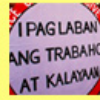


# 2009

Annual Report



# SALIGAN

*SENTRO NG ALTERNATIBONG LINGAP PANLIGAL*

Manila ♦ Bicol ♦ Mindanaw

# *SALIGAN*





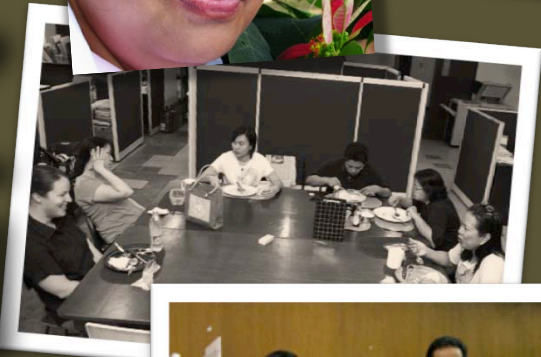


*The purpose and manner of  
our work build friendships  
among us. In time, we call on  
each other as Family.*

*February 2, 2009, Ollado Family Home, Angeles Pampanga. SALIGAN Alumni Tony, Ica and Joeven join current SALIGAN staff in our annual visit to the family home of Urban Poor Coordinator Caloy Ollado who passed away Feb 2, 1998 in a plane crash. Caloy's Tatay and Nanay sit at center.*

*After lunch, SALIGAN proceeded to Loyola Memorial Park in Marikina City to visit and swap stories about SALIGAN Executive Director Bobby Gana who died with Caloy in the same accident.*

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# SALIGAN Vision

**SALIGAN** envisions a Philippine society that is just, peaceful, compassionate, and liberating. One where each person, woman or man, is free to live a life more fully human, unfettered by poverty, violence, prejudice, and discrimination. Where the rights of everyone are respected and advanced, regardless of race, creed, gender, sexual identity, culture, or ethnic or regional origin.

**SALIGAN** envisions a state that is sovereign, progressive, and democratic. One where women, the basic sectors and local communities actively engage in all levels of governance and policy-making. Where there is respect for peoples' right to self-determination. Where political power is pursued to ensure the welfare of all, and to correct unjust social relations.

**SALIGAN** envisions a national economy that is sustainable, self-reliant, and inclusive. One where women, the basic sectors and local communities participate in allocating resources and directing growth. Where wealth is distributed to ensure the innate dignity of all .

**SALIGAN** envisions an environment that is healthful, balanced and sustainable. Where peoples manage natural resources within their communities responsibly and equitably.

**SALIGAN** envisions a legal system that is reflective, dynamic, inclusive and accessible. One where women, the basic sectors and local communities freely advocate their causes and assert their rights. Where laws and remedies are employed as instruments of justice, peace and development.

**SALIGAN** envisions a people who live in hope. A people, who in the face of the sufferings around and inside them, trust in their power to transcend.

## Mission

**SALIGAN** seeks to effect societal change by working with women, the basic sectors, and local communities for their empowerment through the creative use of the law and legal resources.

## Message from the Executive Director

2009 is the year we helped enact the **Comprehensive Agrarian Reform Program with Extension and Reforms (CARPer)** (RA No. 9700) and the **Magna Carta of Women** (RA No. 9710), landmark successes especially given the unstable political climate. Each of these laws greatly advance the rights and interests of members of marginalized sectors. Their enactment inspires advocates like us to continue work on reforming policy in favor of Philippines' marginalized sectors.

By yearend, we continue to advocate in favor of bills involving reproductive health, security of tenure for workers, and protection against

*“...we have reason to look forward to 2010...with full faith that...things are impossible only until they are done.”*

discrimination based on religion. In addition, we have taken on new points of advocacy, including the sunset review of the Comprehensive and Integrated Shelter Financial Act (CISFA) and the national policy initiatives to ban aerial spraying as an agricultural practice.

In the local arena, we took in hand the Participation, Accountability and Transparency (PAT) Ordinance in Quezon City and the Anti-Prostitution Ordinance in Naga City.

Our work on policy reform run side by side with our other programs. For the year, our education program involved a total of 2,730 persons participating in 114 trainings. We continue to litigate — cases involving a wide range of cases, including those posed to set significant precedent.


This report summarizes the results of efforts exerted in 2009 in cooperation with funding partners **Catholic Organisation for Relief and Development (CORDAID)** and **Katholische Zentralstelle für Entwicklungshilfe e.V. (Misereor)** whose continued support remain invaluable to our work. This report also reflects the trust and confidence of **Verité, Partnership of Philippine Support Service Agencies (PHILSSA), PLAN Philippines, and Labor Education and Research Network (LEARN)** in our ability to assist them in major, often groundbreaking, endeavors.

