

Fighting against repression: Trade union actions in the Philippines

Friday 5 August 2022, by [CERTEZA Ramon A.](#), [SERRANO Melisa R.](#), [VIAJAR Verna Dinah Q.](#) (Date first published: 22 March 2022).

Special series: Organising under authoritarian regimes

The authoritarian regime bred by the Philippine president Rodrigo Duterte consolidated power in the executive, influenced the legislative, and challenged the judicial branches of government under strongman rule (Viajar, 2022). The Duterte regime has been marred by an escalation of harassment, arrests and detention, and killings of trade union leaders, labour activists and organisers, and human rights defenders. Red-tagging [1] has been used to intimidate, silence, and sow fear in activists, labour leaders, church leaders, media persons, movie entertainers, and lawmakers who are critical of the Duterte government. A number of those red-tagged became victims of extra-judicial killings.

It is not surprising therefore that from 2017 to 2021, the Philippines has consistently been among the ten worst countries for working people in the International Trade Union Confederation's (ITUC) Global Rights Index.

Instruments of labour repression

The state's military forces heightened their presence in areas considered as major flashpoints of communist insurgency, and to prevent militant unions from organizing workers in factories. Trade unions strongly opposed the establishment by the Philippine National Police and the Philippines Economic Zone Authority of the Joint Industrial Peace and Concerns Office now called Alliance for Industrial Peace and Program (AIPP).

Trade unions view the AIPP as an attempt to thwart union formation in ecozones. AIPP purportedly aims to promote industrial peace, competitiveness, and productivity in export processing zones, and support the Duterte administration's policy program, End Local Communist Armed Conflict. To date, AIPPs have been established in the economic and freeport zones in Pampanga, Bataan, Cavite, and Baguio, and there are plans to expand to the whole of Luzon.

The Anti-Terror Act, which was hastily passed and signed into law in July 2020 at the height of the pandemic and lockdowns, has been used to justify the arrests and detentions of labour leaders, human rights defenders and activists. Individuals and legitimate organisations which oppose government policies or pose a political threat to it may be charged as, or associated with, a terrorist group.

These instruments of repression have emboldened military forces in the country. On 10 December 2020, six union leaders and organisers of the Kilusang Mayo Uno, a militant labour centre in the Philippines, and a journalist/editor were arrested, allegedly for illegal possession of firearms and ammunitions. Trade unions decried the arrest and the trumped-up charges brought against the HRD7 (the name given by the labour sector to this group of workers) who were arrested on Human

Rights Day (10 December). Increased pressure from trade unions, civil society organizations, human rights groups, and church groups, both in the Philippines and abroad, resulted in the release of three of the HRD7 by the time of writing. Nonetheless, on 7 March 2021, the Philippine National Police and the Armed Forces of the Philippines mounted a deadly crackdown in Laguna, Rizal, and Batangas, resulting in the death of nine activists and the arrest of six. This crackdown, called Bloody Sunday, is considered one of the biggest one-day offensives of the police and military against activist groups, many of which have been red-tagged by the Duterte administration (Talabong, 2021). Sustained pressure from the labour sector and civil society organisations led the Department of Justice (DOJ) to investigate the killings. In mid-January 2022, the DOJ reported that the National Bureau of Investigation has filed a murder complaint against 17 policemen allegedly involved in the killings of two fisherfolk leaders in Nasugbu, Batangas (Navallo, 2022). As for the others killed, the DOJ has started preliminary investigations, albeit on an individual basis.

National and global union actions to fight repression

In response to the continued suppression of labour rights and the spate of arrests and killings of labour leaders, activists, and human rights defenders, trade unions in the Philippines have initiated solidarity actions at the national and international levels, and embarked on legal and regulatory contestations.

In 2020, the major trade unions in the country came together and drew up, with the support of the ILO Philippine Country Office and an academic, Labour's Position Paper on the UN Socioeconomic and Peacebuilding Framework For Covid-19 Recovery in the Philippines (2020-2023) and the UN Sustainable Development Cooperation Framework. The report, which was submitted to the UN Regional Coordinator, reiterates unions' demand to the Duterte government to end the harassment, arrests, and killings of unionists and activists. A dialogue between the trade unions and the UN Regional Coordinator followed the submission of the paper.

In the 108th Session of the International Labor Conference in Geneva in June 2019, trade union delegates from the Philippines brought up the spate of killings of labour leaders and activists when the Philippines' implementation of ILO Convention 87 was discussed during the ILO Committee on Application of Standards (CAS). This move resulted in the CAS calling on the Philippine government to accept a Tripartite High-Level Mission tasked to review the steps taken to address the numerous allegations of anti-union violence and the progress made in pending investigations. The Philippine government has not yet accepted the Tripartite High-Level Mission despite repeated follow ups by ILO supervisory bodies. In its 2022 report on the application of international labour standards, the ILO Committee of Experts on the Application of Conventions and Recommendations again urged the Philippine government to investigate and punish those behind the attacks on trade union leaders and members.

As regards the Anti-Terror Act, in 2020, the Nagkaisa labour alliance, the biggest coalition of trade unions in the Philippines, along with other groups, filed a petition in the Supreme Court assailing the law's constitutionality. On 9 December 2021, the Supreme Court declared several parts of the law unconstitutional but upheld the rest of the law.

These national initiatives have been complemented by trade union actions at the global level. Through sustained pressures and representation from trade unions and human rights organizations in the European Union, on 17 February 2022 the European Parliament adopted a resolution urging the EU commission to initiate the procedure which could lead to the temporary withdrawal of the Philippines' trade perks under the Generalized Scheme of Preferences Plus (EU GSP+) should the Philippines continue to fail to act on human rights abuses. This action followed a similar EU resolution initiated in September 2020.

Following its fact-finding mission to the Philippines in July 2020, the Council of Global Unions (CGU) urged trade unions around the world to show their support for workers in the Philippines. The forms of support include writing a letter to the Duterte government and delivering it to Philippine embassies in various countries and posting pictures of workers' solidarity actions on social media. On 30 November 2020, union affiliates of the CGU in the Philippines staged a national protest called 'Global Day of Action – Jobs, Rights, Safety, Accountability' in the Philippines at the University of the Philippines – the poster is shown here. Trade unions all over the world also staged solidarity actions on the same day to support the demands of the Filipino trade union movement (ITUC, 2020).

Critical factors

The actions taken by trade unions in their fight against repression in the Philippines are characterized by a 'complementarity of forms and spaces of solidarity' that involves not only national and global trade unions, the ILO, and international trade union support organisations, but also other worker organizations, peoples' organizations, civil society groups, academics, church-based groups, and other progressive sectors. Trade unions have been able to identify and make use of existing political opportunity structures (such as affiliation with global unions, dialogue with the government and employers, ILO bodies, EU GSP+, national laws and regulations), and in their absence created new ones (consultations with the UN Country team) in their fight against labour repression in the country.

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P.S.

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Footnotes

[1] Red-tagging or red-baiting has been used for decades in the Philippines in the government's campaign against the Maoist Communist Party of the Philippines (CPP) and its armed wing, New People's Army (NPA). Established in the late 1960s, the CPP-NPA played a prominent role in the resistance against the dictatorship of Ferdinand Marcos. The NPA began guerrilla warfare in the 1970s and until 1986 against the authoritarian regime of Marcos, ambushing army troops and assassinating government officials. Currently, the CPP-NPA is considered an insurgent movement by the Armed Forces of the Philippines. For a brief overview of the growth of the communist insurgency in the Philippines, see International Crisis Group (2011).