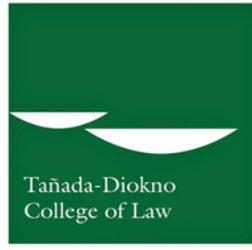


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**TO LIGHT A HUMBLE HOME:**

**The denial of full enjoyment of human rights and improved standard of living  
due to the lack of electrification of rural communities in the Philippines**

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## TO LIGHT A HUMBLE HOME:

### The denial of full enjoyment of human rights and improved standard of living due to the lack of electrification of rural communities in the Philippines

*“Section 6, Article XII of the 1987 Constitution provides: ‘The use of property bears a social function, and all economic agents shall contribute to the common good. Individuals and private groups, including corporations, cooperatives, and similar collective organizations, shall have the right to own, establish, and operate economic enterprises, subject to the duty of the State to promote distributive justice and to intervene when the common good so demands.’ Indisputably, the use of electricity bears a vital social function.”*

Justice Arturo Eduardo B. Nachura in  
*Alyansa Para Sa Bagong Pilipinas, Inc. v. Energy Regulatory Commission*<sup>1</sup>

In June 2018, I applied to become a Resident Intern of the Ateneo Human Rights Center (AHRC). As part of the application process, we traveled to Naujan, Oriental Mindoro where we lived with the members of the Alangan Tribe for 10 days.

My partner and I were welcomed by Tatay Edgardo into his home. He lived alone in a house with four walls built of concrete. His house was different compared to the other warmhearted residents, as theirs were made of bamboo and nipa grass. The breeze of air was cold and the rays of sun felt toasty. It was extremely quiet during the morning, but it burst of chatter and laughter towards the afternoon. At night, it was completely dark. There was no glimmer of light in sight. Nothing could be heard, and nothing could be seen.

The 10 days I was able to spend with the kind, cheerful, industrious, and generous members of their community opened my eyes to many realities – both joys and pains. One of the many things that struck me is that from the moment they wake up at the break of dawn to the time they sleep in the wee hours of the night, there is no electricity. This was one of the first thoughts I had that triggered a continuing reflection on how big the gap is between my tomorrow and theirs.

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<sup>1</sup> *Alyansa Para Sa Bagong Pilipinas, Inc. v. Energy Regulatory Commission*, G.R. No. 227670 (2019).

## **Rural Electrification in the Philippines**

“Rural electrification” refers to the supply of electricity to rural areas, or those areas outside the city.<sup>2</sup> The Philippine Statistics Authority recognizes a “rural area” based on population and location. In terms of population, it has a population density lower than 5,000 persons, and in terms of location, it is located “far away” from urban cities.<sup>3</sup> From this description, it can be deduced that forested and secluded places, mountainous and coastal regions, and the ancestral lands of indigenous cultural communities are considered as “rural areas.”

Rural electrification goes beyond the mere provision of electricity in rural areas; it includes activities pursued with the specific features of a particular territory in mind.<sup>4</sup> In the first place, rural areas, in contrast to urban communities, are at a disadvantage in socioeconomic standing and potential for electricity service. On the other hand, rural areas, when viewed alongside one another, have their own diverse needs and conditions.

Therefore, in striving for rural electrification, special approaches must be undertaken to respond to the prevailing situations in rural areas. Thus, this presents an opportunity to discover more innovative and effective ways in improving the electric industry of the Philippines. Because these special circumstances call for special approaches, they can also lead to special opportunities.

Since the 1960s, there have been rural electrification efforts by the Philippine government.<sup>5</sup> Rural electric facilities increased, and they were considered to be in good working condition. Rural communities’ access to electricity over the past two decades have consistently risen.<sup>6</sup> However, there is still more or less 5% of Filipino families in rural areas deprived of electricity in their homes. 5% may appear to be small, but given the hundreds of rural areas in the country, that seemingly small percentage still represents thousands of individuals. Out of the 18 regions of the country, the power grids owned by the government are able to provide electricity to only 15 of them.<sup>7</sup> The three remaining regions are serviced by private electric

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<sup>2</sup> Zomers, A. (2001). *Rural Electrification* [Doctorate’s thesis]. University of Twente.

