



RepRisk Special Report

ASEAN Series: Philippines

About RepRisk

RepRisk is a leading business intelligence provider, specializing in environmental, social, and governance (ESG) risk analytics and metrics.

Harnessing a proprietary, systematic framework that leverages cutting-edge technology and hands-on human intelligence in 15 languages, RepRisk curates and delivers dynamic risk information for an unlimited universe of companies.

Since 2006, RepRisk has built and continues to grow the most comprehensive ESG risk database that serves as a due diligence, research, and monitoring tool in risk management, compliance, investment management, corporate benchmarking, and supplier risk. The database currently includes risk profiles for over 70,000 public and private companies, 18,000 projects, as well as for every sector and country in the world.

Headquartered in Zurich, Switzerland, RepRisk serves clients worldwide, including global banks, insurance providers, investment managers, and corporates, helping them to manage ESG and reputational risks in day-to-day business.

RepRisk provides the transparency needed to enable better, more informed decisions.

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Foreword RepRisk



I am pleased to announce the release of the RepRisk Special Report on the Philippines, the fourth report in our series on the Association of Southeast Asian Nations (ASEAN), an economic and political organization of ten countries. The creation of the ASEAN Economic Community in 2015, which allows a free exchange of goods, capital, and skilled labor between the ten member states, has resulted in a dynamic market of around USD 2.6 trillion and over 620 million people.

The ASEAN series has so far assessed the environmental, social, and governance (ESG) risks facing [Indonesia](#), the [Mekong Delta](#), and [Malaysia](#). This report highlights the ESG challenges facing the Philippines, ranked by the World Bank as the fifth largest economy of the ASEAN region.

In August 2015, we will publish our final report in the ASEAN series, which will analyze the challenges facing Myanmar.

Although certain sectors of Philippine society have benefited from economic growth, others have suffered from precarious working conditions, indiscriminate land grabbing, and environmental degradation. This special report on the Philippines looks at some of the challenges posed by industrial development on the country's environment and traditional communities.

RepRisk's aim is to provide transparency and business intelligence needed to enable better, more informed decisions in day-to-day business. We hope that this report draws attention to the ESG issues facing the Philippines.

Philipp Aeby CEO, RepRisk AG

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Introduction

In August 2015, CNN Money forecast that the Philippines would be the fourth fastest growing economy in 2015, after China, Qatar, and India. The Asian Development Bank reported a 5.8 percent growth in the country's GDP in 2015, and estimated that this would increase to 6 percent in 2016. Recent growth has been mainly fueled by strong domestic demand and remittances from Filipino workers abroad.

The country has one of Asia's youngest and fastest growing populations. A 2015 national census put the population at 102.2 million, and the National Statistical Coordination Board forecasts that this will rise to 116 million by 2025. Such a fast population growth fuels the need for jobs, and the Philippine Government is trying to attract foreign investment in the manufacturing and service industries in order to create employment opportunities.

However, accelerating economic growth has increased environmental degradation and there have been repeated complaints about deforestation, pollution, and depletion of natural resources. Trade unions have also warned of poor and risky working conditions and an increase in the outsourcing of work to contracted workers, who do not benefit from the country's social security system.

RepRisk has identified the Personal and Household Goods sector in the Philippines as being the most exposed to environmental, social, and governance (ESG) risks. A fatal fire at Kentex Manufacturing's Venezuela Slipper Factory in May 2015 highlighted the country's lax implementation and enforcement of labor laws and occupational safety regulations.

RepRisk has also detected risk exposure of the Philippine Mining sector. The Philippine Government sees mining as a key driver of the economy, but there have been major protests against mining projects over fears of negative environmental impacts.

The Industrial Transportation sector has also been severely criticized during the past two years. This sector is seen as a key element of the national economy, as companies throughout the archipelago require better connections and improved services in order to develop their businesses. However, the Oxford Business Group reports that the sector requires further investment in order to reach the level of services offered by neighboring countries.

Introduction

Map of ASEAN (Association of Southeast Asian Nations) countries



Personal and Household Goods sector

Human rights and labor conditions

There have been repeated allegations of poor working conditions in Philippine factories, and the International Peace Information Service criticized the Philippines in a report about labor rights violations and poor occupational health and safety conditions.

