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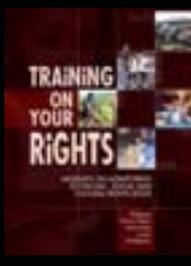
The HRF Magazine is a quarterly publication of PhilRights that tackles burning human rights issues and concerns. It gives special focus on Economic Social and Cultural (ESC) Rights.



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.



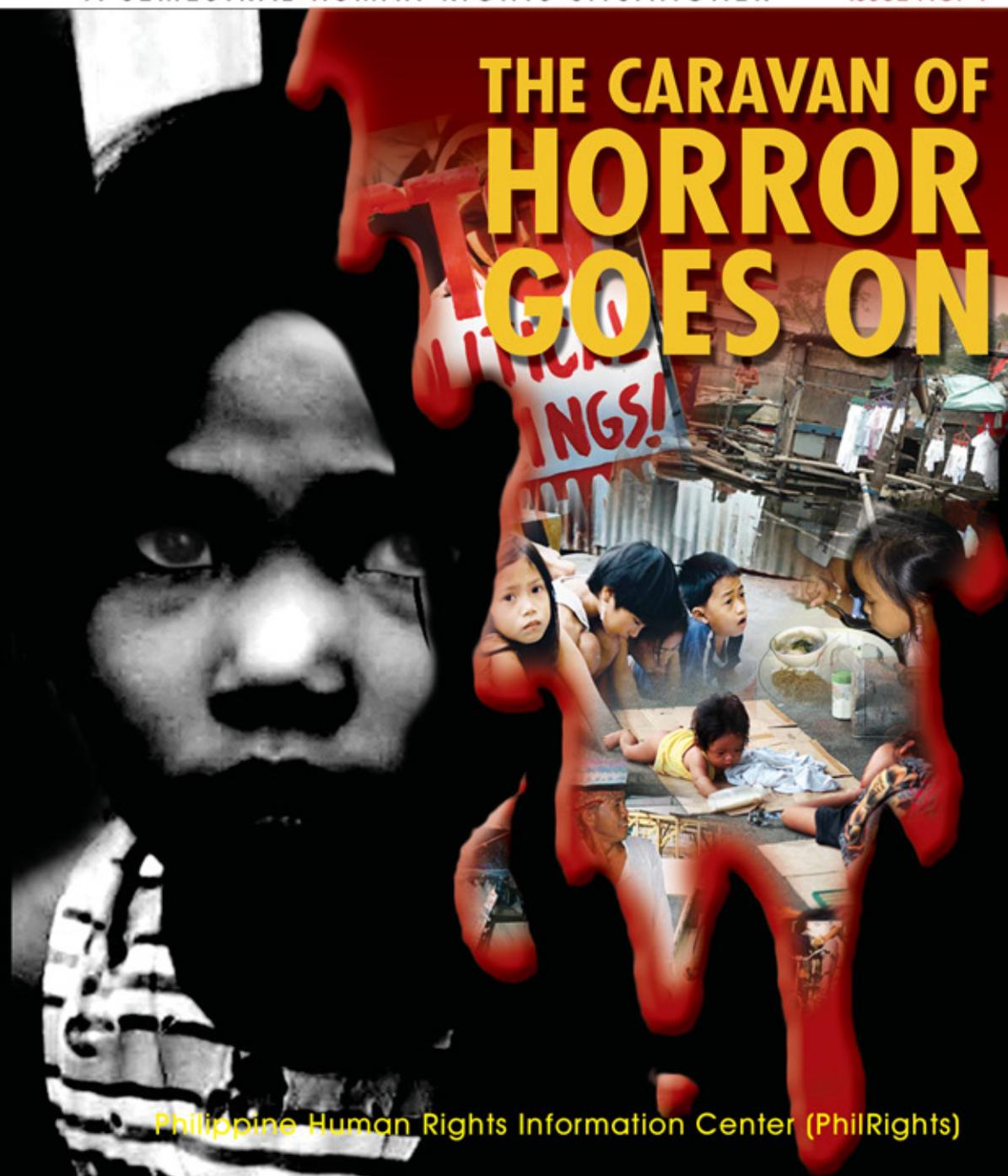
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THE CARAVAN OF HORROR GOES ON

Philippine Human Rights Information Center (PhilRights)

The caravan of horror goes on



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The caravan of horror goes on

IN THE second half of 2006, the human rights situation in the country continued to plummet.

Even in the face of growing condemnation from both local human rights groups and international institutions, including the European Union, the Arroyo administration kept turning an unseeing eye to the spate of extra-judicial killings and the growing desperation of the masses that confronted the specter of hunger. In Metro Manila, more urban poor families were forcibly evicted, as the government blindly pushed on with a mega-billion peso railway rehabilitation project.

It is this heedlessness that has increasingly characterized President Arroyo's leadership, a heedlessness that is primarily marked by arrogance. This heedlessness has been repeatedly demonstrated: by its refusal to do something concrete to end the culture of violence and impunity; by its refusal to provide meaningful changes in the education situation; by its inability to stem the alarming exodus of health professionals; by its continued callousness towards the plight of Filipino laborers, whether locally employed or working overseas; by its forcible eviction of an unprecedented number of families living along the railroad tracks.

All these are detailed in this issue of *In Focus*, the fourth since PhilRights started coming out with a semestral human rights situationer.

In "Murder, She Wrought," the Arroyo administration's grisly record of politically-motivated killings is examined within the context of

the government's anti-insurgency strategy. No matter how loud or constant the official denial, the certainty remains: the victims of extra-judicial killings are those who are identified with sectors that are critical of the government.

A life of dignity seems to be unattainable to the majority of the Filipino people. The right to food, a crucial component of the right to life, has been largely denied to the people. Why hunger stalks the poor when the country is supposedly experiencing an economic growth (as is shrilly boasted up and down the archipelago) is discussed in "Hunger in the Midst of Economic Growth."

If hunger afflicts the nation, then it is hardly surprising if the people's right to health is also compromised, as detailed in "Health(s)care Philippines." After listing down the plagues of the country's health sector, the author caps the article on a positive note: it *may* not be as scary as that, after all, if only the government seriously gets down to the business of providing adequate and affordable healthcare to its populace.

Another basic right that has been denied the poor majority is education. No one will dispute the fact that obtaining basic education in the Philippines is becoming more expensive. Those who cannot afford the expenses have to make do with education that is way below standards, or drop out of schooling altogether. "Stating the Obvious: The State of the Philippine Education Sector" describes the woes of learning and teaching in the country.

"Without a Roof Over their Heads" looks back at the housing problem in the second semester of 2006. The years 2005 and 2006 have been very harsh to the tens of thousands of urban poor communities in and around Metro Manila, especially those who have made their homes along the railway tracks (*riles*). These families, already in the extreme peripheries of the country's economic, social and political life, have made huge sacrifices in the name of development. This time, their sacrifice was made to pave the way for the completion of the Northrail-Southrail Linkage Project, a multi-billion peso priority project of the Arroyo administration.

Development should always benefit the majority of the population. More specifically, development should be designed to benefit those who have less in life. Development should not come at the expense

Murder, She Wrought

Political Killings in the Philippines



Death came to them in identical and methodical manner.

On July 31, 2006, two political activists and a news photographer were gunned down in different parts of the country, prompting media to label this day as "Bloody Monday."

Alice Omengan-Claver, Bayan Muna coordinator in Northern Luzon was shot dead aboard her family's vehicle in Kalinga; Rei Mon Guran, League of Filipino Students (LFS) provincial spokesperson was killed while riding a passenger bus in Sorsogon; and Prudencio "Dick" Melendres of "Tanod" tabloid was on his way to work when gunmen caught up with him in Malabon.

On the morning of September 7, 2006, hitmen struck again with impunity, killing a leftist leader, a former local official, and an election official. A major newspaper later called this day as "bloody Thursday morn."

Former Gov. Danilo Parilla was shot while disembarking with his family from an inter-island vessel in Cebu City; Victor Olayvar, Bohol Bayan Muna officer, was murdered on a bridge in Danao town; and Comelec provincial supervisor Julius Angadol was killed while driving his car in Luna, Apayao.

THESE KILLINGS were just but a few of the hundreds recorded since President Gloria Macapagal Arroyo (PGMA) assumed office in 2001. Based on the Philippine Daily Inquirer (PDI)



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tally, there were 264 militants and 49 journalists killed during this period while the human rights group Karapatan records a much higher figure of 725.

According to the data of the Task Force Detainees of the Philippines (TFDP), there have been 103 victims, 95 male and 8 female, of extrajudicial, summary, or arbitrary execution since 2001.

Meanwhile, a Canadian human rights team which conducted a fact-finding mission in the country stated that political killings reached their highest level in 2006 since the ouster of the late dictator Ferdinand Marcos. The team documented

180 cases or an average of three killings every week.

This is close to Karapatan's tally which reached 185 cases for 2006.

The victims came from all walks of life: students, farmers, workers, academe, tricycle drivers, urban poor, religious people, professionals, etc., and from different age groups, ranging from the youth to the elderly. But they shared something in common: they are staunch government critics and most of them belong to political groups which the military tagged as "communist front organizations."

While it is true that summary killings have really intensified in the last two years, the brazenness of the liquidations that happened in 2006 such as the "Bloody Monday" and "bloody Thursday morn" finally drew the attention of the international human rights community particularly of the United Nations, Amnesty International (AI), and the European Union.

In its final report completed in January 2007, the Melo commission, which was tasked by President Arroyo to look into the series of political killings in the country, tagged Major General Jovito Palparan and other military commanders as liable for these atrocities by virtue of command responsibility.

The probe body also confirmed that most of the victims were "leftist-activist-militants" and that majority of the suspected perpetrators were from the ranks of the military.

Even business leaders expressed concerns that the series of assassinations and the climate of fear and instability it was creating might drive away investments and hurt the economy.

These were reactions the GMA administration could not afford to ignore.

Amnesty International Report

In its August 2006 report, AI concluded that the killings of activists in the Philippines were not just random acts of violence but were politically motivated, occurring within the larger context of the on-going anti-insurgency campaign of the government.

AI expressed grave concern over “credible reports that members of the security forces have been directly involved in the attacks, or else have tolerated, acquiesced to, or been complicit in them.”

The organization documented 51 cases of extrajudicial executions in the first half of 2006 alone, a figure already close to the 66 killings it listed for the entire 2005.

The London-based human rights group stated that these killings should be a “deep source of embarrassment” to the Philippine government and that clearly, it failed to protect the lives of its citizens and their rights of political expression and association.

AI also warned of the possibility that those responsible for these killings would have come to believe that they had received implied official approval for these human rights violations with the pervading climate of impunity which in practice translates to non-prosecution of perpetrators.

Apparently the group was also referring to the State of the Nation Address (SONA) of President Arroyo last July wherein she condemned political killings but also praised Maj. Gen. Jovito Palparan for his outstanding achievements in the government’s anti-insurgency drive. Palparan has been tagged as the ‘butcher’ of leftist activists for the spate of extrajudicial executions and other rights abuses that escalate in areas where he happened to be



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assigned.

Among the recommendations of the said report were the following: a) ensure chain of command control in the military, b) actions against these 'death squads,' and c) independent probe of the Deputy Ombudsman for the Military, other law enforcement agencies, and the Commission on Human Rights.

It also urged the Philippine government to make use of the existing United Nations mechanisms specifically by inviting the UN Special Rapporteurs on Extrajudicial Executions, the Special Representative on Human Rights Defenders, and representatives of the Working Group on Arbitrary Detention to visit the country.

The AI report was followed by declarations of concern from the diplomatic community especially from the members of the European Union over the unresolved and unchecked killings of journalists and militants.

The issue also haunted President Arroyo during her Europe trip in September to participate in the Asia-Europe Meeting in Helsinki. Filipinos in Europe staged pickets and European officials and civil society members questioned her about human rights abuses in the Philippines.

