

HIGH EXPECTATIONS OF PRESIDENT AQUINO – THE VIEW OF LOCAL HRDs



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Due to his work as the head coordinator for the Regions of Negros Occidental and Negros Oriental, Nante Lasay has observed many cases of human rights abuses related to the land conflict under the former president Arroyo. He is the coordinator for the whole island of Negros, the heartland of TFM-activities. TFM has faced local landowner resistance specifically on the Negros based haciendas owned by the Teves and Aquino families, both families highly influential in politics and regional economics. In the following interview Mr. Lasay gives an inside of TFMs view on the 2010 Philippine presidential elections and the performance so far of the new president's administration regarding the implementation of human rights policies.

IPON: Could you please explain the political sentiment within the Philippines before the national elections in May 2010.

Nante Lasay: I think during the last years the Arroyo government was in power, a lot of movement to topple the government or to pursue structural reforms in the government were made, but did not prosper. There was also an attempt to have another EDSA¹ revolution but it did not materialize. In 2007 Filipinos already voted for the opposition. It was a national election that involved the senate but not the president. In those elections, most of the opposition senators won seats in the Senate. That already indicated that the Filipinos were not content with the Arroyo administration and that trend also showed in the 2010 elections.

Before the Philippine national elections in 2010, TFM specifically advised its members to vote for Benigno Aquino III from the Liberal Party. What were your reasons to do so?

Nante Lasay: TFM advised its members to vote for Noynoy Aquino for the reason that we were

not happy about the outcome of the GMA² administration. We analysed the presidential bets during that time and President Arroyo was very wise to deploy at least three candidates, who were very close to her. We knew out of the nine presidential candidates, Benigno Aquino was one of the strongest competitors for the presidential race. Aquino was very popular for the Filipinos, also because of his mother. We felt that voting for someone like him would balance the monopoly of the GMA administration over the Philippine government. So we can say it was a tactical move for our part to consider Noynoy Aquino.

After the EDSA Revolution, Corazon Aquino - as did her son last year - promised a better human rights policy in the Philippines. However, can you say in retrospect that human rights abuses have increased during her nine year presidential term. Did you fear the same developments could take place under Noynoy Aquino?

Nante Lasay: Right now human rights violations are still ongoing, but I cannot say exactly the

1) The first EDSA revolution took place in 1986 and led to the end of the Marcos Regime.

2) Gloria Macapagal Arroyo. President of the Philippines from 2001 till June 2010.

Task Force Mapalad (TFM) is a non-governmental organisation, working nationwide on the active implementation of the state-led agrarian reform introduced in 1988 under the mother of current President Noynoy Aquino. TFMs mission is to improve the quality of life of farmers and farm workers by supporting their initiatives for access to land resources and productivity development. TFM members belong to the „poorest of the poor“ - workers on private agricultural lands still owned and controlled by elite families. These workers do not have access to land and basic social services and work under exploitative conditions on the farms. TFM has 25,000 members in nine provinces, its membership has multiplied from a mere 500 workers on back then 16 haciendas (sugar estates) in September 2001. By virtue of their struggle for their rights, such as the right to life, to food and to a decent standard of living, without being subject to unfair or even violent oppression, IPON conceives members of TFM as human rights defenders (HRDs).

difference between the two presidential terms since the Aquino government just started. Regarding human rights violations related to TFM, especially extrajudicial killings, yet we didn't have those during the time of Aquino. But it is for sure, that the trend of human rights violations is still gaining. There are still a lot of human rights violations and killings that are subject to investigation, especially hostage takings and cases that involve the PNP³. I have attended some seminars of human rights activists. What I learned was that cases of enforced disappearances, tortures and warrantless arrests are still ongoing. In fact another farmer organization that was present during those seminars told us that some of their farmers were apprehended even without warrant. The policemen just told the farmers that they wanted to invite them. Actually, it was an arrest. However we expect that after GMA we will experience good governance under the leadership of Noynoy Aquino. Not only talking about land reform, also talking about other issues that concern the poor for example.

In the course of the interview you mentioned the presidential landholding Hacienda Luisita, a topic that came up quite often during the presidential election campaign. Could you go more into detail about the issue of this hacienda?

Nante Lasay: Hacienda Luisita is owned by the family of President Aquino. We expect that it will be finally distributed to the farmer beneficiaries during his presidential term. He promised that during his election campaign. But apparently we cannot see that the distribution will happen, because there is a change in President Aquino's position towards this issue. Instead of fulfilling his promise during election campaign, he let the Supreme Court decide on the case.