A major fire in a footwear factory in Valenzuela City on May 13, 2015 killed at least 74 workers and highlighted some of the problems in the manufacturing sector. The fire trapped workers on the second floor of a factory that was producing slippers for Kentex Manufacturing.

Survivors and the victims' families were concerned that they would not be able to claim benefits, because the employment agency had allegedly failed to forward their payments to the social security authorities. Survivors claimed that safety standards at the factory had been lax and one worker alleged that trainee "minors" had died in the fire. CBN News reported that the workers at the factory were paid below the minimum wage, denied legally mandated benefits, constantly exposed to foul-smelling chemicals, and forced to work 12-hour days, seven days a week, without overtime pay. There were also reports that the exit gates to the factory had been locked and that all the windows had been secured with grills.

Most associated companies: Personal and Household Goods sector in the Philippines

1. Kentex Manufacturing Inc
 2. Adidas AG
 3. CJC Manpower Services
 4. NIKE Inc
 5. Puma Group
-

The Department of Labor and Employment accused Kentex Manufacturing of violating the Labor Code by employing an unregistered subcontractor, CJC Manpower Services, formerly known as Panday Management and Labor Consultancy. In early June 2015, the victims sued the executives of Kentex and CJC Manpower Services on charges of reckless imprudence resulting in homicide or physical injuries.

Almost a year later, in May 2016, the Justice for Kentex Workers Alliance called for action and proper compensation for the workers who were killed in the fire, claiming that the Department of Justice had yet to begin a preliminary investigation. So far, only 11 cases have been resolved by the National Labor Relations Commission, which ordered Kentex to pay up to PHP 125,000 (USD 2,640) per plaintiff.

Personal and Household Goods sector

The Kentex disaster drew attention to the practice of locking workers inside factory premises. In May 2014, eight women working at the Asia Micro Tech warehouse died in a fire in a workshop that was reportedly locked from the outside.

Another controversial practice in the sector is employing staff as contractors in order to pay lower salaries. This practice violates national legislation in the Philippines as the country's labor laws stipulate that a worker performing the same task for more than a year is considered a regular company employee.

In May 2015, workers at Tanduy Distillers in the city of Calamba went on strike because contract workers were paid below-minimum wages. The strikers then claimed that the company's security guards and hired thugs had harassed them and that 50 workers had been injured after being beaten and targeted with water cannons.

In June 2015, workers at Karzai Corp in Cabuyao, in the province of Laguna, filed a Notice to Strike before the Philippine National Conciliation and Mediation Board, demanding the regularization of 120 contractual workers, who they claimed comprised 90 percent of the total workforce. They also called for the reinstatement of 60 contractual workers, who had allegedly been illegally dismissed, and for payment of monies that had been illegally deducted. In February 2015,

Most associated projects: Personal and Household Goods sector in the Philippines

1. Valenzuela Slipper Factory
2. Avon Production Plant
3. Makati City Hall 2 Parking Building
4. Philippine Export Processing Zone

Most associated NGOs: Personal and Household Goods sector in the Philippines

1. Greenpeace International
2. Justice for Kentex Workers Alliance
3. International Textile, Garment and Leather Workers' Federation
4. Labour Behind the Label
5. Trades Union Congress

the IGPAK union filed a complaint at the Philippine Labor Department accusing Karzai of unfair labor practices. The union claimed that the company had sourced workers from 30 labor-only subcontractors including Career Express, BMS, and BMC to produce parts for Yamaha, Honda, and Suzuki motorcycles and for Sharp washing machines.

Personal and Household Goods sector

News about poor working conditions in Philippine factories made the headlines again in September 2015, when a lady in Michigan claimed she had found a note that read, “Help Me! Plz” inside a package of girl’s underwear that had been manufactured in the Philippines by Handcraft Manufacturing Corporation. The note that stated “Location: Philippines,” gave a woman’s name and a phone number.

