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'Concerned' gov't to respond to USTR review of labor rights

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* Go to <http://globalnation.inquirer.net/news/breakingnews/view/20080714-148332/Concerned-govt-to-respond-to-USTR-review-of-labor-rights>

By Veronica Uy

MANILA, Philippines -- A "concerned" government is preparing an inter-departmental response to the country's remaining "under scrutiny" by the United States Trade Representative (USTR) for possible violations of International labor standards, Labor Secretary Marlanito Roque.

The response, Roque said, will be done on the international stage because the entire Philippine government, including the judiciary, is put to task by the USTR review, which could also jeopardize the country's preferential trade status with the US.

"Trade between the two countries is at \$1.4 billion," he noted.

"When I say Cabinet, that means the Department of Interior and Local Government, the Philippine National Police, the Department of National Defense, the Department of Justice, the Commission on Human Rights," he said.

On July 3, the USTR put the Philippines under review for the latter's "no union, no strike" policy in special economic zones that has allegedly resulted in the rise of extrajudicial killings of labor organizers between 2001 and 2007. It also questioned the labor department's practice of "assumption of jurisdiction."

When the labor department "assumes jurisdiction" of a case, usually a labor dispute on the verge of becoming a strike, the parties are often ordered to maintain the status quo, or the situation before a notice of strike is filed.

This practice, labor unions argue, weakens their only weapon in advancing their rights.

Roque said the "assumption of jurisdiction" issue had already been defended by his predecessor, now Supreme Court Justice Arturo Brion, when he faced the USTR in October last year.

He said the former labor chief had argued that the secretary's assuming jurisdiction of a case is a "valid procedure, a valid exercise that concerns national interest."

But while expressing concern for the USTR decision, the labor secretary questioned the motives of those who petitioned for it.

"They are using the USTR to pressure us to give in to investigate these cases... They are just trying to revive these issues for political purposes," he said.

The USTR decision was in response to a petition by the International Labor Rights Forum (ILRF) in June 2007 requesting a USTR inquiry into whether the Philippine government ensures that all Filipino workers enjoy the right to freedom of association.

US law requires that a country afford its workers' "internationally recognized worker rights," including the right to freedom of association, in order to participate in its Generalized System of Preferences program.

The USTR also ruled to continue the ongoing review to determine whether the Philippines is eligible to remain in the GSP program.

Lawyer Brian Campbell of the ILRF said he hopes the USTR decision prompts the Philippine government to take the necessary steps "to end the impunity enjoyed by those who kill and harass trade unionists so that

businesses in the Philippines can continue to enjoy preferential trade benefits under the GSP program."

Aside from the increase in the killings of trade union leaders between 2001 and 2007, the ILRF also said the Philippine government's "no union, no strike" policies in the special economic zones denies the basic right to free association.

Campbell said ILRF also wants Philippine government to implement all of the recommendations of United Nations special rapporteur on extrajudicial executions Philip Alston as well as the recommendations of the International Labor Organization's Committee on the Freedom of Association, which has repeatedly found the Philippines' assumption of jurisdiction regulations in violation of international standards.

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