



18 March 2010

Her Excellency  
President Gloria Macapagal-Arroyo,  
Republic of the Philippines  
Malacanang Palace  
JP Laurel Street, San Miguel  
Manila NCR 1005  
PHILIPPINES

**Re: Violation of housing rights of 1,000 families along the R10 highway in Navotas City, Metro Manila**

Dear President Macapagal-Arroyo,

The Centre on Housing Rights and Evictions (COHRE) is a human rights organisation based in Geneva, Switzerland, with offices throughout the world. COHRE has consultative status with the United Nations and works to promote and protect the right to adequate housing for everyone, everywhere, including preventing or remedying forced evictions.

COHRE is deeply concerned about the ongoing demolitions of housing to make way for the widening of Road 10 (R10) in Navotas City in northern Metro Manila. Demolitions were reportedly carried out from January 18 to 20 and resumed on March 4. Approximately 393 families have reportedly been made homeless by these demolition drives and are now staying in lean-tos along the roadside where their former homes once stood, or camping outside the office of the Department of Public Works and Highways (DPWH), at continuous risk of renewed forced eviction. The road widening project is reportedly set to affect the homes of 1,000 families in total. Approximately 600 further families are therefore at risk of further evictions.

Based on the information COHRE received, the demolitions were carried out in violation of numerous national and international human rights obligations of the Government of the Philippines and thus constitute illegal forced evictions. Violations reportedly included:

**Accra**  
PMB CT 402  
Cantonments Accra  
Ghana

**Colombo**  
106 1/1 Horton Place  
Colombo 7  
Sri Lanka

**Duluth**  
8 N. 2nd Avenue East, Suite 208  
Duluth, MN 55802  
USA

**Phnom Penh**  
PO Box 2061  
Phnom Penh 3  
Cambodia

**Porto Alegre**  
Rua Jerônimo Coelho 102, Sala 31  
Porto Alegre, CEP 90010-240  
Brasil

- The use of force against residents that were trying to protect their homes from demolition. Batons, shields and water cannons were reportedly used against residents. A number of people were injured and some temporarily arrested and then released without charge. Violence was reportedly used against protesting women in particular.
- Failure to provide adequate relocation in advance to residents affected by the road widening project. Residents have agreed that the R10 road widening project necessitates their relocation, and have welcomed the proposed relocation to Montalban/Rodriguez municipality which had been promised to them in 2008 by your Excellency. It now appears that this relocation is no longer available. Residents are instead offered P21,000 per family as financial compensation for the loss of their homes from the DPWH.
- Exclusion of those affected by demolitions from exercising their right to vote at the upcoming general elections in May 2010. Voter registration requirements demand six months prior registration at the place of residence in order to enlist in the voters register – a requirement that those who move away from their homes now cannot fulfil. Conversely, evictees who move away will be unable to vote at their previous place of residence due to the prohibition of 'flying voters', i.e. voting at non-resident places.

COHRE strongly condemns the use of violence against residents and particularly against women. Violence against persons who try to protect their homes against illegal forced evictions breaches a number of international human rights standards the Philippines are obliged to follow, including the right to security of the person guaranteed under Article 9 of the International Covenant on Civil and Political Rights (ICCPR). The Basic Principles and Guidelines on Development Based Evictions and Displacement further clarify that no one shall be subject to attacks or acts of violence as a result of forced evictions, and that property and possessions, which includes housing, should be protected against destruction.

As a State Party to the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Government of the Philippines, including all State organs, is obliged to respect, protect and fulfil the right to adequate housing, as guaranteed under Article 11(1) ICESCR and to refrain from the practice of forced evictions. Forced evictions can only be justified in exceptional circumstances, after genuine consultation with those affected, provision of legal redress, and must never cause homelessness. Authorities are obliged to give options for adequate alternative accommodation or compensation that enable those affected to find adequate accommodation elsewhere. Adequate alternative accommodation or compensation must enable those affected to live in adequate housing conditions and to continue their livelihoods with as little disruption as possible. The provision of P21,000 compensation is not adequate in this regard, and furthermore violates provisions of Philippines national legislation that mandate the provision of adequate alternative housing (Section 28, RA 7279).

The threatened exclusion of affected residents from the general election furthermore constitutes a violation of the right to take part in Government through the right to vote, as guaranteed in Article 25 ICCPR and Article 21 of the Universal Declaration on Human Rights (UDHR).

In light of the above, COHRE urges the Government of the Philippines to immediately provide adequate remedies for violations suffered by the families already evicted and to halt all plans of further forced eviction along R10 in Navotas. In particular, COHRE urges the Government of the Philippines to:

- Instruct relevant Government agencies, in particular the Department of Public Works and Highways, the National Housing Authority and the Housing and Urban Development Council, to relocate families to Montalban, or provide them with any other alternative adequate housing as relevant and to allow effected persons the right to meaningfully participate in all decision related to relocation;
- Immediately stop all further evictions and demolitions until relocation of families is completed;
- Conduct an independent investigation into the forced eviction and ensure that all those responsible for human rights violations are held accountable;
- Immediately provide families affected by the demolitions and now staying in makeshift accommodation with alternative shelter and prioritise the relocation of those families into adequate housing facilities;
- Provide compensation for material losses suffered as a result of the demolitions, in particular loss of belongings and earnings; and
- Ensure that all families affected by the R10 road widening project will be able to exercise their democratic right to vote in the upcoming general elections.

We look forward to your prompt response in relation to this serious matter. Thank you for your time and consideration.

Sincerely,



Salih Booker  
Executive Director

Please send your response to [cohreasia@cohre.org](mailto:cohreasia@cohre.org) or to the following address:  
COHRE Asia Programme office  
PO Box 2061  
Phnom Penh  
Cambodia

cc:

Victor A. Domingo  
Acting Secretary, Department of Public Works and Highways

Tobias Reynaldo M. Tiangco  
Mayor of Navotas City

Federico A. Laxa  
General Manager, National Housing Authority

Noli L. De Castro  
Housing and Urban Development Coordinating Council

Jose A.R. Melo  
Chairman, Commission on Elections

Leila M. De Lima  
Chairperson, Commission on Human Rights of the Philippines

Rosario Gonzales-Manalo  
Commissioner, ASEAN Intergovernmental Commission on Human Rights

Raquel Rolnik  
UN Special Rapporteur on Adequate Housing