The Melo Commission

In a move to cool down the heat generated by the pressure from the international human rights community, GMA formed the Melo Commission on August 21 to investigate these killings, bring the culprits to justice, and "break this cycle of violence once and for all."

President Arroyo stated that she created the commission to show her "determination to stop extrajudicial killings" and that the probe body would be "powerful, credible, and fully independent."

Headed by former Supreme Court justice Jose Melo, the five-member probe body started its inquiry on September 11 by summoning and interviewing top officials of the military. The commission was

expected to finish its task by December and come up with its final report on January 2007.

But even before the commission could begin its work, human rights and political groups expressed doubts on its capability to conduct an impartial and effective investigation.

According to former vice-president Teofisto Guingona, it is a "toothless tiger without the power to subpoena, without the power to protect." He added that it only showed that the move to create the commission was only for show.

Max de Mesa, chairperson of the Philippine Alliance of Human Rights Advocates (PAHRA) and one of the convenors of the Citizen's Council for Human Rights (CCHR), wondered how the government expects the witnesses to come out and testify when they fear retribution from the police and the military.

Critics also questioned the commission's composition, specifically the inclusion of Chief State prosecutor Jovencito Zuño and National Bureau of Investigation (NBI) Director Nestor Mantaring, who were both from the Department of Justice under the Office of the President.

Even Melo himself admitted that there could be problems regarding the protection of the witnesses since those accused, the police and the military, were the ones supposed to protect those invited to testify.

He further recognized that there could also be difficulties in summoning both the accused and the witnesses since the probe body has no contempt powers even if it has the mandate to subpoena.

However, Melo was quite optimistic that parties in the inquiry would be cooperative and respectful of the commission since it was created by the President.

Early October, Sen. Aquilino Pimentel pointed out that the probe body got to a wrong start by talking to the leaders of the military first and not to the witnesses and relatives of victims of these killings.



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According to him, this would 'give an impression' that the commission was putting more credence on the military's claim that the leftist movement was behind the killings.

Sen. Pimentel also complained that the investigation was 'getting nowhere' and that he would not be surprised if nothing would come out of the process due to the limitations in the mandate of the Melo commission.

Accusations

Earlier, the left quickly pointed an accusing finger at the military as the perpetrators of these grisly killings with the silent blessings of government leaders. A primer published by the Bagong Alyansang Makabayan (BAYAN) alleged that extrajudicial killings have taken on a national character since 2005 and that these were part of Arroyo's all-out war against the progressive movement dubbed as "Operation Bantay Laya."

The police countered that it was the Communist Party of the Philippines (CPP) and its New People's Army (NPA) under "Operational Plan: Bushfire" that masterminded 36% of the killings of activists. According to police intelligence, most of the victims were accused of engaging in "counterrevolutionary" activities or embezzling organizational funds.

Military officials added that Oplan Bushfire was a "hitting-two-birds-with-one-stone" plan, in which the rebels could purge their ranks and later on put the blame on the military and put the government in a tight spot before the international community.

The trade of accusations from both warring parties was expected but what tilted the balance against the government and the military's innocence was the take on the issue of independent observers like Philippine Daily Inquirer (PDI) columnist Amando Doronila and peace advocate and UP professor Miriam Coronel Ferrer.

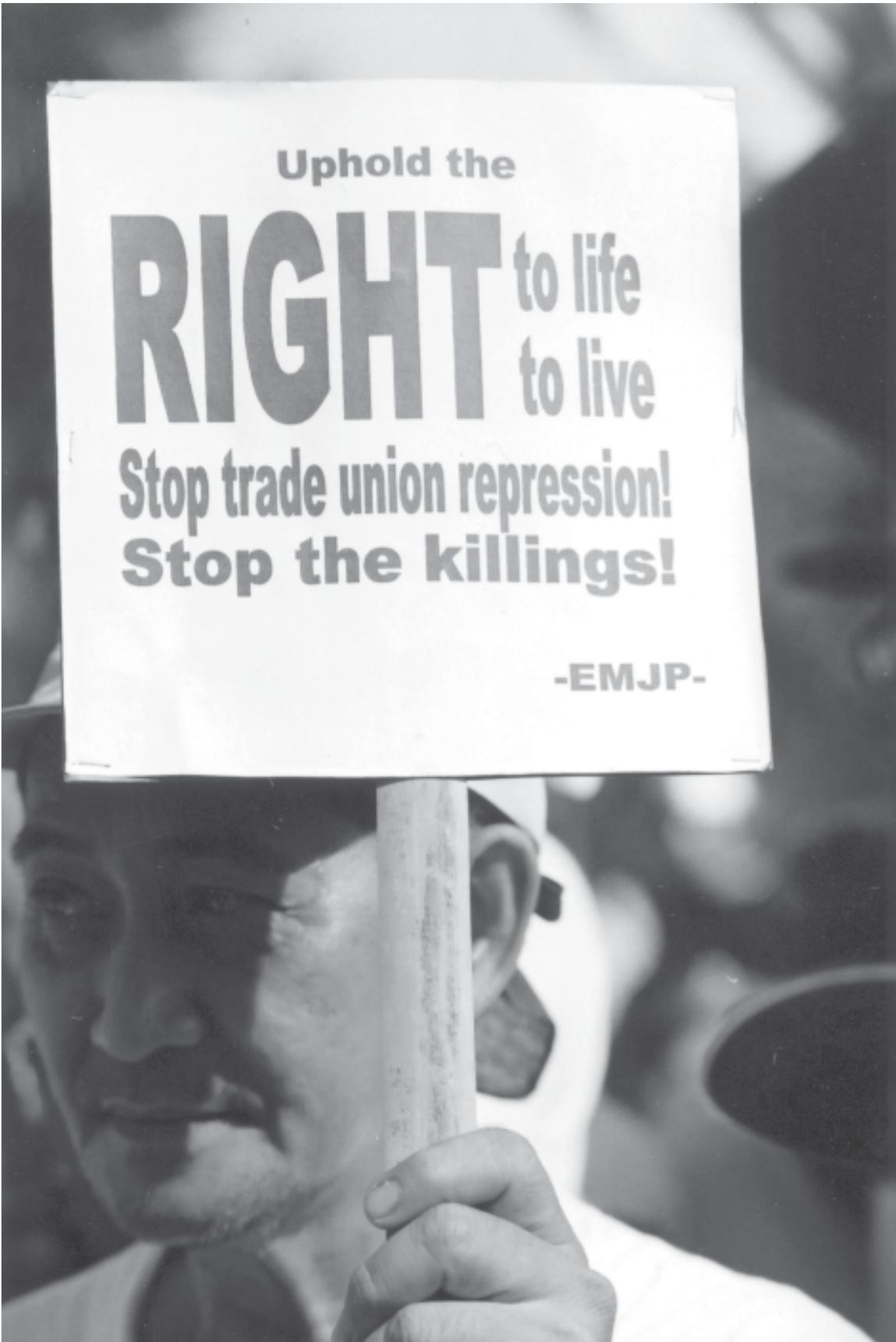
It was Ferrer who articulated the suspicion of many people, that these assassinations of militants could never be considered as random acts of violence but could be part of a classified national

Uphold the

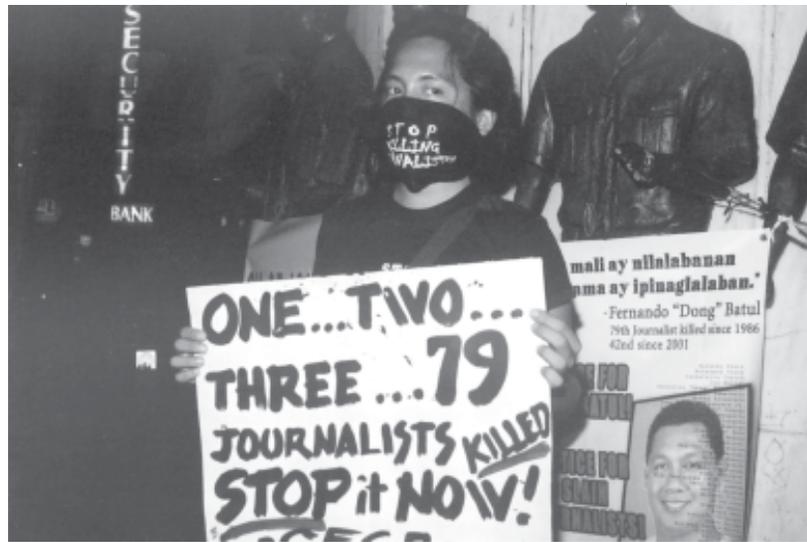
RIGHT to life
to live

Stop trade union repression!
Stop the killings!

-EMJP-









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policy sanctioned by the higher-ups through mere inaction or worse, complicity.

Doronila was more forthright in his claim that the killings of activists could be linked to Oplan Bantay Laya, the government's 'holistic' anti-insurgency strategy adopted in 2002 and reinforced in June 2006 with the President's announcement of an all-out war against the communists.

The columnist further revealed that a Bantay Laya document obtained by his paper listed target "sectoral front groups" known to be affiliated with the CPP struggle. According to him, an Inquirer source further revealed that Bantay Laya papers used the term "neutralize, a term implicitly understood by the underworld of Philippine politics as a go-ahead for death squad assassinations."

He added that this information was corroborated by pronouncements of top government officials like National Security Adviser Norberto Gonzales who condemned legal organizations as "communist legal fronts," and Justice Secretary Raul Gonzales who said that these killings were "necessary collateral damage" in the war against the insurgents.

Oplan Bantay Laya

Military documents described Bantay Laya as a 'holistic approach' against the communist insurgency mobilizing both civilian and military agencies to foster good governance, win over public confidence in government, ease poverty and establish a secure environment conducive to development.

Sources also revealed that the plan aims to "directly address" the threats posed by the Communist Party of the Philippines and its army, the NPA, "through clearing and holding operations and programs to defend communities, protect the people and secure vital installations and national assets."

But as Doronila pointed out, Bantay Laya was a blueprint of war designed not to engage the NPA militarily but to decimate its civilian supporters and activists whom they suspect to be maintaining ties

with the underground. Thus the upsurge in the killings of political activists allegedly perpetrated by paramilitary death squads.

He also lambasted Bantay Laya as being too heavy on the military side with the redeployment of troops from Mindanao to areas in Luzon where the guerilla fronts are still actively operating.

With the entry of Gen. Palparan in the picture, the most rabid anti-communist among President Arroyo's top military men, Oplan Bantay Laya meant to win the hearts and minds of the people turned into nightmare for civilians in Central Luzon where the controversial general was assigned.

No heroic deeds of soldiers were heard while they were supposed to be "defending the people from the enemies" but instead tales of abuses and terror abound especially in Bulacan, Nueva Ecija, Pampanga, Tarlac, and Zambales provinces.

In most of the communities in these provinces, it was not an atmosphere of peace that pervaded but of fear and anxiety as soldiers imposed martial law-like rules such as curfews, conduct of house-to-house searches, and checking of civilians' resident tax certificates or 'cedulas' (those who could not produce one were either physically abused or "invited for questioning" in military camps).

There were also reports of teen-agers being beaten, tortured, and kidnapped. A popular TV show also featured a case wherein a suspected communist sympathizers' house was burned down in Bulacan. And of course, 'salvagings,' local coinage for summary killings, and forced disappearances of activists in these areas became rampant.

Despite these, the military leadership claimed that Bantay Laya was very effective and that the government was winning in its anti-insurgency campaign and in fact, was about to deliver the final blow that will, once and for all, eradicate the communist threat.

In the latter part of 2006, the government was on the verge of adopting Oplan Bantay Laya II to finally 'crush' the New People's



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Army (NPA) and its political center, the Communist Party of the Philippines (CPP).

Murder, She Wrought

The political crisis spawned by the 'Hello Garci' controversy over allegations of massive fraud during the 2004 presidential elections reached its zenith in February 2006 when President Arroyo declared a state of national emergency to squash the so-called "left and right" conspiracy to grab power and undermine democracy.

