The Honorable Robert Lighthizer  
Ambassador  
Office of the United States Trade Representative  
600 17th Street NW  
Washington, D.C. 20006

Dear Ambassador Lighthizer:

We write to express our distress that the regime of the Philippines President Rodrigo Duterte continues to violate internationally recognized worker rights. To that end, we urge you to conduct an out-of-cycle review of the Philippines’ compliance with its obligations under the Generalized System of Preferences (GSP) and oppose any free trade agreement negotiations with the Duterte regime. We are gravely concerned that our trade policy could be mistaken for condoning the labor and human rights violations perpetrated by President Duterte.

Since being elected in 2016, President Duterte has overseen a regime of systemic and significant human rights violations in the Philippines. International organizations such as the United Nations and the International Labor Organisation (ILO) have issued alarming statements and reports about the extent to which Duterte has implemented policies designed to violate rights and instill terror, including his well-documented campaign of extra-judicial killings.

An ILO report published in June 2019 documented in extensive detail the attacks on workers and unionists that are part of a broader pattern of human rights violations by the Duterte government. The report specifically notes that “there remain numerous cases of trade union murders and other acts of violence for which the perpetrators have yet to be identified and punished.”1 Just before the report was released, two trade union leaders were assassinated, bringing to 43 the number of union leader assassinations under President Duterte. The government also attacks workers who are exercising their right to freedom of association and collective bargaining. According to the ILO, between May 26 and June 2, 2017, armed soldiers threatened striking workers of a tropical fruit company and broke up their picket line. According to the ILO, “these military interventions in trade union affairs occur with approval of the Government which on several occasions threatened striking workers with military and police action.”2 On October 31, 2019, the government arrested 43 individuals, including known union leaders, in the Negros Occidental province while they were attending a meeting for bus workers. As part of the government actions, workers’ organizations report eight people, including four children, were held at gunpoint by police.3 The government also labeled BIEN, a call center workers union, as a front for a communist terrorist organization to justify its actions.4

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2 Ibid.
According to the ILO, the assassinations and intimidation of Filipino labor leaders and workers have taken their toll: "A climate of violence and murder of trade union leaders constitutes a serious obstacle to the exercise of trade union rights and a grave violation of the principles of freedom of association. The Government’s consistent failure to protect workers and their leaders from such acts creates an atmosphere of impunity that reinforces the climate of fear and uncertainty and harms the exercise of trade union rights."5

Given the appalling atrocities committed by the Duterte regime and the distressing conclusions reached by the UN and the ILO on the state of human and labor rights violations in the Philippines, we urge you to ensure U.S. trade policies do not support the Duterte regime or appear to condone its policies. Specifically, the ILO’s blunt assessment of the lack of protection of workers’ rights in the Philippines raises questions about the country’s compliance with its GSP obligations. We urge you to immediately conduct an out-of-cycle review of the Philippines’ GSP compliance, and, if labor rights violations are found, to quickly suspend its benefits under the program. We must not legitimize his regime’s actions or turn a blind eye to the alarming human rights violations it has perpetrated against its citizens and workers.

We continue to be gravely concerned about the erosion of human rights in the Philippines. We know a comprehensive response from the U.S. government must involve multiple federal agencies, but we urge you to take all actions available to you, including the possible revocation of GSP benefits, and to ensure our U.S. trade policy adequately reflects the Philippines’ violations of human rights and worker rights and limits further engagement with the country until its human rights record has vastly improved.

Sincerely,

Sherrod Brown
United States Senator

Ron Wyden
Ranking Member
Finance Committee

Robert Menendez
Ranking Member
Foreign Relations Committee

Debbie Stabenow
United States Senator

Benjamin L. Cardin
United States Senator

Robert P. Casey, Jr.
United States Senator

5 International Labor Organisation.