulacan</td>
<td>A woman &amp; a man believed to be members of the 56th IBPA who boarded the victim’s tricycle &amp; another unidentified perpetrator on board a tricycle tailing the victim</td>
</tr>
</tbody>
</table>
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</tr>
</thead>
<tbody>
<tr>
<td>23. Marivel T. Supeña</td>
<td>F</td>
<td>27</td>
<td>Former president, League of Filipino Students (LFS), Central Luzon State Univ.</td>
<td>Oct. 26 (abducted)</td>
<td>San Jose, NE</td>
<td>Unidentified armed men. Her body together with that of her husband, Danilo, was stuffed in two sacks &amp; dumped in a farm at Sitio Tumana, Bgy. Palestina, San Jose, NE</td>
</tr>
<tr>
<td>25. Jose Ducalang</td>
<td>M</td>
<td></td>
<td>Bayan Muna Coordinator of Ormoc City</td>
<td>Nov. 7</td>
<td>Bgy. Ipil, Ormoc City, Leyte</td>
<td>Unidentified assailant</td>
</tr>
<tr>
<td>26. Errol Sending</td>
<td>M</td>
<td></td>
<td>Bayan Muna Partylist</td>
<td>Nov. 12</td>
<td>Bgy. Lourdes Sur, Angeles City</td>
<td>2 unidentified motorcycle-riding gunmen</td>
</tr>
<tr>
<td>27. Bienvenido Bajado</td>
<td>M</td>
<td></td>
<td>Bayan Muna Eastern Samar Chairperson &amp; former Vice-mayor of Maydolong, Eastern Samar</td>
<td>Nov. 13</td>
<td>Maydolong, Eastern Samar</td>
<td>Unidentified assailant</td>
</tr>
<tr>
<td>28. Ricardo Uy</td>
<td>M</td>
<td>57</td>
<td>Bayan Muna Chairperson, Sorsogon City</td>
<td>Nov. 18</td>
<td>Bgy. Basud, Sorsogon City</td>
<td>Unidentified gunman</td>
</tr>
<tr>
<td>29. Rommel Arcilla</td>
<td>M</td>
<td></td>
<td>Bayan member</td>
<td>Nov. 21</td>
<td>Guagua-Floridablanca Intersection</td>
<td>4 men on board 2 motorcycles</td>
</tr>
<tr>
<td>30. Jose Manegdeg III</td>
<td>M</td>
<td>37</td>
<td>Regional Coordinator, Rural Missionaries of the Phils-Ilocos</td>
<td>Nov. 28</td>
<td>Bgy. Apatot, San Esteban, Ilocos Sur</td>
<td>Unidentified gunman</td>
</tr>
<tr>
<td>31. Albert Terredano</td>
<td>M</td>
<td>43</td>
<td>Volunteer, Cordillera Indigenous People’s Legal Center (DINTEG) &amp; Pres. of the DAR Employees Asso.</td>
<td>Nov. 29</td>
<td>Bangued, Abra</td>
<td>Unidentified motorcycle-riding gunman</td>
</tr>
</tbody>
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<th>DATE OF INCIDENT</th>
<th>PLACE OF INCIDENT</th>
<th>SUSPECTED PERPETRATORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>32. Cathy Alcantara</td>
<td>F</td>
<td>44</td>
<td>Regional Coordinator &amp; Sec. Gen. of Kilusan para sa Pambansang Demokrasya (KPD), Bataan</td>
<td>Dec. 5</td>
<td>Bgy. Gabon, Abucay, Bataan</td>
<td>Unidentified armed men</td>
</tr>
</tbody>
</table>


The prevalence of a culture of impunity has likewise resulted in the unabated assassination of journalists, most of whom were active in exposing the involvement of top government and military officials in graft and corruption, extortion, smuggling, drug trafficking and other illegal activities. A total of 10 journalists were killed in 2005, with George Benaojan, 27 years old and a senior staff reporter of dyDD Bantay Radyo in Cebu City, as the 10th victim of summary execution. This brings to a total of 99 journalists murdered since the overthrow of the Marcos dictatorial rule in 1986, with 36 of them killed since GMA came to power in 2001 (PDI, December 3, 2005, p. A10; Ramos, et al., PDI, November 22, 2005, p. A1 & A8; Napallacan, PDI, December 3, 2005, p. A1 & A6).

Aside from journalists, lawyers have also been targets of summary executions. Since the start of 2005, at least seven (7) lawyers have been killed. Even members of the religious sector have not been spared under the GMA regime. In 2005, at least 7 pastors and members of the United Church of Christ in the Philippines (UCCP) and a pastor of the Iglesia Filipina Independiente (IFI), Fr. William Tadena, were murdered (http://www.bulatlat.com/news/5-44/5-44-hr2_printer.html). Among the UCCP pastors killed were Rev. Edison Lapuz of Visayas, Fr. William Tadena of Luzon, Joel Baclao, and Rev. Raul Domingo of Palawan.

Ironically, no perpetrator of these political killings has been apprehended and convicted up to this date, although in almost all of these cases, the primary suspects were affiliated with the AFP, para-military death squads and vigilante groups (Karapatan, 2005, p. 2). Moreover, based on the partial list of political killings presented in Table 1 during the second half of 2005, 69 percent or 22 of the 32 cases recorded, took place in Central Luzon, particularly at a time when the notorious Maj. Gen.
Jovito Palparan became the head of the Army’s 7th Infantry Division assigned in the region.

**Palparan: The military general with blood on his hands**

Maj. General Jovito Palparan is, undoubtedly, one of the most controversial and infamous figures in the Philippine Army, and his track record will show why. His military career will depict a man rabidly devoted and committed to the cause of eliminating and/or immobilizing militant organizations, progressives and individuals critical of and opposing State policies and programs in areas covered by or under his military command. In a radio interview in Cabanatuan City, he stated “We will look for you (referring to Communists and leftists in the area), wherever you are now and wherever you will seek cover.” (Roque, PDI, Dec. 16, 2005, p. A17). Harassment, intimidation, terror and summary execution and assassination are his methods in doing so.

General Palparan’s campaign of terror and violence against progressives and militant individuals and groups dates back to 1987 when he was first assigned in Central Luzon. Consistent with the Aquino government’s low intensity conflict (LIC) policy in addressing the insurgency problem in the country after the downfall of the Marcos dictatorial rule, Palparan embarked on a project aimed at silencing and eliminating leaders, members and supporters of people’s organizations, NGOs and trade unions.

During his stint in Central Luzon from 1987-1993, anti-Communist Vigilante groups, like the Angelo Simbulan Brigade in San Fernando City and the Faustino Sabile Brigade in Mabalacat, Pampanga, were organized and sowed terror in the region through a series of abductions and assassinations of known progressives. These include Atty. Ram Cura, Dr. Pat Santiago, Jr., Archie Simbulan, Raul Quiroz (a trade unionist) and Simplicio Aninon (worker of Cosmos Bottling Co.), and two (2) youth activists, Badjo Conrado and Corazon Lintag, who up to this day remain missing. It was also during his assignment in Central Luzon when the high-profile case labeled by the media as the “AMGL 18” occurred. This involved the illegal arrest of 18 individuals belonging to various militant organizations in Central Luzon, namely the 9 staff of the Alyansang Magbubukid sa Gitnang Luzon (AMGL), 3 from the Workers Alliance of Region III and 6 cultural activists (http://www.bulatlat.com/news/5-35/5-35-palparan_printer.html).

Prior to his return to Central Luzon last September 2005, Maj. Gen. Palparan was assigned in the Island of Mindoro as commanding officer of the 204th Infantry Brigade, then later in Eastern Visayas as commanding officer of the 8th Infantry Division, PA (from February to August 2005).
In these two previous assignments, he was accused of committing more than 500 human rights violations in the form of intimidations, abductions and summary executions. These include the killing of Eden Marcellana, Eddie Gumanoy and other activists in the Island of Mindoro (PDI, October 31, 2005, p. A12).

Evidently, in all the regions where Gen. Palparan was deployed, there was a marked rise in the cases of abductions, extrajudicial executions, political killings and other forms of human rights violations against leaders and members of the people’s movement. A pattern in the consistent and sustained use of terror and violence can be observed in Gen. Palparan’s military career. And for all these so-called “accomplishments”, Pres. Gloria Macapagal Arroyo awarded him twice: promotion from captain to colonel when he was in Mindoro, then from colonel to major general after his stint as commander of the Philippine contingent in Iraq (http://www.bulatlat.com/news/5-35/5-35-palparan_printer.html).

Table 2: Most common human rights violations, Jan-November 2005

<table>
<thead>
<tr>
<th>NATURE OF CASE</th>
<th>AFFECTED INDIVIDUALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forcible evacuation/displacement</td>
<td>48,765</td>
</tr>
<tr>
<td>Strafing, indiscriminate firing &amp; bombings</td>
<td>23,911</td>
</tr>
<tr>
<td>Threat, harassment &amp; intimidation</td>
<td>10,832</td>
</tr>
<tr>
<td>Hamletting</td>
<td>10,031</td>
</tr>
<tr>
<td>Restriction or dispersal of mass actions,</td>
<td>9,012</td>
</tr>
<tr>
<td>public assemblies, political gatherings</td>
<td></td>
</tr>
</tbody>
</table>

Source: http://www.bulatlat.com/news/5-44/5-44-hr2_printer.html

Furthermore, the GMA government remained inutile in protecting the people against assaults on their lives and livelihoods by the military. In
2005, Karapatan documented 7 cases of massacres, mostly victimizing peasants (Karapatan, 2005, p. 4). During the second semester of 2005, there were three (3) cases of massacres documented by Karapatan. One took place on November 21, 2005 in Palo, Leyte, in which nine (9) peasants were killed, with the 19th Infantry Brigade, PA as alleged perpetrators (AHRC, 21 & 22 November 2005). (See Table 3)

Table 3: List of victims of the Palo, Leyte massacre, November 21, 2005

<table>
<thead>
<tr>
<th>NAME OF VICTIM</th>
<th>SEX</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Bernabe Barbosa Borra, Jr.</td>
<td>M</td>
</tr>
<tr>
<td>2. Eric Selada Nogal</td>
<td>M</td>
</tr>
<tr>
<td>3. Roel Lacaba Obijas</td>
<td>M</td>
</tr>
<tr>
<td>4. Perlito Borra</td>
<td>M</td>
</tr>
<tr>
<td>5. Gerry Almerino</td>
<td>M</td>
</tr>
<tr>
<td>6. Eufemia Barbosa Borra</td>
<td>F</td>
</tr>
<tr>
<td>7. Alma Bartoline</td>
<td>F (7 months pregnant)</td>
</tr>
</tbody>
</table>


According to a report submitted to the AHRC, early in the morning of November 21, several bonnet-wearing armed men connected with the 19th Infantry Brigade, PA, opened fire and threw grenades on a group of farmers belonging to the San Agustin Farmer Beneficiaries Association (SAFBA). At the time of the incident, the farmers were preparing for the planting of the land awarded to them by the Department of Agrarian Reform (DAR) as beneficiaries of the Comprehensive Agrarian Reform Program (CARP). Seven (7) farmers, including 2 women, were killed, while at least 10 were wounded. Eight others were arrested (AHRC, 22 November 2005; PDI Editorial, November 27, 2005, p. A14). Col. Pablo Fernando, Commander of the 802nd Infantry Battalion justified the massacre as a “legitimate military operation” against members of the New People’s Army (NPA) (PDI Editorial, November 27, 2005, p. A14; Gabieta & Labro, PDI, November 22, 2005, pp. A1 & A7).

