

1 Republic of the Philippines
2 HOUSE OF REPRESENTATIVES
3 Quezon City

4
5 EIGHTEENTH CONGRESS
6 Third Regular Session

7
8 HOUSE RESOLUTION No. 2225
9



10 Introduced by

11 BAYAN MUNA Representatives FERDINAND R. GAITE,
12 CARLOS ISAGANI T. ZARATE and EUFEMIA C. CULLAMAT,
13 GABRIELA Women's Party Representative ARLENE D. BROSAS,
14 ACT TEACHERS Party-list Representative FRANCE L. CASTRO,
15 and KABATAAN Party-list Representative SARAH JANE I. ELAGO

16
17 **RESOLUTION**

18 **URGING THE HOUSE OF REPRESENTATIVES, THROUGH THE COMMITTEE ON**
19 **LABOR AND EMPLOYMENT AND THE COMMITTEE ON HUMAN RIGHTS,**
20 **TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE REPORTED**
21 **WORKERS' RIGHTS VIOLATIONS PERPETRATED BY THE NATIONAL TASK FORCE**
22 **TO END LOCAL COMMUNIST ARMED CONFLICT (NTF-ELCAC) AGAINST WORKERS**
23 **IN LAGUNA**

24
25 **WHEREAS**, Section 18, Article II of the 1987 Constitution states that: "The State affirms labor as a
26 primary social economic force. It shall protect the rights of workers and promote their welfare";

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28 **WHEREAS**, Article 3, Chapter I of the Labor Code likewise states that: "The State shall afford
29 protection to labor, promote full employment, ensure equal work opportunities regardless of sex, race
30 or creed, and regulate the relations between workers and employers. The State shall assure the rights of
31 workers to self-organization, collective bargaining, security of tenure, and just and humane conditions
32 of work";

33
34 **WHEREAS**, Article 22 of the International Covenant on Civil and Political Rights states that:
35 "Everyone shall have the right to freedom of association with others, including the right to form and
36 join trade unions for the protection of his interests";

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38 **WHEREAS**, in the past several months, at least three unions in Laguna report having been subjected
39 to profiling, surveillance, harassment, and intimidation by suspected state agents in a deliberate attempt
40 to dissuade them from participating in workers' rights campaigns and force them to disaffiliate from
41 established industry-wide federations;

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43 **WHEREAS**, Laguna is home to a number of industrial parks recognized as special economic zones.
44 Within these zones, thousands of workers work in numerous plants usually owned and operated by
45 foreign companies. Workers in these areas, however, tell not so good stories as they face low wages,
46 unfair labor schemes, and inhumane working conditions, just to name a few;

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48 **WHEREAS**, Wyeth Philippines is a company producing infant and maternal nutrition products
49 (formula milk) and operates a plant in Canlubang Industrial Estate, Cabuyao, Laguna. It is a subsidiary
50 of Nestle, a Swiss multinational food and drink processing conglomerate. Wyeth Philippines
51 Progressive Workers Union (WPPWU) is the recognized workers union of Wyeth Philippines and
52 currently has 300 members. WPPWU also reported rights violations by state forces against its members.
53 WPPWU is affiliated with Drug, Food and Allied Industries Unions (DFA)-Kilusang Mayo Uno
54 (KMU);

1 **WHEREAS**, Nexperia is a global semiconductor company. It is owned by Chinese company Wingtech
2 Technology Co., Ltd. Its local subsidiary, Nexperia Philippine Incorporated, operates a plant in Light
3 Industry Science Park I (LISP1), Cabuyao, Laguna, which produces semiconductors for export. It has
4 a total workforce of 7,000, 1,900 of which are members of the workers union Nexperia Philippines Inc.
5 Workers Union (NPIWU). NPIWU is affiliated with the National Federation of Labor Unions
6 (NAFLU)-Kilusang Mayo Uno (KMU). NPIWU concluded their Collective Bargaining Agreement
7 with the company in December 2020. The union reported that at least 42 of their members have so far
8 been subjected to attacks in various forms;

9
10 **WHEREAS**, OPTODEV Inc. is another company operating in the province (Laguna International
11 Industrial Park, Biñan, Laguna). OPTODEV Inc. is a subsidiary of Essilor International, one of the
12 leading global players in health care. OPTODEV produces high-index ophthalmic lenses for the
13 medical sector. The workers' union is named OPTODEV Workers Union (OWU) and has 300
14 members. OWU is also affiliated with NAFLU-KMU;