Here, we attempt to capture the work of SALIGAN staff who continue to have faith in and work for our vision of a just, peaceful, compassionate, and liberating society. With humility, we consider our achievements in 2009 significant given the year's daunting challenges. We have reason to look forward to 2010, the last year of our Strategic Plans formulated in 2007, with full faith that, echoing Nelson Mandela, things are impossible only until they are done.



*Above: SALIGAN Executive Director Arnold F. de Vera addresses questions at a forum in Seoul, South Korea organized by Korean Public Interest Lawyers' Group, Gonggam, May 25, 2009.*





*If you want to build a ship, don't drum  
up the people to gather wood, divide the  
work and give orders. Instead, teach them  
to yearn for the vast and endless sea.*

*- Antoine de Saint-Exupery*



Our being with the poor and marginalized allows us to see the law through their eyes and work with them in reviewing existing policy and proposing new laws to favor marginalized sectors. For us, law reform is the continuing effort to let the marginalized sectors shape policy with their own hands. In 2009, SALIGAN continued many of its previous advocacies with renewed urgency, given the worsening condition of the country's poor. By yearend, two new laws were successfully enacted namely – **RA 9700 or the Comprehensive Agrarian Reform Program Extension with Reform (CARPER)** and **RA 9710 or the Magna Carta of Women (MCW)**, each significant in advancing the interests of the Philippines' poor and marginalized. Enacted as well was an ordinance in Quezon City, the Participation, Accountability and Transparency (PAT) Ordinance which promotes good governance in the country's largest City.



**Comprehensive Agrarian Reform  
Program Extension  
with Reforms  
(RA 9700)**

**ENACTED !**

Together with many groups of religious, students, and members of civil society including co-members of the **Reform CARP Movement (RFM)**, SALIGAN persevered in advocacy efforts until CARPER was finally enacted. These efforts, persisting against bitter opposition from interests favoring landowners, include protest marches of different farmers' groups, other mass actions, and meetings with executive and legislative officials. In the final months of the previous

Agrarian Reform Law, RA 9700 of CARPER was finally passed by the 14<sup>th</sup> Congress.

The new law introduced needed and significant reforms in favor of Philippine farmers. These include a five year extension of the agrarian reform program and an assurance that 40% of the CARP budget will go to much needed support services. Farmers with Emancipation Patents (EPs) and Certificate of Land Ownership Awards (CLOAs) are greatly benefitted by the indefeasibility and imprescriptibility of these instruments one year after registration. Other than provisions clarifying legal standing of

# LAW REFORM

beneficiaries and jurisdiction of the Department of Agrarian Reform Adjudication Board (DARAB), RA 9700 also assures land distribution and, crucially, support services and dispute adjudication even after the program's 5 year run. Significantly, a congressional oversight committee was created under CARPER to monitor the effective and efficient implementation of the extended program.

At the end of 2009, SALIGAN is part of the group drafting the implementing rules and regulations (IRR) of CARPER which is expected to be completed by 2010.

### **The Magna Carta of Women (RA 9710)**

On August 2009, the Magna Carta of Women was signed into law as RA 9710. This landmark law addresses discrimination against women and recognizes, protects, fulfills, and promotes the rights of Filipino women, especially those in the marginalized sector. Under the new law, rights and empowerments for the women to the following areas are guaranteed:

- Food and resources for food production
- Housing
- Decent work
- Livelihood, credit, capital and technology
- Education and training
- Representation and participation
- Information
- Social protection
- Cultural identity and integrity
- Peace and development

As of yearend, SALIGAN is helping draft the IRR of the MCW.

### **Participation, Accountability And Transparency (PAT) Ordinance in Quezon City**

**ENACTED !**

Quezon City's PAT Ordinance strengthens the partnership in local governance between the city government and its constituents. *PARTICIPATION* refers to the right and responsibility to govern shared by those who govern and those governed. *ACCOUNTABILITY* refers to the regularity of fiscal transaction and faithful compliance and the adherence to legal requirement and administrative policies. *TRANSPARENCY* is achieved by keeping people informed of the following: a) policies, rules, and procedures, b) work programs, projects, and performance targets, c) performance reports, and d) all other documents as may hereafter be classified as public information. The Bill was filed by Councilor Jorge Banal, Jr., passed by the Quezon City Council August 3, 2009, and eventually signed into law by Mayor Sonny Belmonte on September 14, 2009.

***SALIGAN continued advocacy work on other issues to the end of and beyond 2009. These include:***

### **Laws on Women**

#### **Reproductive Health Bill**

In 2009, SALIGAN, together with other members of the **Reproductive Health Advocacy Network (RHAN)**, continued work towards the enactment of the much needed House Bill 5043 known as the Reproductive Health (RH) Bill. When it becomes law, the proposals will greatly

enhance people's ability to decide on matters of reproductive health. This necessarily implies that women and men are afforded equal status in matters related to sexual relations and reproduction.

dissemination, among other means.