Disappearances

The second half of 2005 was also marked by the persistence of abductions and disappearances. The Families of Victims of Involuntary Disappearance (FIND) documented four (4) cases of involuntary disappearance during this period (FIND, 2006). This includes the case of seven (7) activists from Kabankalan, Negros Occidental who were reported missing to the AHRC after they were illegally arrested and detained by soldiers of the Alpha Company, 12th Infantry Battalion, PA under 1Lt. Sandy Labrador and 1Lt. Christopher Belardo on September 30, 2005 (AHRC, October 7, 2005). The seven missing persons were either peasants or peasant organizers affiliated with militant organizations.
KATARUNGAN PARA SA MGA Biktima ng Sapiiting WAKASAN ANG SAPIITANG PAGGAWA, AT LAKAD NGS. UNG NEPAKANG NG KARAPATANG PANDEG!

IGALANG ANG KARAPATANG HATAO NG MGA MAYAMANAN

ISABATAS ANG ANTI-INVOILNTARY DISAPPEARANCE BILL.

ERASES OF VICTIMS OF INFLUENCIAL DISAPPEARANCE

IGALANG ang KARAAPATAN ng mga KIDS

Kapakanan

Respect,
Protect,
Fulfill
HUMAN RIGHTS

GMA
HUMAN RIGHTS VIOLATOR

KARAPATAN

END HUMAN
DISCRIMINATION

APPROVE!

PALPARAN BERDUGO!
TANGGALIN SA SERBISYO!

KPD

Justice for Cory
Justice for Cory

PALPARAN BERDUGO!
TANGGALIN SA SERBISYO!

KPD
PALPARAN BERDUGO!
TANGGALIN SA SERBISYO!
-KPD

PALPARAN BERDUGO!
TANGGALIN SA SERBISYO!
-KPD
Six (6) of the 7 desaparecidos were last known to have been brought to the Haba Military detachment in Candoni, while Morito Dionson, who was separated from the group immediately after their arrest was forcibly taken by armed men wearing bonnets and civilian clothes, loaded on a dirty white van and brought to an undisclosed place. (See Table 4)

Table 4: Profile of 7 missing peasants in Kabankalan, Negros Occidental, October 2005

<table>
<thead>
<tr>
<th>NAME</th>
<th>AGE</th>
<th>SEX</th>
<th>CIVIL STATUS</th>
<th>RESIDENCE</th>
<th>POSITION / JOB</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Marilou H. Villanueva</td>
<td>47</td>
<td>F</td>
<td>Married to Abraham Villanueva with 2 children</td>
<td>Valladolid, Negros Occ.</td>
<td>Kilusang Magbubukid sa Pilipinas (KMP) peasant organizer</td>
</tr>
<tr>
<td>2. Abraham D. Villanueva</td>
<td>42</td>
<td>M</td>
<td>Married to Marilou, with 2 children</td>
<td>Valladolid, Negros Occ.</td>
<td>KMP peasant organizer</td>
</tr>
<tr>
<td>3. Charity A. Villar</td>
<td>41</td>
<td>M</td>
<td>Married with 2 children</td>
<td>Bacolod City, Negros Occ.</td>
<td>KMP/Amihan organizer</td>
</tr>
<tr>
<td>4. Morito Dionson</td>
<td>M</td>
<td>M</td>
<td>Married, with 4 children</td>
<td>Dumaguete City, Negros Oriental</td>
<td>KMP consultant</td>
</tr>
<tr>
<td>5. Darry P. Dayanan</td>
<td>20</td>
<td>M</td>
<td>Single</td>
<td>Escalante City, Negros Occ.</td>
<td>Teatro Obreero organizer Member, National Federation of Sugar Workers (NFSW)</td>
</tr>
<tr>
<td>6. Rico B. Abrasaldo</td>
<td>41</td>
<td>M</td>
<td>Mabinay, Negros Oriental</td>
<td>Driver</td>
<td></td>
</tr>
</tbody>
</table>

Source: AHRC-Urgent Appeals Program, October 7, 2005

Internal displacement/mass evacuations

Meanwhile, thousands of innocent civilians, especially women, children and the elderly, residing in communities suspected to be strongholds of rebel groups like NPA, MNLF and the Abu Sayyaf Group (ASG), have been forced to flee their homes and farms due to intensified military operations by the AFP. During the last half of 2005, according to documentation by the Balay Rehabilitation Center, about 2,500 families or an estimated 15,000 individuals have been displaced in Samar, Surigao, Aurora and Quezon (Balay Rehabilitation Center, 2006). (See Table 5)
Internal displacement constitutes a conglomeration of human rights violations, foremost of which is the right to life and dignity. In times of intense military operations where village folks are forced to flee their communities for safer grounds, farmers and agricultural workers are not able to work in their farms; children stop schooling; and infants become more vulnerable to diseases like diarrhea, measles, influenza, pneumonia and typhoid fever, further compromising their already frail and weak bodies. On the other hand, women are overburdened with finding ways and means to ensure the nourishment and safety of the members of the family, not to mention overcoming the trauma of the experience; families have to face the hardships of life in school buildings, churches, gyms and other public structures transformed into evacuation centers. For most internally displaced individuals and families, subjecting them to this harrowing experience further pulls them deeper into a life of deprivation and powerlessness, especially in a situation where the government continues to be insensitive to their plight and impotent in

Table 5: Reported cases of internal displacement/forced evacuations, July-December 2005

<table>
<thead>
<tr>
<th>NO. OF AFFECTED INDIVIDUALS/ FAMILIES</th>
<th>AFFECTED AREAS</th>
<th>PERIOD DURING WHICH HOSTILITIES / OPERATIONS OCCURRED</th>
<th>CAUSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basey, Samar</td>
<td>Bgys. Cogon, Cancaiyas &amp; Bulao, Basey, Samar</td>
<td>July 2005</td>
<td>Intensified military operations in 3 villages said to be infiltrated by the NPA by the 46th Infantry Brigade under Lt. Col. Manuel Ramos.</td>
</tr>
<tr>
<td>• 254 families or 1,270 residents from 3 interior villages (1st wave of evacuees)</td>
<td>Bgys. Mabini &amp; Magiliinab</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• 300 families or over 1,500 individuals (2nd wave of evacuees)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jolo, Sulu</td>
<td>Municipalities of Panamao, Indan &amp; Panglima Estino, Sulu</td>
<td>November 2005</td>
<td>Military operations against MNLF separatists &amp; ASG in Jolo, Sulu participated in by the 3rd Marine Brigade under Col. Juancho Sabban, &amp; 35th Infantry Bn</td>
</tr>
<tr>
<td>• More than 2,000 families affected (including 470 displaced families in the town of Indanan)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quezon Province</td>
<td>Towns of Tiaong, Dolores, Candelaria &amp; Sariaya, Quezon</td>
<td>November 2005</td>
<td>Intense military operations against NPA by the Southern Luzon Command (SOLCOM)</td>
</tr>
<tr>
<td>• More than 5,000 individuals</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

providing for their basic survival needs. For the GMA government whose primary preoccupation is prolonging itself in power, the needs and concerns of internally displaced people would be the least of its concern.

Rights of the accused

The use of torture and other forms of inhuman and cruel treatment has persisted in the second half of 2005, with the numerous reported cases of individuals who experienced such in the hands of the military and law enforcement agents. From July-December 2005, the Task Force Detainees of the Philippines (TFDP) documented 9 cases of torture, involving 14 victims.

One case reported to the Asian Human Rights Commission (AHRC), a human rights institution based in Hongkong, was the alleged torture of four (4) indigenous farmers belonging to the B’laan tribe. The victims – Daniel Gusanan, 44, Remy Gusanan, 20, Romeo Mural, 33, and Rhoderick Amante, 27, all residents of Bgy. Sinapulan, Columbio, Sultan Kudarat, Mindanao – recounted that at around 6 a.m. of September 2, 2005, elements belonging to the 25th and 66th Infantry Battalion, PA, raided the houses of the 4 farmers and arrested them without any search or arrest warrants. They were briefly detained at a detachment of the 66th IB in Bgy. Maligaya, Columbio, Sultan Kudarat, where all four were tortured.

According to their testimonies, Rhoderick Amante’s right toenail was pulled off during interrogation. The three others were blindfolded and hit in the chest. In the course of the interrogation, the army men threatened to kill them. The four farmers were being forced to admit responsibility for the August 27, 2005 killing of Ibrahim Tamlis, a village chief in the area (AHRC-Urgent Appeals Program, September 26, 2005).

Another case reported to the AHRC (November 9, 2005) was the alleged torture of two (2) workers at a public terminal. According to the account received by the AHRC, at around 2 a.m. of October 31, 2005, Michael Bautista, 22, and Benjamin Agustines, 19, residents of Dagohoy Paradise, Bgy. Dadiangas North, Gen. Santos City, were blocked by elements of the Joint Task Force GenSan (JTFG) while the two were on their way home. A scuffle took place; Bautista and Agustines were kicked, beaten and punched on the face, chest and other parts of the body by a soldier of the JTFG. Although the two were eventually released after being detained for several hours at the Makar Police Station, no actions were taken by the authorities to investigate the allegations of torture even if the incident was recorded at the Makar Police Station and the perpetrators identified as members of the JTFG (AHRC-Urgent Appeals Program, November 9, 2005).
Freedom of expression, peaceful assembly and the right to petition the government to redress for grievances

In the last semester of 2005, especially after the Garci tapes exposé, the GMA government was forced to shift to a survival mode in the face of escalating protest actions questioning the legitimacy of her rule and calling for her resignation and ouster. To quell the growing mass demonstration of people’s anger and loss of confidence, the GMA government issued a series of repressive pronouncements and executive orders violative of the Philippine Constitution.

Starting with the unwritten “Calibrated Preemptive Response” or CPR, the revival of a Marcosian law, Batas Pambansa 880, and Executive 464 or the “Gag Rule”, the GMA government projected its desperation to keep itself in power at all costs and through whatever means at its disposal. On the pretext of upholding the rule of law and protecting the “welfare of the greater majority”, the GMA government toughened its stance by outrightly prohibiting the people from exercising their rights and civil liberties. While recognizing the welfare and interests of commuters, pedestrians and businessmen as basis for the CPR and the “no permit, no rally” policy, the government has ignored the legitimate rights and freedoms of the people to free expression, peaceful assembly and to petition the government for redress of grievances, by banning peaceful protest actions and gatherings. Violence, illegal arrest and detention, and threats have been the government’s principal weapons to defend itself against the continuing expressions of people’s vigilance and dissent.

