

The Thorny Road to Freedom (of Association): A Dispatch from the Philippines

Wednesday 25 January 2023, by [VIAJAR Verna Dinah O.](#) (Date first published: 25 January 2023).

On January 24, women trade unionists in the Philippines held a silent protest in front of the Makati Diamond Hotel where the International Labour Organization (ILO) High Level Tripartite Mission (HLTM) had meetings with government agencies.



They chanted, “Women workers united, will never be defeated”, and “Abolish NTF-ELCAC (National Task Force to End Local Communist Armed Conflict)”. And their signs read, “Union organizing is not a crime”.

The ILO HLTM delegates, meeting inside the hotel, came to the Philippines to look into the reports of violence against trade unionists and labor organizers while exercising their right to organize into workers organizations. The Philippines has been the subject of ILO discussions and observations into the rampant killings, abductions, harassment and intimidation since 2007.

At the 2019 International Labor Conference, the ILO supervisory bodies recommended the acceptance of a High Level Tripartite Mission to the Philippines before the next International Labor Conference. However, due to the pandemic, the mission has been postponed until 23-26 January 2023.

The Workers Group in the Philippines, comprised of all the major labor centers in the country, including BMP, FFW, KMU, NTUC, PM, SENTRO and TUCP [1] have unified to denounce the continuing killings of trade unionists as the most extreme form of violation on freedom of association or the ILO Convention 87.

The Workers Group reported a total of 68 trade unionists killed since 2016, 16 of these killings happened from 2019 to 2022. It documented 2 cases of forced disappearances, 68 cases of arrests and detention, 90 cases of forced disaffiliation, state interference with the right to self-organization, through threats, harassment and intimidation, 58 cases of red-tagging or terrorist-tagging, 127 cases of intimidation, threats and harassment of union leaders and members, and 19 cases of other anti-union activities.

The ILO supervisory bodies such as the Committee on the Application of Standards (CAS), the Committee on Freedom of Association (CFA) and the Committee of Experts on the Application of Conventions and Recommendations (CEACR) have repeatedly expressed deep concern over the reported killings of trade unionists and serious violations to ILO Convention 87 on the Right to

Freedom of Association (FoA), and Convention 98 Collective Bargaining.

The most recent violence against trade unionists happened just before the ILO HLTM delegates arrived in the Philippines. [The abductions of Dyan Gumanao and Armand Dayoha](#), a member of the [Alliance of Concerned Teachers \(ACT\)](#) and activist health worker in Cebu just last January 10, 2023. The Joint Report of Trade Unions to the ILO High Level Tripartite Mission writes,

“When they arrived and just got off the vessel in a port in Cebu, they were violently and forcefully placed and blindfolded in a silver-colored SUV by suspected elements of state security forces. According to the accounts of victims, while they were being detained, they have undergone interrogation and questioning regarding their political activities by the suspects.”

Frustrated Engagement

In 2009, the ILO sent the first High Level Mission to the Philippines to look into the alleged killings of 80 trade unionists; the majority of these cases have not been resolved. From 2010 to 2012, under the administration of then President Benigno Aquino III, various investigative and monitoring mechanisms were formed to address the violations of trade union rights. [2] More than a decade and a half, these mechanisms have not been able to resolve the cases of killings and prevented further violations of workers’ right to freedom of association.

In 2017, the ILO sent another delegation called Direct Contacts Mission to follow through on the Philippine government’s commitments to address the climate of impunity created by the unresolved cases of killings and violations to freedom of association. After two years, the ILO supervisory bodies during the International Labor Conference (ILC) once again discussed the continuing violations in the application of Conventions 87 & 98 in the Philippines.

While the conference was on-going, the assassination of Dennis Sequeña, a labor organizer and educator from Partido Manggagawa (Workers Party) happened on June 2, 2019 while giving a seminar to workers. According to the Joint Trade Union Report to the 2023 ILO HLTM,

“One of the participants in the seminar told him that there was someone looking for him just outside the seminar room. He then stepped out to speak to the visitor but was instead shot as soon as he stepped out. No case has been filed before the court on his murder because police investigators have so far failed to identify any of the perpetrators. But due to extensive media coverage, the Department of Justice, invoking AO 35, formed a task force and ordered a probe into Dennis Sequeña’s killing. Unfortunately, no official report/update has ever come out of this case up to this moment.”

The ILO HLTM, composed of delegates from tripartite partner representatives from a Government ILO member (Sweden), Employers Group (Australia) and Workers Group (Fiji), shall conduct a series of meetings with the Philippine government and its agencies (e.g. Department of Labor, NTF-ELCAC or the National Task Force to End Local Communist Armed Conflict, Philippine Export Processing Authority (PEZA), Department of Justice); the Filipino trade unions, and the Philippine employers groups. These meetings will examine the reports of killings, abductions, harassment, and intimidations against trade unionists.

On 26 January 2023, the last day of the Mission, a tripartite conference will take place to discuss the

findings of the ILO HLTM. After the meeting, the Philippine trade unions are planning to hold a press conference about the HLTM process. And, further down the road, the unions will be active in crafting the Freedom of Associations roadmap within the tripartite framework of the Department of Labor and Employment (DOLE) to address the recommendations of the HLTM.

Verna Dinah Q. Viajar

(Photo: Verna Dinah Q. Viajar)

P.S.

- Asian Labour Review, a journal for labour movements across Asia. January 25, 2023 1:27 pm: <https://labourreview.org/the-thorny-road/>:
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Footnotes

[1] BMP - Bukluran ng Manggagawang Pilipino / Solidarity of Filipino Workers; FFW - Federation of Free Workers; KMU - Kilusang Mayo Uno / May First Movement; NTUC - National Trade Union Center National Trade Union Center of the Philippines; PM - Partido Manggagawa (Workers' Party); SENTRO - Sentro ng Nagkakaisang Progresibong Manggagawa / Center of United and Progressive Workers; TUCP - Trade Union Congress of the Philippines TUCP | Trade Union Congress of the Philippines

[2] National Tripartite Industrial Peace Council Monitoring Body Monitoring Body (NTIPC MB) and its Regional Tripartite Monitoring Bodies (RTMBs) under the Department of Labor and Employment (DOLE) in 2010-2011; the Inter-Agency Committee on Extra-Legal Killings, Enforced Disappearances, Torture and Other Grave Violations of the Right to Life, Liberty and Security of Persons (AO 35 IAC) under the Department of Justice (DOJ) in 2012; and the 2011/2012 Guidelines on the Conduct of the DOLE, DILG, DND, DOJ, AFP and PNP Relative to the Exercise of Workers' Rights and Activities.