### Laws relating to the Urban Poor

With so many houses still to be provided by the Philippine government to countless urban poor dwellers,



### **Anti Prostitution Bill**

The push to enact the Anti Prostitution Bill is essentially an advocacy to hold accountable the exploiters of prostitution - traffickers, pimps, brothel owners, organized crime members, and corrupt officials. With the **Coalition Against Trafficking in Women – Asia Pacific (CATW-AP)**, SALIGAN worked for the APB in the House of Representatives and the Senate.

Such advocacy work is mirrored in local law reform work namely in Naga City where the Naga City Council took up an anti-prostitution ordinance with inputs from SALIGAN's Bicol Branch.

While the proposed ordinance was being considered, SALIGAN's Bicol Branch worked with the Naga City Women's Council to address the reality of prostitution in Naga City and nearby areas through the closure of establishments and information

SALIGAN, as part of the **PHILSSA** network, is reviewing two related laws, the Urban Development and Housing Act (UDHA) and the Comprehensive Integrated Shelter Finance Act (CISFA) which provides crucial funding to UDHA programs. In 2009, SALIGAN, as part of PHILSSA, conducted several sessions to review the implementation of these laws in preparation for the coming 15<sup>th</sup> Congress.

Related to this, several bills on relocation of urban poor dwellers which were filed in the Senate<sup>1</sup> were also reviewed to ensure that these bills indeed address the housing problem.

At the local level, SALIGAN attended hearings and public consultations conducted by the Quezon City Council on moratorium on demolitions absent adequate relocation.



## Laws relating to Workers

In 2009, SALIGAN continued to work on current proposals to amend the 1974 vintage Labor Code. The range of issues discussed for the year is indeed wide, including workers' compensation, workers' insurance, and security of tenure. SALIGAN also attended the hearing at the House of Representatives Committee on Labor which looked into complaints against Hanjin, a Korean owned company on issues of labor standards, safety, and health.

As partner to the **Confederation of Independent Unions (CIU)**, SALIGAN also participated in discussions on the proposed House Committee report on Salary Standardization for the Public Sector and GSIS Charter Amendments.

With regard executive policy, SALIGAN kept track of proposed amendments to DOLE Department Order 40-03 such as those pertaining to assumption of jurisdiction and the conduct of strike or lockout.

Of particular note is SALIGAN's assistance to its partner **Alliance of Progressive Labor (APL)** in engaging the **International Labour Organisation (ILO)** High Level Mission which came to the country in September 2009. Also noteworthy is SALIGAN's role as resource with regard the migrant workers' alternative report to the UN Convention on the Right of Migrant Workers.

SALIGAN's Mindanaw branch facilitated a session of the Provincial Consultations on Labor Code Amendments under the auspices of the ILO. Together with partner APL SALIGAN Mindanaw organized a forum to formulate the Davao City labor agenda. It also helped break ground to set up a Workers' Affairs Office in Davao City.

## Magna Carta for Informal Workers

SALIGAN, with the **Economic, Social and Cultural Rights (ESCR) Asia**, drafted the proposed Magna Carta of Workers in the Informal Sector. The proposed measure was the subject of a series of round table discussions with regional partners in preparation for the final version, entitled *An Act Providing For A Magna Carta Of Workers In The Informal Sector, Institutionalizing Mechanism For Implementation Thereof And Amending For The Purpose Certain Provisions Of Republic Act 7160 and Republic Act 8282*, was filed in Congress. The bill aims to "protect and enhance the rights of all people to human dignity, reduce social, economic and political inequalities and remove cultural inequities by diffusing wealth and political power for the common good and to provide environment at national and local levels to enable all workers to fully develop into productive and responsible citizens." A house bill similar to the drafted bill is sponsored by Rep. Danilo Fernandez (HB 1955) and the senate counterpart (SB 2708) is filed by Sen. Miriam Santiago.

*Advocacy for law reform encompasses issues which cut across specific sectors. These include:*

### Land Use

In 2009, SALIGAN continued long standing advocacy work as part of the coalition **People's Alarm** on the proposed National Land Use Act (NLUA) which contains a much needed integrated and comprehensive framework for land use in the Philippines. After almost two decades since it was first proposed, the NLUA bill is yet to be passed. At the same time, recent years have added to the complexity of the issues necessitating the measures embodied by NLUA, including climate change and increased conflict among divergent priorities on land use.

### Fisheries

SALIGAN's continuing advocacy to advance the interests of fishers, done in collaboration with **NGO's for Fisheries Reform (NFR)**, include several workshops on women-managed areas leading to a draft Ordinance. Also with NFR, SALIGAN helped draft an Administrative Order relating to the Delineation of Municipal Waters with offshore areas.