At the end of 2015, 16 workers of Avon Products Manufacturing were reportedly dismissed after they questioned the company’s illegal use of short-term labor contracts at its Calamba plant. The IndustriAll Global Union and the Confederation of Labor and Allied Social Services expressed their support for the dismissed workers.

Corruption and bribery

In March 2016, three former officials of the Department of Finance, and the owner of Precision Garments International (PGI), were convicted on charges of fraud and corruption concerning a PHP 18.8 million (USD 397,560) tax credit scam.

One month later, the former director of the Technical Education and Skills Development Authority in the Cavite province, was charged with violating 13 counts of the Anti-Graft and Corrupt Practices Act. The defendant was accused of awarding favorable contracts to her

Top ESG Issues: Personal and Household Goods sector in the Philippines

1. Poor employment conditions
2. Occupational health and safety issues
3. Human rights abuses and corporate complicity
4. Freedom of association and collective bargaining
5. Corruption, bribery, extortion, and money laundering

Top ESG Topic Tags: Personal and Household Goods sector in the Philippines

1. Negligence
2. Migrant labor

sister’s company, CDZ Enterprises, for the purchase of office and technical supplies.

In June 2016, another tax credit scandal was linked to JK Apparel Manufacturing and United Apparel Manufacturing. A court ruled that between 1993 and 1998 both companies had submitted “spurious” documents to claim tax credits worth PHP 9.6 million (USD 203,000).

Mining sector

According to the US State Department, the Philippines has some of the largest copper, gold, palladium, and chromite deposits in the world, as well as important resources of nickel, silver, coal, gypsum, and sulfur.

However, the sector is facing ongoing protests, some of which relate to previous mining operations. In Marinduque, communities allegedly continue to suffer from a 1996 toxic mine spill caused by the collapse of a tailings dam operated by Marcopper Mining, a subsidiary of Place Dome. There are also concerns that a collapse at the Tapan Pit and Maguila-guila Siltation Dam, left by Marcopper when it closed down operations, would put at risk the lives of 87,000 people.

The currently most controversial projects include:

B2Gold Masbate Mine

At the beginning of 2015, two security guards working for the B2Gold Masbate Mine were killed in a local shooting and a further three people were killed in a separate incident. The violence followed the shooting of a mine worker in December 2014, which was blamed on B2Gold's security guards.

Didipio Mine

In February 2015, Oceana Gold was accused of putting pressure on local people to sell their land for the Didipio Mine in Nueva Vizcaya. Tests conducted by NGO groups, including Advocates of Science & Technology for the

Most associated companies: Mining sector in the Philippines

1. Glencore PLC
2. Sagittarius Mines Inc
3. Philex Mining Corp
4. OceanaGold Corp
5. TVI Pacific Inc (Toronto Ventures Incorporated)

Most associated projects: Mining sector in the Philippines

1. Tampakan Copper-Gold Project
2. Didipio Copper-Gold Mine Project
3. Rapu-Rapu Polymetallic Project
4. Padcal Mine
5. Mindoro Nickel Project

People, have allegedly showed abnormally high levels of arsenic, lead, and copper in the local rivers that could damage the environment and people's health.

Lafayette Mine

In March 2015, environmentalists linked the Lafayette Mine in Rapu-Rapu Island to environmental destruction and cyanide poisoning.

Tampakan Copper and Gold Project

In July 2015, Sagittarius Mines' USD 5.6 billion Tampakan Copper and Gold Project was suspended following a decision by South Cotabato's provincial government to ban open-pit mining in the province. There were fears that the project would displace almost 6,000 people and lead to the deforestation of over 9,000 hectares of mountain range. Glencore had been accused of grabbing 24,000 hectares of land and displacing approximately 5,000 residents to make way for the project, but in early 2015, following massive protests, the company divested part of its shares in the Tampakan project to Alsons Prime Investments and then signed a share sale with an Indophil Resources affiliate to sell its remaining interests in the mine. However, in August 2015, the Philippines' Mines and Geosciences Bureau claimed that the construction of the mine would go ahead.

