



**STATEMENTS 2010**

**30 March 2011**

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**Director, ILO Country Office for the Philippines**

**Seminar-Workshop on Freedom of Association, Civil Liberties, Labour Laws and the Issue of Impunity (Visayas)**

**Iloilo City, Philippines**

**Greetings:**

Undersecretary Cacdac (kăk'dăk) and Director Chato (chă' tō)  
of the Department of Labor and Employment

Our constituents representing the government, employers' and workers organizations from the Visayas region

Distinguished speakers and resource persons representing:

- Employers and workers organizations
- Department of Justice
- Commission on Human Rights, and
- Armed Forces of the Philippines

Honourable Justice Robyn Layton, former member of the Australian Supreme Court and former Chairperson of the ILO's independent supervisory body, and the Committee of Experts on the Application of Conventions and Recommendations

Colleagues from ILO Bangkok Tim de Meyer and Jajoon Coue

Ladies and gentlemen,

maayong aga (mä-ä-yông' ä'gä) Iloilo

maayong buntag (mä-ä-yông' böön-täg) Visayas

Women and men around the world have rights at work -

rights to organize and have a voice,  
rights to full respect of human dignity,  
equal opportunity, and  
rights to decent and productive work.

Rights at work are essential to sustained economic and social progress. Since its early days, the ILO has sought to define and guarantee labour rights and improve conditions for working people through a system of international labour standards expressed in the form of Conventions, Recommendations and Codes of Practice.

Rights at work are enshrined in the Universal Declaration of Human Rights. As the Declaration affirms, everyone has the right to work, to just and favourable conditions of work and protection against:

unemployment in Article 23, including the right to security in such circumstance as stated in Article 25 of the Declaration  
to equal pay and just remuneration, and  
the right to form and join trade unions.

The Universal Declaration of Human rights was adopted in 1948, the same year the ILO, which is made up of government, employers and workers representatives adopted ILO Convention 87 on Freedom of Association and Protection of the Right to Organize Convention.

ILO Convention 87 calls to protect freedom from any restrictions or infringements by the State. At the same time, it protects the right of workers and employers to form and join organizations and to freely decide on internal matters without interference from public authorities.

One year later, the ILO Tripartite Partners adopted a second convention - ILO Convention 98, the Right to Organize and Collective Bargaining Convention.

ILO Convention 98:

- protects workers against acts of anti-union discrimination
- protects workers' and employers' organizations against any acts of interference by each other, and
- promotes collective bargaining.

Since 1948, the Philippines has been an active member of the ILO, giving strong support to policies and programmes. The Philippines has ratified 34 ILO Conventions, of which 32 are currently in force. This includes ILO Conventions 87 and 98.

In 2009, the Philippine government accepted the ILO High-Level Mission. It affirms the commitment of the Philippine government to full and effective application of ILO Conventions 87 and 98.

The ILO High Level Mission recommended both short-term and long-term programmes, which includes strategies to end a climate of impunity, particularly cases involving violence against trade unions.

The ILO supported the Philippines in implementing recommendations of the High Level Mission: includes awareness raising and capacity building to help identify gaps and propose solutions.

At the same time, it emphasized the need to enforce freedom of association in the context of human rights and civil liberties. Highlights of these past initiatives include:

- Enhancing knowledge of officials including key security officers from the Philippine Economic Zone Authority on Freedom of Association, Collective Bargaining and Labour Law Implementation
- Equipping arbiters, mediators and conciliators of the Department of Labor and Employment including officials of the Philippine Economic Zone Authority with techniques on conciliation, mediation and arbitration.
- Improving use of International Labour Standards in the judicial decision-making among justices and lawyers from the Supreme Court and Court of Appeals as well as among DOLE conciliators, mediators and arbiters in dispute settlements.
- Raising awareness of governments, employers' and workers' organizations on the principles of freedom of association, collective bargaining and links to civil liberties and human rights including strategies to advance investigation, prosecution and conviction.

In the spirit of social dialogue, the Philippine government, employers' and workers' organizations including the police and armed forces were involved in various efforts to apply the recommendations of the High Level Mission.

Previous seminar-workshops covered Metro Manila, Region III and Mindanao. Indeed, it is a welcome opportunity to cover the Visayas region in the next two days, considering distinct context of each region in the country.

As part of ILO's continuing support to the Philippines, sessions in the next two days will seek to: Look into the possibility of moving forward the investigation, prosecution and resolution of pending cases involving trade unions;

- Obtain a better understanding of principles and interrelations of freedom of association, civil liberties and their enforcement including how to achieve this together with partners - government, employers' and workers' organizations;
- Define specific roles of social partners, including those in economic zones in Visayas in relation to the principles of freedom of association; and
- Enhance social dialogue mechanisms as a tool for better application of the principles of freedom of association and right to collective bargaining.

Similar to past activities, our objective in the next two days is geared not only to discuss problems but also to find solutions that will help improve policies, practices and mechanisms. However, we do recognize that changes will not happen overnight.

The recent global economic crisis has undermined efforts to achieve sustained economic and social growth, in which freedom of association is a vital element. After the global economic crisis, workers who lost their jobs faced uncertainty and insecurity.

Rather than becoming unemployed, many people were forced to take whatever work they could find just to survive. This resulted to an increasing trend of vulnerable employment, growing level of inequality and worsening condition of poverty.

In June 2009, governments, employers' and workers' organizations unanimously adopted the Global Jobs Pact as a response to the global economic crisis.

The Pact is currently being used in a number of countries to guide national and international policies. It is centred on accelerating decent and productive employment creation and building social protection systems.

At the same time, the Global Jobs Pact reinforces that respecting fundamental principles and rights at work, promoting gender equality and encouraging voice and participation are critical to recovery and development.

The Pact is about protecting people while safeguarding rights and promoting dialogue to help achieve sustainable development.

In times of crisis, respect for freedom of association serves as an enabling mechanism to productive social dialogue.

DOLE along with the social partners has taken the initiative to prepare the Philippine Jobs Pact. Your active support and participation can help set and shape the Philippine Jobs Pact in order to achieve equitable and sustainable inclusive greener economic and social progress in the country.

As we discuss the importance of Freedom of Association, we take this time to remember the ILO constituents and the people of Japan. Japan has also ratified both ILO Conventions on Freedom of Association and the Right to Organize and Collective Bargaining. We express our sympathy and solidarity as the country recovers from the tsunami.

In closing, let me acknowledge DOLE for coordinating preparations for this seminar-workshop.

Together, we can effectively address challenges in the Visayas region, in the context of freedom of association and the right to collective bargaining.

Let me assure you that ILO is committed to partner with you to guarantee respect for fundamental principles and rights at work.

Thank you and Mabuhay!

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