### Environment

As part of efforts to protect residents of Davao City from the harm of chemicals sprayed aerially on banana plantations, SALIGAN participated in advocacies relating to a national ban on such practice.

SALIGAN also helped MAPAGPALA, a people's organization in Laguna, craft an alternative bill to protect their environment and source of livelihood. This was in response to a proposed measure to expand the powers of the Laguna Lake Development Authority (LLDA).

Also, SALIGAN, as part of the network Alternative Law Groups (ALG) championed the cause of Environmental Justice by pushing for green courts or special branches of courts bound by the Rules of Court for Environmental Cases. Also as part of ALG, SALIGAN helped draft what would become the Alternative Mining Bill which was filed in Congress on May 13, 2009 as HB 6342. In preparing for the bill, SALIGAN Mindanaw conducted a series of consultations with partner local communities, including indigenous groups.

Aside from this, SALIGAN's Mindanaw Branch worked with the Davao City Council Committee on Environment and Natural Resources on a number of pressing issues such as:

- people's complaints on mining exploration by Mambusao Mining Corporation/ Indophil and the Watershed Code;
- the Tamugan-Panigan issue on the dispute between HEDCOR and Davao City Water District (DCWD);
- the Rainwater Harvesting Ordinance
- the Sewage and Septage Ordinance
- the finalization of the Ecological Solid Waste Management Ordinance
- the finalization of the Organic Agriculture Ordinance

Of significance is SALIGAN Mindanaw's presentation during the Watershed Summit in Davao City of its study on the Environmental Impact System.

***SALIGAN takes on advocacies which ultimately affect the poor and marginalized, albeit not immediately. These include:***

## **The ASEAN**

In 2009, discussions on the Association of South East Asian countries (ASEAN), progressed rapidly, with the creation of the Intergovernmental Commission on Human Rights as well as the approval of many documents and appointment of ASEAN officials. SALIGAN participated in some of these discussions, in particular:

- National Workshop on Civil Society Inputs to Draft Terms of Reference of the ASEAN Human Rights Body
- Regional Women's Human Rights Strategy Meeting on the ASEAN Structures and Processes
- Procedures for the selection process of the composition of the ASEAN Commission for the Protection of Rights of Women and Children, Migrant Workers (ACWC/ACMW) and ASEAN Inter-government Commission on Human Rights (AICHR)

## **The United Nations**

SALIGAN attended the consultations on UN Security Council Resolutions 1325 & 1820 which deal with women in conflict situations and women's role in peacekeeping.

Regarding the recommendations made by the UN High Panel on the Philippine Periodic Review of the International Covenant on Economic, Social and Cultural Rights (ICESCR) SALIGAN joined other organizations to discuss recommendations for prospective plans.

SALIGAN also attended the consultation on Business and Human Rights sponsored by the UN Office of the High Commissioner on Human Rights (OHCHR) in Geneva, Switzerland.

## **Other International Work**

In 2009, SALIGAN linked with other international organizations to marginalized people's rights. These include:

- the *Musawah* Global Movement for Equality in the Muslim Family in Kuala Lumpur, Malaysia
- the Mekong Legal Advocacy Institute in Chang Mai, Thailand.
- Conference on Conflict, Commerce and Access to Justice: Identifying practical challenges to judicial remedies for corporate participation in human rights abuse in Oslo, Norway
- The International Commission of Jurists (ICJ) and staff of the UN Special Rapporteur on Extra-judicial Killings, Right to Food and Right to Housing in Geneva, Switzerland.
- The International Service on Human Rights (ISHR) and *Pax Romana* both international non-government organizations based in Geneva, Switzerland.
- the Extra-Territorial Obligations (ETO) Consortium Conference on States' ETO with respect to Economic, Social and Cultural Rights (ESCR) in Lancaster University, United Kingdom
- the Raoul Wallenberg Institute of Human Rights and Humanitarian Law Asia Programs for its planning seminar on the Equal Status and Human Rights of Women in South East Asia and the Regional Training Programme on Human Rights for Representatives from National Human Rights Institutions in Asia in Sweden and
- The Forum Asia for the training in Human Rights in Bangkok, Thailand.



*Based in their respective regions,  
SALIGAN's branches takes on advocacies of  
particular and proximate significance.  
These include:*

### The Bicol Advocacies

To further advance women's rights, SALIGAN Bicol advanced the **Anti-Prostitution Ordinance in Naga City**, conducting several fora to discuss the bill and publishing popular materials to inform the public about its proposed measures.

To achieve housing security, the Bicol branch participated in the drafting of **Internal Rules and Regulations of the Idle Lands Ordinance** and held regular discussions with the Naga City Urban Poor Federation with regards Urban Poor Participation in Naga City's Governance. The branch is an active member of the a Naga City Urban Development and Housing Board.