When the smoke cleared, with the Arroyo regime still standing, the government went on a full-scale offensive against the 'enemies of the state.' Critical media outfits were either shut down or threatened, rebel soldiers and officers were jailed and tried; legislators from progressive party list groups were arrested or harassed and consistently linked to underground organizations; and lastly, an all-out war against the communist rebels was declared.

Thus, the unsheathing of the full might of Bantay Laya with Maj. Gen. Palparan acting as the government's most exemplary anti-communist champion. The government propaganda machinery also began to revive the old red scare tactics and exaggerated the security threats posed by the insurgents.

But Bantay Laya, for all its rhetoric of saving democracy and protecting the people from the scourge of communism was essentially a scheme to literally eliminate Arroyo's opponents.

Actually, the more serious peril to the GMA administration was the restive young military officers; but of course she would not dare wage an open war against them since they are still part of the mighty institution that – as recent history has proven – could save or topple a presidency.

Anyway, the President in her SONA in July set a "moving on" tone and emphasized the bright prospect of economic growth if the people will rally to her side in battling obstacles to development, foremost of which is the long-running leftist rebellion in the country.

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Remember, this was also the same occasion wherein GMA, despite her condemnation of the rash of killings of activists, heaped lavish praise on Palparan for his anti-insurgency accomplishments.

To recognize, much more commend on a policy-setting speech a top military official suspected of masterminding these atrocities was simply unthinkable. It was like a master telling his rabid dog, "go on, bite my enemies, I won't punish you."

This largely explains the reigning culture of impunity on political killings with only three cases reaching the courts and none having been resolved out of the hundreds of actual incidents. And besides, what kind of justice could the victims and their relatives expect when Justice Secretary Gonzales himself had already exonerated security forces from criminal liability?

It might be impossible to establish direct accountability of the Commander-in-Chief over these unabated killings but it would also not suffice to say that the government's culpability mainly hinges on its failure to arrest this political violence.

Because somehow the President, in her desperate attempt to preserve her political life, had set the stage and encouraged if not directed these horrid crimes.

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Hunger in the Midst of Economic Growth



Hunger: A violation of the right to food

THE RIGHT to food is a human right which is inseparable from the right to life. For a person to enjoy the right to life, food should be adequate, nutritious, safe, affordable, physically accessible, and culturally acceptable (UN, General Comment No. 12. The right to adequate food).

The UN Special Rapporteur on the Right to Food defines the right as follows:

The right to food is the right to have regular, permanent and free access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensures a physical and mental, individual and collective, fulfilling and dignified life free of fear (United Nations Economic and Social Council, 9 February 2004).

In a country like the Philippines where 11.63 million individuals (or 36 percent of the country's total labor force) rely on agriculture for their means of livelihood (Department of Agriculture, 2-9-006), the issue of hunger may seem unimaginable. Yet during the last half of 2006, the state of the people's right to food had been further compromised and placed in a precarious situation.



Based on the Social Weather Station November 2006 family hunger survey, 3.3 million households have reported experiencing hunger at least once in the past three months. The SWS survey further revealed that 52 percent of the families interviewed considered themselves "poor in general", while 40 percent said they were "poor" because of the type of food their families consumed. Moreover, according to the SWS, the hunger incidence among households remained at double-digits from 16.9 percent in both March and September to 19 percent in November 2006 (Pedroso, 12-20-06).

Among the 40 percent who classified themselves as "food poor", 30 percent said they had experienced hunger in the past three months, while 25 percent of those who rated themselves as "poor in general" experienced the same condition during the past 3 months (Pedroso, 12-20-06).

The November survey results were consistent with the results of an earlier nationwide survey (September 24-October 2) conducted by SWS where 16.9 percent of about 17.4 million households experienced hunger at least once during the third quarter of the year. Mindanao registered the highest incidence of hunger at 21.3 percent (Tubeza & Aning, 11-3-06).

Yet amidst the non-realization of the people's right to food with the persistence of hunger and malnutrition, the government through the Department of Agriculture (DA) reported growth in the agricultural sector in 2006 (notwithstanding the series of typhoons, namely Milenyo, Paeng, Queenie, Reming and Seniang which hit the country during the second half of 2006). According to the DA's Bureau of Agricultural Statistics, the agricultural sector experienced a 3.88 percent growth in 2006. Except for poultry, all subsectors, i.e., crops, livestock and fishery, registered an increase in output amounting to PhP887.6 billion at current prices with fishery remaining as the top gainer (DA, 2-9-06). This is 8.62 higher than what the agricultural sector gained in 2005.

16 Obviously, the reported growth in the agricultural sector has not been felt by the people, especially the farmers, fisherfolk and rural

workers. Even the growth in the country's GNP of 6.5 and 6.6 percent during the first two quarters of 2006, has not been translated into improvements in the food situation of most Filipinos (Pedroso, 11-22-06). They continue to suffer in poverty and deprivation, with children being hit the hardest.

According to studies done by the Food and Nutrition Research Institute (FNRI) of the Department of Science and Technology, more than 6 million Filipino children are suffering from hunger and malnutrition. Out of this figure, about 3.67 children of preschool age are underweight (Pilapil, 10-9-06).

A prevalent violation of the people's right to food is manifested in the deterioration in the quality of food consumed by ordinary families in many parts of the country through the years. The incapacity of many household heads or breadwinners to earn enough to meet the basic requirements for decent survival has forced families to stretch their meager income, become innovative and resourceful in the choice and preparation of their daily meals. Thus, it is not surprising why in the recent years, the typical meal consisting of rice with fish and/or vegetable has been replaced by rice-with-instant noodles, owing to the rising cost of food products in the market. With a PhP6.00 pouch of instant noodles combined with rice, a family of 5 can satisfy a meal for the day. With the poor nutritional contents of food consumed on a daily basis by many families, the health and well-being of citizens have been compromised, making them vulnerable to various kinds of diseases.

Band-aid solution to hunger

The GMA government recognizes that hunger is a problem among the people and that finding solutions to the problem is said to be a top priority of the administration (Tubeza & Aning, 11-3-06). Yet, instead of dealing with the rootcauses of the problem like widespread landlessness, backward production tools and equipment, and trade liberalization, the government has opted for band-aid solutions to the hunger problem in the country.

The shortsighted view of the government on the problem of hunger is demonstrated by the combination of short-term and temporary



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Hunger in
the Midst of
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measures it has taken as means of solving the problem. These include the putting up of rolling stores which sell food items at relatively low prices in poor communities; providing emergency employment through projects like road improvement; setting up of agricultural extension services to the poorest agricultural households; and facilitating foreign assistance such as the UN World Food Program in conflict areas in Mindanao (Tubeza & Aning, 11-3-06).

In addition to the above measures taken by the GMA government to alleviate the problem of hunger and malnutrition, it has also earmarked PhP3.5 million for a school feeding program in 2007, a program that has been questioned and viewed with suspicion by legislators. According to the government, the amount will be used to import one million tons of rice for distribution to school children.

Instead of opting to provide the much needed agricultural and credit assistance to farmers and agricultural workers to enable them to increase their production and to assist them in becoming economically self-reliant, the government has most conveniently taken a quick and short-lived but high-profile and expensive solution to the problem. The food-for-school program envisioned by the government clearly demonstrates the erosion of the country's capacity to produce food items, specifically rice, for its people since the program will entail importing rice from neighboring countries. Not only does the program heighten the country's dependence on imports, it also does not provide a comprehensive and lasting solution to the hunger and malnutrition problem.

The signing of the Public Law 480 agreement between US Ambassador Kristie Kenney and Finance Secretary Margarito Teves and Agriculture Secretary Domingo Panganiban on July 14, 2006 was another measure taken by the GMA government to remedy the food problem of the Philippines. The Public Law 480 also known as the US Agricultural Trade Development Assistance Act and enforced since 1991, involves extending food aid to developing countries like the Philippines which are having "difficulty providing for the food needs of its citizens through commercial sources because of foreign exchange problems". Under the agreement, commodity loans are extended to the country and are to be paid for a period of 30 years, with a grace period of seven years.







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With the renewal of PL 480, 69,000 metric tons of rice (worth \$20 million) which are expected to arrive in early 2007 will be sold on concessional credit terms to the Philippine government. The imported commodity will in turn be sold to the public through the National Food Authority (NFA) (http://archieve.inquirer.net/view.php?db=1&story_id=10555).

Proceeds from the sale are intended for use in four agricultural development priority areas, namely, 1) post-harvest handling and infrastructure development which includes building of farm-to-market roads and warehouses, purchase of equipment and provision of training to support harvest, post-harvest product storage and non-spoilage; 2) biotechnology research and commercialization; 3) livestock development; and 4) capacity building including training aimed at providing modern technology to farmers.

Although the combination of measures adapted by the GMA government may have temporarily alleviated the difficult food situation of Filipino families, the problem remains. The reality that people are unable to access food, i.e. physically and economically, indicates the government's failure to fulfill its human rights obligations in as much as being able to formulate policies, develop programs, enhance capabilities, allocate resources and create structures and mechanisms that will effectively address the rootcauses of poverty and hunger in the country.

Trade liberalization on the loose

The implementation of neo-liberal policies in the agricultural sector, particularly the lowering and/or removal of trade taxes and quotas to encourage the unhampered entry of imported agricultural products and food items have seriously affected the food situation in the country. This is true especially for those heavily dependent on agriculture for their means of livelihood.

With trade liberalization, the Philippine market has been flooded with relatively cheap and imported agricultural commodities like onions, garlic, fruits, vegetables and poultry products. Consequently, local producers of these products have been faced with serious

problems and difficulties in the marketing of their products due to oversupply and undue competition. With low income, the capacity of farmers and agricultural workers to provide for the needs of their families, primarily food, had been severely compromised.

A good illustration is the case of local onion producers in four provinces, namely Nueva Ecija, Pangasinan, Nueva Vizcaya and Mindoro. Due to the oversupply of imported onions in the market during the second half of 2006, about 27 million kilograms of onions have remained intact in cold storage facilities. Moreover, local onion producers have been confronted with the much lower price of imported onions. Whereas locally-produced onions are sold at P40 a kilo, imported ones mostly from India and China cost from P18-20 a kilo in the market (Roque, 8-22-06).

Members of the Union of Growers and Traders of Onions in the Philippines (Ugat) complained that in July 2006 alone, the Bureau of Plant Industry (BPI), the government agency responsible for issuing importation permits, had released 77 permits, mostly to Chinese businessmen, without prior consultation with their group. Each permit is authorized to import as much as 50,000 kilograms of onion (Roque, 8-22-06). With a glut in the market, local producers have encountered difficulties in selling their onions, resulting in the erosion of their incomes.

The same situation had been experienced by Filipino rice producers with the rice importation policy of the GMA government. For instance, in Kalinga, the Cordillera's rice granary, out of the total 402,000 cavans of rice imported in 2005, 200,000 cavans were distributed in the province (Caluza, 10-17-06).

Aggravating the situation of Filipino rice farmers in the last half of 2006 had been the government's efforts through the DA to intensify the use of imported hybrid rice varieties by expanding the areas devoted to rice production (Caluza, 10-17-06). To boost the country's food supply, the GMA government intends to increase lands devoted to rice production by 40,000 hectares in 2007 (Caluza, 11-27-06).

However, instead of addressing the major problems faced by most



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rice farmers, i.e., low income, low yield vis-a-vis high production cost, poor and inefficient distribution and marketing system of their produce, the government had intensified the burden shouldered by farmers particularly in the rice producing areas like Central Luzon, Cordilleras and Northern Luzon.

History has shown that the propagation of hybrid rice varieties means higher production costs on the part of farmers. For farmers using hybrid rice varieties, so much has to be spent on fertilizers, pesticides, and other chemicals in order to reach the maximum yield per harvest per hectare. Failure to do so would mean lower yield during harvest season.

