

How ILO's Mission to the Philippines Became the Focal Point of Labour Mobilisation: A Primer

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The ILO High Level Tripartite Mission (HLTM) is visiting the Philippines on 23-26 January 2023, and the Philippine labour movement has been mobilising to pressure the government to respect the rights of workers. We present a Primer to explain what the HLTM is and why this is a crucial moment for the Philippine labour movement.

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Editor's Note:

The ILO High Level Tripartite Mission (HLTM) is visiting the Philippines this week (23-26 January 2023), and the Philippine labour movement has used this occasion to mobilise and pressure the government to respect the rights of workers following years of killing, surveillance and harassment of trade union organisers.

We present a Primer to explain what the HLTM is and why this is a crucial moment for the Philippine labour movement. The Primer is based on a document prepared by the Kilusang Mayo Uno (KMU) for trade unions in the Philippines, and is published here with permission. The document has been edited for clarity and concision.

What is the High Level Tripartite Mission (HLTM)?

The High Level Tripartite Mission (HLTM) is a mechanism to investigate violations of international labor standards and labor rights in a country. It is led by the International Labor Organization (ILO), a United Nations agency set up to set labor standards and develop policies regarding decent work for all. The HLTM, and even the structure of the ILO as a whole, is a tripartite body made up of representatives from three parties – government, employers, and workers groups.

A recommendation was made to launch a High Level Tripartite Mission in the Philippines in 2019. This decision was made by the assembly of the International Labor Conference based on the reports

and complaints of the unions that documented serious and ongoing violations of labor rights characterized by murder, illegal arrests, filing of fabricated cases, forced disaffiliation from unions and union federations, intimidation and red-tagging.

These reports and complaints were filed by labor groups specifically in the Committee on the Application of Standards and the Committee on Freedom of Association of the ILO because the cases are related to direct violations of the core labor standards on the right to organize and freedom of association, as stated in the [ILO Convention 87](#).

In order to launch HLTM in a country, the government must authorize the ILO to do so. After more than 2 years of refusal by the Duterte administration to accept the HLTM, labor groups have finally successfully pushed for the implementation of the HLTM this January 2023. This would not be possible if the workers did not insist and fight for it.

What does the HLTM do while in the Philippines?

From January 23-26, ILO delegates will arrive in the country to investigate violations of labor rights, specifically violations of the right to unionize and organize, rights guaranteed by ILO Convention 87 ratified by the government of the Philippines, and by the Constitution.

HLTМ covers all workers regardless of their sector, whether private or public. The participation of all factory workers, government workers, informal workers, teachers, health workers, agricultural workers, transport sector workers, overseas Filipino workers (OFWs) and migrants, youth workers, and women workers is encouraged.

The goal of the labor groups leading the HLTМ is the active participation of the largest number of workers because this is an opportunity to benefit from our united demands.

Why is the right to organize and unionize so important?

It is important to understand the ILO Convention 87. It states that workers' basic rights to organize and form unions must be protected. The HLTМ wants to know and investigate whether the Philippine government really cares about the right to organize and unionize workers and other basic labor rights.

It must be understood that the attack on workers is intensifying because workers struggle for their reasonable demands such as living wages, ending contractualization, and promoting basic labor rights such as the right to organize and form unions.

Big business will not allow workers' resistance to grow because it is contrary to their selfish and greedy interests to amass excessive profits from workers' labor power. Their side is the government which, directly and indirectly, protects the interests of the ruling class. The primary aim of the attacks was to dismantle the unique weapon of the workers to advance their rights and demands: the union.

When workers organize and unionize, the government responds with violence and brutality. Additionally, contract labor, which the government allows to proliferate, is a form of suppression of the right to organize and unionize because it limits or prevents contract workers from joining unions.

Asserting and fighting for the promotion of the right to unionize and organize also means fighting for living wages and regular work. If workers are organized and unionized, they have the opportunity and ability to present their demands to their employers through collective bargaining.

The ruling classes fear the organized strength of the workers because workers have the ability to change the existing order and influence the creation of policies and laws that will truly benefit the workers and the toiling masses.

How would the HTLM affect the conditions of Filipino workers?

While the ILO delegates are in the country, they will meet with representatives from the government, employers, and the workers themselves.

After the cases are investigated, one of our goals is to come up with recommendations that will be presented to the government on how to deal with cases of violations. Some of those that can be presented are:

Holding accountable the perpetrators of the killing of unionists and other labor rights violations;

Amending and/or repealing anti-labor laws and policies such as the Labor Code, Anti-Terror Law, EO 70/NTF-Elcac;

Putting in place mechanisms to fully prevent violations and accompanying mechanisms to promote and strengthen the right to organize and unionize workers, whether regular or contractual;

Implementing laws and policies that will improve the condition of workers such as the implementation of the National Minimum Wage and Security of Tenure.

Although the ILO's mechanisms are limited, the HTLM is an opportunity to leverage and strengthen calls for living wages, regular and decent work, and the right to organize and unionize, on the international stage.

The most important factor here is the participation of workers. HTLM is only a starting point and platform but the key is the active participation of workers in consultations, discussions and actions.

Asian Labour Review (ALR) Editors

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