Apart from leading in local advocacies, SALIGAN Bicol also bridges national issues to the Bicol region and, in 2009, launched several activities in support of the nation-wide advocacy in support of CARPER including appearances in local radio and television programs.

### The Mindanaw Advocacies

SALIGAN Mindanaw, a staunch advocate of Muslim women's rights, works closely with Nisa Ul Haqq fi Bangsamoro (Women for Justice in the Bangsamoro), and helped in the conduct of a study on early marriage among Moro Muslim girls in the Autonomous region of Muslim Mindanao (ARMM). The research was presented to ARMM's Regional Legislative Assembly and other officials for possible policy reform. SALIGAN Mindanaw also works with Nisa Ul-Haqq fi Bangsamoro in the capacity building of women CSO leaders and LGU officials from Basilan, Sulu, Tawi-Tawi, Maguindanao, Lanao del Sur and Marawi

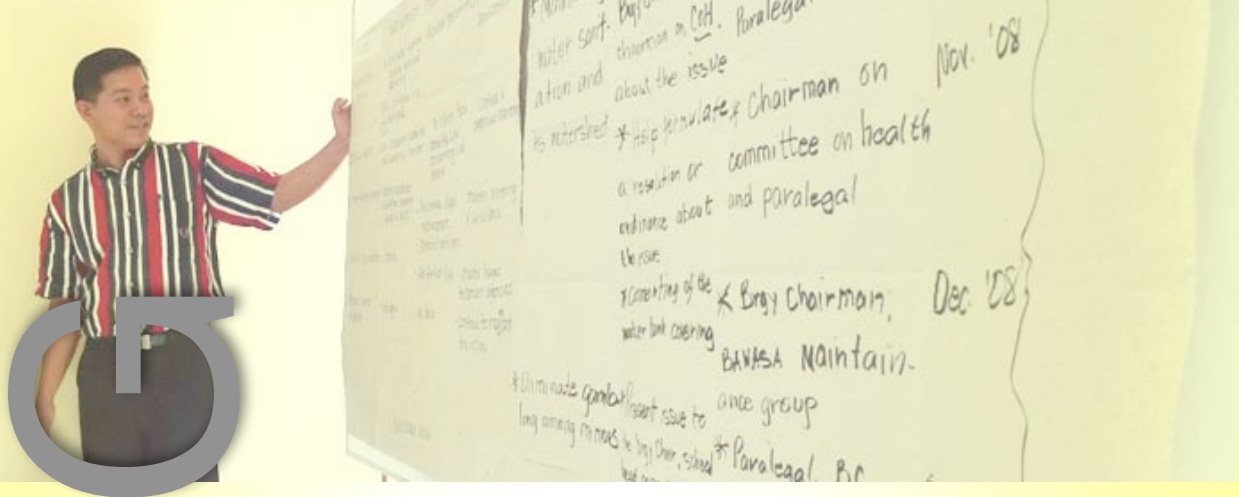


*Above, Atty. Hazel and Dave of the Bicol branch and below, Attys. Raissa and Mon. Through its lawyers in Naga and Davao, SALIGAN continues to be active in local initiatives and is able to bridge national and local advocacies.*

City on gender issues and human rights towards the adoption of ordinances that would empower women and move the community towards gender equality.

SALIGAN Mindanaw provided technical assistance in the formulation of the Bangsamoro CSO Development Agenda, which is ready for constituency-building and lobbying with stakeholders. The process in the agenda formulation involved 8 area consultations in Mindanaw and 3 roundtable discussions on issues such as Moro culture, Islamic governance, and women and children. The over-all framework used is the Bangsamoro peoples' right to self-determination.





*Above: Augusto Cajurao, of Western Samar at a paralegal Clinic facilitated by SALIGAN lawyers. Clinics allow the paralegals to share their experiences and resources with one another.*

SALIGAN's trainings are anchored in our firm and continued belief in such principles as the Demystification of Law, Breaking Lawyers' Monopoly over Law and Legal Process, Empowerment.

It is only when the law is placed in the capable hands of the marginalized can it truly improve their lives. By understanding the law and legal processes, the poor can use the law and when needed, change it.

In the past 22 years, SALIGAN has trained more than two thousand paralegals from various sectors nationwide. Close coordination with the participants ensure the relevance of the substance of the trainings. The methods used are popular, often employing structured learning exercises of various forms including games, songs, simulations and role playing.

Many of our training participants have taken on the role of advocate for their community or sector – as leader, mediator, handler of disputes, gatherer and safekeeper of evidence, researcher and mentor. A good number have brought their advocacies to courts, Congress, the streets, and classrooms – whether concrete or makeshift.

