



Urgent Action: Violent demolition of 141 poor families living under bridges in Manila

Yesterday some 200 demolition crews of the Metropolitan Manila Development Authority (MMDA) backed by armed police escorts and armed men in civilian clothes demolished the shanties of some 54 poor families living under a bridge on the South Superhighway in Paco, City of Manila.

Earlier in the morning the government demolition crews had destroyed the shanties of 87 families under another bridge. They did not receive prior written notices, neither did they receive relocation.

The affected families are covered by Philippine law, the Urban Development and Housing Act (UDHA), which protects them from forced eviction and mandates the government to provide them with adequate relocation. In line with this the affected themselves and their leaders had been petitioning for the past six years various government housing agencies that they be provided with adequate relocation so that they and their children could move out from life under the bridge. They were given the run around and finally were offered a pittance, a P5,000 (\$104) assistance, which they refused.

Yesterday afternoon the government demolition crews and the policemen attacked the community. The leaders who were invited to a meeting with government officials in a nearby village center realized that the talk was a trick to draw them away from the community while government demolition crews carried out the operation. They rushed to community and asked that the people be given at least 30 minutes to gather their belongings, but in five minutes the demolition crews began destroying the houses.

Chaos, anger and panic ensued. The village official and five other men tried to pacify the angry community. However, they were attacked with sticks and crowbars by members of the demolition crews and were severely beaten. The policemen and armed men in civilian clothes fired their guns adding to the pandemonium in the community and resulting in many people, mostly women and children, getting hurt and injured.

The evicted families say they lost many personal possessions, including money. They accuse government crews of having stolen them since the families were prevented from gathering their belongings.

Presently the evicted families are living under the open sky along the superhighway. The government is threatening to evict them again and to confiscate the little they have left.

Fr. Jorge Anzorena, famous Argentine Jesuit priest, architect and a 1994 Ramon Magsaysay awardee (Asia version of a peace award), had visited the community days earlier and witnessed the actual violent demolitions. He believes the number of violent demolitions will continue as long as the government goes against its laws. "It was painful. I think politicians should really care for the poor," he said

Background

The government of President Gloria Macapagal Arroyo since the controversial 2004 presidential election - people allege she stole the election using election commissioners to change the vote count - has undertaken massive forced evictions to implement government projects without complying with Philippine laws such as the Urban Development and Housing Act and even her own presidential order telling all government agencies to observe the procedure mandated in the UDHA. She issued the order issued on December 10, 2002 nearly two years from her assumption of the presidency due to a people's uprising that deposed former President Estrada.

Some 30,000 families had been evicted to implement the North and Southrail Linkage Project, almost 1,000 families were evicted due to a road widening project of the Department of Public Works and Highways in Metro Manila, and nearly 5,000 families were evicted by the Metropolitan Manila Development Authority (MMDA) to implement its flood control and beautification projects. The 30,000 families were inadequately relocated which the government tries to cover up by describing it as " incremental development."

The DPWH and MMDA, however, do not relocate evicted families. They merely give some small amounts of money. MMDA, in particular, gives P5,000 (\$104) to each family and if the families insist on their right to



adequate relocation as mandated by law, MMDA violently evicts the affected families. MMDA is notorious for its violent methods to evict poor families and to disperse sidewalk vendors. Its armed demolition crews use not only wooden clubs but guns as well that has resulted in the deaths of several victims.

Last year the Philippines was cited by COHRE as one of the three worst housing rights violators in the world. Yesterday's violent demolition is but one more proof of the correctness of COHRE's findings.

The Philippines has ratified international treaties such as the International Covenant on Economic, Social and Cultural Rights, Convention on the Rights of the Child, Convention on the Elimination of All Forms of Discrimination Against Women, and International Convention on the Elimination of All Forms of Racial Discrimination. It is overdue by more than 10 years in making its compliance report to the Committee on Economic, Social and Cultural Rights.

Below is a sample letter you can use.

Eviction Watch and Housing Rights Program - ACHR

SAMPLE LETTER

February 28, 2007

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Dear Madam President,

Our organization received very distressing information from civil society organizations in the Philippines about a violent demolition yesterday of the houses of some 54 families living under the San Andres Bridge 1 on the Osmena Highway and another batch of 87 families living under the South Superhighway Bridge.

Armed MMDA personnel and policemen fired their guns in the air, creating havoc among the residents who were trying to negotiate with the authorities. Scores of people were hurt, many of them young children, not only were houses destroyed but belongings of the families, including money, were lost. Five men, including the village (barangay) head, were severely beaten by MMDA personnel. The MMDA is threatening the evicted people it will confiscate whatever belongings and housing materials they have left.

The violence erupted because the people insisted on the rights laid down by Philippine law, the 1987 Philippine Constitution and the Urban Development and Housing Act, mandating the government to provide adequate relocation to affected families, and refused the P5,000 financial assistance offered by the MMDA and DPWH.

It also violates Executive Order no. 152 you issued on December 10, 2002 instructing all government officials to secure a certificate of compliance (COC) from the Presidential Commission for the Urban Poor (PCUP) to ensure that the UDHA's procedure for a just and humane demolition is complied with. Prior to the demolition a PCUP official issued a letter saying the MMDA and the DPWH did not apply for and therefore did not have a COC when they conducted the demolition.

As you may know, the Philippine government is a State party to legally binding international treaties such as the International Covenant on Economic, Social and Cultural Rights (art. 11, para 1), Convention on the Rights



of the Child (art. 27, para 3), Convention on the Elimination of All Forms of Discrimination Against Women (art. 14, para 2), and International Convention on the Elimination of All Forms of Racial Discrimination (article 5 e). The Philippine government, therefore, is duty bound to respect, protect and fulfil the right to adequate housing of its citizens and to refrain from committing forced evictions.

The Committee on Economic, Social and Cultural Rights, the body monitoring treaty compliance, issued guidelines in its General Comment NO. 7 on Forced Evictions (1997) which, inter alia, say in para 17 "Evictions should not result in rendering individuals homeless or vulnerable to the violation of other human rights. Where those affected are unable to provide for themselves, the State party must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available." Earlier in 1993 the UN issued a resolution unequivocally declaring forced evictions as gross violations of human rights, in particular the right to housing.

On December 7, 2006 the UN special rapporteur issued the "Basic Principles and Guidelines on Development-based Evictions and Displacement" which says in para 6 "Forced evictions constitute gross violations of a range of internationally recognized human rights, including the human rights to adequate housing, food, water, health, education, work, security of the person, security of the home, freedom from cruel, inhuman and degrading treatment, and freedom of movement,"

We therefore earnestly urge you Madam President to:

- a. immediately provide adequate relocation and pay compensation, including the return of all stolen possessions, to the 141 poor families forcibly and violently evicted yesterday February 27, 2007;
- b. immediately investigate the perpetrators of yesterday's forced eviction, including top ranking MMDA, DPWH, Police and Manila City officials, and place the suspects, both civilian government employees, officials, and policemen, under preventive suspension, and punish those found guilty;
- c. stop all forced and violent evictions;
- d. provide adequate relocation and compensation to those previously evicted;
- e. invite the U N Special Rapporteur on the right to adequate housing to conduct a mission on the compliance of the Philippine government with its treaty obligations on the right to adequate housing and the right not to be evicted forcibly;
- f. comply with the treaty obligation of the Philippine government to submit a compliance report to the Committee on Economic, Social and Cultural Rights which the Philippine government has not done since 1995.

Hoping that you will correct whatever harm had been committed and do justice to the poor people of your country,

Truly yours,

[name]
[organization]
[country]

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