



Republic of the Philippines
Department of the Interior and Local Government
National Police Commission

NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE
DIRECTORATE FOR INVESTIGATION AND DETECTIVE MANAGEMENT
Camp Crame, Quezon City



TF USIG_07_09

MEMORANDUM

TO : All RDs, PRO 1-13, ARMM and COR
(Attn: DRDAs and C, RIDMD)

FROM : TDIDM/TF USIG Commander

SUBJECT : Labor Related Killings and Enforced Disappearances:
Inclusion as TF USIG Special Concerns

DATE : JUL 14 2008

1. References:

- a) LOI TF USIG;
- b) Letter from the C, PNP to SILG dated March 14, 2008 re expansion of TF USIG Mandate;
- c) Visitations of Mr. Thomas Gibbons, Counselor for Political Affairs, US State Department, with TDIDM/TF USIG Commander on February 11, 2008 and June 3, 2008.

2. SITUATION:

There is a pending Petition for Review of the General System of Preferences (GSP) of the Republic of the Philippines filed by the International Labor Rights Fund (ILRF) on June 22, 2007 before the International Labor Organization (ILO) and the Office of the United States Trade Representatives (USTR) for alleged violations of Worker Rights. This Petition calls for the suspension of the GSP privileges under the US Trade Act of 1974 wherein, under this program, Philippine products can enter US market duty-free since 1989. In 2006 alone, our country earned a total of \$ 1.14 billion under this program. Indeed, GSP plays a monumental role in the sustainable growth of our economy.

The ILRF Petition concluded that the Government of the Republic of the Philippines (GRP) has created a climate of impunity in which union leaders and workers are targets of extra-judicial killings, abductions, threats and harassments. It further stated that the GRP does not have the political will to end the killings and to seek justice for the victims.

On August 31, 2007, and January 15, 2008, upon the request of the Honorable Secretary Arturo D Brion of the Department of Labor and Employment (DOLE), the PNP, particularly Task Force USIG provided fact sheets and recent updates on the individual cases listed in the Petition to answer the allegations. It is worthwhile to note that the thirty nine (39) alleged killings contained in the Petition were also included in the list of victims being claimed by KARAPATAN of which twelve (12) fall under TF USIG mandate.

On February 11, 2008, Mr Thomas B Gibbons, United States Counselor for Political Affairs conveyed his country's appreciation for the resolute efforts of the PNP/TF USIG in addressing the issues of political killings, other human rights violations and the resultant tangible decline over the claimed figures. He also raised his concern over the reported killings of trade union leaders and workers which translate to suppression of labor freedom in our country. On this note, he suggested that the PNP must likewise give this preferential attention to avoid anticipated adverse sanctions from ILO and USTR.

Though there is no truth behind this allegation, still there exists the necessity to convince the ILO, USTR and other labor groups, domestic or foreign, that labor rights and freedom and the life and security of those invoking it, are respected and protected in our country.

On July 3, 2008, Mr Gibbons again paid a visit. The progress on the inclusion of Labor Related Killings (LRK) within the mandate of TF USIG was one among the concerns discussed. The undersigned informed him that the matter is already for the approval of HEPGMA as endorsed by the C, PNP thru SILG.

There are pending House Bills on Involuntary or Enforced Disappearances (IEDs) being deliberated upon in Congress. As per the Bills, IEDs are defined to be purportedly committed by State Agents against any person, to distinguish the same from kidnapping or abduction as penalized in the Revised Penal Code. With the passage of this law, it is anticipated that PNP personnel may be charged considering that there are provisions on Command Responsibility on these legislations. There are reported cases of IEDs before various international human rights groups and the media. Some of these were subjects of Amparo petitions which the Amparo courts outrightly dismissed considering that the supposed victims were active CPP/NPA members desiring to return to the folds of the law. The IED issue is being exploited by certain groups to malign the government aside from other human rights issues such as extra legal killings, LRK, threats, harassments, torture and internal displacements and other forms of HR violations and abuse.

3. Pursuant to the above premises, please consider the following incidents as **TF USIG SPECIAL CONCERNS**, to wit:

a) **Labor Related Killings (LRK)** of trade union leaders or members/workers, or by reason or in furtherance of their legally recognized labor rights or in occasion thereof;

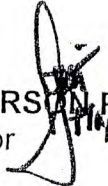
b) **Involuntary or Enforced Disappearance (IED).**

4. The above paragraph notwithstanding, shall not be construed to expand the existing mandate of TF USIG which covers slaying incidents of militant party list members/leftist activists and media practitioners, without the final approval of HEPGMA. Interim, TF USIG will give preferential attention on the investigation and monitoring of cases of this nature and that a **separate listing** shall be maintained without officially including the same in the TF USIG Statistics.

We earnestly appreciate your resolute efforts in attending to all our cases. Due to the numerous requests for data and reports by the United Nations Commission on Human Rights, various international human rights groups as endorsed by the Department of Foreign Affairs and from other organizations, it is in this line that we solicit your perseverance and patience on the investigation phase particularly on cases which merit the attention of human rights advocates, locally and overseas.

5. In view hereof, kindly revisit all cases classified to be falling under your Special Concerns, consolidate the status and its updates for submission to TF USIG Secretariat (Telefax 7249916).

6. For your guidance and appropriate action.

ATTY JEFFERS  P. SORIANO PhD/CEO VI
Police Director (DSC)