In 2009, SALIGAN trained 2,730 persons in a total of 114 trainings.

General Topic / Sector	Number of Trainings	Total Participants	Female	Male
IP/ Moro	1	26	3	23
Labor	14	86	28	58
Local Governance	35	1082	533	549
Peasant	14	273	113	160
Urban Poor	10	335	194	141
Women	27	634	529	105
Human Rights	5	130	58	72
Environment	3	102	34	68
Peace	5	62	22	40
<b>Total</b>	<b>114</b>	<b>2730</b>	<b>1514</b>	<b>1216</b>

## HIGHLIGHT

Capping more than 3 years of paralegal formation, PLAN

Philippines and the *Sentro ng Alternatibong Lingap Panligal* (SALIGAN) held a conference entitled "*Paralegal sa Kanayunan Tungo sa Makatarungang Kinabukasan*" on

December 2 to 4, 2009 at the Celestial Inn (also known as Cloud 9), in Antipolo, Rizal.

A total of 60 paralegals from PLAN Areas in Masbate, West Samar, and the Camotes Islands came together for the first time and shared stories as well as concerns for what

### PLAN - SALIGAN PARALEGALS



lies ahead.

Many stories were shared during the 2009 conference, both sad and happy, failure and success. The paralegals got to know each other and the adventures they went through in their paralegal work.

**Emma Gutierrez** of Sta. Margarita, Samar shares extending assistance to neighbors in need of legal services that most cannot afford. "I now know how to prepare affidavits and handle cases myself," she added. (continued on next page)



Paralegals like Gutierrez have helped address rampant child trafficking in the province. Upon receiving information that a

woman had sold her two daughters to a white slavery agent, the paralegal immediately contacted a local NGO and the National Bureau of Investigation, which led to a sting operation in Matnog town in Bicol.



environmental protection, agrarian reform, fisheries and tenancy laws, among other common rural community concerns.

**Pacienca Venzal** of Tudela in Camotes Islands, Cebu, admits that in the past her husband had thrice wielded a knife against her. "Now that I know the law,

whenever he gets mad at me I tell him that he can never do that again," she had warned.

After the rescue, cases were filed against the perpetrators. "Knowledge of proper procedures empowers these communities to take action," said SALIGAN lawyer **Aison Garcia**.

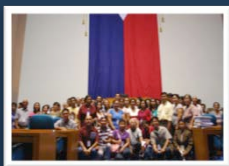
At Barangay Solsoгон in Gandara, Samar, one of their graduates sought redress from the Barangay Council by drafting an ordinance upon receiving complaints against gambling dens in the area. This put a stop to the illegal operations after the ordinance was passed.

In addition to lobbying for legislation, trained paralegals promote the rule of law and alternative dispute resolution, earning notice from other representatives of key government agencies including the Department of Social Welfare and Development, Department of Agriculture's Bureau of Fisheries and Aquatic Resources, and the Commission on Human Rights, attended the conference.

### **Women fight back against batterers**

Another thread of experiences involves women in Barangay Naranggasan in Milagros, Masbate who are using their newfound knowledge of the law to prevent domestic violence.

Trained paralegals in the area have been drafting Barangay Protection Orders themselves as provided for in RA 9262 or the Anti-Violence Against Women and Children law. They learned after through a training program by SALIGAN and Plan Philippines which includes courses on criminal law,



Male paralegals are also doing their part. Alexander Paul Dagatan, also of Tudela, has provided legal assistance to five women in one family that have been victims of incest, and a special child raped by a 70-year-old man.

"There are more people to help. They need to be educated and informed about our laws and the importance of their rights," Dagatan added.

### **Poro town says no to water rate hike**

For their part, locals of Eastern Poblacion in Poro, Cebu have taken the law into their own hands, but not in the way you would think.

In February 2007 the Sangguniang Barangay released an ordinance increasing the water rate from P3 to P16 per cubic meter. Like many residents, **Maximo Claros** found it too high and launched a signature campaign in protest. A trained paralegal, he then attended the third reading of the ordinance by the Sangguniang Barangay and delivered a speech resulting in its postponement and review prior to implementation.

"This [paralegal training] changed my life and I told myself, 'Why not help other people especially our barangay?' So I started attending sessions and other barangay activities," said Claros, who has helped settle (continued on next page)

many fights among neighbors through alternative dispute resolution.

At Barangay Solsogon in Gandara, Samar, one of the paralegals sought redress from the Barangay Council by drafting an ordinance upon receiving complaints against gambling dens in the area. This led to the closure of the illegal operations after the ordinance was passed.

Another paralegal, **Mansueta Leondico**, opposed small-scale mining in four barangays of Pilar by citing that no public hearings and consultations were conducted prior to the project launch as mandated by law. There was also no compliance on several prerequisites provided for in RA 7076, which she raised during their Parish Pastoral Council meetings.