According to Agriculture Secretary Arthur Yap, the harvests of farmers using hybrid rice varieties could reach from 180 to 200 cavans per hectare compared to the national average rice yield per hectare of 75 to 90 cavans (Caluza, 11-27-06). Meanwhile, assuming they are able to maximize their yield, another problem which farmers have to hurdle is the marketing of their produce with the domestic market dominated and controlled by big rice traders and middlepersons. With no leverage and power to negotiate, rice farmers are placed at the mercy of these big rice traders and middlepersons who are also able to manipulate and dictate the prices of the commodity.

The State's inutile response

The state of Philippine agriculture in the second half of 2006 aptly reflects the State's inutility in protecting and promoting the rights of the country's food producers, many of whom are poor tenants and small landowners. The GMA government through its neo-liberal policies of trade liberalization, privatization and deregulation, has consistently jeopardized the livelihood of its people and eroded their earning capacity. It has dismally failed to safeguard the country's food producers against unfair trade and competition with the rising cost of agricultural production, influx of cheap imported agricultural products and food items in the local market, and protectionist agricultural policies of developed countries. Moreover, the development paradigm as reflected in the overall direction and orientation of the agricultural sector has transformed the country

from being a net food exporter, specifically rice, to that of a net food importer. It has made the sector highly dependent on imported agricultural inputs and vulnerable to the fluctuations of the international market with the emphasis of its production on high value crops like tropical fruits, cauliflower, asparagus, cut-flowers instead of food staples. Consequently, a state of food insecurity among the people has persisted.

It is ironic that the country's food producers continue to suffer from hunger and malnutrition. Their right to adequate food has been violated because of the State's inability and/or failure to create an enabling environment aimed at raising the people's capacity to provide for themselves and their families adequate, safe, nutritious, affordable and culturally acceptable food. It is therefore an urgent task and responsibility of the people and their organizations to rise up in defense of their rights and their survival as individuals and members of society.

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Health(s)care Philippines



■ Roel A. Andag¹

THE PHILIPPINES witnessed scary health events in the second half of 2006. We were jolted about the death of seven newborns due to anomalous situations inside a hospital's delivery room where four laboring mothers shared a bed. We kept close watch on the double threats of dengue and avian flu. Typhoons Reming and Melinyo uprooted entire communities. A community of 3,000 in Bulacan fled noxious fumes while 60 were hospitalized when a truckload of toxic waste from a plastics factory was dumped into a nearby river.

JPEPA (Japan-Philippines Economic Partnership Agreement) alarmed many when environmentalist groups discovered that the Philippine government agreed to accept Japan's toxic and hazardous medical wastes in exchange for the entry of Filipino nurses to the Land of the Rising Sun. The highly irregular nursing board exams of July continued to haunt us.

We were told that high school is no longer a period of innocence and juvenile fun. A national urine study by the Treatment and Rehabilitation Center of the Department of Health (DOH) revealed that 160,000 of the Philippines' 20 million high school students use marijuana and rugby, among others.

Government reported the low probability of addressing malnutrition, ensuring maternal health and ensuring access to



reproductive health services in accordance with the Millennium Development Goals. On the other hand, government is confident that it can provide access to clean water, address child mortality, HIV/AIDS and malaria, and dietary energy requirement. Six of the eight targets may be achieved by 2015.

Malnutrition is a scourge on children. Twenty-eight (28) percent of the total children population is malnourished. Of children 0-5 years old, 27 percent are underweight while 30.4 percent are stunted. Malnutrition adversely affects a child's learning potential, predisposing him to dropping out of school and ultimately to a lifetime of hard knocks.

While many of us were merrily counting down to Christmas, a survey of the Social Weather Stations revealed that 3.3 million households or 19 percent of the proportion of all families experienced involuntary hunger from September to November. Hunger was at a record high.

Another note on the Philippines' struggle to meet the MDGs: there are now 11,299 HIV positive Filipinos among whom 558 are children. It is always said that statistics are conservative because many sufferers either are apprehensive about reporting their condition or completely unaware of their real ailment or have no access to laboratories.

A sadder note is that Filipinos are largely ignorant about the dreaded disease. The result of a Unicef-commissioned study showed that about 52 percent of the 26 million Filipinos age 12 to 20 believe that only promiscuous individuals contract the HIV/AIDS. Ignorance of a social plague is not bliss, especially if the ignoramuses are the ones primarily expected to know the disease and to help in taking care of those afflicted. Two out of 10 doctors and 14 percent of nurses believe in the existence of a cure to HIV/AIDS.

These are just some of the year-ender health facts of 2006 – all symptomatic of serious and pervasive health realities in the country. Three major health issues were consistently in the public mind during that period: expensive medicines and health services, runaway

population growth and health professionals' exodus. All of which dim the probability of the Philippines' ability to accomplish the health-related targets in the MDGs.

Expensive Medicines and Health Services

The werewolf cries "Wolf!"

Essential drugs are sold in the Philippines at scandalous prices compared to selling prices in other Asian countries. At the minimum, they are sold at three to four times higher than the international price index scale; some can reach 25 times higher. The World Health Organization (WHO) reports that less than 30 percent of Filipinos could afford to buy badly needed medicines regularly and that only two out of 10 Filipinos have access to essential medicines. Among the poor, it is normal practice to split a tablet or skip a dosage to economize. Recovery from a disease is directly tied to the patient's compliance to prescription. Expensive drugs undermine one's prognosis.

Government passed the Generics Act in 1988 to address this problem. But multinational pharmaceutical companies that control 70 percent of the country's drug market instigated a bogus generics phobia, claiming that generics are most likely counterfeit medicine. Clearly, the werewolf cried "Wolf!"

Government pursued a new tack: parallel drug importation implemented by the Philippine International Trading Corporation (PITC). PITC procures from other countries the same drugs that pharmaceutical companies sell at stratospheric prices in the Philippines. Even at marked up retail prices, the medicine from Bangkok will still be cheaper than the same drug sold in the Philippines through the Botika ng Bayan and Botika ng Barangay networks launched in December 2004.

With parallel drug importation, PITC projects a growth of generic drugs usage among Filipinos to reach 60 percent in 2010 from the measly four percent today. By that time, PITC would have imported 75 brands from 45 brands today, mostly for asthma, hypertension and diabetes. Even if four percent is too small a dent in the Php100-





billion pharmaceutical industry, it is already significant considering that generics' market share was a percentage point less in 2004 and 2005.

Parallel drug importation so threatened to impact on multinational pharmaceutical companies' sales quotas that they sat up and listened. Pfizer's star product, hypertensive drug Norvasc, is now the face to corporate denial of social realities. Norvasc is priced ten times higher in the Philippines than elsewhere in Asia. PITC initiated the parallel importation of cheaper Norvasc from India. Pfizer is suing PITC for patent infringement. The case, widely believed to be baseless, is pending.

Medicines in the Philippines are expensive for four reasons: market dominance of multinational pharmaceutical companies, drug distribution cartel by Zuellig and Mercury Drug, public's heavy reliance on branded drugs, and prohibitive patent laws. Bills known as Access to Medicine Act are pending at the House of Representatives and the Senate. They seek to address these anomalies. If passed into law, Access to Medicine Act may be the silver bullet that will slay the werewolf.

Complementarily, PITC is in the right track by committing to demolish the cartelized system, expand government's product range and distribution network (PITC target: one Botika ng Barangay in every two barangays), and intensify its advocacy for cheap medicines.

It will also be worth for government and nongovernment organizations to appeal to the corporate social responsibility of pharmaceutical companies to bring down the prices of essential drugs or regularly set aside a portion of volume produced as subsidized medicine, or free during times of emergency. Target 15 of the MDGs is to "provide access to affordable essential drugs, in cooperation with pharmaceutical companies."

Running for cover

The Seniors Citizens Act was passed to protect the rights of and grant privileges to the country's elderly, now numbering 5.2 million. Among these privileges is a 20 percent discount on medical

expenses and medicine purchases. Business shrewdness is defeating this entitlement. Certain drugstores deduct the 12 percent VAT from the 20 percent senior citizen discount; thus the elderly avail of only an eight percent discount. Making them bear the tax burden deprives them of this privilege.

The government's health insurance program – Philhealth – covers only 64 percent of the total population. Meaning government is 36 percent behind its goal of universal health insurance coverage. Only six percent of its 12.5 million members are poor. Forty-four (44) percent of a member's health spending comes from his own pockets. Philhealth's current structure places the burden of catastrophic expenses² on the member, rather than being shared between the member and the insurance. Again appealing to their corporate social responsibility, private health management organizations (HMOs) should be encouraged to introduce affordable health insurance products.

Malice was imputed on Philhealth cards when they were distributed in earnest in the 2004 presidential elections to boost the chances of President Gloria Macapagal Arroyo. Pressed to correct the controversy during the Congressional hearing on the proposed 2007 budget, DOH Secretary Francisco Duque agreed to a 90-day moratorium on Philhealth card distribution prior to the election. The dilemma: what will happen to individuals who will get sick during the moratorium?

Processing 55,000 claims annually, the State Insurance Fund (SIF) of the Social Security System reported the uptrend in claims to cover occupational diseases. SIF forecasts that its Php22 billion-reserve may get depleted by year 2026 if current trends continue. What solutions are available other than increasing premiums? One solution is to strengthen the monitoring for occupational health safety in workplaces. It will boost productivity and reduce the strain on the SIF and related government health agencies. Another is to optimize SSS resources by spending them only on necessary expenses.

Population Growth

The Filipino population now stands at 85.5 million, growing at a





rate of 2.11 percent per year³. This translates to four newborns per minute. Poverty stands at 30.4 percent of the total population, accounting for four million families.

These trends are critical determinants to government's ability of accomplishing key socioeconomic targets. Shortfalls in the reproductive health (RH) targets are expected to worsen poverty and cause shortages in social services.

In accordance with the reproductive health component of the MDGs, the Philippines aims to "increase access to reproductive health (RH) services to 60 percent by 2005, 80 percent by 2010, and 100 percent by 2010." The overarching goal is to slash poverty by 50 percent by 2015."

Catholic rabbits

Though not to be singled out as the most grievous cause of poverty, unmitigated population growth has adverse effects at the national, household and individual levels. Population management measures have to be instituted for the Philippines to accomplish the MDG goals and to effectively combat poverty. Three principal factors, however, compromise the potential of achieving this particular goal.

First is the absence of a comprehensive policy governing population management. Congress' boldest move so far is the passage of House Bill 3773 otherwise known as the Reproductive Health Act. HB 3773 is popularly known as "two-child policy" as it advocates that ideal number of children for couples to have.

Fortunately, local government units (LGUs), nongovernmental organizations (NGOs), individual policymakers, media and schools that are advocating RH are filling the void created by the absence of such a policy. It was in the final quarter of 2006 that Ifugao passed its local RH policy, the second LGU to do so after Aurora. At almost the same time, 70 congresspersons representing 25 provinces banded to form the Local Legislators' League for Population, Health, Environment and Development (3LPHED). Among its objectives is to champion population management.









Second is government's bias for natural family planning (NFP). During the 2005 UN Summit, President Arroyo, currying the favor of the Catholic Church that propped her administration during a perilous standoff with resigned cabinet officials, declared her administration's preference for NFP citing its advantages over modern FP methods. Her claims, however, were refuted by experts. In the same statement, Arroyo urged the United Nations and donor countries to funnel their funds to the Philippines for the popularization of NFP methods. Secretary Duque recently met with Catholic Bishops' Conference of the Philippines (CBCP) officials to communicate government's population program. The CBCP reiterated its promotion of NFP, especially the Billings Ovulation Method.

Third is the pullout from the Philippines of the United States Agency for International Development (USAID). In 2003, the USAID declared it would end in 2007 its \$3.5-million annual population management support to the Philippines. USAID has been helping government in this aspect for the past 30 years. The phaseout started in 2005.

Progressive local government units whose leaders are not intimidated by glowering bishops implement contraceptive self reliance programs.

Clearly, the solution to the population woe is the passage of HB3773 into law.

