

## **Philippines – Convention No. 87**

### **Conclusions**

The Committee took note of the statement made by the Government representative and the debate that followed.

The Committee observed that the Committee of Experts' comments referred to serious allegations of the murder of trade unionists, death threats, arrests of trade union leaders in connection with their trade union activities, widespread impunity relating to violence against trade unionists and the militarization of workplaces in export processing zones (EPZs) and special economic zones. The Committee also noted that the Committee of Experts had been referring for many years to the need to amend the current Labour Code to bring it into conformity with the Convention.

The Committee noted the Government's statement according to which, important labour law reforms were underway and four Bills were before the Congress limiting the authority of the Secretary of Labour to impose compulsory arbitration. The Government representative also referred to Joint Guidelines in the Conduct of the Philippine National Police (PNP) Personnel, Security Guards and Private Company Guards during Strikes, Pickets and Lock-outs. The Government representative welcomed the opportunity for the High Level ILO mission to have direct contacts with the complainants and concerned competent authorities. This would enable the mission, in a fully independent and impartial manner, to recommend appropriate

measures towards ensuring fair and fast investigation, prosecution and conviction of the violators.

Deeply concerned at the continuing allegations of violence against trade unionists, the Committee emphasized that respect for basic civil liberties was essential for the exercise of freedom of association. While noting with satisfaction the Government's acceptance of an ILO High Level Mission with respect to this serious situation, the Committee remained concerned at the allegations of a continuing situation of violence against trade unionists and urged the Government once again to ensure that all necessary measures were taken to restore a climate of complete freedom and security from violence and threats and bring an end to impunity so that workers and employers could fully exercise their freedom of association rights. The Committee further urged the Government to take measures, in full consultation with the social partners concerned, to amend the legislation taking into account the comments that the Committee of Experts has been making for many years and urged it to adopt a time-frame for all the above measures.

Welcoming the Government's acceptance of a high-level ILO mission, as requested when it considered this case in 2007, the Committee expressed the firm hope that this mission would be able to take place in the near future and be able to clarify the gaps and propose solutions relating to the question of violence against trade unionists, the matters pending before the Committee on Freedom of Association, as well as the other matters pending under Convention No. 87. Elements of the UN Special Rapporteur's report as they relate to trade unionists could be of assistance for the mission's consideration. It expected that the mission would be in a position to report

back to the Committee of Experts this year on the important elements of its findings. The Committee expressed the firm hope that, following this mission and the additional steps promised by the Government, it would be in a position to note tangible progress in the application of the Convention both in law and in practice in the very near future. It requested the Government to provide precise information on all the points raised in a detailed report to the Committee of Experts for its examination this year.