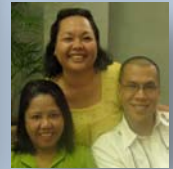
She added, “Many people in our barangay have come to me for advice and information on legal matters.” Others like Leondico since completing their training have also helped neighbors that cannot afford lawyers.

“Our paralegals have significantly helped facilitate access to justice among the poor,” said Saligan’s Aison Garcia.

In response to their stories, keynote speaker **Dean Marvic MVF Leonen** of the UP College of Law pointed to the paralegals’ crucial role in breaking the lawyers’ monopoly on legal knowledge. For her part, **AKBAYAN Representative Rissa Hontiveros Baraquel** told the paralegals that like CNN Hero of the Year Efren Penaflorida, the paralegals are modern day heroes who render invaluable through quiet service to their fellow community members.

Indeed, there are many other stories from the lives of the paralegals who, long after the conference banners have been folded and kept, continue with new adventures of selfless service and assistance to others.

## PLAN SALIGAN National Paralegal Conference



*This page: scenes from the National Paralegal Conference conducted by SALIGAN in close cooperation with PLAN Philippines.*

# LITIGATION

As one of SALIGAN's core programs, litigation assistance allows the Philippines' poor and marginalized access to legal counsel in cases of significance to basic sectors and to setting precedent.

It is commonly observed that increasing amounts of money needed to file and sustain cases in court have pushed many of the poor away from our courts.

SALIGAN lawyers provide competent and affordable – at times *pro bono* – legal assistance to various sectors on a whole range of issues.

Since it started in 1987, SALIGAN has helped shape case law in a range of fields including laws on women, workers, agrarian issues, farmers, and the urban poor.

The work continues in these fields, especially on the implementation of recently enacted laws in favor of the poor and marginalized such as the Anti-Violence Against Women and Children Act and the law strengthening the right to self-organization of workers.

***Below:** Gina Morales and Fred Villones sending copies of a pleading in a precedent setting case. The cost spent for photocopies and mailing are usual obstacles in the poor's access to justice.*







## OVERVIEW

By yearend 2009, SALIGAN lawyers assist in a total of 213 cases spread among its branches in Quezon City, Naga, and Davao.

### MANILA CASES

Lawyers in the Quezon City branch had 96 cases, 60 of which are labor, and 26 involve women issues. The rest are composed of 3 Urban Poor cases, 6 Peasant cases, and 1 Local Governance case.

Of significant note is the case involving the practice of Aerial Spraying in Davao City where SALIGAN lawyers assist poor people upon whom fungicides and pesticides are sprayed on. In 2009, the case reached the Supreme Court after the Court of Appeals declared the Davao Ordinance banning the practice of aerial spray invalid.

### BIKOL CASES

Lawyers in SALIGAN's Bikol branch handles a total of 41 cases, 27 of which are Labor cases, 10, peasant, 4 involving women and 6 the urban poor.

Among these cases is an Anti-Trafficking case (violation of Republic Act 9208) concerning a local bar accused of trafficking women from General Santos City.

### MINDANAW CASES

By the end of 2009, lawyers in SALIGAN's Mindanaw branch assists in 14 cases made up of 7 criminal and 6 labor cases. Worthy of note is a criminal case concerning extra-judicial killings, where lawyers of SALIGAN represent the families of the victims.

## Reflections Reflections

*Given the unique dynamics of the Philippine justice system, especially the difficulty experienced by poor litigants, it is not unusual for litigation to occur side by side with other activities designed to promote and protect the rights of the poor.*

*This is true in the case involving poor residents of Davao City who have been affected by chemicals aerially sprayed by banana (continued next page)*

*plantations. Lawyers of SALIGAN assisted in addressing the plight of the poor residents which, by end of 2009, is being heard in all three branches of government, Judiciary, Legislative, and Executive. An excerpt of a longer reflective piece on this wide campaign to protect the lives of poor people written by Atty. Bobbie Sta. Maria is reproduced below.*

**Excerpt from : Not How Long But How Else: Notes on the Philippine Struggle Against the Agricultural Practice of Aerial Spraying, Atty. Bobbie Sta. Maria**

**T**he campaign's greatest success thus far has been the formation of a broad, diverse and formidable network composed of people's organizations, NGOs, universities, students, the Catholic Church and media practitioners. What started as a local and rural issue has gained relevance to city folk who, together with the organizations from Davao, can roar loud enough to be heard by the policy-makers.