Health Professionals' Exodus

In 2006, around 3,000 doctors were toiling to earn a nursing degree. "Doctored nurses" account for a thousand of the 12,000 nurses that leave the country each year. A hundred thousand up and left from 2002 to 2006, with the biggest exodus in 2003 when 18,000 nurses added to the Filipino diaspora. Government is interested in profiting from the talents of its doctors, nurses and other skilled Filipinos. But not here in the country, because their contributions – measured in dollars – get pricier as they move farther away. In the first ten months of 2006, overseas Filipino workers (OFWs) remitted \$10.3 billion – a 16.6 percentage increase compared to the same period last year. OFW money

consistently buoys the peso against the dollar.

The DOH revealed that every year, the country produces two doctors for every one that leaves. It is interpreted as a net drain of one doctor per annum. But this data is untenable since the number of medical students is declining. In the provinces, one surgeon serves 300,000.

Beautification program

Seeing 20 years henceforth that doctors and nurses will continue to flee the country and work abroad, the DOH crafted a human resource master plan to convert the brain drain into a brain gain by enticing expatriated nurses and doctors to come home to apply what they learned abroad. The centerpiece of this master plan is government's much vaunted medical tourism program.

The medical tourism program earned \$200 million on its first year alone. Tourists came for cosmetic surgeries and spa treatments. DOH targets 20-30 million medical tourists from 2007 to 2012, resulting in \$2 billion cumulative revenue. This could mean much in tax revenues, if honestly remitted to government. But the Bureau of Internal Revenue reported low VAT compliance among doctors. Only Php137.4 billion of the Php876.3 billion forecast for the January-August 2006 period was paid. VAT proceeds are purportedly used to finance social services such as health, honestly spent. There is the catch. VAT forces doctors to increase fees, rendering healthcare more inaccessible.

If the price is right

Government invites foreigners to savor medical breakthroughs, vacation spots and the distinct Pinoy hospitality. Why, a kidney surgery that costs Php7 million abroad costs just Php3 million in the Philippines! The poor Pinoy is so desperate and hospitable that he sells his kidney for as low as Php50,000.

This unreasonable cheapness of a human organ so revolted a DOH undersecretary that he proposed that foreigners with ailed kidneys pay Php150,000 to Php200,000 to the organ donor. He went on





to say that middlemen give only as much as Php50,000 to the donor who ends up shortchanged. His statements caused uproar for it appeared that government condones the commoditization of body organs. Of course not, said the Philippine Organ Donation Program (PODP), a DOH unit that regulates body organ trade and prevents backdoor operations and illegal procurement. It clarified that government does not allow payments to organ donors – only gratitudinal gifts: a package that includes Php20,000 for each months' loss of income up to three months, free hospital testing post-operation, health insurance and livelihood training. PODP computes that the entirety of the gift amounts to Php400,000. But are poor organ donors, nay sellers, who are exploited by middlemen aware of this package?

Another way of enticing government doctors, nurses and other health workers to stay in service is to lure them with a salary increase. Government doctors get anywhere from Php12,546 to Php20,823 a month while nurses receive Pph7,606 to Php9,939 a month. So, if all works well and government's proposal is approved, an additional Php1,000 will be given monthly starting in 2007. There are 4,292 government doctors, 7,907 nurses, 421 midwives and 260 x-ray technicians who will benefit from this salary boost.

For whatever it's worth, First Gentleman Mike Arroyo provided incentives to Doctors to the Barrios, a DOH program that sends physicians to remote areas in the country where they are most needed. The incentives varied from roundtrip tickets for two to any Asian country, communications gadget, cash and medical supplies.

Nigging Hope

Yes, Filipinos live in a scary world, if health statistics are any indication. But there are reassuring signs.

Integrated health

The Department of Science and Technology is proposing a Philippine National Health Research System. The idea is for Philhealth, National Statistics Office, Land Transportation Office and Department of Environment of Natural Resources to allocate

a portion of their gross annual income to health research. If passed into law, it will ensure sustainable financing for health research – a worthy investment in these times of dengue, avian flu, HIV/AIDS and other pandemics. Government and the private sector should support health researchers and inventors by devising meaningful incentive schemes.

There is a proposal to integrate the specialty hospitals – Heart Center, National Kidney and Transplant Institute, Lung Center, Orthopedic Center, and Children’s Hospital. Couple this with proposals to rationalize the bureaucracy. These will mean purging of non-performers in government agencies. If this integration will pave the way for better health service and the rationalization will free up precious resources for social services, then so be it.

Marikina City and Tagaytay City were among eight cities in Asia Pacific commended by the WHO for improving the health conditions of their populations. Marikina was cited for its health emergency preparedness and response while Tagaytay was recognized for its housing improvement proposal. Other awardees were cities in Australia, Japan, China and South Korea. The best practices exemplified by Marikina and Tagaytay should be replicated in local governments nationwide.

Follow the money

Moody’s, the international credit rating agency, lifted its “negative” investment grade on the Philippines, buoying investor confidence. “A sign of better things to come,” according to the president, who was quick to announce that gains, especially from her government’s economic reforms, will go to social spending including health.

The WHO prescribes that developing countries like the Philippines allocate not less than five percent of its national budget to health. The DOH got Php11.7 billion in the 2007 budget. The Department of National Defense got Php54.5 billion. Automatic payments to foreign and domestic debts got way more than that.

In a five-year agreement with government, the USAID donated \$125





million or Php6.25 billion for access to maternal and child health and family planning services, TB prevention, control of HIV/AIDS, avian flu and other emerging diseases. Free from corruption, the money can go a long way. A note on this is that separate surveys conducted by the Presidential Anti-Graft Commission and the SWS declared DOH as the most effective government agency in the fight against graft and corruption.

Breakthroughs

It was in the final quarter that government, like a territorial mother, bared its fangs in protecting its babies. The DOH amended the Milk Code to regulate marketing activities for infant formula and to require milk labels to contain a warning that the product might possibly be contaminated with bacteria.

Breastfeeding advocates scored big time.

Flexing its muscles to intimidate government, the US Chamber of Commerce wrote to President Arroyo pointing out a possible dip in investor confidence as an “unintended consequence.” Again, it’s about sales quotas. Pharmaceutical companies that produce infant formula provide incentives to pediatricians and midwives who endorse their product to mothers. Government has not blinked in the face of the US threat. It is advisable for Mother Philippines to not retract her fangs. If it defied the US government when the Philippines pulled out its troops in Iraq to preserve the life of a hostage Filipino driver, there is no reason to backtrack on protecting the lives of millions of babies in the country.

WHO reported that babies who are not breastfed are 10 times more likely to die of diarrhea, 3.6 times more likely to die of pneumonia, and 2.5 times more likely to suffer from other infections. There are now 1.5 million children suckling on infant formula, and spending for this stands at Php21.5 billion annually. The switch to breastfeeding can mean a lot of savings for the family.

The labeling provision of the Tobacco Regulation Act of 2003 (R.A. 9211) took effect in July 2006. It requires cigarette manufacturers to print a health warning occupying not less than 30 percent of the

face of the packaging. Tobacco companies lobbied for a reschedule of the effectivity of the packaging provision to November 1, 2006. After that date, Philip Morris continued to print the warning on the side of its packaging, immediately violating the law. NGOs are keeping the pressure on Philip Morris.

But in the United States the company is a seeming example of responsible corporate citizenship. For whatever intents, the company implored Hollywood to refrain from showing its cigarette brands, including its top-seller Marlboro, in movies. Philip Morris points for inspiration to results of various studies saying that cinematic portrayal of tobacco use entice children to smoke.

About a thousand guest relations officers (GROs), their handlers and club owners attended an HIV/AIDS convention in Baguio. This should be replicated in areas of the country with sex-for-fee services.

In what could be a breakthrough in the global fight against HIV/AIDS, the Vatican announced that a study commissioned by no less than Pope Benedict XVI on the efficacy of condom use against the disease has hurdled the scientific level. It will now be submitted to a Vatican body that will study the subject from a theological and doctrinal prism. If the study clears this stage, the Pope is likely to issue a document revolutionizing the Church's view of the condom, which usage, whether for contraceptive or HIV prevention, is considered violative of Church teachings. The Pope's imprimatur, however, will be within the bounds of a heterosexual marriage where one partner is already afflicted with the disease.

Ten Filipino women die from cervical cancer daily. It is a boon that Gardasil, the first anti-cervical cancer vaccine, has been introduced in the Philippines.

Interest in complementary alternative medicine (CAM) is resurging, as indicated by the popularity of virgin coconut oil and herbal health supplements. Provided the necessary research and development and marketing support, the CAM industry will boost the economy and offer options to health- and cost-conscious Filipinos.





There is still time

The cornerstone of a strong republic is a healthy citizenry. Every individual should be empowered to exercise his right to health. Poverty – at the national and household levels – hinders the enjoyment of this right. Poverty causes and complicates the country's health crisis.

Taken together, these facts illustrate that the Filipinos' collective health is in a precarious condition. It is scary but not entirely hopeless. There is still time to act before the country implodes from its follies and suffers a massive stroke, is hooked to a life-support system, deteriorates rapidly, anticipates sure death and screams for euthanasia.

NOTES

- ¹ The author consults for Chevron, Manila Doctors Hospital, COSE and other clients. Feedback at r_andag@yahoo.com.
- ² Huge medical bills arising from serious illnesses.
- ³ Second Philippine Progress Report on the MDGs, 2005

Stating the Obvious:

The State of the Philippine Education Sector



ATTEMPTS TO closely look into the current state of the education sector in the Philippines would yield nothing new. For the past two to three decades, the education sector has been beleaguered with the same problems. If anything, only the statistics changed – for worse. But the issues remain the same: lack of instructional materials, underpaid but overworked teachers, lack of facilities, and in some instances, absence of schools in far flung areas.

These can be traced partly to the inadequate national budget allotment for the sector. The present state of the Philippine educational sector is a result of the same problems which have piled to gargantuan and seemingly insurmountable proportions due to the inaction on the part of the government to seriously address these issues.

This is surprising because as a society, the Filipino people put much premium on education as their means to better their lives. Education is generally viewed as the great equalizer of opportunities.

It is surprising further because the present administration of President Gloria Macapagal Arroyo hyped the “diploma sa bawat dingding ng pamilyang Pilipino” dictum.

June Tales of Woes

June of every year invariably highlights the continuing woes of the education sector. It is the time of year when the entire Filipino people



are bombarded with tales and accounts of the various education related problems that students, teachers, and parents have to contend with. It is also the time of year that the government shifts its focus to momentarily address these gaps in the system.

An estimated public elementary and high school enrolment of 20,093,585 for school year 2006-2007 has been accommodated by an educational system which based on Department of Education (DepEd) estimates, will need 10,549 new classrooms, 1.22 million desks, 67.03 million textbooks and additional 12,131 teachers to effectively address the current regrettable gaps in the sector.

Classroom shortage was pegged by then DepEd acting secretary Fe Hidalgo at 6,823 based on a 45:1 pupil to classroom ration. The figure might not appear to be a cause of concern. However, the 45:1 pupil to classroom ratio is the highest in Asia compared to the 20-30:1 ratio being used by Indonesia, Thailand and others. Also, the 45:1 ratio used by DepEd was good for planning purposes and does not depict the reality that most schools in the country have to contend with 60-100:1 pupil to classroom ratio in some extreme cases. Classroom size is an extremely important factor in the learning quality of pupils as this sets the backdrop against which pupil-teacher interaction is based.

Another serious problem which is seemingly embedded in our educational system is the lack of textbooks in most of the public schools in the country. A pupil would ideally need five textbooks for all his/her subjects in school. However, the DepEd estimated a shortage of 67.03 M textbooks and this shortage is mostly felt in far-flung areas in the country. This is not to say that in the urban areas, there is a 1:1 textbook-to-pupil ratio. In some barangays in North Cotabato, teachers expressed that textbook shortage is so acute that at times, only the teacher has a copy of a textbook which she has to manually copy in a manila paper so she could show it to her pupils.

