



International Labor Rights Forum

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**Testimony of BRIAN CAMPBELL, Attorney,
on behalf of the INTERNATIONAL LABOR RIGHTS FORUM,
to the Committee on Appropriations, Sub-Committee on State, Foreign Operations.**

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I come before the Committee today on behalf of the International Labor Rights Forum to bring to your attention the on-going human rights abuses being suffered by trade union leaders, church workers, and other human rights advocates in the Philippines. As noted by the United Nation's Special Rapporteur for extrajudicial, summary and arbitrary executions, Philip Alston, the Philippine military has been conducting "counter-insurgency operations that result in the extrajudicial execution of leftist activists", who are "systematically hunted down" through interrogating and torturing friends, family and colleagues. Often, they are killed "following a campaign of individual vilification designed to instill fear into the community."¹

Due to the alarming reports of human rights abuses by military officials from 2001 - 2007, the US Congress tried to condition a small part of the US military aid to the Philippines, accounting for just \$2 million out of a total of \$30 million in Foreign Military Financing (FMF), on the Philippine government bringing an end to the military's abuses by implementing the UN Special Rapporteur's recommendations; prosecuting those in the military and others responsible for human rights violations; and ending the intimidation and harassment of legal civil society organizations by the military. At first, the conditions had a significant impact, leading to an immediate reduction in killings. Sadly, the success was short-lived and, in December 2008, the Philippine Commission on Human Rights (CHR) noted a "resurgence of incidences that violate the right to life, such as killings, summary executions, enforced disappearances and other inimical acts."² Between 2007 and the end of 2008, the CHR identified over 142 cases of extrajudicial killings, where "almost all victims

¹ *Report of the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions: Mission to the Philippines.* November 2007.

² *State of the Philippines Human Rights Situation*, Address given by the Hon. Leila De Lima, Chairperson of the Philippine Commission on Human Rights, Dec. 10, 2008.

. . . were affiliated with certain activist groups, labor organizations and other political associations.”³ According to the U.S. Department of State, “the CHR suspected personnel from the Philippine National Police (PNP) and the Armed Forces of the Philippines (AFP) in a number of the killings of leftist activists operating in rural areas.”⁴

Democratically-elected trade union leaders, especially from the Kilusang Mayo Uno (KMU) trade union, continue to be targeted for killings. According to the Center for Trade Union and Human Rights, three labor leaders were assassinated and two others survived assassinations attempts. The military has also intensified its campaign of intimidation and harassment of democratically-elected trade unions, their leaders and the communities in which they live. Thirty-seven union leaders were arbitrarily arrested and detained and 479 union leaders reported surveillance, threats and harassments.

The military’s abuses are not localized in one area nor are they the result of “rogue elements” within the ranks, as the Philippine government has tried to argue. From the Cordillera mountains in the north to Mindanao in the south, the entire military has implemented a coordinated counter-insurgency strategy. All branches and units of the military are working with government agencies to violate the rights of the Filipino people.

In **Central Luzon province**, north of Manila, Angie Ladera, a vice-president of the KMU and former president of the democratically-elected trade union representing over 3,000 full-time workers at International Wiring Systems, was branded an “enemy of the state” by the military in early 2005. Her brother-in-law, a member of a national opposition political party, was also listed as a threat to national security. Within months, her brother-in-law was dead, assassinated by a sniper’s bullet while on his way home from work, and her husband, who received word that he was next, had to go into hiding. Soon, Mrs. Ladera experienced heavy surveillance by military agents who regularly visited to her home, the

³ Id.

⁴ U.S. Department of State, Country Report: Human Rights Practices in the Philippines, February 25, 2009, Sec. 1(a)

union office, and work both day and night. Beginning in January 2007, the military began visiting her children's school and asking the security guards about the identity and whereabouts of her 12 year old daughter and 10 year old son. Fearing for her children's safety, Mrs. Ladera and her children have been forced flee to Australia, where the Australian government immediately granted her family asylum. Since then, military officers have been regularly visiting the homes of other union members working for International Wiring Systems. They threaten some union members with death and harm to their families. They accuse the union of funding an armed insurgent group, the New People's Army (NPA). They hold education seminars where they instruct the union not to ask for too much in the next collective bargaining agreement or the factory will close.