Lepanto Mine

Also in July 2015, both the Center for Environmental Concerns and the Cordillera Peoples Alliance criticized Gold Fields' plans to expand gold mining at the Lepanto mine in Mankayan. Allegedly the mine has already polluted land and rivers with heavy metals, flooded agricultural lands, and caused several injuries and deaths. Opposition to the mine has led to militarization of the region and the army and the mine's security forces have reportedly carried out violent attacks against protesters.

Most associated NGOs: Mining sector in the Philippines

1. Kalikasan People's Network for the Environment
2. Alyansa Tigil Mina
3. Cordillera Peoples Alliance
4. Catholic Bishops Conference of the Philippines
5. Alyansa Laban sa Mina

Top ESG Issues: Mining sector in the Philippines

1. Impacts on communities
2. Impacts on ecosystems and landscapes
3. Human rights abuses and corporate complicity
4. Local pollution
5. Local participation issues

Lobo Mining Project

In July 2015, the Coalition for the Preservation of the Verde Island Passage called on the State Government to cancel Mindoro Resources' license for the Lobo Mining Project in the province of Batangas. The NGOs claimed that the planned 2,264-hectare gold mine could damage the Mt. Banoi watershed,

Mining sector

a main source of drinking water for the rest of Batangas province, and the Verde Island Passage, a 10-kilometer long marine ecosystem. The Lobo project will be developed by Mindoro Resources' subsidiary, MRL Gold Phils. Inc.

Panian Coal Mine

On July 17, 2015 a collapse at Semirara's Panian open pit coal mine on Semirara Island, killed at least nine miners. There were claims the miners had been compelled to work despite dangerous conditions caused by continuous rain. The Institute for Occupational Health and Safety Development called for Semirara Mining Power Corp and DM Consunji, the mine's main operator, to be held criminally liable for at least 16 worker deaths at the mine since 2013.

DMCI's Berong Nickel Mine and its Calaca Coal Plant have been repeatedly suspended for environmental violations and the company's operations have been blamed for respiratory diseases, increases in cases of cancer, and birth defects in local communities.

Andap Valley Complex

On September 1, 2015 paramilitary groups allegedly went on a "killing rampage" in Lianga on the island of Mindanao that resulted in the deaths of three members of the indigenous Lumad community and forced over 2,000 Lumads to flee. The Lumad people were allegedly raising grave concerns of

Top ESG Topic Tags: Mining sector in the Philippines

1. Indigenous people
 2. Land grabbing
 3. Protected areas
 4. Involuntary resettlement
 5. Endangered species
-

alleged collusion between Philippine state armed forces and mining corporations such as Glencore. There were claims that Philex Mining, Nickel Asia, and Red 5, had funded the paramilitary groups.

Kingking Copper Gold Project

A community leader known for campaigning against the Kingking Copper Gold Project, a USD 2 billion joint venture between Nationwide Development and St. Augustine, died on January 30, 2016, after being shot by two masked individuals. On January 28, 2016, a separate attack carried out by unidentified gunmen wounded the leader of the farmers' organization, People Rise.

Various mining companies have also been linked to environmental and social risks:

In April 2015, the New People's Army allegedly seized 74 high-powered firearms

and 14,000 rounds of ammunition from the compound of JB Management Mining, a company owned by the mayor of Compostela Valley. The mayor allegedly employed a private army to protect his mining interests and it has been alleged that the militia executed people in the company's compound.

In May 2015, security guards working for David M. Consunji Inc. were linked to the disappearance of a member of the Kiduma indigenous group in Sultan Kudarat, who had been criticizing the company's mining and logging activities. Residents have long sought to hold the company accountable for numerous atrocities, including land grabbing of ancestral lands, mass slaughter of 100 Dulangan tribesmen, and the murder of peasants.

Agusan Petroleum & Minerals (AGPET), a mining subsidiary of San Miguel, has been accused of displacing around 200 indigenous people in Compostela Valley, Mindanao. AGPET has a license to explore about 12,000 hectares of land within the ancestral domains of two indigenous tribes, who fear the company could devastate the environment.