Despite the Commission on Human Rights’ (CHR) pronouncement that the CPR policy ‘had no legal basis’ and was, together with the blanket ‘no permit, no rally policy,’ unlawful, the GMA government proceeded, through the PNP, in violently dispersing rallies, demonstrations and other forms of mass actions (Salaverria & Santos, PDI, October 25, 2005, pp. A1 & A10; http://www.bulatlat.com/news/5-34/5-34-defacto_printer.html). Table 6 presents some of the violently dispersed mass actions on the pretext of CPR.
Meanwhile, EO 464, the policy prohibiting administration and military officials from attending congressional hearings without prior clearance and go-signal from the President, was another measure taken by the GMA government to curtail the people’s right to information. While invoking the constitutional guarantee of separation of powers between the executive, legislative and judicial branches of government, and the rule of executive privilege, the GMA administration used EO 464 to deny to the public vital information on the conduct of government affairs and to free itself from any accountability for actions and decisions taken. EO 464 is being used as a tool to keep away from the people and GMA’s critics the numerous scandalous and objectionable decisions and agreements made by the President and administration officials, by using the protection of public interest and/or security of the state as pretext. Moreover, while EO 464 recognizes the “rights of public officials appearing in legislative inquiries in aid of legislation”, it ignores the right to information of the people; while it safeguards the interests of public officials in congressional inquiries/hearings, it disregards the people’s interests and welfare.

**Conclusion**

The serious attacks against the people’s civil and political rights during the past year by an embattled government indicate that the wielders of political power will do anything just to be able to hold on to that power. The use of the State machinery will be maximized at all costs especially if the control over political power is endangered or threatened. And the
GMA government has been an expert in doing so, especially during the last half of 2005.

In the name of survival, it has attacked the people’s civil and political rights, consequently creating an environment characterized by violence, repression and impunity. Finding it hard to rule the “old way”, the GMA government has shifted to the use of repressive measures to keep itself in power. For a people whose civil liberties and political rights are under attack, the only recourse available is defense of human rights which is a duty and a source of hope.

REFERENCES:


Task Force Detainees of the Philippines


IN HER inaugural speech in July 2004, President Gloria Macapagal Arroyo laid down her administration’s 10-point agenda in the newly drafted Medium-Term Philippine Development Plan (MTPDP) for 2004-2010. Among the medium term goals is to bring the unemployment rate down to 8.9% percent in 2010 by creating 6 to 10 million jobs within her six-year term. Translated on a yearly basis, unemployment rate is expected to be down to 11.9 percent with 1 to 1.2 million new jobs generated by end of 2005.

Given the current state of the country’s economy, specifically its inability to absorb the increasing labor force and the persistence of economic structural problems that need urgent reforms, it is but natural for the public to be highly doubtful and cynical towards such projections.

But to the surprise of the many, the government seems to have magically juggled its economic goals and inexplicably pulled it off as reports and figures from different government agencies suggest that targets set for 2005 are well on course.

The 2005 year-end report of the Arroyo Administration indicated that the government is well on track with its goal of creating 6 to 10 million jobs by 2010, with almost 2 million jobs created within 9 months in 2005.

The tall tales

According to outgoing Secretary Rigoberto D. Tiglao, head of the Presidential Management Staff, latest reports by government agencies involved in the jobs generation program indicate that a total of 1.99
million jobs were generated from January to September 2005.

The Department of Labor and Employment (DOLE) reinforced this and reported that the country’s employment situation continues to improve as more people found work, based on the results of recent government surveys. Citing results of the October 2005 Labor Force Survey (LFS) conducted by the National Statistics Office (NSO), DOLE claimed that the government was able to generate 1.135 million net employment as of October 2005, placing the employment level at 32.9 million and employment rate at 92.6% of the total 35.5 million labor force. This translates to a growth rate of 3.6% or an average employment increase of 699,000 from the 31.7 million employment level recorded in 2004.

The reported rise in employment was attributed to the continued expansion in the service, agriculture, fishery and forestry sectors, which largely offset the slack growth in the industry sector. Employment growth rate was felt strongest in the service sector, which expanded by 4.9% (740,000), while employment in the combined agriculture, fishery and forestry sector was up by 3.3% (390,000), increasing from 11.785 million in 2004 to 12.175 million. Meanwhile, the industry sector employment only grew by a negligible 0.1% (6,000).

Likewise, results of recent labor survey rounds have been gradually recorded substantial decline in the unemployment rate. In October 2005, the number of unemployed persons was pegged at 2.6 million, translating to an unemployment rate of 7.4%. This reflects a significant decline from the 10.9% unemployment rate or 3.8 million unemployed persons in October 2004, and even exceeded the projected 11.9% unemployment rate for 2005.

The sad story

Given these positive employment figures, it has been rather easy for the government to superficially project a picturesque employment situation in the country and assert that it has been able to stay on track with its stated employment and economic goals. However, in the face of such claims, many have remained skeptical as employment opportunities are still scant and the quality of living has either remained unchanged or continues to deteriorate for most ordinary Filipino workers.

As such, recent government labor reports have been highly criticized for crowing labor/employment achievements that are mere statistics that fall short in translating into any palpable positive effects on the quality of employment of the manggagawang Pilipino. Particularly, many have been questioning the quality of the supposedly generated jobs as well as the validity of statistical findings that placed recent unemployment figures on a record low.
The quality of jobs generated

While statistics indicate a significant increase in the number of jobs generated this year, these jobs have been highly concentrated in the service sector and combined agriculture, fishery and forestry sector that largely surpassed the employment growth rate in the industry sector. What is worrisome with such data is that the majority of the jobs in the service and agriculture sectors are characterized as less stable, of lower quality, and vulnerable to exploitation.

Employment in the service sector is largely comprised of informal sector workers which are basically segments of the labor force who could not find employment in factories and offices and are forced to take on so-called informal jobs as household workers, vendors, tricycle or jeepney drivers, and the like. Indicative of this is the continuing increase in the percentage growth of own-account workers (4.4%) and unpaid family workers (12.9%) alongside the sluggish growth of wage and salary workers (0.9%). By the very nature of labor relations in the informal sector, which is mostly based on kinship or personal and social relations, specific rules or regulations that uphold labor rights are usually nonexistent, rendering informal workers more vulnerable to various forms of labor exploitation.

Even employment gains in the agriculture sector is also problematic. It should be noted that jobs in the agricultural sector are temporary and/or seasonal in nature, being highly dependent on the planting and harvesting seasons. Given that government hardly provides for adequate agricultural infrastructure and alternative livelihood programs, jobs in this sector continue to be wanting, stability- and security-wise.

Statistical sleight-of-hand

Meanwhile, the lower unemployment figures generated by the latest LFS does not actually mean that more Filipinos are gainfully employed, or that the government had achieved its goal of creating 1 to 1.2 million jobs in 2005. This lower unemployment figure is merely a result of a revised and more stringent definition of unemployment recently adopted by the government, purportedly to align its methodological definition with International Labor Organization (ILO) standards.

Since 1987, the NSO has defined unemployed as those who are 15 years old and above who are: 1) without work; and 2) are seeking work or not seeking work because they believe that there is no work, and other valid reasons such as bad weather, temporary illness/disability or waiting for the result of a job application.

But effective April 2005, NSO adopted a new unemployment definition...
based on National Statistical Coordination Board (NSCB) Resolution No. 15 dated October 20, 2004, which added to the old definition the “availability for work” as a third criterion. As a result, the new definition drastically reduced the official unemployment rate and the number of unemployed – without the government having to actually create jobs – by simply not counting those without work but are not actively seeking work.

If the old definition of the unemployed will be used, the unemployment rate in October 2005 would register at 10.3% and the number of unemployed person would reach 3.8 million. This would reflect a dismal decrease of only 0.6% from 2004 employment rate of 10.9% and employment level of 3.9 million. Overall, this presents a substantial difference from the results generated using the new definition, which placed unemployment rate down to 7.4% and number of unemployed at 2.6 million.

With the new definition, a total of 1.146 persons were virtually scraped off the labor force and classified as not part of the unemployment figure even if in reality they remain jobless.

This shift in the definition of the unemployed has resulted in rosy employment figures that effectively disguised the government’s inability to provide real and quality employment for its people. This adjustment in definition does nothing but conceal and obscure the true extent of the country’s unemployment situation.

**LABOR FORCE STATISTICS**

**OCTOBER 2005 ROUND**

<table>
<thead>
<tr>
<th>INDICATOR</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Household Population 15 years Old and Over (000)</td>
<td>53,569</td>
<td>54,797</td>
</tr>
<tr>
<td>Labor Force (000)</td>
<td>35,629</td>
<td>35,496</td>
</tr>
<tr>
<td>Employed (000)</td>
<td>31,741</td>
<td>32,876</td>
</tr>
<tr>
<td>Unemployed (000)</td>
<td>3,888</td>
<td>2,620</td>
</tr>
<tr>
<td>Underemployed (000)</td>
<td>5,364</td>
<td>6,970</td>
</tr>
<tr>
<td>Labor Force Participation Rate (%)</td>
<td>66.5</td>
<td>64.8</td>
</tr>
<tr>
<td>Employment Rate (%)</td>
<td>89.1</td>
<td>92.6</td>
</tr>
<tr>
<td>Underemployed Rate (as % Employed)</td>
<td>16.9</td>
<td>21.2</td>
</tr>
<tr>
<td>Unemployed (%)</td>
<td>10.9</td>
<td>7.4</td>
</tr>
</tbody>
</table>


**Worsening labor situation**

Behind the made-up employment figures lie the continuing deterioration of the quality of employment in the country as evinced by the increasing
number of underemployed, stagnant low wages amidst rapidly increasing prices and continuing devaluation of peso, and the growing trend in labor contractualization.

Underemployment continues to increase in recent years. Based on the October 2005 LFS, underemployment rate increased to 21.2% from 16.9% recorded on the previous year. Accordingly, 6.970 million of the total 32.9 million employed have worked less than 40 hours a week and received salaries that are inadequate to meet their needs and therefore have to resort to another job for additional income.

Stagnant low wages is one of the factors in the increase in underemployment. This in turn is directly related to the rapidly rising prices in commodities that severely cut the purchasing power of worker’s current income.

Reasonably, wage increase is seen as the first step towards strengthening the purchasing capacity of the working poor, especially at a time when prices of goods and services have continually soared as a result of the implementation of the 10% Expanded Value Added Tax (EVAT).

Despite the 8.3% wage increase granted by the government in July 2005 in anticipation of and to cushion the effect of EVAT, the labor sector denounced this minimal increase and continued to call for a P125 across-the-board wage hike as a more realistic increase that would somehow enable them to cope with the rising cost of living.

As of June 2005, the National Capital Region (NCR) has the highest minimum wage of P275 to P325 a day for non-agriculture workers. Even then, it is still 50% short of the estimated daily family living wage which is pegged at P690 for a family of six in the NCR. The case is even worse in the Autonomous Region of Muslim Mindanao (ARMM), which has the lowest minimum wage of P180 and ironically has the highest family living wage requirement of P872. This means that the minimum wage only meets 21% of the required family living wage and would practically require an ARMM-based family of six at least five (5) minimum wage earners to meet both their food and non-food requirements.