<sup>3</sup> The World Bank and Institute for Development Policy and Management Research Foundation, Inc. (2002). *Rural Electrification and Development in the Philippines: Measuring the Social and Economic Benefits*. [www.openknowledge.worldbank.org/handle/10986/19890](http://www.openknowledge.worldbank.org/handle/10986/19890).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> The World Bank. *Access to electricity, rural (% of rural population) - Philippines* [Line graph]. Retrieved April 14, 2022, from [www.data.worldbank.org/indicator/EG.ELC.ACCS.RU.ZS?end=2019&locations=PH&start=1993&view=chart](http://www.data.worldbank.org/indicator/EG.ELC.ACCS.RU.ZS?end=2019&locations=PH&start=1993&view=chart).

<sup>7</sup> *Supra* 2.

cooperatives and utility companies, which are still incapable of keeping up with the exigencies in these regions.

In the Philippines, the electrification of urban communities, as they have large populations and dynamic economic activity, has gone a long way. The supply of electricity in households and businesses in the cities continues to develop. However, it is not completely free of problems. Last year, the National Grid Corporation of the Philippines (NGCP) placed the Luzon Grid on yellow and red alerts.<sup>8</sup> The status “yellow alert” means that due to the high demand for electricity, the level of power in the reserves has become low. The status “red alert” means that there is either an insufficient supply of power or a complete lack of ancillary services for the provision of electricity. Thus, rotational brownouts were observed all over Luzon, including the most populous and economically active cities in the National Capital Region.

Given this, one can only imagine what it would be like in the distant and outlying rural communities of the country. The provision of electricity in those areas is all the more unstable, and residents there are placed in an oppressed situation.

### **Denial of the Full Enjoyment of Human Rights**

One of the fundamental characteristics of human rights is that they are indivisible or interdependent.<sup>9</sup> One right greatly affects many others. There are multiple connections among them that cannot be severed. The exercise of one right permits the exercise of many others, and in the same way, the denial of one results in the denial of many others. The impact on even just a single human right, whether fully enjoyed or unlawfully violated, creates a large ripple effect.

Given the necessity of electricity to human beings today, its absence would result in the denial of one human right after another. This becomes more pressing due to changing circumstances that we must adapt to every single day. Thus, the failure to perform even just one activity because of the lack of electricity has long-term repercussions to an individual, especially to those belonging to rural communities.

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<sup>8</sup> Sarao, Z. (2021, June 1). Rotational brownouts continue as NGCP places Luzon Grid on Yellow, Red alert. *Philippine Daily Inquirer*. [www.newsinfo.inquirer.net/1439884/rotational-brownouts-to-continue-as-ngcp-places-luzon-grid-on-yellow-and-red-alert](http://www.newsinfo.inquirer.net/1439884/rotational-brownouts-to-continue-as-ngcp-places-luzon-grid-on-yellow-and-red-alert).

<sup>9</sup> United Nations. (1948). *Universal Declaration of Human Rights*. [www.un.org/en/about-us/universal-declaration-of-human-rights](http://www.un.org/en/about-us/universal-declaration-of-human-rights).

## *Rural Poverty and the Right to Work*

Poverty in rural communities is a long-standing phenomenon brought by different factors.<sup>10</sup> These factors may be due to nature itself, such as the lack of healthy soil for agriculture and difficulty in transportation due to geographical location. There are also those caused by man, such as the commission of crimes against property, military violence towards civilians, and the absence of adequate legal safeguards to protect the right to property, especially of indigenous people.<sup>11</sup> At the core of these factors is the low level of economic activity and development in rural communities. Because economic activity is drastically low, the conditions of poverty continue to be aggravated over time. This paralyzes the capability of communities to commence even the slightest pursuit of trade. Thus, we see a cycle where depressed economic activity leads to poverty, and poverty leads to even more poverty.

Because these areas are not powered by electricity, minimal to no activities can be done. There is a lack of economic opportunities that can sustain the residents' daily necessities. Thus, the right to work is effectively denied from them. It is possible for them to work in other places where there are opportunities available, like in more urbanized zones. However, this may involve burdensome and costly transportation from their secluded homes to the places of work, and vice versa. In the same way, without electricity, their safety in travelling is jeopardized.

