

## NEGROS AND THE YEARS BEFORE THE FINAL CURTAIN FALLS. THREE NARRATIVES

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*Introduced in 1988 and extended in 1998 and 2008, many agrarian NGOs fear the Comprehensive Agrarian Reform Program (CARP)<sup>1</sup> to finally expire in 2014. Human rights defenders in the Philippines have to face a new wave of repression within the coming years. Three narratives from haciendas<sup>2</sup> on Negros Island illustrate the nature of repressions that members of the farmer's organization Task Force Mapalad (TFM)<sup>3</sup> recently had to deal with.*

The Declaration on Human Rights Defenders (HRD) provides everyone with “the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms” (UN 1999, Art. 1). However, especially Negros Island has been the arena for human rights violations throughout the past decade. Agriculture, the cultivation of sugar cane in particular, is the strongest economic sector on the Visayan island. Therefore, cases are mostly linked to resisting landowners who are not willing to accept the new ownership developments under the CARP (Bauer 2010: 18). Due to their peaceful struggle for their rights, farmers, who have been awarded with land titles by the Department of Agrarian Reform (DAR), have to deal with a number of harassments such as criminalization, intimidation and physical violence. Although HRDs are supposed to enjoy special protection by state authorities, it is either a lack of political will or resources, which hinders state actors to work properly regarding human rights standards. The coming examples will portray the current situation of the human rights defenders organization TFM on three different haciendas on Negros. They will demonstrate that it is often difficult to judge whether state actors have worked properly and whether the security and life conditions of HRDs have improved.

### Hacienda Agueda

With a size of 97 hectares, Hacienda Agueda is located in Negros Occidental. Local TFM members have been awarded with land titles more than

ten years ago, but the past has been violent (IPON 2010: 20) and the HRDs still can't live free of repressions on their land. On 29th of June 2011, members of TFM decided to dismantle a gate that has been illegally built by farmers, who are still loyal to former landowner Rosita Montañez. Initially, these farmers intended to control the persons who are entering and leaving the hacienda. However, the recently built metal gate in combination with its barbed wire fence poses the potential for denying access to the area and thus jeopardizes the existence of the



© IPON | Hacienda Agueda: A metal gate denies access to the hacienda.

TFM members. When they started to work on the gate, private security guards of aforementioned Montañez came to stop them by firing warning shots into the air and the ground. The TFM members couldn't be kept from dismantling the gate, so that the security guards, after the last bullet was fired, went on throwing stones at them. One member received hematoma. As the police came, the parties kept on proceeding until two officers fired two warning shots themselves. Finally, the situation calmed down and the police

1) It was initiated in 1988 under the Presidency of Corazon Aquino, mother of the current President Benigno Aquino III, with the intention to redistribute land to the landless. Due to outstanding redistributions and a high degree of political pressure, CARP has been extended several times, most recently until 2014.

2) "Hacienda" is the Spanish word for "estate" and describes agrarian plantations that aim self-sufficiency for its inhabitants.

3) TFM's 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" (www.tfmnational.org).

confiscated three rifles and left the area without any further investigation. Meanwhile, former landowner Montañez filed a petition for annulment of all land titles. Her reason was the size of an official stamp on the land title, which she claimed to be slightly too big. Her case was dismissed.

Rifles were pointed at them and a tent was destroyed. Although the police was informed about the potential of violence in advance, they entered the hacienda with half an hour delay. Until now, no proper investigation of the incidence has taken place and similar happenings are likely to recur. More

Manila to confirm their support for an agreement between former landowner and Congressman Henry Teves and TFM. One farmer died due to the miserable conditions during the protests. At that time, the DAR presented a first draft of a compromise agreement. Negotiations between the two parties were conducted at the Office of the President and the signing of the final draft was proceeded by the DAR on 27th of May this year. Since TFM relinquished half of their rightful land, it is again due to TFM's willingness to give-and-take that an agreement was reached. Despite peaceful developments regarding the new land ownership, a new conflict involving four houses of TFM members and their families arose. The houses are located along a highway and opposite of the Negros Oriental State University (NORSU) and because of the financial potential the university students pose, those houses became valuable and hard-fought. The legal situation regarding the rightful ownership is still unclear, but the four families permanently feel pressured to leave their homes and to move away. Aside from Family Teves, who already let the affected families know that they were "welcome to leave", local DAR officials also asked them about their plans to leave the houses. ■



© IPON | Hacienda Bacan: Human rights defenders proudly demonstrate their landtitles.

## Hacienda Bacan

May you enter land, if it's yours? That's the question HRDs had to ask themselves on Hacienda Bacan, Negros Occidental. The prestigious hacienda, formerly owned by former first gentleman Mike Arroyo, partly belongs to members of TFM as well as to a local leasing agency. An agreement between these two parties states that all standing crops belonged to the agency, which is why TFM was permitted access to the land as soon as the harvest season was over. In August 2011, TFM members decided to start cultivating 2 hectares of fallow land, but they were interrupted by private security guards of the aforementioned leasing agency.

and more parts of Hacienda Bacan will be gradually left fallow, creating the option for the members of TFM to enter their rightful land. Their first attempt to do so has shown that this is not a riskless undertaking.

## Hacienda Teves

After more than 14 years of peaceful struggle for their land (Bauer 2010: 19), HRDs of TFM finally received access to their land on Hacienda Teves, Negros Oriental, and since several months they have been able to peacefully cultivate it. However, it is to TFM's credit and sacrifices that the ball was set rolling. They organized a campout in front of the DAR central office in



© IPON | Hacienda Teves: A human rights defender during the signing of the final compromise agreement.

## SOURCES

- United Nations (1998): Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. GA/RES/53/144 (08.03.1999) – [www.unhchr.ch](http://www.unhchr.ch).
- IPON (2010): Security Problems After Land Transfer – In: Observer vol. 2, no. 1, p. 20.
- Bauer, Lukas (2010): The Long Fight for Freedom and Equity. History of a Long Lasting Land-Conflict in Negros Oriental – In: Observer vol. 2, pp. 18-19.