In January 2016, residents of Santa Cruz barricaded a national highway to prevent haulage companies employed by mining companies from bringing nickel ores to port. Local residents had blamed the subsidiaries of DMCI Holding, including Zambales Diversified Metals, Benguet Corp Nickel Mines, Eramen

Minerals Inc., Filipinas Mining Corp., and LNL Archipelago Minerals for a mud-flood in October 2015 that had caused massive environmental destruction, affected 14,000 residents, and killed seven people. On February 6, 2016, protesters were allegedly physically assaulted by more than 100 armed police, who were escorting the nickel ore trucks.

Plans by Minekraft Resources to excavate in the Albay province have been heavily criticized amid claims that the project would devastate tourist destinations and therefore waste PHP 500 million (USD 10.5 million) that the government has invested in tourism.

Residents of Manicani Island in the Philippines have criticized the disposal of all mined nickel ore stockpiles by Hinatuan Mining. According to the residents, the mining waste with an estimated volume of 52,000 metric tons poses a health risk to affected communities.

Industrial Transportation sector

Although the Philippine Government has stated that “safety is a priority,” a series of fatal accidents have beset the transport sector over the past year and have highlighted the need for infrastructure investment. The sector has also faced numerous allegations of corruption as well as some incidents of labor unrest.

Road Transport

In April 2015, Del Monte Land Transport Bus was fined PHP 1 million (USD 21,000) for an accident involving one of its buses that left five people dead. The bus, which apparently has been operating outside its authorized route, collided with a public utility van on April 12, 2015 in Eastern Samar. The Land Transportation Office ordered an inspection of the company’s other 15 buses.

In July 2015, Vallacar Transit faced investigations after two of its Ceres buses collided in the province of Negros Occidental. Four people were killed in the accident and 43 others were injured.

Farm workers in Tarlac have allegedly been affected by the four-lane Subic Clark Tarlac Expressway, which links Subic Bay Freeport Zone to Tarlac City, passing through the Clark Freeport Zone. In July 2015, the Supreme Court ordered the Hacienda Luisita Sugar Plantation in Tarlac to pay farmers PHP 1.3 million (USD 27,500) compensation

Most associated companies: Industrial Transportation sector in the Philippines

1. 2GO Group
2. Philippine Span Asia Carrier Corporation
3. Metro Rail Transit Corporation
4. Philippine Trans Rail Management and Services Corp
5. Light Rail Transit Authority

Most associated projects: Industrial Transportation sector in the Philippines

1. M/V St Thomas Aquinas
2. Metro Rail Transit 3
3. Agata DSO Project
4. Hacienda Luisita
5. Laguna Lakeshore Expressway Dike Project

for 80-hectares of land that the company sold to Expressway, but Hacienda Luisita has allegedly ignored the court order.

In January 2016, the fishermen alliance Pambansang Lakas ng Kilusang Mamamalajaya ng Pilipinas intensified its opposition to the construction of the Laguna Lakeshore

Industrial Transportation sector

Expressway Dike Project (LLEDP) claiming it would cause serious social and environmental impacts around the Laguna Lake. Allegedly, the project, which is endorsed by the Laguna Lake Development Authority, will not only displace around 4 million fishermen and poor urban families, but will also harm the environment. Critics also claim the LLEDP will only benefit business tycoons interested in the project and not the local population.

Rail Transport

In August 2014, a train on the Manila Metro Rail Transit Line 3 (MRT-3) hit a concrete barrier at the TAFT Avenue station, injuring at least 36 passengers. The accident was allegedly due to a defective train that stalled and then derailed when a second train tried to push it. There were claims that the second driver was speeding and the authorities admitted that the rail line had not been upgraded for 15 years. The left-wing activist group, Bagong Alyansang Makabayan, blamed the Department of Transportation and Autre Porte Technique Global, which held the maintenance contract for the train.

