

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 of 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 | Consultation | Relocation/Financial Assistance | Ordered by | Implemented 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



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.’”

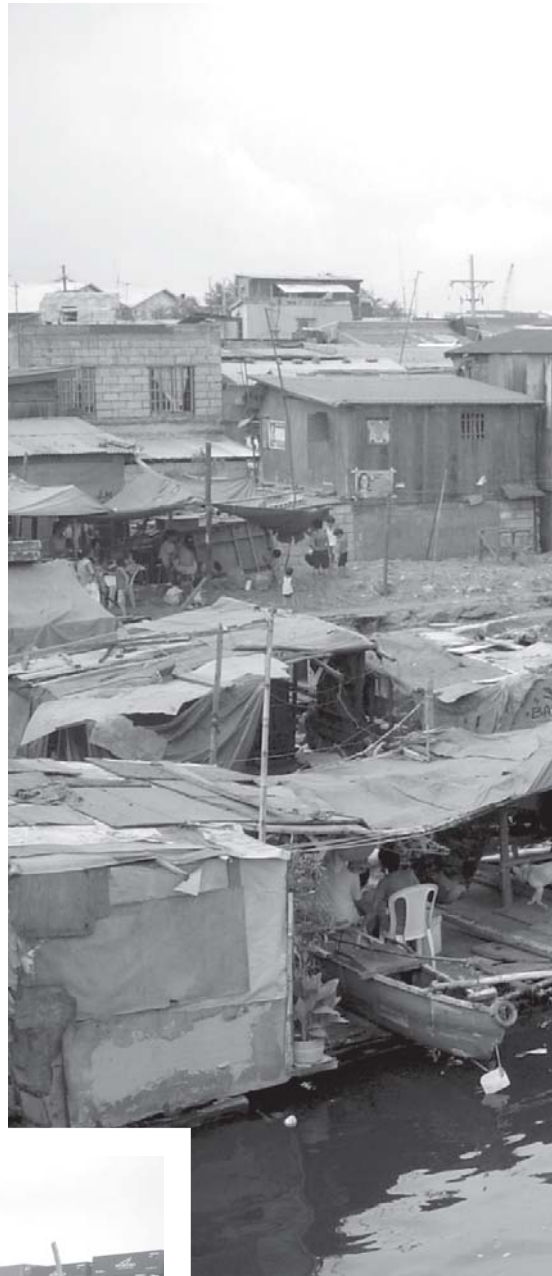
Some 80,000 families (about 400,000 people) will be forcibly evicted from their homes because of the project. According to housing rights advocates, this is the largest planned displacement of people in the history of the Philippines.

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.”









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.”

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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 |



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:

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