The mode of acquisition which was used in Hacienda Luisita is a stock distribution option. We question this type of acquisition, because it does not involve actual land transfer. It defeats the purpose of the land reform, which is the actual transfer of land to the farmers. In stock distribution options farmers can only get some portion of stocks or stocks that make them part of the corporation. The farmers have no knowledge about whether the corporation is gaining or not. They will just receive dividends or shares after the corporation declared its profit for a year.

What is the current status on Hacienda Luisita according to CARP⁴ ?

Nante Lasay: Well, the case of Hacienda Luisita is now at the Supreme Court. The judges have issued a temporary restraining order (TRO) on land distribution. That is why we are having difficulties with President Aquino's

son as president. He now wants to wait for the Supreme Court decision, if the high court will decide to distribute the property or not. But this is not what we expect, because as the president, he has the highest position in our government. He can do away with that legal decision if he wants to. He can ask the DAR⁵ to continue the distribution without waiting for the Supreme Court decision, if he really wants to. Since he is not doing that, we feel that his promise to distribute the land of Hacienda Luisita to the farmer beneficiaries, during his election campaign, is not true and not going to happen.

What might be the political consequences if he doesn't distribute Hacienda Luisita during his presidential term?

Nante Lasay: We expect that in his term most of the landowners will do the same, if he continues to have no clear direction or clear policy on agrarian



© IPON | National vision at the local level. Interviewing Nate Lasay in Negros.

performance right now. He has to have a firm policy on land reform and the CARP, also because his mother Cory Aquino used the program as a centerpiece of her government during her reign. We expect more from her

reform. If he is not distributing his hacienda, these resisting landowners will definitely follow his example. They also will not distribute their lands citing his hacienda. In that respect, we expect that more agrarian related human

3) Philippine National Police. 4) Comprehensive Agrarian Reform Program. 5) Department of Agrarian Reform.

rights violations will happen in this term of President Aquino.

Have there been human rights abuses on the president's hacienda before or during his presidential term?

Nante Lasay: Before his term, there was the so-called Hacienda Luisita Massacre. Right now there are no reported human rights violations. I'm not really sure, because we don't have memberships in this hacienda. But we have some allied organizations that would tell us about human rights related violence there.

Has TFM tried to get in touch with the new president or his administration to talk about their issues and to inform them about occurring human rights abuses related to TFM?

Nante Lasay: We haven't had the opportunity to discuss the details of our work, our engagement in the DAR and also our worries that human rights related violence will heighten again, due to the resistance of landowners, especially as we are on the extension of the CARP. But we are still working this out with the Office of the President. So, right now our engagement is only on the level of the DAR. But since the secretary of agrarian reform is the alter ego of the president we hope the issues on landholdings, particularly contentious landholdings, that we have, will be tackled. Examples are the Teves⁶ issue in Negros Oriental and the Arroyo landholding here in Negros Occidental. The DAR has a commitment to those cases, but we are still waiting for that to materialize. I can say that at present we are on the negotiation level.

Going back to the Arroyo administration, what kind of human rights violations did occur during her presidential term?

Nante Lasay: We experienced a lot of human rights violations during the time of GMA, because after all she enjoyed nine years of office. She started in 2001. In 2002 cases of harassment started to occur, especially ejections of farmers from their houses in the haciendas, because they were identified as petitioners for CARP. Most of the farmers were also dismissed from work, because they were identified as petitioners. Next to these forms of harassments, there were extrajudicial killings from 2002 to 2007. At least we counted twelve extrajudicial killings of TFM members.

Nine of them were in Negros Occidental. The other three were in other provinces in Negros Oriental and some parts of Mindanao.

Of these nine cases how many have been investigated properly by the Philippine National Police (PNP)? And how many have not been investigated so far?

Nante Lasay: The PNP have done their investigations. Then the cases were turned over to the courts. But the problem is that in some cases, the PNP has no thorough investigations or reports that can be used as material in court. So most of the cases filed at the level of the prosecutor and in the courts are not prospering. There is no movement, so justice is not yet served for those families who were victims of extrajudicial killings. The only positive thing is that these farmers today have their own lands that they are enjoying. But they are still pursuing justice for their families that were victims of killings related to the agrarian reform.

Now under Aquino, do you see any chance that these pending cases will be investigated properly?

Nante Lasay: I think that depends on how TFM and other allies in the human rights circle will pursue them, because I don't think that the government of President Aquino will pursue these cases even without our engagement or asking for his attention to look at these cases. In particular we will still have to campaign or heighten attention to these cases so they will be reviewed by this new government. Of course we hope, especially the families are hoping that justice will be served. Of course they voted for Noyonoy Aquino and they have high hopes that he will be different from the former president.