15
16 **WHEREAS**, as can be learned from the victims' accounts, there is an apparent pattern in the series of
17 attacks perpetrated by state forces against these unions, specifically: (1) suspected state agents
18 (sometimes disguised as delivery riders) visiting factories asking information about the union like its
19 officers and activities; (2) suspected state agents stationing themselves outside the homes of union
20 officers/members in what seems to be an act to confirm the residence of their targets; (3) uniformed
21 police/military personnel (who purposely identify themselves as agents of the NTF-ELCAC)
22 conducting house visits to union officers/members asking information about the union, their officers,
23 their activities, and the whereabouts of their union dues, followed by an explanation that the purpose of
24 their visit is for an awareness campaign to warn workers to stay away from certain organizations
25 because it is allegedly a "front organization" of the CPP-NPA; and (4) workers being told (forced) to
26 quit their unions or to disaffiliate their unions from their federations after being threatened that they
27 may lose their jobs or face charges in violation of the Anti-Terror Act of 2020;

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29 **WHEREAS**, the commonality these unions have is that they actively participate in campaigns
30 concerning workers' rights and welfare such as mass testing and free vaccines, sufficient aid amid the
31 pandemic, Paid Pandemic Leave, Emergency Wage Subsidy, ending contractualization,
32 institutionalizing a National Minimum Wage, and the campaign against red-tagging of unionists and
33 other human rights defenders. It is because of this attribute that made them targets of attacks by state
34 forces in its drive against progressives and activists;

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36 **WHEREAS**, the victims already filed a petition before the Commission on Human Rights (CHR) on
37 March 12, 2021 to urge the Commission to launch an investigation into these incidents with the goal of
38 finding sufficient bases for filing administrative and/or criminal cases against the perpetrators. They
39 likewise submitted reports to and conducted dialogues with the Department of Labor and Employment
40 (DOLE) to pressure DOLE to take action on these cases;

41
42 **WHEREAS**, workers groups point to the National Task Force to End Local Communist Armed
43 Conflict (NTF-ELCAC) as the mastermind behind continued efforts to label, brand, vilify, and harass
44 individuals and organizations as state enemies and subversives. These acts have put workers' lives in
45 danger as many of their fellow unionists and supporters had been violently attacked, arrested or killed
46 after being red-baited, or tagged as communist rebels or supporters;

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48 **WHEREAS**, perhaps the clearest evidence pointing to NTF-ELCAC's involvement is the fact that only
49 the State and its armed forces (i.e. the police, military, and their vast intelligence network) have the
50 ability and the resources to commit such acts. The fact that they are putting resources into such activities
51 also puts into question the government's diligent and appropriate use of public funds. Lastly, their
52 wanton brandishing of the Anti-Terror Act against the victims showcases what and who the law really
53 is for—to victimize and repress ordinary citizens fighting for their rights and welfare;

1 **WHEREAS**, the International Trade Union Confederation (ITUC) has put the Philippines among the
2 Top 10 Worst Countries for Workers for 4 straight years. This is marked by arbitrary arrests, violence,
3 and state repression;

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5 **WHEREAS**, the Philippines being considered as one of the most dangerous countries for workers says
6 a lot about how the government addresses the plight of the workers. State-perpetrated attacks reveals
7 where the government's commitment rests—with foreign and local big businesses;

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9 **WHEREAS**, these cases clearly infringe upon the workers' rights to freedom of association,
10 expression, free speech, and the right to hold opinions without interference—all of which are guaranteed
11 by the Constitution and International Conventions;

12
13 **WHEREAS**, it is of paramount importance that immediate intervention be taken to stop these attacks
14 against workers as past cases reveal how dangerous it is for victims as it means the loss not only of their
15 livelihood but also, in some cases, of their lives;

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17 **WHEREAS**, it is imperative that workers' rights and welfare be recognized and protected, especially
18 in the middle of a public health emergency and socio-economic crisis. Government must put a premium
19 on workers' rights and welfare, especially since they continue to contribute to economic development
20 which is much needed by our economy ravaged by the pandemic;

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22 **THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, that the House of
23 Representatives, through the Committee on Labor and Employment and the Committee on Human
24 Rights, conduct an investigation, in aid of legislation, on the reported workers' rights violations
25 perpetrated by the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC)
26 against workers in Laguna.

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28 *Adopted,*

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34 **REP. FERDINAND R. GAITE**
35 *Bayan Muna Party-list*

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40 **REP. CARLOS ISAGANI T. ZARATE**
41 *Bayan Muna Party-list*

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45 **REP. EUFEMIA C. CULLAMAT**
46 *Bayan Muna Party-list*

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50 **REP. ARLENE D. BROSAS**
51 *GABRIELA Women's Party*

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55 **REP. FRANCE L. CASTRO**
ACT Teachers Party-list

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60 **REP. SARAH JANE I. ELAGO**
61 *KABATAAN Party-list*