When the state of poverty in rural areas worsens, attempts to migrate to the cities accelerate.<sup>12</sup> As large populations in cities grow even more, the problem of congestion worsens. There would then be scarcity of space and adequate housing, as well as jobs that pay a livable wage. To address this, national and local governments would immediately commence projects to create more roads, buildings, and infrastructure in cities, which would require large expenditure of public funds. These kinds of investments for urban development would then be prejudicial and counterproductive to remote areas. The government could have just come up with efficient ways to spend the people's money to boost the economic standing of rural communities.

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<sup>10</sup> *Supra* 3.

<sup>11</sup> Artemio Panganiban, Former Chief Justice, Supreme Court, *Safeguard Liberty. Conquer Poverty, Share Prosperity (Part Two – For the Legal Profession)*, Speech at the monthly Luncheon Fellowship of the Philippine Bar Association (March 26, 2014) (transcript available at <https://cjpanganiban.com/2014/03/26/safeguard-liberty-conquer-poverty-share-prosperity-2/>) (last accessed April 12, 2022).

<sup>12</sup> *Supra* 3.

## *The Right to Life and to the Highest Attainable Standard of Health*

The right to life is the most basic and paramount of all rights. Without the protection of life itself, there would not even be any opportunity to consider other human rights an individual is entitled to. A significant aspect in the protection of life involves courses of action in the event of disasters – before, during, and after their occurrence.

The Philippines is highly vulnerable to natural calamities and climate change. Thus, the government, through the National Disaster Risk Reduction and Management Council (NDRRMC), prepared a plan outlining the concrete actions it shall take in disaster prevention and mitigation, disaster preparedness, disaster response, and disaster rehabilitation and recovery.<sup>13</sup> A crucial part of these is information dissemination, which for the most part, is accomplished through text messaging and media announcements. Thus, we can see that electricity plays an indispensable role in this situation. Without electricity, residents all over the country would not be sufficiently apprised of the arrival of typhoons, how strong they are, and the necessary precautions that the residents must take.

On another note, General Comment No. 14 of the United Nations Committee on Economic, Social and Cultural Rights (UNCESCR) mandates that each and every human being is entitled to the highest attainable standard of health. One of its essential attributes is the availability of adequate sanitation facilities, hospitals, and clinics, all of which must have the necessary medical apparatuses and machines.<sup>14</sup> Logically, electricity is needed in order to allow these healthcare institutions to perform their functions of saving lives and tending to the sick and the injured.

## *The Right to Education*

General Comment No. 13 of the UNCESCR provides that the right to education is genuinely enjoyed when the educational institutions themselves are fully functioning.<sup>15</sup> They must be equipped with the necessary facilities and adequate resources for sanitation, security, classroom learning, information technology, and the like. At present, the onslaught of the COVID-19 pandemic has forced schools to resort to online learning. These are not possible without electricity. When electricity

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<sup>13</sup> National Disaster Risk Reduction and Management Council (2011). *National Disaster Risk Reduction and Management Plan 2011-2028*. [www.ndrrmc.gov.ph/attachments/article/41/NDRRM\\_PI\\_an\\_2011-2028.pdf](http://www.ndrrmc.gov.ph/attachments/article/41/NDRRM_PI_an_2011-2028.pdf).

<sup>14</sup> Office of the High Commissioner for Human Rights. (2000). *General Comment No. 14: The Right to the Highest Attainable Standard of Health (Article 12)*. [www.refworld.org/pdfid/4538838d0.pdf](http://www.refworld.org/pdfid/4538838d0.pdf).

<sup>15</sup> Office of the High Commissioner for Human Rights. (1999). *General Comment No. 13: The Right to Education (Article 13)*. [www.refworld.org/pdfid/4538838c22.pdf](http://www.refworld.org/pdfid/4538838c22.pdf).

is unavailable and inaccessible, students are deprived of their right to learn. This then creates deep layers of discrimination and prejudice, as it is the poor and those in rural areas with no access to electricity who are most deprived of this right.

### **Recommended Courses of Action**

#### *Demand for Political Commitment and Concrete Action*

In the process of providing stable and sufficient electricity to all rural areas in the Philippines, the government is at the forefront.<sup>16</sup> The level of unfeigned commitment demonstrated by the government must not only last under one or two administrations; rather, it must be strong enough to endure changes in leadership. When the government is perceived to be dedicated in pursuing rural electrification, this will strengthen public confidence. This would also encourage private investors, locally and globally.<sup>17</sup> By doing so, there would capital put into the electric power industry of the country.