The limited capacity of workers’ income is further aggravated by the continuing devaluation of peso. Data from NSO showed that the peso’s purchasing power, or the amount of goods or services P1 can buy, has fallen to P0.77 centavos in 2005 from P0.83 in 2004. This means that the real value of the minimum wage has also declined over the years. Based on the data from the National Wage and Productivity Commission (NWPC), the NCR workers’ P325 daily wage is equivalent to only P239 in real terms, while the ARMM worker’s P180 daily wage is only worth P131.
This only indicates that the minimum daily wage has barely kept pace with the increasing prices of goods and services and with family expenditures, thus worsening the workers’ deplorable living conditions and vulnerability. This is reflective of the government’s failure to ensure and accord its working class with fair wages that can afford them adequate living standards.

**CURRENT NOMINAL AND REAL WAGE By Region**
Non-Agriculture December 2005 (2000=100)

<table>
<thead>
<tr>
<th>REGION</th>
<th>NOMINAL WAGE a/</th>
<th>REAL WAGE b/</th>
</tr>
</thead>
<tbody>
<tr>
<td>NCR</td>
<td>325.00</td>
<td>239.32</td>
</tr>
<tr>
<td>CAR</td>
<td>225.00</td>
<td>163.87</td>
</tr>
<tr>
<td>I</td>
<td>212.00</td>
<td>155.43</td>
</tr>
<tr>
<td>II</td>
<td>208.00</td>
<td>160.87</td>
</tr>
<tr>
<td>III</td>
<td>263.00</td>
<td>202.23</td>
</tr>
<tr>
<td>IV-A</td>
<td>265.00</td>
<td>198.80</td>
</tr>
<tr>
<td>IV-B</td>
<td>206.00</td>
<td>159.07</td>
</tr>
<tr>
<td>V</td>
<td>209.00</td>
<td>157.97</td>
</tr>
<tr>
<td>VI</td>
<td>205.00</td>
<td>156.85</td>
</tr>
<tr>
<td>VII</td>
<td>223.00</td>
<td>160.66</td>
</tr>
<tr>
<td>VIII</td>
<td>206.00</td>
<td>159.07</td>
</tr>
<tr>
<td>IX</td>
<td>196.00</td>
<td>150.54</td>
</tr>
<tr>
<td>X</td>
<td>218.00</td>
<td>162.32</td>
</tr>
<tr>
<td>XI</td>
<td>224.00</td>
<td>164.34</td>
</tr>
<tr>
<td>XII</td>
<td>213.00</td>
<td>165.12</td>
</tr>
<tr>
<td>XIII</td>
<td>200.00</td>
<td>150.38</td>
</tr>
<tr>
<td>ARMM</td>
<td>180.00</td>
<td>131.00</td>
</tr>
</tbody>
</table>


**Labor contractualization and job insecurity**

Another major problem that confronts the labor sector is the increasing trend in labor contractualization among the major business establishments in the country. This trend can be seen as a by-product of the government’s promotion of flexible employment arrangement to ensure the country’s economic competitiveness with the global market’s current demand for cheap labor. Inevitably, this results in massive labor contractualization as employers tend to reduce expenses for regular workers by replacing the bulk of the workforce with casuals, contractuals, and apprentices.

Although government provides no updated official data indicating the number of contractual employees in the country, one indicator of the prevalence of such practice is best exemplified by the ShoeMart (SM) chain of malls owned by Henry Sy, which is among the country’s largest employers.
Based on a 2003 statement of Ms. Maristel Garcia, secretary-general of the Samahang Mangagawa ng ShoeMart (SMS), SM employs a total of 20,000 workers. Of this, only about 4,000 are regular workers, holding managerial and supervisory positions. This leaves 75-80 percent of the total number of workers employed on a contractual basis. These contract workers are dismissed every three months and replaced by a new set of contractual workers to avoid regularization and curb necessary labor cost for benefits and allowances.

Certainly, this kind of practice presents a convenient and cheaper way of maintaining business in the country as it allows employers to maintain the number of workforce necessary for their operation without actually having to provide appropriate pay and benefits. However, this is precisely the kind of practice which allows employers/business establishments to evade and violate labor standards and workers’ rights. Labor contractualization limits the possibilities of regular employment for many, and therefore puts a huge number of workers beyond the protection and benefits that are otherwise accorded by labor laws to regular employees – including but not limited to wage increase, overtime pay, job security and membership in labor unions.

Weakening labor unionism

One of the most insidious effects of labor contractualization is the increase in the number of non-unionizable workers (present labor law prohibits contractual workers to join or form unions), thereby weakening labor’s bargaining position with the management. Lesser labor unions and weaker bargaining power simply means that it would be difficult for workers to effectively assert and defend their rights even in the midst of rampant labor exploitations.

Although the number of existing labor unions relatively increased over the years, there has been a continuing trend of decreasing membership in labor unions. As of September 2005, there were 17,021 unions, with an accumulated 1.597 million members nationwide. However, this means that only 5 percent of the total employed labor force is unionized, which is much lower than the registered union membership of 3.92 million or 10 percent of the total employed labor force in 2003.

Likewise, the number of existing Collective Bargaining Agreements (CBAs) also relatively increased from 2,798 in 2004 to 2,810 in September 2005, but the number of workers covered by CBAs decreased from 555,000 in 2004 to 550,000 in September 2005. This only represents 34 percent of the total 1.572 million members of existing labor unions in the country.
The labor sector: Tall tales, sad stories

### EXISTING WORKERS ORGANIZATIONS, COLLECTIVE BARGAINING AND COLLECTIVE NEGOTIATION AGREEMENTS

<table>
<thead>
<tr>
<th>INDICATOR</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Unions (as of)</td>
<td>16,723</td>
<td>17,021</td>
</tr>
<tr>
<td>Membership (000)</td>
<td>1,572</td>
<td>1,597</td>
</tr>
<tr>
<td>Existing Collective Bargaining Agreements (CBAs) (as of)</td>
<td>2,798</td>
<td>2,810</td>
</tr>
<tr>
<td>Workers covered (000)</td>
<td>555</td>
<td>550</td>
</tr>
<tr>
<td>Existing Workers Association (Was) (as of)</td>
<td>8,237</td>
<td>9,688</td>
</tr>
<tr>
<td>Membership (000)</td>
<td>286</td>
<td>341</td>
</tr>
<tr>
<td>Existing Collective Negotiation Agreements (CNAs) (as of)</td>
<td>51</td>
<td>47</td>
</tr>
<tr>
<td>Members covered (000)</td>
<td>18</td>
<td>16</td>
</tr>
</tbody>
</table>

Source: Bureau of Labor and Employment Statistics, Key Labor Stats

### Anti-strike labor policy

This trend also inevitably results in lesser union strikes. Data from DOLE’s National Conciliation and Mediation Board (NCMB) indicated that strike notices nationwide went down by 20 percent (445 as of November in 2005 compared to 558 recorded in 2004). Only 26 out of the 445 strike notices materialized into actual strikes in 2005, registering a 96 percent prevention rate.

### STRIKES/LOCKOUT CASES

<table>
<thead>
<tr>
<th>INDICATOR</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strike Notices</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Notices Filed</td>
<td>558</td>
<td>445</td>
</tr>
<tr>
<td>Workers involved</td>
<td>164,690</td>
<td>107,591</td>
</tr>
<tr>
<td>Strike Prevented</td>
<td>532</td>
<td>426</td>
</tr>
<tr>
<td>Actual Strikes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Strikes/Lockouts Declared</td>
<td>25</td>
<td>26</td>
</tr>
<tr>
<td>Workers Involved</td>
<td>11,197</td>
<td>8,496</td>
</tr>
<tr>
<td>Work Normalized</td>
<td>24</td>
<td>24</td>
</tr>
<tr>
<td>Mandays Lost from On-going Strikes (000)</td>
<td>53</td>
<td>111</td>
</tr>
</tbody>
</table>

Source: Bureau of Labor and Employment Statistics, Key Labor Stats

But the lower number of strike notices and incidence of actual strikes cannot be construed as positive indicator of the country’s labor situation. This does not mean that workers are generally contented with their conditions at their workplace. Rather, the decline is merely the result of increasing use of non-unionizable contractual workers in many establishments and more evidently by the constricting strike provisions of the existing labor code.
Ironically, the very legal instrument which is supposed to protect and ensure labor rights include a critical impediment on one of the basic right of workers – the right to strike. The Philippine Labor Code provides restrictive provisions on labor strikes – limiting the issues for which a strike can be legally called; creating a long, difficult process before workers can go on strike; allowing the government to assume jurisdiction over disputes, thus further constricting the workers’ options to make management accede to labor demands; and providing for penalties to workers and their leaders involved in a strike that is deemed illegal. This in effect has disempowered the majority of workers as they are forced to bow to management/employers’ impositions and unfair labor practices.

Phenomenon of Forced labor migration

The unabated high unemployment rate and the deterioration of the quality of employment in the country continue to drive many Filipinos to look for jobs abroad. For several decades, the Philippine government has been resorting to labor migration as a way of responding to the country’s double-digit unemployment rate and growing economic and financial deficit. It is no surprise therefore why the Philippines continues to top the list among the world’s major source of labor migrants and remains the biggest recipient of migrant remittances, next only to India and Mexico.

Government estimates show that there are more than 7.7 million Filipinos in 192 countries worldwide, representing nearly 10 percent of the country’s population and almost 20 percent of the productive age population. And this is more likely to increase given the unprecedented deployment of Filipinos for overseas jobs in recent years. Data from the Philippine Overseas Employment Agency (POEA) indicate that the number of newly hired and rehired OFWs – both land-based and sea-based – reached 981,677 from January to December 2005, registering a 5.2 percent growth rate from the total 941,722 deployed in 2004. On the average, 2,711 overseas employment contracts were processed daily in 2005.

Increase in the overseas worker’s deployment has subsequently pumped up remittances in the country. The Banko Sentral ng Pilipinas (BSP) reported that the remittances from OFWs have reached an all-time high of $10.7 Billion in 2005, which represents a 25.01 percent increase (or $2.1 Billion) over the $8.5 Billion posted in 2004.

With such a staggering amount of remittances, it is with no doubt that OFWs are playing a very vital role in keeping the country’s economy afloat, almost practically doing what should have been the government’s job. The aggressive deployment of OFWs and heavy reliance on remittances only reflect how the government has failed to provide
adequate and quality jobs to its people and effect genuine development in the country.

Conclusion

For the last quarter of 2005, the labor sector continues to be beleaguered with the same problems that have been hounding them for years – problems that have remained unresolved and have gone from bad to worse. But amidst this apparent tumbling labor situation, the Philippine government continues to turn a blind eye and even managed to feign employment gains which failed to substantially improve the quality of jobs and lives of ordinary Filipino workers.

The right to work is an inherent and a guaranteed right of every Filipino as enshrined in various international and national legal instruments, which the Philippine government, as a signatory, is obliged to progressively implement. But the Filipinos’ right to work is not just realized by providing jobs or by lowering the unemployment rate. The fulfillment of the right to work means that government should be able to provide quality employment, decent and adequate wages, protection and safety in the workplace, and job security, while allowing workers to exercise their right to unionize and wage strikes.

