



Press Statement of the Commission on Human Rights on the on-going “Agaw Manibela” Operation of the MMDA

Solving the problem of severe traffic congestion has risen to the top of the agenda in many cities. Metro Manila is no exception. We are witnesses to the number-coding scheme, the shame campaign, the wet-rag policy, the spray-paint campaign, the U-turn slots, the designation of loading and unloading areas and such other activities and projects, rightly or wrongly, implemented by the Metro Manila Development Authority (MMDA) all in the name of decongesting traffic in the Metropolis.

The most current scheme now being implemented by the MMDA is “*Oplan Agaw Manibela*” (Grab the Steering Wheel) which allows MMDA traffic enforcers to literally take the driver’s seat of any overstaying public vehicle on roadside loading and unloading zones. Said Oplan allowed passenger buses to stay at stops 15 to 30 seconds only.

While the object of the measure may be laudable – to decongest traffic along EDSA, the Commission on Human Rights raises the issue of the appropriateness and reasonableness of the measure and its consideration of human rights values and standards.

The Universal Declaration on Human Rights, International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights assures everyone’s right to be treated humanely, right to dignity, right to public service, non-discrimination and the right to property.

Government actions must always take into consideration the rights of stakeholders, especially the vulnerable groups, that may be affected. In the matter at hand, the rights-holders are the passengers including such vulnerable groups as women, children, elderly and persons with disabilities who daily depend on public transportation. Giving them a mere 30 seconds either to embark or disembark from any passenger bus would be depriving their right to safety, public and social services and the right against non-discrimination.

Rather than decongesting the roads, “Agaw Manibela” also causes more obstruction and inconvenience as the passengers are forced to move out of the bus, refund fares from the conductor, and

further flood the streets with stranded commuters. And so the cycle goes on.

On the other hand, bus owners and operators have the right to their property. The scheme of the MMDA is tantamount to a deprivation of property without due process which may not pass the test of lawfulness.

MMDA enforcers must also give careful thought on the manner by which they implement their schemes. Vigilance must be with due regard to the human rights.

In these times when most of the people are constrained to use public transportation due to sky-rocketing prices of gas, rice and other commodities, due regard by no less than the executive department of government is expected to share in the burden and assist its constituents by all means possible.

MMDA insists on instilling road discipline. The Commission is all for that. However, when basic rights of the people are sacrificed, we cannot keep silent and watch human rights abuses pass by unnoticed. Discipline is not synonymous with iron rules and harsh executions. Instead of solving problems, we are creating more. The Commission believes that it is when people feel and see that their rights are being respected, promoted and fulfilled that they will move towards the common good.

The Commission supports all efforts of government to improve our cities. However, we call on the MMDA to respect human rights in all its efforts to instill discipline, curb the problem of traffic and implement activities to advance our road system.

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