For a country which produces some 35,238 eligible teachers annually, the lack of teachers means that there is a problem in the profession in particular and the education sector in general. The paltry salary that public school teachers receive versus the high

demand for teachers in other countries forced our teachers to work abroad, specifically the United States, China, Japan and Middle East countries. Of these teacher importing countries, the US tops the list of destinations by taking in 61.3% of the total numbers of teachers deployed abroad. This trend is expected to continue given the recent announcement of the US that it needs 20,000 teachers annually. And this certainly does not help given the shortage of teachers in the country.

Even as there is an admitted lack of qualified teachers, there is also the problem of the competencies of some of those in the present teaching force as they are not trained to handle the subjects they are teaching. DepEd statistics illustrates this: of those teaching General Science, only 42% are Science majors; in Biology, only 44% are Biology majors; in Chemistry, only 34% are Chemistry majors; and in Physics, only 27% Physics majors. This means that the remainder have other specialties other than the subjects they are teaching.

Reflections of the Problems

The effects of these compounded problems besetting the Philippine education system are ultimately felt by the pupils. What suffers at the end are the quality of learning which they derive against a backdrop of lack of crucial facilities like classrooms and textbooks, and lack of personnel and the wanting quality of the existing teaching force.

Presently, only six out of 1,000 Grade 6 pupils are prepared to enter high school. Meanwhile, only 2 out of every 100 fourth year students are prepared to enter college. Translated, of the 1.4 million Grade Six pupils, only 0.64% are prepared for High School, while only 2.1% of graduating high school students are fit to enter college as borne out of the 2004 High School Readiness Test and the National Achievement Tests.

These negative effects of the compounded problems have again been illustrated last March. The National Achievement Test for school year 2005-2006 showed a trend of disturbing results where Grade 6 pupils posted a passing average of 54.66% while 4th year high



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school students posted a lower average of 44.33%

But how do we expect 8 pupils sharing a textbook, holding classes in makeshift venues including playgrounds, and 100 people sharing a room meant for 45 to be able to effectively absorb the lessons being taught by overworked and underpaid teachers, some of whom are forced to handle subjects which are not part of their training?

Government Priorities and Magic Wand Remedies

Government priorities are reflected in the annual budget that the Congress prepares and approves. It should therefore not come as a surprise that the abovementioned issues have piled up to its present gargantuan proportions because even if the government line is that the education sector got the lion's share in the re-enacted 2005 National budget, figures would show that debt servicing still remains at the top of the heap (32.3%) followed by education (13.9%) and defense (5.0%).

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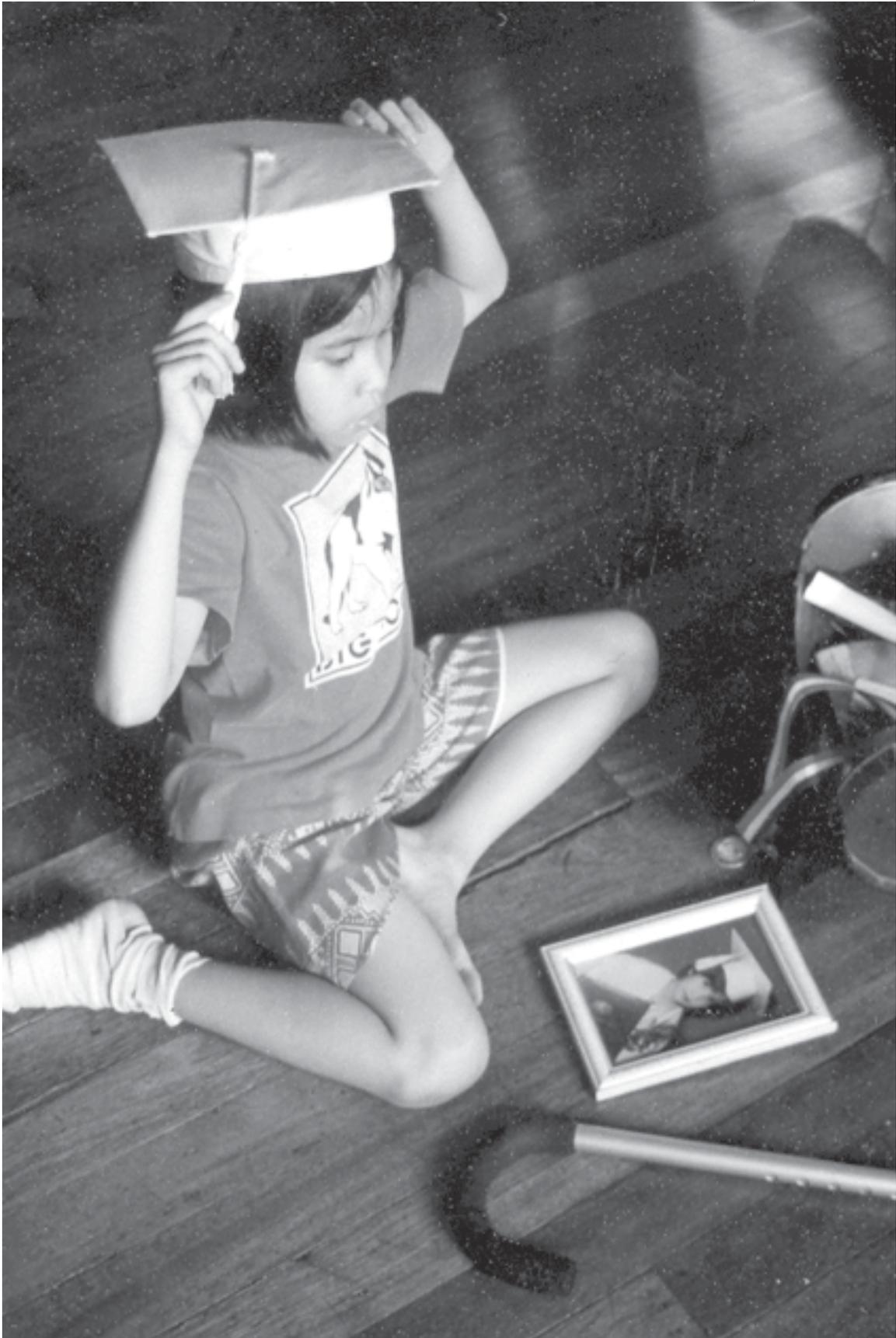
Arguably, of all the social services, the education sector has the highest budget allocation. However it must be noted that for the last five years, the national budget for education has been declining. In contrast, the budget for debt servicing and defense have markedly increased during the said period.

For a country which is supposedly not waging a war, the increase in budget for defense is mind-boggling. On the other side of the scale, for a country which views education as the best equalizer in terms of opportunities, a decrease in its budget speaks a lot about the investment the government is putting into it.

TABLE 1: Selected National Government Expenditures
(in Percent to Total National Budget) 2001-2006

YEAR	2001	2002	2003	2004	2005	2006p
Debt Service (Interest)	25.9%	25.0%	28.4%	30.1%	34.1%	32.3%
Education	17.4%	16.9%	16.0%	14.9%	14.7%	13.9%
Defense	4.7%	5.2%	5.0%	4.9%	4.8%	5.0%

Source: BESF various years as cited in Ibon Facts and Figures. Vol 28 No 21.
November 15 2005









For the year 2006, the DepEd originally requested for P133B in order to address some of its perennial problems. However, because of the failure of Congress to approve the 2006 National budget, the department has to operate on a re-enacted budget of P112B. This is way below the budget needed to effectively meet the demands of the enrollees for school year 2006-2007.

It has been estimated that for the public school system of the country to be rehabilitated and to be able to provide for quality and accessibility, it would need an additional P102B each year for the next nine years, on top of the P112B annual budget.

President Gloria Macapagal Arroyo has also put in place stop-gap measures to address some of the problems of the educational system particularly the shortage in classrooms. She instituted the “double shifting method” as a response to the overwhelming lack of classrooms and ballooning pupil-to-classroom ratio. In this scheme, classrooms will be used twice a day by two classes, effectively cutting into half the classes to accommodate more pupils. This according to her lowered the classroom to pupil ratio from 1:100 to 1:50.

This magic solution to the problem of student overpopulation addressed the statistics but not the real issue. This cut the instruction time and teacher-student interaction to half. Furthermore, this scheme made it necessary for classes to start as early as 6:00 a.m., which is hardly the best instruction and learning strategy.

On the tertiary level, the government has continuously decreased its subsidies for state-run colleges and universities which are supposed to ensure access to low-cost quality education. State colleges and universities have to resort to income-generating schemes including increasing their tuition fees. This in turn defeats the purpose, as these schools can no longer offer affordable and quality education.

Education as a Luxury, Not a Right

That education is a human right is embodied in various international instruments including the Universal Declaration of Human Rights,

International Covenant on Economic, Social and Cultural Rights, and the Convention on the Rights of the Child. The Philippines, as a State Party to these instruments, is duty-bound to provide free, quality, and accessible education to all.

In the Philippines, this is reflected in the 1987 Constitution which orders the State “to protect and promote the right of all citizens to quality education at all levels and to take appropriate steps to make education accessible to all.” (Art XIV Sec 1).

Moreover, Republic Act 9155 (Framework for Governance of Basic Education Act of 2001) states that *“it is the policy of the State to protect and promote the right of all citizens to quality basic education and to make such education accessible to all by providing all Filipino children a free and compulsory education in the elementary level and free education in the high school level. Such education shall also include alternative learning systems for out-of-school youth and adult learners. It shall be the goal of basic education to provide them with the skills, knowledge and values they need to become caring, self-reliant, productive and patriotic citizens.”*

But given the present dismal situation of the Philippine education system and the government’s priorities and stop-gap measures to improve it, it certainly looks like “free, quality and accessible education for all” is at best compromised and even neglected.

Based on its budget priorities, debt servicing and not education gets the highest annual budget allocation even as our Constitution clearly states that education should be given the highest budget.

The intertwined accumulated problems which now beset the education sector as a result of the continuous renegeing of the government on its obligation to the education sector like lack of personnel, facilities, textbooks and classrooms definitely compromises the quality of the education that the public education system in the country is providing its students.

We cannot expect quality education from overcrowded classroom, reduced time of classes, lack if not absence of textbooks, teachers



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handling subjects which they do not have mastery over.

More so, we cannot expect quality, accessible education if the cost of education is beyond the reach of an ordinary Filipino family due to lack of government subsidy.

So more and more elementary graduates are not ready to enter high school. More and more high school graduates are not ready to enter college. More and more youth are not able to go to college at all.

So blame them! After all, in the Philippines, education is not a part of their rights. It is a luxury.

If there are no diplomas in the walls of every Filipino family, don't blame the government because it is paying its debts to free the future generation from the clutches of indebtedness.

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Without a Roof Over their Heads



THE RIGHT to adequate housing again took a severe beating in 2006, specifically as a result of the government's implementation the multi-billion peso Northrail-Southrail Linkage project. This year, more urban poor dwellers lost their homes, as the government continued to forcibly evict communities along the *riles* (railroad tracks).

It was not surprising therefore that in December 2006, the Philippines was named as one of the three recipients of the Housing Rights Violators Award. The "award" was given by the Center on Housing Rights and Evictions (COHRE), a Geneva-based organization.

Demolitions and more demolitions

From July to December 2006, some 822 families in the National Capital Region (NCR) alone lost their homes due to demolitions. Some 60 families who lost their homes did so due to court orders. (See Table 1)

All of the demolitions were conducted by the government. Local government units demolished the houses of some 112 families, while the Philippine Army and the Metro Manila Development Authority demolished 700 other houses.

None of those whose houses were demolished received any form of assistance. Neither were the families given relocation sites.

Two demolitions, both in Taguig and involving 600 families, were



violent. The affected communities resisted the demolition operations conducted by the Philippine Army and MMDA, maintaining that the contested land had been proclaimed by President Arroyo as a socialized housing site and thus can no longer be claimed by the Philippine Army.