However, the macro-economic policies being pursued by the government seem to be at odds with these standards of the “right to work”. This inconsistency results in the inability of the government to provide for a meaningful achievement in the people’s right to work.

In an effort to ensure its economic competitiveness with the current demands of the global market, the government’s primary goal is to be able to maintain lower wages and suppress labor unions to achieve industrial peace as a necessary factor in attracting external/foreign investments in the country. With such economic policy, it is obvious that the government will most likely continue to misprioritize and compromise the labor rights of its citizens.

In the end, the people’s right to work should not only remain on paper and in statistics. It should translate into better living conditions for the manggagawang Pinoy.
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Doctors as Nurses: How to Brew a Health Crisis

By Ramil Añosa Andag

A Not So New Phenomenon

Filipino health professionals, particularly our nurses and doctors, are most in-demand abroad due to their world famous virtues of patience and compassion. The phenomenon of Filipino doctors leaving for more lucrative jobs abroad is therefore not entirely new. The Philippines has been exporting human capital in the form of doctors to other countries, particularly to the United States and the Middle East, since the early part of the 60s.

The second quarter of 2005, however, saw an emerging trend in the outward mobility of Filipino medical practitioners. This trend gave rise to doomsday warnings that, unless abated, it will contribute to the collapse of the health sector. This alarm was issued due to the phenomenon of doctors leaving for other countries and working as nurses.

This trend has not spared any medical field as the ranks of doctors who are training to be nurses include those who are practicing in the fields of surgery, orthopedic, obstetrics, pediatrics, anesthesiology, internal medicine, family medicine, general practice and public health.

Even as the exodus of doctors to work as nurses abroad seemed to have reached alarming proportions by the 2nd quarter of 2005, this trend is, although fairly recent, not entirely new.

The doctors-as-nurses phenomenon is a cumulative result of various factors and challenges which have been besetting the Philippine health sector for a long time. However, this gained public notice when in March of 2004, Elmer Reyes Jacinto, a magna cum laude graduate...
from Our Lady of Fatima university, and a topnotcher in the medical board exams for that year, grabbed headlines when he announced his decision to work abroad as a nurse.

Jacinto was quoted as saying: “If only the market for medicine graduates were good here. Regretfully, many have chosen to become nurses abroad because the pay here is no longer commensurate to what they have attained in the profession. It has become a trend. Whether I passed the board or not, my application abroad was already in motion. While it pains me to do so, I’m looking forward to going abroad and not to let the opportunity pass. Nursing jobs in the US command monthly salaries that could go into 6-digit figures in Philippine pesos.”

Jacinto is now reportedly working as a nurse in the US state of Florida.

**Weak vital signs**

The second quarter of 2005 offered a glimpse of what is now popularly known as the exodus of Filipino doctors who work as nurses abroad. Some called it the brain-drain phenomenon; others are even calling it a brain hemorrhage.

And this alarm is not baseless if we consider the current figures.

Since the year 2000, an estimated 3,500 doctors have left the country for various destinations to work as nurses. And there seems to be no end in sight to this mass departure. In 2005, some 4,000 Filipino doctors are enrolled in abbreviated nursing courses, obviously in preparation for nursing jobs abroad.

The Department of Health (DOH) even estimates a higher number of doctors studying as nurses saying that the number of licensed doctors training as nurses now stands at 6,000.

Based on data provided by the Movement of Idealistic and Nationalistic Doctors (MIND), an advocacy group for doctors in the country, a total of 2,374 medical doctors took the nursing board exams in 2004 and 2005. Meanwhile, in a baseline survey conducted by the National Institutes of Health-Philippines (NIHP), more than 1,500 doctors passed the nursing board in 2003 and early 2004. In 2005, some 800 doctors took the nursing board conducted in June that year, according to the Board of Nursing.

Another symptomatic trend to the hemorrhage of doctors in the country is the fact that the number of examinees taking the National Medical Admissions Test (NMAT), a pre-requisite to a medical degree, is dwindling. In 2005-2006, only 4,159 took the NMAT compared to 6,400 in 2001-
2002 – indicative of a 35% decline. This statistic exhibits a downtrend in the interest of students in the field of medicine. Furthermore, data revealed that the year 2005 saw a decrease in the number of applicants for residency training positions.

The popularity of nurses-as-exports has spawned more nursing schools. Presently there are 250 nursing schools, compared to 186 in 1999. Enrollment in these schools also jumped from a total of 26,000 in SY 1999-2000 to 92,000 in SY 2002-2003.

Meanwhile, even as doctors are leaving the country in droves to work as nurses abroad, an annual average of 3,600 medical graduates, in the past four years, hurdle the medical board exams.

And in a country where the patient-to-doctor ratio of 1:20,000 is far from ideal ratio of 1:10,000, these figures paint a more than bleak backdrop of the state of the country’s right to health.

Triggers and causes

To generalize that doctors are leaving the country for nursing jobs abroad because of purely economic reasons is, at the very least, unfair to medical doctors. It also obscures the other relevant reasons. Surely, economic opportunities abroad play a big role in this decision. But it is equally important to understand the other factors that play into this alarming trend.

In the Philippines, medical residents in private hospitals earn about P15,000-18,000 a month. Meanwhile, a public health doctor nets about P12,000 a month. According to MIND, contrary to the prevailing public perception that being a doctor in the Philippines is a lucrative job, some 90% of doctors earn somewhere between P15,000 to P20,000 a month – an amount that can be earned in a call center at the present going rates.

Compare this to the $35 per hour (or P300,000 a month) a nurse earns in the U.S. It should not come as a surprise that some doctors choose to downgrade their credentials and work in other countries as nurses.

Poor working conditions also figured as a reason for this outflow. Recent news reports indicate that even as private hospitals in the Philippines offer 8-hour working days, one patient a bed and a room, the realities in government-run facilities are not as bright. These facilities are usually understaffed and overcrowded.

In an interview recently, the Alliance of Health Workers (AHW) said that the classic example of understaffing and overcrowding are found at the
Dr. Jose Fabella Memorial Hospital in Manila and the state-run Philippine General Hospital. According to AHW, beds lining the corridors and throngs of impoverished mothers are a usual sight in these health facilities. An obstetrician interviewed by the Agence France Presse who had worked in both private and public hospitals, said she has experienced working for 14 hours or more a day.

In the message board exchanges of medical doctors (http://mind.pinoy.md/), complaints regarding poor working conditions are a staple. Comments range from long working hours to insufficient benefits including health (meaning, even doctors themselves cannot avail of quality health care). One doctor related that it is normal for them to work 36-hour shifts without sleep.

Also, Philippine education remains highly driven by foreign demands. Nursing, for instance, saw decreased enrollment in the 1990s when the US froze its outsourcing of nursing demands. However, with the opening of job opportunities for nurses recently, the number of nursing schools in the country mushroomed from 170 in the late 90s to 370 in April 2004 to absorb the subsequent increase in enrollment. Forty to fifty percent of the present enrollees in nursing are “second courses,” meaning professionals in other fields who are taking up nursing.

To accommodate the enrollment of doctors in nursing courses, a special abbreviated nursing course was designed. Instead of the regular 4 year curriculum nurses take, doctors are offered a course which lasts anywhere from 1½ to 2 years before they are allowed to take the nursing board.

In a primer released by the Philippine Medical Association quoting former Health Secretary Jaime Galvez-Tan, doctors are shifting careers to nursing due to the following reasons: political instability, poor working conditions, threat of the medical malpractice law, low salary, high taxes imposed on practitioners, inadequate resources to perform functions, the peace and order situation in the country, and the decreased stature of doctors.

Disturbing effects and government Rx

All these symptoms and the unaddressed trigger factors are only indicative of a looming crisis in the field of human resource in the health sector.

From September to November of 2005 alone, 31 medical facilities have closed in various parts of the country. The Private Hospitals Association of the Philippines (PHAP) revealed that only 700 privately-run hospitals are operating throughout the country. This means that only 40% of the total privately-run hospitals five years ago are operating today. These closures were primarily brought about by lack of doctors and nurses.
Historically, access to health services in the Philippines is at best minimal, with quality health care remaining largely inaccessible to more than 50% of the population. Also, for the past ten years, more than 100 municipalities remain doctorless and nurseless. And in a country where the doctor-to-patient ratio stands at 1:20,000, a far cry from the World Health Organization (WHO) ideal ratio of 1:10,000, the Filipino doctors exiting as nurses is indeed a big problem, indicative of a bigger problem which is the collapse of the entire Philippine health care as foreseen by various organizations.

What has been done so far?

That the people’s health is the responsibility of the State is clearly outlined in Section 15 Article II of the 1987 Philippine Constitution, which says that the State should “protect and promote the right to health of the people.” Furthermore, Congress has enacted the Migrant Workers and Overseas Filipino Act in 1995. This Act disclaims that it promotes labor migration as a means to sustain economic growth and achieve national development.

However, the Philippine government seems to be inconsistent as it has traditionally depended on dollar remittances from its foreign based workers to sustain its economy, instead of addressing its structural weaknesses, particularly provision of quality jobs in the country.

This is clearly reflected in the 2001-2004 Medium Term Development Plan of the Philippines (MTPDP) which puts premium on overseas employment as a major factor in economic growth.

The end of 2005 saw the government harking as a positive economic indicator the fact that for the period of January-October 2005, $8.8B were remitted to the Philippines by its overseas labor force – 27.1% higher than the previous year. Bangko Sentral ng Pilipinas also stated that over 5M OFWs are expected to send some $10.3B by December 2005 compared to the $8.5B they sent last year.

Meanwhile in the labor market, the Philippine Overseas Employment Agency (POEA) reported that 809,140 Filipinos were deployed abroad in 2005, higher than the 794,806 in 2004.

This policy is sadly shared by Secretary Patricia Santo Tomas of the Department of Labor and Employment (DOLE). She was recently quoted as saying that the brain drain is just a perception and people should not worry about the draining of our medical professionals because those who leave to work abroad will be replenished by new graduates.

The less-than-serious take of the government on the health sectors is also
reflected in the national budget. Even as the WHO advises a minimum of 5% of the national budget to be allocated for the health sector, figures show that budget allocation for health is experiencing a continuous decrease, instead of progressively addressing the health needs of the Filipinos. In 2000, the health budget was 2.15% of the total national budget, which was decreased to 1.49% in 2004. For the year 2005, it was further decreased to 1.47%.

Clearly, a national economy largely dependent on the foreign remittances of its “Bagong Bayani” and a policy environment which promotes labor exportation is slowly draining the medical human resource of the country. At the expense of the 50% of Filipinos who are not able to access basic health services. At the expense of doctorless and nurseless municipalities in the countryside.