Two previous incidents had been recorded involving MRT 3 trains: in November 2012, a fire broke out in one of the coaches, and in October 2013, ten commuters were reportedly injured in an accident at Ayala station. The Metro Rail Transit has also faced various

Most associated NGOs: Industrial Transportation sector in the Philippines

1. Bagong Alyansang Makabayan
2. CitizenWatch Philippines
3. Greenpeace International
4. Kalikasan People's Network for the Environment
5. Kilusang Mayo Uno

Top ESG Issues: Industrial Transportation sector in the Philippines

1. Impacts on communities
2. Impacts on ecosystems and landscapes
3. Corruption, bribery, extortion, and money laundering
4. Local pollution
5. Products (health and environmental issues)

allegations of corruption. A congressional investigation revealed that a MRT general manager had awarded a maintenance contract to PH Trams, a company owned by his relative. Later in August 2015, a Czech railway company filed an affidavit to the National

Industrial Transportation sector

Bureau of Investigation claiming that the general manager and officials of MRT had tried to extort USD 30 million from their firm.

In June 2016, the civil group Liga ng Ekplosibong Pagbabago and the former General Manager of MRT asked the country's Ombudsman to investigate officials of the Department of Transportation and Communications and the current General Manager of MRT over alleged kickbacks made from the MRT-3 expansion capacity project. Allegedly, the officials received over PHP 75 million (USD 1.5 million) in kickbacks from the PHP 3.7 billion (USD 78.2 million) project, which was awarded to Dalian Locomotive and Rolling Stock in 2014.

Shipping

In August 2014, local residents in Agusan del Norte protested about the construction of a port, which forms part of the Agata Direct Shipping Ore Project being developed by the Agata Mining Joint Venture, alleging that the port would destroy a protected fish sanctuary, coral reefs, and a world-class diving site.

In September 2014, a Board of Marine Inquiry concluded that an August 2013 collision between the cargo ship, MV St. Thomas Aquinas, owned by 2GO Group, and the passenger vessel, MV Sulpicio Express Siete, owned by Philippines Span Asia Carrier, was mainly due to human error. The accident,

Top ESG Topic Tags: Industrial Transportation sector in the Philippines

1. Coral reefs
 2. Protected areas
 3. Land grabbing
 4. Negligence
 5. Abusive/illegal fishing
-

which took place offshore from Talisay City, in Cebu, caused the deaths of 116 people. According to the report, both vessels failed to communicate visually or through light and sound signals.

Port Irene faced allegations of corruption in December 2014. The cost of constructing the CEZA breakwater to protect the port increased from an estimated cost of around PHP 614,341 (USD 13,000) per linear meter, to a final cost of around PHP 5 million (USD 105,735) per linear meter. Questions have been raised about the tendering process and whether the Sta Elena Construction and Development Corporation, who was awarded the contract, was the sole bidder.

At the beginning of August 2015, officials from the Department of Foreign Affairs and other government departments were sus-

Industrial Transportation sector

pected of dubious practices after they hired an allegedly old, slow, and bug-infested vessel for USD 1.8 million from Ocean Marine Services, to transport Filipino overseas workers stranded in Libya, despite having been offered a faster ship at a cheaper price.

Aviation

In July 2015, the country's Defense Secretary was accused of approving a supplier contract in violation of procurement laws to favor Rice Aircraft Services. The secretary was reportedly promised a seven percent commission from the PHP 1.2 billion (USD 25.3 million) purchase price for 21 military helicopters.

Allegedly, the project will not only displace around 4 million fishermen and poor urban families and seriously affect their livelihoods, but will also harm the environment.

Methodology

RepRisk Special Reports are compiled using information from the RepRisk ESG Risk Platform, which includes environmental, social and governance (ESG) risk profiles for over 70,000 listed and non-listed companies, 18,000 projects, as well as for every sector and country in the world. Within its rules-based five-step [research process](#), RepRisk screens, on a daily basis, over 80,000 media, stakeholder, and third-party sources in 15 languages to identify risks within the [28 ESG Issues](#) that form its research scope. Each risk incident is analyzed for its novelty, relevance and severity. Thereafter, risk analysts enter an original abstract into the platform and link it to the entities in question. No incident is entered twice unless it has been escalated to a more influential source, contains a significant development, or has not appeared for the past 6 weeks. Each risk incident also undergoes a quality assurance review. In the final step, each risk incident is quantified through the [RepRisk Index](#) and the [RepRisk Rating](#). For more information on the research scope and process, visit www.reprisk.com.

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