According to the Urban Poor Associates, the demolitions in 2006 clearly showed how far away PGMA had distanced herself from the pro-urban poor stance she took in 2001 during which she promised that there will be no more violent demolitions, no more distant relocation, in-city relocation, and on-site development for the urban poor, mainly through presidential proclamations of government lands as socialized housing sites. One instrument that was supposed to help advance these promises was Executive Order No. 152 issued in December 2002. In 2006 the said EO was almost totally disregarded by national and local government units.

TABLE 1. Cases of Demolition in Metro Manila, July-December 2006

Date	Location	Land Owner	No. of Families Evicted	Notice	Consulation	Reloca-tion/ Finan-cial Assist-ance	Ordered by	Imple-mented by	Comment
August 25, 2006	Barangay 642, Zone 66, Malacañang Complex, Estero de San Miguel, Manila	Gov't.	100	None	None	None	MMDA	MMDA	3-meter clearance was used to justify demolition.
August 25, 2006	HGC Compound, Brgy. 825, Paco, Manila	Gov't.	10	None	None	None	PNR	PNR	PNR operatives removed the shanties
August 30, 2006	Masagana Village, Western Bicutan, Taguig	Gov't.	100	None	None	None	Phil. Army	Phil. Army, MMDA	Violent. The people resisted. Demolition suspended for 1 week.

TABLE 1. Cases of Demolition in Metro Manila, July-December 2006 (Cont.)

Date	Location	Land Owner	No. of Families Evicted	Notice	Consulation	Relocation/Financial Assistance	Ordered by	Implemented by	Comment
October 12, 2006	Katipunan Village, Sitio Tago-Tago, Western Bicutan, Taguig	Gov't.	500	None	None	None	Phil. Army	Phil. Army	Violent. Soldiers fired their guns to intimidate the residents.
October 22, 2006	Bansa Street, Quiapo, Manila	Gov't.	60		None	None	LGU	LGU	LGU claims those in nuisance areas do not receive relocation.
November 22, 2006	Quezon Bridge, Brgy. 384 Quiapo, Manila	Gov't.	52	None	None	None	LGU	LGU	Mayor agreed to suspend demolition during Christmas season.
TOTAL			822						

Legend: LGU (Local Government Unit)
MMDA (Metro Manila Development Authority)
PNR (Philippine National Railways)

Infamy: How to get an international award

On December 5, 2006 the Center on Housing Rights and Evictions (COHRE), a Geneva-based NGO with UN consultative status, declared the Philippines (together with Nigeria and Greece) as recipient of the 2006 Housing Rights Violator Award. The three countries, according to COHRE, committed "severe human rights violations" by "systematically violating housing rights" and by its continued "failure to abide by local and international legal obligations."

Jean du Plessis, COHRE's Executive Director, noted that "many governments continue to violate the right to adequate housing" of its citizens, but the three countries stood out "for their appalling



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disregard for this basic human right.”

In a press statement accompanying the announcement of the awards, du Plessis said that the Philippine government “continues to evict hundreds of thousands of people in the name of ‘beautification’ and ‘development’.” That the worst affected happen to be the urban poor only illustrates the highly questionable nature of these ‘beautification’ and ‘development’ efforts.

Forced evictions

COHRE’s press statement further noted that “more than 145,000 people (29,000 families) have already been evicted from their homes in Metro Manila and Bulacan province since early 2005 due to the rehabilitation of the Philippines National Railway system, referred to as the ‘Northrail-Southrail Linkage Project.’”

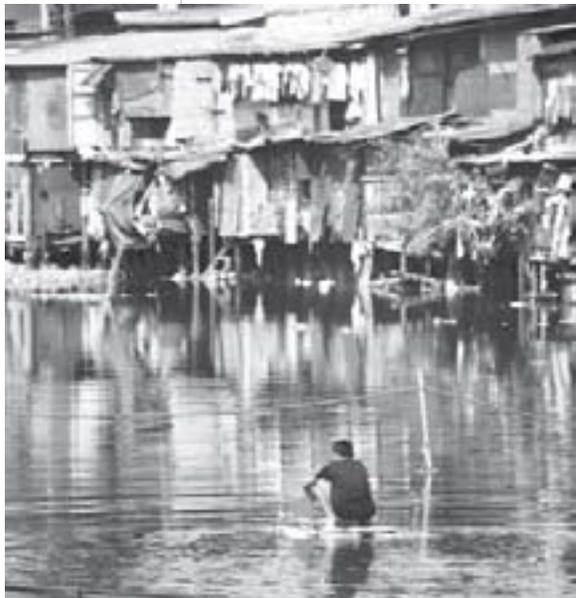
Some 80,000 families (about 400,000 people) will be forcibly evicted from their homes because of the project. According to housing rights advocates, this is the largest planned displacement of people in the history of the Philippines.

In her state of the nation address, the president practically ordered Manila mayor Lito Atienza to clear out the families living along the railways tracks, to pave the way for the South Luzon Railways system. The mayor was described as “elated” by the task given him by the president. About 12,000 families along 8-12 kms. of tracks in Manila will be rendered homeless by this order. Four relocation sites were offered: Cabuyao, Cauayan and San Pedro in Laguna, and San Jose del Monte City in Bulacan.

Appalling living conditions

Research conducted by COHRE reveals that “most of the evictees have been moved to relocation sites where living conditions are appalling due to a lack of basic services such as potable water, electricity and sanitation facilities. The unsanitary conditions and an outbreak of dengue fever at the Southville relocation site in Cabuyao have claimed the lives of 12 infants and children this year.”









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In fact, in August 2006, Manila Archbishop Gaudencio Rosales asked Vice President Noli de Castro to look into the conditions of families relocated at the Southville Housing Project in Cabuyao, Laguna. The housing project sits right next to a six-hectare dump site.

The Archbishop was alarmed over the poor living conditions in the resettlement site and the health hazards faced by the relocated families. He was especially concerned over the health risks faced by women, children and the elderly because of the dump, which he said is a source of harmful toxins that not only directly damage the health of persons but also contaminate the food supply and pollute the air, soil and water.

The poor living conditions of the “relocatees” prompted the Archbishop to state that the relocation program “fails to take into consideration the health and environmental hazards that living next to a mixed waste dump might cause to the relocatees.” He urged de Castro, who is in charge of the government’s relocation program, “to hasten the closure, cleanup and rehabilitation of the dump and ensure immediate access to essential services, such as electricity, safe drinking water, proper drainage and sanitation, and a system for managing discards.”

Commenting on the same issue, Ted Añana, director of the Urban Poor Associates (UPA), pointed out that the Southville residents “have long suffered from health problems that are caused by the leachate and the toxins in their drinking water coming from the shallow wells built next to a dumpsite. Without access to basic services, it was clear that surviving with dignity in a place like Southville is very difficult.”

Health risks

The problem with the dumpsite was exacerbated during the rainy season. Heavy rains in August 2006 resulted in the flooding in all the houses at the relocation area. The floodwaters were contaminated by run-off from the dumpsite. Monitoring by the Ecological Waste Coalition revealed that the Southville residents were exposed to “high levels of contaminants that are released through dump fires, landfill gas migration and surface and underground leachate migration.”

These concerns on the health risks faced by the 'relocatees' are not without basis. In 2006, six infants from the Southville relocation site died of pneumonia, sepsis and diarrhoea. A dengue outbreak in late 2006 claimed the lives of six children. Another 18 children got seriously sick "due to the serious health hazards posed by the dumpsite, and lack of safe drinking water and poor drainage facilities and sanitation." The dumpsite was also reportedly linked to the spread of skin diseases, which, by late August 2006, had already affected 38 children in Southville.

(Un)gracious host

The rights of urban poor communities have always been violated whenever the country hosts an important international activity. The practice of treating squatters as embarrassing eyesores was well known during the rule of the Marcoses. Succeeding administrations, eager to please and impress visitors, have also resorted to this reprehensible practice.

Forced evictions and demolitions were also carried out in preparation for the 12th ASEAN Summit hosted by the Philippines in early January 2007. The evictions and demolition in Metro Cebu left more than 3,000 people homeless since September 2006.

Some 42 families (210 people) became homeless when their dwellings, located in front of the Shangri-La Mactan Island Resort and Spa in Mactan Island, Cebu, were destroyed by the police in preparation for the Summit. In addition, more than 600 homes in the cities of Mandaue and Lapu-Lapu were demolished, also because of the Summit. Only 100 families were given temporary relocation, but the relocation area has no basic services such as electricity and water.

When the duty-bearer is itself the violator

Nowhere in the history of the country has such large-scale eviction of informal settlers been done. Even as the government drumbeats the benefits that will be enjoyed once the Northrail-Southrail Project is completed, it cannot deny the sacrifice of tens of thousands of families, who were forcibly uprooted from their homes and dumped



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in relocation sites that were not up to habitable standards. Moreover, some of those evicted were not able to avail of relocation assistance at all.

Adequate housing is a fundamental right upon which other important rights depend. In order to survive with dignity, a family has to have adequate housing. Persons who are deprived of the right to adequate housing become vulnerable to violation of other human rights, including the rights to family life and privacy, the rights to health, education, freedom of expression, freedom of assembly and association, the right to work, the right to freedom of movement, the right to development, and many other rights.

The State, being a signatory to various international human rights instruments that guarantee the right to adequate housing, has the duty to protect and fulfill the housing rights of the Filipinos, especially the marginalized populations like the urban poor. Moreover, the Philippine Constitution (Article XIII, Section 10) as well as local laws like the Urban Development and Housing Act of 1992 (UDHA) legally protect the housing rights especially of the vulnerable sectors of society. The forcible eviction of tens of thousands of families violates not only international standards, but also local legal guarantees of the right to housing. The State is the prime duty-bearer of human rights; it should not be the prime violator of human rights.

ELECTIONS AND DEMOLITIONS

MONITORING BY the Urban Poor Associates shows how national elections give urban poor dwellers temporary reprieve from the ever-present threat of demolition. The number of demolitions during election years (1998, 2001, 2004) significantly decrease. (See Table 2)

This, of course, is hardly surprising.

Urban poor communities are always rich goldmines for votes. Only the most misguided of politicians will evict potential voters and risk losing an election.



From 2001 to 2004 the number of demolitions in Metro Manila went down. This coincides more or less with developments in 2001 to 2003 when the government allocated urban lands for socialized housing through presidential proclamations and some reforms in the government's community mortgage program.

The demolitions in 2006 marked an almost complete turn-around for the Arroyo administration. In 2001, it projected a seeming pro-poor stance by promising the urban poor population that there will be:

- 1) no more violent demolitions,
- 2) in-city or near city relocation and
- 3) on-site development through presidential proclamations and the community mortgage program.

The almost total break came about after attempts by the POs and NGOs through the formation of UP-ALL to salvage some sort of relationship with the Arroyo administration through its 14-point agenda. In early 2006 they met with Vice President Noli de Castro, chairman of HUDCC and in charge of the resettlement of families affected by the Northrail-Southern Linkage Project. Nothing came out of the meeting.

In 2005 and 2006 a number of church leaders, including bishops, became alarmed with the way the government implemented its Northrail-Southern Linkage Project. Taking up the issues of the affected families, they wrote to the president and to the vice president.

The massive evictions in 2006 caught the attention of the international community of NGOs. During the World Urban Forum in Vancouver, Vice President de Castro tried to justify the government's violations of international housing rights standards under the name of "incremental development."

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TABLE 2. Cases of Demolition in Metro Manila, 1996 - 2006

Year	No. of Demolitions	Number of Families Affected	Comments
1996	72	6,975	APEC-related demolitions to beautify Metro Manila
1997	16	8,067	Sta Elena Compound; Binondo; R-10; Sitio Mendez; Smokey Mountain
1998	20	3,882	National election
1999	36	7,873	New Bilibid Prison eviction of land invaders; more demolitions in private lands than government



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TABLE 2. Cases of Demolition in Metro Manila, 1996 – 2006, (Cont.)