Prescriptions to doctors

To address the health care crisis in general, the National Institutes of Health-Philippines has proposed a 10-Point Strategic Solution, both at the international and national levels. Some of these are:

- Initiation of high level bilateral negotiations with the major Northern Countries importing human resources from the health/medical professions, which includes an ethical framework on recruitment procedures and compensation and funds packages to benefit the sender country and its health practitioners;

- North-South Health Facility Partnership Agreements which will provide that a corresponding amount will be given to the exporting health facility for every nurse, doctor and other health professional that foreign hospitals will acquire for their facility. This will go to the Health Human Resource Development Trust Fund;

- Creation of a National Commission on Health Human Resource Development which will oversee the planning, production, deployment, retention, etc. of health professionals in the country;

- Enactment of a National Health Service Act which will require health science graduates from state-subsidized medical schools to serve an equivalent number of years in the country (because the present situation is already of crisis proportion), to ensure long-term impact;

- Establishment of a Health Professionals Registry, a database which can be a helpful management tool to locate and monitor health human resources of the country;
• Development of new learning and career opportunities; for example, well designed post-graduate programs and scholarships are possible attractions for health practitioners to remain in the country; and

• Reforms in health financing, management of medical education and medical services in the country.

Meanwhile, a more focused strategy which zeroes in on the phenomenon of doctors working as nurses abroad is being forwarded by MIND. According to its founder, Dr. Willie T. Ong, these suggestions were culled from discussions with over a hundred doctors.

These suggestions ranged from internal changes among the ranks of doctors, to structural reforms which call on the concerned government units.

The internal suggestions included mentoring from influential and senior residents for younger doctors, where the latter are treated properly by the former and not made to feel like servants. It also called upon the medical societies to use their organization’s resources and funds to lobby for reforms like increased wages and humane working conditions.

Meanwhile, they are also appealing (in light of the devolution of public health service) that concerned local government units institute ways to improve the conditions of public doctors in terms of better pay and lesser bureaucracy to enable doctors to concentrate on their work. They would also want that public doctors be treated as partners in ensuring the health of the people.

If the Philippine government is serious in addressing the brain drain phenomenon in particular, and to make basic health services accessible to the Filipinos in general, maybe it will be best for our leaders, policy makers and managers, to follow what the doctors have ordered.

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The Herculean Task of Relocating 40,000 NorthRail Families

The second half of 2005 was crunch time for both the government, hell-bent on starting the long-delayed construction of the North Rail project, and the families living along the proposed railroad track clamoring for adequate relocation package.

Vice President Noli de Castro gave the National Housing Authority up to December to relocate the families residing along the Philippine National Railways (PNR) railroad track that will be utilized for the North Rail project.

As early as the latter part of November, NHA reported that they already relocated 11,200 families or 96% of the affected families in Bulacan. The agency further reported that the remaining 400 families accepted the “Balik Probinsya” assistance amounting to P14,000 for each family.

So, as far as the government is concerned, it already accomplished the grim task of relocating the 20,000 families uprooted by the first phase of the NorthRail project. Housing officials are now eyeing the relocation of 19,500 families in Pampanga that will be displaced by the second phase of the said project.

The NorthRail contract

The first phase of this project, which aims to rehabilitate the 32-km railroad track and operationalize a modern railway system from Caloocan to Malolos, Bulacan would cost $503M, of which $400M would come as loan from China’s Export Import Bank and the remaining amount would be the counterpart of the Philippine government.

The infrastructure project is one of the centerpiece economic programs of the Arroyo administration since its ascension to power in 2001.
The Herculean Task of Relocating 40,000 Northrail families

interlinking La Union, Clark Economic Zone in Pampanga, and Metro Manila, Northrail was expected to spur growth and development in Central and Northern Luzon.

But early this year, Senator Juan Ponce Enrile exposed that the $503M contract awarding the North Rail project to China National Machinery and Equipment Corp (CNMEC) did not go through a public bidding. Critics said that it was also overpriced and experts claim that the absence of the project’s specifications in the contract was highly irregular and favored the contractor.

And bad news for the almost 200,000 residents along the target railroad track, the deal failed to consider the cost for relocating them, which according to estimates would amount to P6 billion pesos.

The National Housing Authority (NHA), the agency tasked to spearhead the relocation, claimed during a Senate hearing that it only has P1.6 billion pesos for the NorthRail residents. NHA also got an interest-free loan of P100 million from the North Luzon Railways Corp. (NLRC).

So, how could the government possibly provide adequate relocation to the NorthRail families given this deficit and not to mention the corrupt and anomalous practices “normally” associated with government resettlement projects?

Resistance of residents

Last October 11, residents through the League of Urban Poor for Action (Lupa)-Bulacan Chapter, with Atty. Harry Roque as their counsel, sought the intervention of the Supreme Court to stop the implementation of the NorthRail project.

In their petition for certiorari and prohibition, the residents alleged that the contract awarding the construction of the said infrastructure to CNMEC is void and illegal since it did not undergo the required bidding as mandated by Republic Act 9184 or the Procurement Reform Act.

But the Chinese embassy quickly denied these allegations and stated that the NorthRail contract was “just and legal.” Chinese Ambassador Wu Hongbo also warned anti-Arroyo politicians not to use the project in their attempt to discredit the government.

On October 19, the Supreme Court rejected the residents’ petition, saying that it has no jurisdiction over the case since the complainants raised factual issues that should be resolved in a lower court.

Atty. Roque filed a motion for reconsideration and also asked the Supreme
Court to issue a Temporary Restraining Order (TRO) against the scheduled demolition of houses along the NorthRail track in Bulacan in mid-November. According to Roque, his clients received eviction notices from PNR only on October 14.

While waiting for the SC verdict on their motion for reconsideration, the residents vowed to go to the streets to stop the demolitions and to protest the “deception, intimidation, and force” applied against them just to remove them along the railroad track.

They further decried that many of the government promises to convince them to leave remained unfulfilled and that their long-term problem of landlessness was not sincerely addressed.

What is adequate relocation?

The United Nation’s Committee on Economic Social and Cultural Rights (UNCESCR) enumerated seven elements of adequate housing or settlement based on the International Covenant on Economic, Social, and Cultural Rights (ICESCR) to which the Philippines is a State Party:

a) Security of tenure;

b) Habitability of the housing unit, (meaning the protection, comfort, health, and privacy of the occupants must be ensured);

c) Accessibility, both economically and physically, of housing projects for the marginalized sectors in society;

d) Availability of materials, services, facilities, and infrastructure;

e) Affordability, (meaning housing expenses must not compromise the enjoyment of other basic needs);

f) Location, (meaning residents must have easy access to centers of employment and other social services and that housing areas must be far from pollutants and danger zones); and

g) Cultural adequacy, which allows the occupants to express their cultural identity.

At the national level, the Urban Development Housing Act (UDHA) of 1992 clearly outlined the standards for housing projects or resettlements:

a) The local government unit or the National Housing Authority with the cooperation of private developers should provide ‘relocatees’ with the following basic services:
o Power and electricity and an adequate power distribution system;
o Sewerage facilities and an efficient and adequate water distribution system; and
o Access to primary roads and transportation facilities.

b) Delivery of basic social services such as health, education, communications, security, recreation, relief, and welfare should be prioritized by the local government units in cooperation with concerned agencies, the private sector, and the residents.

c) Socialized housing or resettlements should be near as much as possible to places where employment opportunities are available. Government agencies implementing livelihood programs and/or loans should give priority to beneficiaries of socialized housing.

d) Socialized housing beneficiaries should be allowed to particate and be heard in decision-making processes on matters affecting them.

These are the legal standards that must be strictly observed in relocating families affected by government projects and/or in respecting and fulfilling the housing entitlements of the people. Now, the big question is, were these criteria and pre-requisites followed in the case of NorthRail relocation?

Actual relocation

In May, the Housing and Urban Development Coordinating Council (HUDCC) led by De Castro announced that the relocation package for NorthRail families include the following: lots worth P100,000, housing materials loan assistance of P50,000, community facilities in the relocation areas, P12,500 for trucking and tents at the staging area, and food allowance.

President Arroyo also granted in August an additional P25,000 subsidy for the ‘relocatees’. This amount will be subtracted from the P50,000 housing materials loan, meaning the families will still get the whole amount but will only pay half of the loan.

According to a Philippine Center for Investigative Journalism (PCIJ) report, as of October, the government has already relocated 7,297 families in Metro Manila and 1,401 in Bulacan, and by the end of October, housing officials hope to clear the 11,477 families in the same province.

However, the NorthRail ‘relocatees’ were not spared from the age-old
MAMAMAYAN MAGKAISA!!

IBASURA PROGRAMANG PARAHI AT RELOKASYON NG REHIMEN ARROYO!!
LABANAN ANG DEMOLISYON

kapaligiran

ikawanda
problems that have been the trademark of government-led resettlement initiatives. Hopes of starting life anew for these families were quickly dashed by lack of basic services such as water and electricity, infrastructure, livelihood, health centers, and schools.

**Corruption**

Since the North Rail relocation itself is a huge government project, of course it was also not immune to corruption and under-the-table deals that inevitably compromised the quality and efficiency of the government to provide adequate relocation sites to the displaced families.

The PCIJ study disclosed that Towerville relocatees were forced to purchase overpriced and inferior construction materials from NHA-endorsed suppliers, thus making the P50,000 housing materials loan—already a small amount to begin with—insufficient to build a decent house.

In Marilao, Mayor Epifanio Guillermo and NHA official Federico Laxa were accused of forcing the evicted families to move to the Lambakin relocation site, although the relocatees preferred to transfer to Brgy. Loma de Gato. This bolstered allegations that the two officials were favoring the Lambakin developer who was close to actor Tony Ferrer (whose real name is Antonio Laxa) and Azor Sitcho, a Pampanga politician.

In Valenzuela, around 200 families from Malabon could not construct their houses and have remained exposed to the elements for months now because Mayor Sherwin Gatchalian would not permit them to resettle in the said city. He claimed that the construction violates the city’s zoning laws, but according to Danny Calderon of League of Urban Poor for Action (LUPA), the mayor wants to give the 3% of the housing units allocation in the relocation area to his own constituents, even if they are not NorthRail relocatees.

Calderon revealed that Valenzuela was given 3% of the total number of housing units in the relocation site developed in the said city. Gatchalian could have authorized the 200 families to enter the relocation area but he turned them down and stated that he would rather give these units to urban poor families from his city.

The PCIJ report also stated that NHA brought in highly controversial developers like the New San Jose Builders, the firm that renovated Erap’s Boracay Mansion, and is now reportedly linked to De Castro.

PCIJ also cited in its study the various overvalued lands acquired by the NHA for relocation purposes.
Resistance in Malahikan and Tugatog, Meycauyan

BY LATE December of 2005, Vice President de Castro turned over the cleared Caloocan-to-Malolos stretch of the old PNR railroad track to North Luzon Railways Corporation for the NorthRail project. Little did he know that 93 families in Barangays Malahikan and Tugatog valiantly resisted the rash of demolitions carried out by the NHA in the whole month of December in Meycauyan.

The 93 families, part of the 3,341 total number of households in Meycauyan affected by the NorthRail project, refused to leave their homes along the railroad because they were fighting for their right to adequate relocation.

According to their leaders, Boy Alban of Kilusan ng Maralita sa Meycauyan (KMM) and Danny Calderon of LUPA, they will only leave their homes if the families will be assured that they could settle immediately, without a fuss, in Bayugo relocation site.