The memorandum circular from the Department of Environment and Natural Resources, the policy recommendation from the Department of Health, the support letters from the bishops, the numerous editorial articles from esteemed columnists, the strong dissent from a Court of Appeals justice, the bills in Congress... all these point to the certainty that all our efforts have not been for naught. And that we are moving towards the goal. From determining the many opportunities provided by law, the group has moved to taking hold of such opportunities.

The drive for an executive policy issuance continues, and the Davao ordinance is steadily being defended

in court. Advocacy in Congress remains viable and would likely follow the present executive track.

This campaign is being sustained by the growing strength of the people behind it, and it will be won on that basis. A case involving the defense of health and the environment is never confined to actual affected areas; it is always relevant to the public at large and should always be made out to be so. It always involves a change in values, priorities and mindsets. This is why we set out on the streets, circulate emails, write blog entries, post online videos, speak in every forum that accommodates us. It is as much about education as it is about persuasion. Unless people are awakened to the actual harm caused by their usual ways of doing business, plain economics would always be a more convincing argument. The previous periods' successes have been about rounding up a solid support base, the next period will be about getting this support base to work until the government is left with no choice but to listen and act. As sports go, it falls more under the category of endurance sports than combat. ❀

# Internship

SALIGAN'S internship program is a venue for law students to use their talents and skills that consequently contribute to the empowerment of the marginalized sectors. It also introduces alternative lawyering among law students and allows them to see lawyering for the poor and marginalized as a viable life choice.

In 2009, SALIGAN Manila accepted five new interns – **RJ Sarthou, Gay Zareno, Lilibeth Perez, Aster Ancheta and Caloy Prado** – all from the University of the Philippines College of Law. In Bicol, the branch facilitated the practicum of four (4) male law students from the University of Nueva Caceres and four more interns for the year-long program. Beginning June 2009, however, only 3 interns (2 females, 1 male) continued the program in Bicol.

SALIGAN also hosted a law student from the University of Minnesota, **Anna Veit Carter**, for 10 weeks in its Manila and Bicol offices.



# RESEARCH AND PUBLICATION

Consistent with its vision of empowering marginalized sectors, SALIGAN conducts research and publication on various topics and, through the years, has published countless material which makes law accessible to many as well as material which explains the interests and concerns of the poor to the country's policymakers.

In 2009, SALIGAN published the following:

- **A Primer on Local Governance and Fisheries**, funded by NFR, is a user friendly material for anyone interested in learning more about governance aspects of issues involving fisheries.
- **Manwal ng Paralegal Laban sa Karahasan sa Kababaihan** is a comprehensive reference in Filipino for advocates of women's rights, particularly against violence and abuse.



Also in 2009, SALIGAN completed a number of research work on issues relating to and affecting the Philippines' poor and marginalized.

To look into how decisions of labor tribunals fare when taken on appeal to higher courts, SALIGAN conducted a survey of Supreme

Court decisions on labor cases covering 1997 to 2007. We also came out with a unique study on trafficking of Filipino males, how this is done, and the effect of current policies on the practice.

SALIGAN Bicol completed research on Naga City's mechanisms for participation for the urban poor. The resulting research paper provides a welcome exposition of Naga's pioneering efforts in institutionalizing the urban poor in governance and policy making.

SALIGAN also wrote and submitted to the United Nations Office of the High Commissioner on Human Rights (UNOHCHR) Consultation on Business and Human Rights regarding "Access to Remedies" and "Corporate Responsibility to Respect." SALIGAN was able to report on the issues faced by its partner organizations and communities as a result of actions by corporations including transnationals. Issues on access to justice were also included in the submissions.

SALIGAN also uses media other than publications in its work. On January 2009, Impact Magazine published our article *CARP as a Continuing Legal Mandate* while the July to December 2008 issue of In Focus released by Philippine Human Rights Information Center (Philrights) featured our contributions to the compiled Philippine Report, particularly the Reports on Philippine Labor and Laws on the Urban Poor.

## *New Frontiers*

Exploring new ways of carrying our advocacies across to as many people as possible, we continue to update our website, [www.saligan.org](http://www.saligan.org) and send out information by email. We also signed on to facebook (under the name "alac saligan") and have established meaningful contacts with a growing number of people.

Our latest e-endeavor are the *online primers* which have made the content of our various primers on sectoral laws more accessible through the world wide web. So far, we have the following:

- [www.karapatangbabae.weebly.com](http://www.karapatangbabae.weebly.com) for women laws
- [www.pinoyworkers.weebly.com](http://www.pinoyworkers.weebly.com) for laws on workers
- [www.pinoyurbanpoor.wetpaint.com](http://www.pinoyurbanpoor.wetpaint.com) for laws on the urban poor.

# We Are



*Sentro Ng Alternatibong Lingap Panligal*  
**SALIGAN**



*Manila ♦ Bicol ♦ Mindanaw*





*Empowering  
People*

*Changing  
Lives*

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