Year	No. of Demolitions	Number of Families Affected	Comments
2000	29	6,059	Pasig River, Flood Control, R-10
2001	13	2,073	EDSA II. PGMA instruction: no demolition without in-city relocation, a <i>de facto</i> moratorium on demolitions
2002	15	1,043	PGMA instruction: no demolition without in-city relocation, a <i>de facto</i> moratorium on demolitions
2003	26	4,315	MMDA clearing operation
2004	8	925	National election
2005	26	2,074 + 20,000 (Northrail in Valenzuela and Bulacan) =22,074 families	Northrail Project
2006 Jan. to Dec.		7,635	Southrail Project; Fort Bonifacio proclaimed lands; R-10

SOURCES:

Urban Pcor Associates

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The Caravan of Horror Goes On: The Right to Work Situation



2006 CONTINUED to be a grim year for a lot of toiling Filipinos. Jobs remained limited, even as the workforce continued to swell. Those fortunate enough to have found work, whether here or abroad, faced dangers, even life-threatening situations.

Maiming the Trade Union Movement

Groups and institutions monitoring the labor situation in the country noted with alarm the incidents of human rights violations that saw no let-up in 2006. The Center for Trade Union and Human Rights (CTUHR) observed that the worsening cases of violations which victimized the workers were “systematic and calculated” moves “to weaken the trade union movement at all levels.”

CTUHR records show a total number of 228 cases of trade union and human rights violations, affecting 2,012 workers (for the entire 2006). (See Table 1)

TABLE 1. Trade Union and Human Rights Violations Committed Against Workers & Semi-Workers, January-December 26, 2006

CASE TITLE	# OF CASES	# OF VICTIMS
Assault on the Picket Line	8	110
Physical Assault/Injury (including mauling)	14	102
Illegal Arrest/Detention (including arbitrary & unjustified arrest/detention)	13	159
Torture	4	41



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TABLE 1. Trade Union and Human Rights Violations Committed Against Workers & Semi-Workers, January-December 26, 2006

CASE TITLE	# OF CASES	# OF VICTIMS
Killing	22	22
Massacre	2	11
Attempted Killing	2	6
Frustrated Killing	8	15
Grave Threat	27	946
Intimidation (including surveillance)	49	748
Filing of Criminal Charges	6	39
Violation of Domicile	7	13
Coercion	2	58
Divestment of Property	4	
Destruction of Property	3	
Abduction (including forced disappearance)	12	40
Harassment		
Sexual Harassment	1	2
Forced Interrogation	6	5
Illegal Search	3	112
Red Baiting/Tagging	7	23
Other Forms	1	2
Food Blockade	7	356
Forced Labor	1	70
Indiscriminate Firing	1	2
Blocking/Breaking Up/Violent Dispersals of Rallies, demonstrations & mass actions	10	1097

Source: CTUHR Monitor, 2006 Year-End Issue, p. 4

Most alarming are the unabated cases of killings. CTUHR's records show that some 33 workers, unionists and labor rights advocates in 2006 fell victim to extrajudicial killings. Of this number, 16 were killed from July to December (see Table 2).

TABLE 2. Workers, Unionists and Advocates Killed, July-December 2006

Name	Occupation/ Organization	Alleged Perpetrators	Date Killed
Paquito Diaz	COURAGE		July 6, 2006
Gilbert Hamile, 40, married, and a father of 3	Worker, Storck Phils., Inc. Board member of Pagkakaisa ng Ugnayan ng mga Magbubukid sa Laguna (PUMALAG), the local chapter of the peasant alliance Kilusang Magbubukid ng Pilipinas (KMP or Peasant Alliance of the Philippines) who supported the farmers fight for land in the 7,100-ha Hacienda Yulo in Canlubang, Laguna		August 10, 2006
Rodolfo Paglinawan, 59	Paralegal, Purefoods Hormel Labor Union		August 24, 2006
Sanito Bargamento	Member, National Federation of Sugar Workers		September 9, 2006
Nemesio Aquino	Acting president of the Employees' Union of JAM Transit (formerly Tritran Bus Company)		September 12, 2006
Ramon Villanueva, Arthur Cadoma, Jun Asuero, Jefferson Agapina, Remy Ponteros, Judril Meguiso	Workers, Ken Dragon Smelting Corporation	Barangay Captain Graciano Victorino of Bignay, Valenzuela; Ricky Flor; Santiago Lumabao; Romeo Pacheco; Francisco Bernal; Danilo Campus; Ariston Eiraba; Rodel Macabuhay; Fernando Estrella	September 30, 2006
Alberto Ramento, Bishop of the city of Tarlac	Chairman of the board of the Workers' Assistance Center (WAC), and workers' rights advocate		October 3, 2006



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TABLE 2. Workers, Unionists and Advocates Killed, July-December 2006

Name	Occupation/ Organization	Alleged Perpetrators	Date Killed
Eduardo Millares, 50	KADAMAY organizer & leader of Samahan ng Mamamayan sa Tabing Riles, San Pablo, Laguna	Soldiers belonging to the 59th Infantry Battalion and the 2nd division of the Philippine Army's Jungle Fighters	October 18, 2006
Roderick Aspille	Organizer, Nagkahiusang Mamumuo sa Surigao del Norte		November 20, 2006
Alex Inosa	President, Alaska Labor Union; Chairperson, PM-Laguna		November 21, 2006
Jesus Buth Servida, 32	Organizer, EMI-Yazaki Labor Union; and member, Solidarity of Cavite Workers (SCW)		December 11, 2006
Jerson Lastimoso	Officer, Nagkahiusang Mamumuo sa Suyapa Farm (NAMASUFA)		December 15, 2006

Source: CTUHR Monitor, 2006 Year-End Issue, pp. 4-5

Aside from the killings that claimed militant workers and unionists, the CTUHR also reported that:

1. frustrated killings increased;
2. cases of abduction and forced disappearances doubled;
3. cases of intimidation, harassment and surveillance increased;
- and
4. oppressive work conditions intensified.

Along with the intensification of oppression and violence is the decline in union activities and strikes. As Labor Secretary Arturo Brion boasted, there were only 15 strikes as of November 2006, reportedly the lowest since 1986. But the decline in strikes does not necessarily mean that workers are happy with their condition and have no reason to strike. It is but an indication of the increasingly precarious state of the trade union movement in the country. When labor leaders are killed, attacked, harassed, abducted, when militant labor groups become tagged as communist fronts, and









when strikes are violently dispersed by policemen, then it becomes increasingly difficult for workers to gather collective strength and assert their rights.

The strikes staged by workers at Chong Won Fashion Inc. and at Phils-Jeon Garments Inc. were attacked by combined forces of PEZA's (Philippine Economic Zone Authority) Jantro guards, PEZA police and elements of the Philippine National Police (PNP) of Rosario, Cavite. Separate incidents of violent dispersals in August and September 2006 resulted in injuries to some 50 workers, including a 3-month pregnant worker who had a miscarriage.

Oplan Bantay Laya, the government's counter-insurgency program, has also been used to disable the progressive labor movement. Witch-hunting, long a staple military tactic, is being used to force members of local unions to disaffiliate from labor unions that are well-known to be militant, such as the Kilusang Mayo Uno.

Going, going, gone

The bleak employment prospects within the country continues to force more Filipinos to "try their luck" in other countries. Annually, some 1 million Filipinos leave the Philippines for overseas employment, because local job generation cannot keep pace with the rapid growth of the country's labor sector. In July 2006 Labor Force Survey showed that the country's labor expanded by 2.6% (or nearly a million). But job generation within the same period grew by only 2.3%. The economy's weak absorptive capacity naturally drives a lot of Filipinos to seek employment abroad.

The dispersal of workers to practically all countries in the world has become the nation's prime industry. Remittances by overseas Filipino workers (OFWs, or *bagong bayani*, as the government prefers to call them) practically sustains the national coffers, with some \$8-10B annual cash inflows.

But finding work abroad does not necessarily solve the woes of the Filipino worker.

illegal recruitment, horrendous working conditions, abusive employers, unhonored contracts. Add to this the Philippine government's general indifference to the plight of its migrant worker.

Zenaida Lawi of the Muslimah Resource Integrated Development, Inc. (MURID), an NGO that looks after the welfare of Mindanao OFWs, bemoaned the fact that the Philippine government has not done anything to intervene in the cases of Filipinos being deported from Malaysia, whether documented or undocumented workers. According to Lawi, this problem should be immediately looked into as there are an estimated half a million Filipinos, mostly from Mindanao, who are in Malaysia. What worries Lawi is that a number of the undocumented OFWs are women and children, two sectors that are vulnerable to abuses during the process of detention and deportation.

Duped

Academic honors and professional credentials, such as a medical license, do not necessarily exempt an OFW from abuse and ill treatment. Despite government monitoring of the activities of recruitment agencies, a lot of OFWs end up being duped or short-changed by their employment agencies.

Elmer Jacinto, a magna cum laude graduate and a topnotcher in the 2004 medical board exams, who made headlines when he dumped his doctor's license and left the country to work as a nurse in New York, is now embroiled in a legal battle with his recruitment agency. Joining Jacinto in the law suit are 27 other Filipino nurses, most of whom are licensed doctors but are now working as nurses in various health establishments in New York.

The lawsuit stems from Sentosa Recruitment Agency's non-compliance with the provisions of the employment contract which they signed before leaving the country.

Among the benefits specified in their employment contracts were: relocation and housing allowance, free malpractice insurance, free airfare from Manila to NY, pay differential for night shift duty, and flexible work shift from 8 to 12 hours. Jacinto and the 27 other



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nurses, however, did not receive any of these benefits. Instead, they were paid less than the \$21-35/hour that was stated in their contracts. They also complained of being overworked, being required to serve 35 patients round the clock, "instead of the ideal ratio of six patients per nurse."

The desperate and cash-strapped nurses are reportedly living "in leaking abandoned house(s)," located possibly in dangerous alleys of NY, which they had to furnish by "'scouring around for utensils, chairs and other things thrown away' by other people."

Sentosa's license was suspended by the Philippine Overseas Employment Administration (POEA) because of the complaint, but it was lifted less than a month later. According to reports, a powerful official of Arroyo's Cabinet intervened on Sentosa's behalf. This same official reportedly pulled strings and put pressure on the POEA and the Philippine consulate in New York "to force the nurses to back off from the case."

War-shocked Domestic Helpers

It was the war in Lebanon that brought to the fore the government's lack of capability to speedily come to the aid of its *bagong bayani*. While other governments promptly and efficiently repatriated their own people when bombs started to rain on Lebanon, the Philippine officials wasted time bickering over the availability of repatriation funds.

The brouhaha over the repatriation funds notwithstanding, several hundred OFWs, most of them females and working as domestic helpers in Lebanon, came home in trickles. Most of them came home physically safe and sound, but psychologically scarred by their frontline experience with war as well as the harrowing flight from Lebanon. Dr. Isabel Melgar of the Ateneo Wellness Center warned of posttraumatic stress disorder (PTSD), and urged families of repatriated OFWs to be sensitive to symptoms that might be exhibited.

If relieved that they were able to escape unharmed by the Israeli attack, the returning OFWs were also pained by the fact that they

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came home broke, with only the clothes on their backs and a few personal belongings.

It was perhaps the thought of coming home broke that prevented a lot of Filipinos from availing of the government's repatriation program. Of the estimated 30,000 OFWs deployed in Lebanon, only a few hundreds came home.

Conclusion

The second half of 2006 saw no significant improvement in the right to work situation of the country. In fact, it only continued in its downward slide. The killing of labor leaders continued. The violent attacks on militant unions continued. Harassment of unionists continued. Employment continued to elude millions of job-seekers. This caravan of horror, long a back-drop to the country's labor sector, will only continue if the people allow this.

It is the duty of the government to guarantee the right to work of every Filipino. It is a right that, at the minimum, means employment for those who seek it, but does not end with mere provision of jobs. It also means guaranteeing the safety and welfare of workers, guaranteeing their inherent rights to organize, to decent wages, to humane working conditions.

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