According to them, those families who voluntarily demolished their homes were not immediately installed in the resettlement site and were only given P6,000 so that they can rent temporary lodgings for at least three months while waiting for Bayugo to be developed.

“There is no provision in the Urban Development Housing Act (UDHA) that ‘relocatees’ may be given this amount of money for renting while waiting for a relocation site,” exclaimed Calderon.

Bayugo, the designated in-city relocation site for the Meycauyan residents affected by NorthRail, was actually a 15-hectare fishpond. It has to be filled with soil and levelled before the ‘relocatees’ could settle there. And because it was a former fishpond, the residents are raising questions on its safety especially during rainy season.

So far, only 1,050 out of the more than 3,000 Meycauyan families have transferred to Bayugo because only 9 hectares out of the 15 have been filled. Around 500 families opted for NHA’s “Balik Probinsya” program and received P14,000 in cash. This means that around 2,800 dislocated families are still renting temporary quarters while waiting for the resettlement area to be ready. These families will be needing additional money because they got the P6,000 in October, and its more than three months since then.
Development for whom

The North Rail Project may be a very vital undertaking for the country’s economy but it should by no means be an excuse or justification to trample on the rights of the affected communities. Its beneficiaries may far outnumber the more than 40,000 families that reside along the target railroad track but they should not be sacrificed at the altar of this so-called “development.”

Besides, the government had more than enough time, in fact more than ten years, to prepare an adequate relocation site for the North Rail families. But when the actual relocation came, the residents were still treated shabbily and were viewed as nuisance or obstruction to progress rather than human beings with legitimate rights.

The right to development and the rights-based approach mandate that the affected sectors of development initiatives should be consulted and should exercise meaningful participation in decision-making. Needless to say, this was something utterly lacking in the relocation of NorthRail residents, thus the confusion and dissatisfaction of the evicted residents.

Economic growth will remain hollow and superficial if rights were violated in the process of achieving it. Human rights for all should be strictly respected, protected, and fulfilled by the government while trying to lead this country out of its miseries; otherwise, what we will have is “selective” and not sustainable and rights-based development.

Based on the estimates of Calderon and Alban, Bayugo will not be enough for all the Meycauayan relocatees. If the developer has already cleared 9 hectares and only 1,050 families were accommodated, the remaining 6 hectares could only host around 700 families. But there are still 2,800 families that are not yet resettled.

The two community leaders also lamented that the families that have not secured a lot in Bayugo have to go to the NHA office everyday, line up and wait for their turn to get an entry pass, just so they can check if they can already move into the relocation site. They were given numbers indicating their turn and most of the time, people have to wait the whole day for their numbers to be called, only to be frustrated at the end of the day. The following day, the unlucky relocatees have to get another number and again wait for their turn.

Nobody knows when the waiting will end.
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What’s on Your Plate? The Food Situation in the Philippines

By Raffy Rey Hipolito*

The right to adequate food is one of our economic, social and cultural rights. Like other human rights, it is for everyone, of whatever social status, color, gender, nationality, religion, political belief, or educational attainment. The right to food is an essential part of our life. Without it, we will not survive.

Unfortunately, many people are not aware of this right and are unable to realize it.

Legal basis

Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) provides for “the right of everyone to an adequate standard of living . . . including adequate food, clothing and housing.” To this end, all State Parties, “recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international cooperation, the measures, including specific programmes, which are needed.”

At the 1996 World Food Summit held in Rome, participating States reaffirmed “the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger.”

The Philippine government is a signatory to the above ICESCR and other international agreements. As such, it has a corresponding obligation to respect, protect and fulfill the right to adequate food, as elaborated on by the Committee on Economic, Social and Cultural Rights.

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of the United Nations in its General Comment # 12 issued on May 5, 1999. The said document states: “The obligation to respect existing access to adequate food requires State parties not to take any measures that result in preventing such access. The obligation to protect requires measures by the State to ensure that enterprises or individuals do not deprive individuals of their access to adequate food. The obligation to fulfill means the State must pro-actively engage in activities intended to strengthen people’s access and utilization of resources and means to ensure their livelihood, including food security.”

**Essential elements**

What does the right to adequate food mean? According to the United Nations, it is “realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement.”

The essential elements of the right to adequate food are: 1) food must be nutritious; 2) it must be safe or free from adverse substances; 3) food must be culturally acceptable; 4) it must be available and 5) it must be physically and economically accessible.

These elements should serve as a guide to States in realizing the right to adequate food for all citizens. States should make policies and programs that would make it possible for people to eat nutritious, safe food at affordable prices. For non-government and people’s organizations, these basic elements would be useful in their monitoring of government compliance with its obligations.

**The food situation in the Philippines**

The Food and Nutrition Research Institute (FNRI) reported that in 2003, for every 100 pre-school children, 32 were anemic, 30 were underheight and 28 were underweight. For every 100 school-age children, there were 37 anemic, 36 underheight and 27 underweight. Overall, around 5 million pre-school and school-age children are underweight and 7 million underheight and anemic.

The above data are hardly surprising. 13.8% (or around 11-12 million) of the population as of 2003 were living below the subsistence food threshold. The food threshold (the minimum income needed by a person to satisfy his/her nutritional requirements) was set at P8,134 per capita per year, or P3,389 per month for a family with an average of 5 members. The top five regions with a high incidence of the population living below the food threshold are the following:
Why are many Filipinos hungry?

**Lack of job opportunities**

FIAN-Philippines believes that one major reason why many Filipinos do not have access to adequate food is the failure of the economy to provide employment, especially in the rural areas. In the rural areas where agriculture is the main source of livelihood, people do not have work between the planting and harvesting seasons. As of October 2005, the unemployment rate was 7.4% (or 2.6 million unemployed). Underemployment, on the other hand, affected 21.2% or 7 million of the estimated 35 million labor force. NEDA Director General Augusto Santos said most underemployed workers are in agriculture, wholesale and retail trade, manufacturing, transport, communications, storage and fishing.

Unemployment has affected mostly the youth and women. Female workers between 15-24 have the highest rates of unemployment.

Existing jobs are also threatened or lost by the flooding in of imported consumer and agricultural products. Local manufacturers and producers unable to compete have been forced to close. For example, from 2,000 registered shoe firms operating in 1994, only 237 remain. This was due to the massive entry of imported shoes, from 28 million pairs in 1997 to 60 million pairs in 2002.

The unhampered entry of imported agricultural products, specifically food items, into the local market has, ironically, affected the food rights of farmer-producers. Vegetable farmers and poultry owners have lost their livelihoods due to the legal and illegal entry of imported products. Board Member John Kim of the Sangguniang Panlalawigan of Benguet claimed that in 2004, 768,000 kg of onions, 632,008 kg of carrots, 216,000 kg of garlic, 18,000 kg of potatoes and 7,500 kg of broccoli were illegally imported and entered through the South Harbor. There were also 36.42 million kg of assorted vegetables which were legally imported. These imported items, sold cheaply in the local markets, crowd out the products of local farmers.

<table>
<thead>
<tr>
<th>REGION</th>
<th>% OF POPULATION LIVING BELOW SUBSISTENCE FOOD THRESHOLD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Region 9 (Zamboanga Peninsula)</td>
<td>32.8%</td>
</tr>
<tr>
<td>Region 13 (Caraga)</td>
<td>31.0%</td>
</tr>
<tr>
<td>Region 5 (Bicol)</td>
<td>26.6%</td>
</tr>
<tr>
<td>Region 10 (Northern Mindanao)</td>
<td>25.4%</td>
</tr>
<tr>
<td>ARMM</td>
<td>24.1%</td>
</tr>
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</table>

(Source: Second Philippines Progress Report on the Millenium Development Goals, p. 32)
Aside from curbing the legal and illegal entry of imported vegetables, farmers from the Cordilleras are also demanding that Congress conduct an investigation on the provisions of the 47 trade and investment agreements that have been signed with other countries like China and others. These trade pacts could have a negative impact on the vegetable industry like the Early Harvest Program agreed upon by the Department of Trade and Industry and China in July 2005.

Monopoly of land and other resources

Lack of access to land and other resources that would enable the people to produce food for their own consumption and for the market is also another reason why people suffer from hunger and are unable to buy nutritious food. Seven in ten families in the rural areas do not own the land they cultivate.

According to the Medium Term Development Plan of the Department of Agrarian Reform, it must still acquire and distribute 771,384 hectares from 2005 – 2008. An average of 192,000 hectares must be distributed per year to complete this backlog. But in 2004, only 104,069 hectares were given to farmer beneficiaries. For 2005, DAR reported having distributed 130,000 hectares. If the government is to complete land distribution by 2008, then it must acquire and give at least 179,000 hectares/year from 2006 to 2008. This would be a tall order, considering that the Arroyo administration has the lowest annual land distribution accomplishment, compared to the Ramos and Estrada governments which averaged 300,000 hectares and 130,000 hectares/year, respectively.

The biggest backlog (610,760 hectares) are in the provinces of Negros Occidental, Negros Oriental, Camarines Sur, Camarines Norte, Albay, Leyte, Iloilo, Cotabato and Lanao del Sur. “Landowners have really been fighting to keep their haciendas. These are the ones who have managed to evade CARP coverage all these years,” says former DAR Secretary Rene Villa. In other areas, landowners and rebels belonging to the New People’s Army have strongly opposed landless tenants demanding CARP coverage. For instance, at the Bondoc Peninsula, Quezon province, the NPAs have harassed coconut farmers petitioning the DAR to stop the share tenancy relations and to cover the lands of the Uy, Reyes and Matias families.

Aside from the above, one other reason why landowners have evaded Republic Act 6657 is because the law itself provides them with a way out. This is best exemplified by the Stock Distribution Option (SDO) provision implemented at the Cojuangco-owned Hacienda Luisita in Tarlac City in 1990. The 6,453-hectare hacienda was not distributed among the farmworkers. The 5,300 workers instead became stock owners, owning 33% of the corporation and entitled to profit while at the same
time working in the hacienda. But the SDO has not improved the lives of the farmworkers who receive an average of P194/day. The farmworkers are able to work only a day or two in a week, forcing them to get loans or cash advances from the management. Their individual shares of the profit, based on the number of hours they work, are much smaller compared to the regular, office-based employees. The conversion of about 500 hectares into industrial and commercial use has further reduced the work opportunities at the hacienda. About 1,009 workers have also been retrenched.

It's not surprising that a strike erupted at the hacienda last November 6, 2004, during which seven farmworkers were killed and 26 others wounded after Labor Secretary Patricia Sto. Tomas ordered the police and military to enforce the return-to-work order she issued. The workers were demanding for the implementation of the Collective Bargaining Agreement, the reinstatement of retrenched workers, wage increase, a stop to further land conversions and the revocation of the SDO agreement.