Elections do not only mean a new president, but also changes in different departments of government. Talking about the Department of Justice (DOJ), the Commission on Human Rights (CHR) or the DAR. Do you see any positive changes within these institutions?

Nante Lasay: Yes. Right now in this particular conjunction, when Aquino stepped in as president, he really chose to have cabinet members that are popular and at the same time used to be part of civil society groups. Let me give you some examples: In particular the CHR

6) See also Article , Fruitless Actions – how state-agencies protect HRD in areas with "landlord resistance" in this issue.

was given to Etta Rosales. Etta Rosales is known as an activist and she is also a former congresswoman for a party list that is also considered as progressive. He also chose Corazon “Dinky” Soliman, who was also part of the civil society and who was also vocal in criticizing GMA. She is now the head of the DSWD⁷ and the former CHR commissioner Leila De Lima is now the Secretary of the DOJ. During these times there are some indications that the government is very willing to install changes that we want. **What do you judge as the current administration’s biggest challenge to the implementation of a better human rights policy?**

Nante Lasay: The thing is that the 2012 election is coming up soon. So right now, President Aquino is busy in strengthening his political base. In particular his party is negotiating with the local elites and local structures to be a part of the majority party so that they could have a majority of seats after the election. If he fails with that, we could see the same pattern as before during the GMA administration. The president has no choice but to deal with the elites and because he is dealing with these elites he will also favour some of their interests, particularly business interests. That is one thing we worry about.

If I may relate that to our work, especially to the agrarian reform, that would become a problem, because the government would still pursue the opening of agricultural lands to foreign investments and would look for lands that would suit for this interest. And that of course will affect the farmer beneficiaries, those who have a “Certificate of Landownership Award” and those who are still struggling to get one. Landowners who are not giving up their land will see that there is a business opportunity for them and they will hold on to their land. So they will not participate or cooperate in the implementation of the agrarian reform, which will be a problem and can lead

to more resistance, provoking further human rights violations.

I think to minimize the violation on civil and political human rights that is still going, the new government should really address the social and economic rights of the people – especially the right to food where land rights of poor farmers are based. In rural areas, access to food mainly depends on access to land by peasants and farmworkers because we are basically an agricultural country. Our present constitution which was enacted in 1987 clearly stipulated the rights of the farmers and the role of state to enforce land reform as our blueprint for industrialization. Addressing the poverty situation in the rural areas by providing peasants of access to land and capital will definitely bring progress to the Philippines. Sad to say, the government after the first EDSA revolution failed to deliver the obligation of the State to the rural poor due to influence of big landlords and comprador in the government to protect their economic interest. That’s why CARP is still not finished and still being implemented for more than 20 years, instead of the original ten year target. We now have another five year extension for CARP and yet we are afraid that the remaining one million hectares backlog will not be finished in 2014 at the rate that the new Aquino government is performing.

Many see corruption as a deep lying cause for human rights violations. President Aquino explicitly put a focus on the fight against corruption during his election campaign. Have you noticed any actions of his administration that are specifically targeting that issue?

Nante Lasay: I stated earlier that president Aquino chose some of his cabinet members from prominent parts of the civil society. That’s a good one. In terms of his program for the poor, he adopted the subsidy of the capital from Brazil. It is called “Pantawid Pamilya”: They are giving subsidies to

the poorest of the poor families for health and education. I think it’s a good move of the government to adopt that measure. It was introduced during the GMA administration, but it was used for political purposes only.

What the DSWD did during the Aquino term is that they asked the congress to allocate the budget for that at the department solely, so it would not be channelled through the local government units. That way, political interests would not be involved, because the DSWD will be the one directly implementing it and not the local governments. I think that is a good indication that he is doing some reforms. But this kind of subsidy will not guarantee that significant change in the lives of the poor Filipinos will happen. The program has only a target of 4.6 Million poor families up to year 2015. Our present population is 90 Million plus. Majority is considered to be poor. The Aquino government should devise a converging strategy that will maximize the use of budget and other foreign aid in delivering basic social services in the rural areas.

Right now they are also doing anti-corruption investigations on people formerly connected to GMA, in the Senate and national investigations particularly concerning the corruption in PNP and AFP⁸. We heard that some cases for the corruption of certain persons attached to GMA will be charged with plunder. But it is not going well, because they are not yet filing enough cases. Without cases, these are considered a show off for the government. These will not guarantee that corruption will be prevented in his term. Corruption will still continue if the government cannot prosecute the violators especially the big ones.

Mr Lasay, thank you for this interview.■

7) Department of Social Welfare and Development.

8) Armed Forces of the Philippines.