



Workers Assistance Center, Inc.

Tji Hak-Soon Justice & Peace Foundation Awardee for 2008

Bahay Manggagawa, Indian Mango St., Manggahan Compound, Sapa I, 4106 Rosario, Cavite, PHILIPPINES
EMAIL: wacphilippines@yahoo.com.ph; wacrdip@hotmail.com * TEL: (63) 46 8840076 ** FAX: (63) 46 4384736

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PRESS RELEASE

33 Militant Unionists Ordered Arrested

The Municipal Trial Court in Rosario, Cavite has issued a warrant on March 17, 2009 for the arrest of thirty-three (33) militant unionists charged by the Cavite Provincial Prosecutor's Office of cases involving direct assault upon agents of persons in authority and grave coercion. Thirty (31) of the accused were officers and members of the Nagkakaisang Manggagawa sa Chong Won (NMCW) and the Kaisahan ng mga Manggagawa sa Phils. Jeon Inc. (KMPJI), while two were officers of the Solidarity of Cavite Workers (SCW).

The criminal charges stemmed from the complaints filed on October 12, 2006 by Philippine Economic Zone Authority's (PEZA) police force led by P/Col Jose Joel A. Sarasua and by Chong Won Fashion Inc. Production Manager Antonio Felismino.

A bail of P12,000 for each accused was recommended by Assistant Provincial Prosecutor Vivian Monzon-Rojo in her decision dated January 9, 2009, but it was later reduced to P6,000 with additional filing fee of P500 each, provided the payment is in cash, by court's presiding Judge Rita E. Quizon after granting the accused's motion to reduce bail bond. The Court received the information of criminal charges on March 11, 2009.

According to Merly Grafe, spokesperson of the accused workers and also the chairperson of the SCW, they found the resolution of Prosecutor Rojo void of any substance to merit the filing of criminal charges against them. She said that Rojo was not able to discern truth from facts, and failed to distinguish who were the victims and the offenders in her more than two years of investigation. "We are the real victims, and not the offenders," she firmly stated.

Grafe surmised that PEZA would have influenced the decision of Rojo after both unions have turned down, on several occasions, the offer of the latter's lawyer for amicable settlement. She said that they turned down the offer of withdrawal of cases of both parties because PEZA only wanted to

settle the criminal charges they had filed against PEZA's security personnel but not the grievances of the workers against their companies.

Grafe also assailed the Cavite Provincial Prosecutor Office for being biased against them. According to her, the grave coercion complaints that the striking workers have filed on October 27, 2006 against PEZA Police Col. Jose Joel Sarasua, PEZA Industrial Relations Division Chief Atty. Jane Arada, Chong Wong Fashion Inc. President Yong Ryul Kim and its Production Manager Antonio Felismino, and Phils. Jeon Inc. President Dong Gon Kim are still awaiting resolution from Rojo and Prosecutor Maricar Lilibeth Cabarriban. Rojo was able to resolve the counter-charge of PEZA police and the Chong Won Management, but not our complaints, she said.

The NMCW and the KMPJI unions composed mostly of women workers both went on strike on September 25, 2006 due to the refusal of their companies to negotiate for a collective bargaining agreement with the unions. The peaceful strikes were violently dispersed on September 25 and 27 by the PEZA's police force and guards from the Jantro Security Agency upon the request of the struck garment companies of Chong Won Fashion, Inc. and Phils Jeon Garment, Inc. so that scabs could freely enter the company gates.

Chong Won is the main supplier of the US-based retail giant Wal-Mart doing the "No Boundaries" garment label.

The striking workers defended themselves from clubs, kicking, and mashing of the breasts of the assaulting PEZA security forces by shielding their bodies and heads with their barehands. Scores of the striking workers sustained head and body injuries from that violent attack. To weaken the union's will, PEZA imposed food blockade and police checkpoints for several months to the strikers' picketline and ordered all the striking workers banned from entering the Cavite Export Processing Zone.

The NMCW and KMPJI strikes went on for more than eight and ten months, respectively. Likewise, both strikes ended violently. At the dead of night, inside the heavily and strictly-guarded economic zone, on June 11, 2007, armalite-wielding men wearing ski masks and military uniforms violently attacked at gunpoint the NMCW striking workers, and the same thing happened to the KMPJI strikers on August 5, 2007. The armed men threatened to kill the strikers if they will not end their strikes the next day.

The violent attacks on the strikers by PEZA's police and guards had caused an alarm to known US-based retail giants doing business in the Philippines such as, American Eagle, Gap Inc., Jones Apparel Group, Liz Clairborne Inc., Phillips Van Hausen, Polo Ralph Lauren, VF corporation, and Wal-Mart. A joint letter of concern dated November 7, 2006 and August 3, 2007, were sent to President Arroyo asking her government to ensure the safety and rights of workers.

WAC's Executive Director Fr. Jose Dizon said that the filing of criminal charges against the workers is a clear case of government's undeclared policy of mobbing the rights of the workers. The accused workers had already exhausted all possible legal means under the rule of law to seek justice and redress for their grievances. They had already sought refuge to the PEZA, Department of Labor and Employment, Commission on Human Rights, and to the courts, but to no avail.

It is quite unfortunate to see that the people who are poor and destitute and have no means are the ones being punished in our justice system, he further stated.

The workers accused of direct assault and grave coercion were Resurreccion Ravelo, Florencia Arevalo, Alicia Tamio, Edna Estaloza, Marlene Gonzales, Manuel Garcia, Danilo Arandia, Fermin Geronimo, Ramil Salinas, Adelaida Bago, Ma. Victoria Buergo, Joel Ysulan, Joseph Hernandez, Jimmy Bebayo, Reynaldo Flichtetro, Monina Eugenio, Merly Grafe, Jimmy Eder, Normelita Galon, Alona Octavo, Gemma Garabato, Ricardo Cahanap, Cynthia Red, Cecille Sabela, Rosebie Remorin, Coleen Muyot, Elsa Bobis, Analyn Diaz, Jocelyn Cubillo, Aurora Afable, Bessie Hernandez, Sellwyn Simpan, and Rolando Timuat.

Ref:

Salve Valenciano
Paralegal Officer
Workers Assistance Center, Inc.