

The Honourable Silvestre H. Bello III
Secretary
Department of Labour and Employment
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Dear Secretary Bello

I am writing to you on behalf of the Australian Union movement to condemn the persistent violence against trade unionists in the Philippines. We stand with Filipino workers and trade unions on today's Global Day of Action to highlight the assault on freedom of association in the Philippines. This letter follows on from our correspondence to you earlier this year, first regarding the murder of Leonardo Escala, the president of the union for dockworkers, Nagkakaisang Manggagawa sa Pantalan Incorporated (NMPI); next regarding the coordinated spate of arrests and killings of trade unionists and activists on 7 March 'Bloody Sunday'; and most recently regarding the very serious threat to officers and members of the Wyeth Philippines Progressive Workers' Union (WP-PWU-DFA-KMU) by personnel of the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC). We urge you to take effective action to stop the extrajudicial killings and vilification of trade unionists.

The Filipino Government has failed to uphold ILO Convention 87 on Freedom of Association and has failed to make any tangible progress to enforce the remedies recommended by the ILO Committee on the Application of Standards at the ILO Conference in June 2019. The pandemic has been used to justify inaction and postpone a High-Level Tripartite Mission of the ILO to visit the country. Eight-hundred and eighty-four days have passed since the ILO Conference recommendations – and during this time attacks on workers have continued.

It has been affirmed in the ILO's High-Level Exchange on the Philippines, conducted online in September (see report of the Exchange enclosed), that intimidation, threats, harassment, red-tagging and extra-judicial killings of labour leaders in the Philippines – along with union busting – are systematic. It is an institutional failure on the part of the Government when it does not protect rights and does not combat the entrenched culture of impunity.

The Filipino Government's inaction has led to the killings of 50 trade unionists under the current administration. Seventeen union leaders have been red-tagged by authorities, 16 are under detention and 12 remain incommunicado. Many more activists and teachers have been profiled by state agents for exercising their rights under ILO Convention 87. No perpetrator has been arrested, nor has any state official been held to account.

The report of the ILO Exchange has also confirmed that state-sponsored industrial peace programs and counter-insurgency exercises, such as the Alliance for Industrial Peace Program (AIPP) and the NTF-ELCAC have been actively pursued under President Duterte's administration for what are clearly union-busting purposes. The Armed Forces of the Philippines and the Philippines National Police are authorised to intervene in workplaces to red-tag and impose surveillance on union leaders. Union members have been visited and threatened with being disaffiliated from their unions.

It is deplorable that as the Philippines has assumed chairmanship of the Government Group of the Governing Body of the ILO, the chilling reality for workers in the Philippines remains that, as noted in the

ILO Exchange summary report, 'the choice of trade unions is not free but rather based on the likelihood of being tagged as supporters of the insurgency.'

We urge you to demonstrate leadership and uphold the international obligations of the Philippines under the ILO. The Government of the Philippines should immediately consult with the trade unions on a time-bound road map to act on the conclusions of the ILO Exchange and end impunity. We also urge the Government to accept a physical High-Level Tripartite Mission of the ILO to the Philippines, expedite the investigation of the cases of the killing of trade unionists, and commit with concrete policies and practices to ensuring that the counter-insurgency exercises will not be used to red-tag or prejudice trade unions and their legitimate activities.

The Australian union movement stands in solidarity with unions in the Philippines against persistent attacks, violence, harassment, and murder. We will continue to campaign for justice for Filipino trade unionists and closely monitor the human and trade union rights situation in your country.

Yours sincerely



Michele O'Neil

President

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