In **CALABARZON**, the conglomeration of provinces south of Manila, the Philippine military has been working with local police and prosecutors to file politically motivated criminal charges as part of a "legal offensive" against dozens of leaders of civil society groups. Prominent among those targeted are labor leaders and advocates from across the region. In October last year, Remigio Saladero, chief legal counsel to the KMU, chairperson of the Pro-Labor Legal Assistance Center, and a member of the Free Legal Assistance Group was arrested on charges of murder. The military accused Mr. Saladero and more than 30 other activists of participating in an NPA ambush in a neighboring province in 2006 during which three police officers were killed by 15 or more John Does, according to prosecutors at the time. After spending more than three months in jail waiting for his first hearing, Mr. Saladero and five others arrested were released from jail on February 5 after the court ruled that the prosecutor had failed provide Mr. Saladero with due process. Despite this dismissal, though, another labor leader from CALABARZON, who was arrested the day before the court's decision on the same charges, remains in jail. Days after Mr. Saladero was released, prosecutors filed new murder charges against him and many of the same labor organizers and activists for allegedly participating in a different NPA ambush this past July in yet

another province. As a result, the 16 trade union leaders and organizers named in the criminal complaint continue fear abduction or illegal arrest, and remain in hiding.

In **South Cotabato, Mindanao**, where California-based Dole Foods operates a 24,000 hectare plantation and processing facility that produced nearly 87% of all pineapple juice consumed in the US, the military has been conducting operations against the local democratically-elected union representing Dole's 4,500 workers. According to the military, Dole's Philippine subsidiary has been "infiltrated by" the workers' democratically-elected trade union, who they accuse of being a "front" for the NPA. The military has been giving interviews to the media publicly accusing the union of funding terrorists, and holding "education programs" in the local town hall where, during work hours, union members are forced to face allegations in lectures and power point presentations that they are all "terrorists." Military officials have also been visiting the homes of union leaders and their families in the morning and the evening pressuring them to disaffiliate from the KMU. At the same time, another organization named UR-Dole, comprised of Dole employees opposed to the union, was quickly formed and suddenly very well-funded. UR-Dole began producing and distributing flyers and hosting a weekly radio show accusing the union leadership of being "terrorists" and financially supporting the insurgency.

In the **Compostella Valley, Mindanao**, the military recently established an organization called WIPER, or Workers' for Industrial Peace and Economic Reform composed entirely of plain clothed military officers. They canvass local towns to identify the homes of local union leaders and their families. They conduct seminars in the local villages where union leaders live in an effort to get the local communities to turn against the unions. According to local union leaders, WIPER has also been conducting seminars inside the banana processing facilities where workers, most of whom are union members, are forced to listen to a bevy of accusations maligning the union. WIPER officials arrive along with about 20 armed officers who deploy around the processing facility blocking any possible

exit. Trade union leaders in the remote Compostella Valley live in constant fear for their lives, where killings occur frequently. In 2008 alone, the Center for Trade Union and Human Rights reported that two trade union organizers were killed. One KMU official in nearby Davao has survived two assassination attempts. Nonetheless, the KMU unions in Mindanao continue to win by wide margins in certification elections.

These are just a few of the growing number of human rights and labor violations in the Philippines. Currently, the International Labor Organization has opened two inquiries into the on-going human rights violations of trade union leaders; the first in 2006 was based on a complaint by the KMU of the killings and disappearances of its leaders; the second was initiated in 2008 by the IWS workers seeking protection from death threats and harassment. As a result, the ILO has requested to send a high-level mission to investigate the abuses, but the Philippine government has refused the mission, and will not even respond to the IWS complaint. The Philippine government is also facing possible suspension of its trade benefits under the General Systems of Preferences by the United States Trade Representative for serious violations of internationally recognized workers' rights.

Despite these continued widespread abuses by the Philippine military, the U.S. Congress doubled the amount President Bush requested for Foreign Military Financing in his budget for the Philippines, from \$15 million in to \$30 million, in the FY 2009 appropriations. Also, though the State Department is reporting that the human rights abuses continue, the Secretary of State still sent the full amount of military aid even though \$2 million was conditioned on the government successfully ending the killings, abductions, intimidation and harassment. We have seen few signs that the military has changed its ways. Until they do, Congress must condition all our military assistance to ensure that it does not make a tragic situation worse, and the State Department must not provide any more military assistance until the human rights conditions are implemented. Otherwise, we are simply building the capacity of the Philippine military to abuse its citizens with impunity for decades.