The political squabble between PGMA and the elite opposition had a beneficial effect on the struggle of the Hacienda Luisita farmworkers. The Presidential Agrarian Reform Council (PARC), the highest decision-making body on agrarian reform matters, decided last December 20, 2005 to revoke the SDO scheme. Agrarian Reform Secretary Nasser Pangandaman took pains to explain that the decision was not a political revenge on former President Cory Aquino who joined the other political forces calling for Arroyo's resignation. PARC decided that 4,915 hectares be distributed to the farmworkers. DAR has issued 4 Notices of Coverage for the 4 titles covering Hacienda Luisita to the office of Hacienda Luisita Inc. at Makati City. HLI can retain 5 hectares, according to Undersecretary for Operations Narciso Nieto. A Motion for Reconsideration was filed by HLI before the PARC.

The concentration of land and other resources among a few families has resulted in gross inequality. The income of the richest 1 percent (about 150,000 families) was equivalent to the income of the lowest 38% or 5.8 million families.

**Misallocation of funds**

The priority being given by past administrations and the present Arroyo government to debt payments has taken its toll, especially on the delivery of basic services to the people. Many programs that could contribute in realizing the right of the people to be free from hunger and to adequate food are being sacrificed. In the proposed 2006 national budget (amounting to P1.05 trillion), P721 billion has been reserved for principal and interest payments.
Debt servicing has been done at the expense of social welfare programs that could alleviate hunger, like the Food for Work program. After the Social Weather Station came out with a survey in October 2004 showing that 15% of the population are experiencing hunger, the Arroyo administration said it would implement a Food for Work program that would benefit 500,000 families. This was later on pared down to 50,000 families in five provinces, namely Camarines Sur, Eastern Samar, Sultan Kudarat, Maguindanao and Sulu. The beneficiaries were supposed to receive a monthly food coupon worth P1,200 over a period of six months in exchange for rendering community service.

The Department of Social Welfare and Development (DSWD) budgeted P360 million for six months of implementation. According to a staff of the Program Management Bureau of the DSWD, the program only ran for one month because there were no more funds to continue the program after the department spent P60 million. The government is spending billions for debt payments but it cannot sustain a program worth only P360 million. This is the more “honorable thing to do,” according to Press Secretary Ignacio Bunye.

The emphasis on debt payments has also deprived millions of Filipinos of a basic item – water. 632 out of the 1,500 municipalities have no access to potable water according to the Local Water and Utilities Administration. Lorenzo Jamora, administrator of the LWUA, said their agency would need P3 billion yearly in order to ensure water supply for more than 600 towns nationwide that have no water supply.

**Low productivity**

The right of the people to adequate food will be affected by the availability or quantity of food products. Considering the fast growing population of the Philippines, it is imperative to improve agricultural productivity, particularly rice, the staple food. The country’s palay productivity is quite low, when compared to other Asian countries. For example, as of 2003 the Philippines’ average yield per hectare is 3.43MT per hectare. Indonesia produces 4.54mt/hectare; Vietnam, 4.63mt/hectare and China, 6.07 mt/hectare. This low productivity has made the Philippines a rice importer in the past two decades, importing between 800,000 to 1 million metric tons per year. In 2005, the country imported 1.8 metric tons of rice at a cost of P27 Billion – double the rice imports of 2004.

A country that cannot produce its staple food in sufficient quantities is a country that is in bad shape.

To increase productivity and the availability of rice, the government, through the Department of Agriculture, has been aggressively promoting the use of hybrid seeds. From 230,00 hectares in 2004, the DA targeted...
398,000 hectares for 2005 for its hybrid seed program. To motivate farmers to use the hybrid seed, the government has been subsidizing the seeds at P1,200 – P2,400 per 20 kilogram. The SEARICE cautioned the government in promoting hybrid seed, citing a study done by Dr. Cristina David of the Institute for Development Studies, which concludes that “only in Nueva Ecija has hybrid rice performed significantly well over inbred rice …. The main reason for this seems to be Nueva Ecija’s agro-climatic conditions such as good soil fertility and relatively stable climatic pattern. In Davao del Sur, hybrid rice had a much lower yield advantage of around 11% over inbred rice . . . In Isabela and Iloilo, hybrids had the same or much poorer performance over inbreds.” Farmers using hybrid rice also had to shell out more for fertilizer and pesticides, according to the study. They must also purchase new seeds every planting season unlike before when they stored from their own stocks or exchanged seeds with other farmers. The increased use of fertilizers and pesticides has likewise caused environmental degradation.

Environmental destruction and land conversions

Aside from low productivity, the availability or supply of food products is also affected by other factors such as land conversions and environmental destruction. Thousands of hectares of prime agricultural lands have been converted to other purposes. Based on DAR records, 35,687 hectares have been legally approved for conversion. Another 38,908 hectares have been converted under DOJ Opinion #44. About 200,000 hectares have been illegally converted into other uses. The total area devoted to farming has been decreasing, according to the National Statistics office. In 1991, the country had a total farm area of 9.97 million hectares; by 2002, only 9.67 million hectares remain.

The remaining agricultural lands would also be affected by water shortage due to the massive cutting of trees in the mountains and watersheds. Forest cover has reportedly increased from 5.4 million hectares to 7.16 million hectares as of 2002. But the World Bank said that the Philippines still has one of the lowest forest cover per capita among 11 tropical countries.

The country’s remaining forests is in grave danger due to the aggressive promotion of mining by the Arroyo administration. The Chamber of Mines of the Philippines reported that eight big Japanese companies and financial institutions have expressed interest in investing in the mining sector. The government’s total investment target is $6 billion in 23 priority projects. Pan Pacific, Japan’s biggest metal firm, has already poured an additional $15 million into Philex Mining. The strong warning of church and environmental groups that mining would cause massive damage came true when a mine spill occurred at Rapu-Rapu, Albay last October 2005. The waste spills of Lafayette Phil. Inc., an Australian
company extracting copper, gold and silver, leaked to the creeks, rivers and seas. A fish kill occurred that adversely affected the livelihood of fisherfolks.

Mangroves and coral reefs, the breeding ground of fishes, have also been destroyed. Only 4 percent of coral reefs are in good condition. Representative Juan Zubiri reported that 75% of the country's mangroves have been destroyed. From 450,000 hectares in 1918, the country has only 110,000 hectares of mangroves. The main causes for this the conversion of mangroves for shrimp production; pollution coming from houses, industries and mines; dredging and other destructive methods of fishing.

One area which has been strongly affected is the Lingayen Gulf of Pangasinan. Provincial Governor Victor Agbayani claimed that fish catch has declined by 50% since the 1980s. He blamed the use of fine mesh nets by commercial fishers and the use of illegal fishing methods by municipal fisherfolks. The Sagip Lingayen Gulf Foundation and fisherfolks from Bolinao, Anda, Bani and Alaminos City, together with local government units, have been establishing marine protected areas to rejuvenate the fishing areas.

**Food safety**

Another major food issue is the large volume of pesticides and chemical fertilizers being used by farmers on palay, corn, vegetables and other crops. In 2004, for example, the Philippines imported a total of $101.4 million worth of technical materials and formulated products of pesticides, just a little lower than the 2003 figure of $101.87 million. This has placed at risk the health not only of farmers but likewise of consumers. Dr. Charles Cheng, director of the Baguio Filipino Chinese Hospital, said that “diseases among farmers seemed to have a direct relation to the frequent use of commercial pesticides and insecticides.” He likewise warned that “chemicals used in the uplands could go down to the major rivers and this could trigger a major environmental problem.”

Despite such warnings, organic farming has not been popular in the country. At present, only 14,401 hectares are being planted to organic rice.

Environmentalists have also warned consumers of genetically-modified products/plants which may affect their health. Monsanto, Pioneer Hi-Breed and Syngenta, for instance, have introduced the Bt corn. As of 2004, 55,000 hectares have been planted with Bt corn. The said corn produces its own poison to kill pests. If these corns are used as feeds for pigs and cows, then it could adversely affect the people’s health. A Norwegian geneticist who conducted blood tests on 38 tribal residents
of Sitio Kalyong, Brgy. Landan, Polomolok, South Cotobato found that their blood contained bacillus thuringiensis. Meanwhile, 51 residents of Marbel, South Cotobato who were living near a Bt corn field complained of headache, flu, nausea, fatigue and skin allergies.

Environmental groups, church organizations and farmers have joined hands in opposing Bt corn and other genetically-modified organisms (GMOs). The Samahan ng Magsasaka sa Timug Kutabato, for instance, has been urging Congress to do something about Monsanto’s “stacked-trait corn”. It has been pushing for the passage of House Bill 2124 or the GMO-Free Food and Agriculture bill which has not been acted upon.

Mindoro farmers and Greenpeace staged a rally at the national office of the Department of Agriculture to protest genetically-engineered corns. Municipal Agriculturist Ely Vargas of Naujan town said “we will continue to tell the government that we reject GMOs until they listen.” Aside from the ecological and health costs, farmers are opposing the Bt corn because of the exorbitant costs (P4,000 – P5,000 per 50 kilos), which further reduce the income of farmers.

The Social Action Center of the Diocese of Ilagan and Greenpeace have jointly urged Governor Grace Padaca of Isabela province to ban GMOs just like the provincial governments of Bohol and Oriental Mindoro. They instead urged the DA to promote the Trichogramma wasps which are natural enemies of the corn borer.

The recipe

The Arroyo administration said it will implement a food voucher system to respond to the growing hunger of poor households. While this would temporarily answer the needs of families, FIAN-Philippines believes that these stop-gap measures are not enough. The Philippine government should instead:

(a) Vigorously implement agrarian reform and other asset reforms to enable the people to plant basic food crops for their own consumption and the market. Irrigation facilities should be repaired and expanded.

(b) Create employment opportunities, especially in the countryside. A genuine industrialization program that would process our raw materials and enable us to produce consumer and industrial goods should be pursued to create jobs and reduce our dependency on imports. We should protect existing jobs and industries from imported goods.

(c) Initiate a serious reforestation program to prevent soil erosion,
flooding in the lowlands, siltation of rivers and destruction of coral reefs. Our remaining mangroves and coral reefs should be protected to ensure the supply of fish.

(d) Enact a comprehensive land-use plan to put a stop to the indiscriminate conversion of agricultural lands.

(e) Encourage organic farming to ensure that the food we are eating are free from adverse substances. This would also rejuvenate the soil and reduce the expenses of farmers.

(f) Enact a Minimum Income or Basic Income Law. Through this, poor families would receive financial support from the government which they can use in buying food.

(g) Allot the national budget for basic services and agricultural production, instead of pouring a huge percentage of the people’s money on debt payments. More than 30% of the budget goes to paying the interest of our debt while millions of Filipinos are hungry, sick, homeless, unemployed and uneducated.

(h) Repeal the Oil Deregulation Law which has been abused by the 3 major oil firms and the new players to increase oil prices. Prices of food commodities has increased as a result of the non-stop increases in gasoline prices.

(i) Strongly promote nutrition education, breast-feeding and dietary-based approach to combat vitamin deficiency.

These are just some measures that can be implemented to realize the right to adequate food. As can be seen, a comprehensive approach is needed. It is not enough to increase agricultural output, although it is a necessary step towards realizing the right to food for all citizens. The economic condition of the people must be improved to ensure their access to food. Social justice measures need to be implemented. The environment should be protected. Most of all, the people must become aware of their right to adequate food and struggle for its realization.
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