This can be achieved by instituting sound and responsive laws and policies. They must be able to adapt to the signs of the times and foresee changes that relevant sectors might experience in the future. In turn, it is just as important that they be responsibly carried out. The written words of legislation, no matter how carefully crafted, would be futile if their execution would be done with corruption and recklessness.

#### *Social Awareness, Rural Assessment, and Community Empowerment*

In the Philippines, public awareness greatly influences the decisions and actions of the government, especially in policy making and program implementation.<sup>18</sup> Therefore, information campaigns must be launched by various stakeholders, including government agencies, civil service organizations, local government units, advocacy groups, and even communities themselves. Through this, knowledge on rural electrification can be spread, particularly its desirability and advantage. In turn, this would instill motivation on citizens, especially those residing in rural areas, to demand urgent action from the government to achieve rural electrification.

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<sup>16</sup> International Renewable Energy Agency. (2017). *Renewables Readiness Assessment: Philippines*. [www.irena.org/publications/2017/Mar/Renewables-Readiness-Assessment-The-Philippines](http://www.irena.org/publications/2017/Mar/Renewables-Readiness-Assessment-The-Philippines).

<sup>17</sup> *Supra* 11.

<sup>18</sup> *Supra* 16.

In the process, residents of rural areas must be involved and allowed to participate in achieving the electrification of their own communities.<sup>19</sup> Through the empowerment of residents, the needs of each community, as these are unique to them and them alone, shall be properly heard and substantially addressed. Without consultations with the communities and their active cooperation, the government's efforts will be fruitless. They will fail to tackle the issue at its core.

### *Continuous Research and Utilization of Other Viable Forms of Energy*

The Philippines is rich with natural resources, making its potential for the use of renewable energy undeniable. Renewable energy is actually deemed to be the best substitute for rural electrification.<sup>20</sup> However, instead of placing them on opposite ends, they can be harmonized alongside each other. They should not be viewed as mutually exclusive, but rather, compatible and complementary. By responsibly exploiting renewable energy resources, and eventually using them to produce electrical power, the state of living in rural communities may be lifted.

The location of the Philippines, given its tropical climate and surrounding waters, shows a great deal of potential for the use of other forms of energy into electricity, such as geothermal, ocean, solar, and wind energy. This requires ongoing research centered on science, engineering, economics, and the law.

### **Electricity as a Means to Progress**

Rural electrification is not the ultimate goal; it is only a means to the end. The availability and use of electricity, wherever it may be, has a strong impact on the social and economic progress of not only its individual citizens, but a whole nation.

In Metro Manila and other highly urbanized cities, many people complain about power outages because that would stop them from watching their favorite shows on Netflix, or from sharing posts online about their favorite Korean pop group, or from opening the air conditioning unit to keep themselves cool from the heat. These luxuries are completely out of the picture for residents of rural communities.

In developing countries like the Philippines, rural electrification is more than just a state activity – it is a means to achieve equity and progress.<sup>21</sup> This is especially

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<sup>19</sup> *Supra* 3.

<sup>20</sup> *Supra* 16.

<sup>21</sup> *Supra* 3.

true for citizens in rural areas, as the most basic services continue to be out of their reach due to the absence of electricity where they live. In the pursuit of rural electrification, attention must be given not only to the capability of the government and utility companies. What is truly important is that the lives of those affected are top of mind. It is high time that electricity should not be viewed merely as a purchased commodity, but rather, an indispensable element in our everyday lives. It must be made available to anyone anywhere, not only for what needs to be done today, but also for what can make one's life prosper tomorrow.

I remember Tatay Edgardo. I remember how he wakes up at 4:00 in the morning, when the sun has yet to rise, he is preparing a cup of coffee and instant noodles with a small fire he has started. I remember how he leaves the house two hours later, with the sun already providing enough light for him to move comfortably. I remember how he returns from town by 5:00 in the afternoon, after a grueling three-hour travel, to mingle with the members of the community, prepare dinner, and get ready for a night's sleep. I remember how he does this again the next day, and the next, and the next. I remember how difficult it is for him because he could not see anything in the enveloping darkness. It is my hope that we get to light Tatay Edgardo's humble home.

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