

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

13th Congress
First Regular Session

HOUSE BILL NO. 374

Introduced by Representative Roseller L. Barinaga

EXPLANATORY NOTE

This bill seeks to amend Article 3 of Presidential Decree No. 1620 issued during martial law. This is to ensure the protection of the workers and employees of the International Rice Research Institute (IRRI) who have been deprived of their labor rights since the signing of the decree in 19 April 1979 which granted the IRRI immunity from any penal, civil and administrative proceedings.

At the start there was no intention to grant IRRI immunity from suit since it was merely established through a MOA, and subsequently registered with the SEC, subject to civil, administrative and criminal processes. The institute was initially established in the Philippines in 9 December 1959 through an agreement between the Philippines and the Ford and Rockefeller Foundations. However, through P.D. No. 1620, the IRRI was granted the status, prerogatives, privileges and immunities of an international organization.

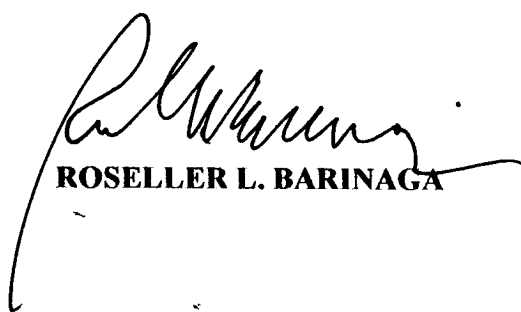
P.D. No. 160 is anomalous considering that it is not a treaty between two or more sovereign states that could vest international and legal personality upon IRRI. Although the pact was confirmed by the Philippines in 19 May 1995 by belatedly signing an agreement with twenty donor countries, this has not been ratified by the Senate. Furthermore, the agreement provides that any grant of immunity to IRRI should be consistent with and should conform to the applicable and accessing laws of the signatory States.

IRRI employees and workers have been barred from seeking compensation under appropriate laws because of PD 160. It has been reported that the Institute has used this privilege to subvert all such rights, conduct union busting, harass unionists, and conduct mass layoffs.

In order to address this problem, this bill proposes to amend Article 3 of P.D. No. 1620 by expressly excluding the rights of labor from any penal, civil and administrative immunity granted to the IRRI. This is to ensure the protection of the rights of workers in IRRI in accordance with our constitution and our laws, the Universal Declaration of Human Rights as well as with various ILO conventions our government has ratified.

It is stressed that since IRRI claims it is an international organization, it is with more reason that it should comply with international standards, propagated by the ILO worldwide in the interests of workers.

In the light of the above, support of this bill is earnestly sought.



ROSELLER L. BARINAGA

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AN ACT
PROTECTING THE RIGHTS TO LABOR OF THE WORKERS OF THE INTERNATIONAL
RICE RESEARCH INSTITUTE (IRRI) AS ENSHRINED IN THE 1987 CONSTITUTION,
AMENDING FOR THE PURPOSE ARTICLE 3 OF PRESIDENTIAL DECREE NO. 1620 AND
FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 **SECTION 1.** Article 3 of Presidential Decree No. 1620 is hereby amended to read as follows:

2 “The Institute shall enjoy immunity from any penal, civil and administrative proceedings,
3 except insofar as that immunity has been expressly waived by the Director-General of the
4 Institute or his authorized representatives. **THIS IMMUNITY SHALL NOT APPLY**
5 **WITH RESPECT TO THE RIGHTS OF LABOR.**”

6
7 **SEC. 2.** All laws, decrees, rules and regulations or parts thereof inconsistent with this Act are
8 hereby repealed or modified accordingly.

9
10 **SEC. 3.** This Act shall take effect within fifteen (15) days after its publication in the *Official*
11 *Gazette* or in any two (2) newspapers of general circulation.

Approved,