



for LAND & JUSTICE:
The CONTINUING AGRARIAN STRUGGLE in
HACIENDA LUISITA

REPORT of the 2013 HACIENDA LUISITA NATIONAL FACT-FINDING MISSION

ABBREVIATIONS

- AMBALA** Hacienda Luisita Farmworkers Alliance
- AFP** Armed Forces of the Philippines
- AMGL** Central Luzon Peasant Alliance
- AMT** Tarlac Peasant Alliance
- APC** armored personnel carrier
- APECO** Aurora Pacific Economic Zone and Freeport
- APFU** Application to Purchase and Farmers' Undertaking
- AFP** Armed Forces of the Philippines
- BCDA** Bases Conversion Development Authority
- BIN** Barangay Intelligence Network
- Brgy** barangay, village
- BSP** Bangko Sentral ng Pilipinas, Central Bank
- CAFGU** Civilian Auxiliary Forces Geographical Unit
- CARP/ER** Comprehensive Agrarian Reform Program / Extension with Reforms
- CAT** Central Azucarera de Tarlac
- CATLU** Central Azucarera de Tarlac Labor Union
- CBA** Collective Bargaining Agreement
- CHI** Centenary Holdings, Inc.
- CLOA** Certificate of Land Ownership Award
- CPP** Communist Party of the Philippines
- CSI** Crime Scene Investigation
- DAR** Department of Agrarian Reform
- DOLE** Department of Labor and Employment
- EO** Executive Order
- FWB** farmworker-beneficiary
- GARB** Genuine Agrarian Reform Bill
- GSIS** Government Systems Insurance Service
- GSW** gunshot wound
- HLI** Hacienda Luisita, Incorporated
- IB/IBPA** Infantry Battalion, Philippine Army
- ID** Infantry Division
- IFI** Filipino Independent Church
- LBP** Land Bank of the Philippines
- LEM** Luisita Estate Management
- LIP** Luisita Industrial Park
- LIPCO** Luisita Industrial Park Corporation
- LRC** Luisita Realty Corporation
- KMP** Peasant Movement of the Philippines
- MOA** Memorandum of Agreement
- MRTC** Manila Regional Trial Court
- MTC** Municipal Trial Court
- NDFP** National Democratic Front of the Philippines
- NFFM** National Fact-Finding Mission
- NOLCOM** Northern Luzon Command of the AFP
- NPA** New People's Army
- PARC** Presidential Agrarian Reform Council
- PARO** Provincial Agrarian Reform Office
- Php** Philippine Peso
- PNP** Philippine National Police
- PP** Presidential Proclamation
- Pres.** President
- Rep.** Representative
- RCBC** Rizal Commercial Banking Corporation
- RTC** Regional Trial Court
- Sec.** Secretary
- SAKDAL** Luisita Democratic Youth Association
- SC** Supreme Court
- SCTEX** Subic-Clark-Tarlac Expressway
- SDO** Stock Distribution Option
- SENTRA** Center for Genuine Agrarian Reform, legal counsel of AMBALA
- SWAT** - Special Weapons and Tactics
- TADECO** Tarlac Development Corporation
- TPLEX** Tarlac-Parangasinan-La Union Expressway
- TRO** temporary restraining order
- ULWU** United Luisita Workers Union
- UMA** Unyon ng mga Manggagawa sa Agrikultura (Federation of Agricultural Workers)
- UN** United Nations

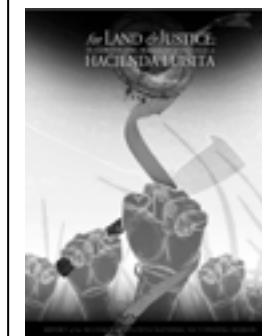
HOW BIG IS Hacienda Luisita?



For Land & Justice: The Continuing Agrarian Struggle in Hacienda Luisita

REPORT OF THE 2013 HACIENDA LUISITA FACT-FINDING MISSION

THE HACIENDA LUISITA NATIONAL FACT-FINDING MISSION (NFFM) spearheaded by the Unyon ng Manggagawa sa Agrikultura (UMA, Federation of Agricultural Workers), its local affiliate Alyansa ng mga Manggagawang-Bukid sa Asyenda Luisita (AMBALA, Hacienda Luisita Farmworkers Alliance) and the Office of Anakpawis Party-list Representative Fernando Hicap, was launched to verify reports of fraud, militarization and new cases of landgrabbing before, during and after the Department of Agrarian Reform's (DAR) land distribution activities in Hacienda Luisita, a vast sugar estate in Tarlac province controlled by the family of President Benigno Simeon "Noynoy" Cojuangco Aquino III.



The NFFM, held from September 16-17, 2013 was participated in by over 50 individuals from Manila and Central Luzon representing groups Bulatlat.com and Pinoy Weekly. The NFFM was preceded by a 3-day immersion program by student organizations of the De La Salle University College of St. Benilde from September 13-15. All activities were held within the villages of Cutcut (Sta. Catalina), Mapalacsiao and Balete in Tarlac City.

The mission was capped by the violent and unlawful arrest of 11 of its delegates: Anakpawis Rep. Fernando Hicap and his Congress staff members Karl Mae San Juan, Rene Blasan, Kerima Acosta and Danilo Ramos, Anakpawis spokesperson and former secretary-general of KMP; Tanggol Magsasaka volunteer Sister Patricia Fox, cultural worker Ericson Acosta, KARAPATAN volunteer Ronald Matthew Gustilo, and Luisita residents Angelina Nunag, Luz Versola of local youth group SAKDAL, and Florida "Pong" Sibayan,

acting chairperson of AMBALA. The arrest was undertaken by elements of the Tarlac City police on orders of the Cojuangco-Aquino firm Tarlac Development Corporation (TADECO).

Several individual interviews and surveys were also conducted to complement this report. These were accomplished in five villages – Balete, Cutcut, Mapalacsiao, Bantog and Asturias all in Tarlac City – through the efforts and support of the Hacienda Luisita Peasant Support Network, Rural Missionaries of The Philippines (RMP), Student Alliance for the Advancement of Democratic Rights in the University of the Philippines, Diliman (STAND-UP) and the Philippine Collegian.

UMA releases this comprehensive report on Hacienda Luisita as contribution to the people's struggle for social justice and genuine agrarian reform.

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Hacienda Luisita: A Brief HISTORICAL LANDSCAPE

HACIENDA LUISITA is a 6,453-hectare sugar estate covering 11 villages in three towns of Tarlac province. Most of the original farmworkers reside in 10 villages – Barangays **Balete**, **Cutcut** (or Sta. Catalina), **Lourdes** (formerly Texas), **Mapalacsiao** (formerly Luisita), **Asturias**, and **Bantog** in Tarlac City; Barangay **Motrico** in La Paz town; and Barangays **Parang** (formerly San Sebastian), **Mabilog** (formerly Pasajes) and **Pando** in Concepcion town. The original estate includes the **Central Azucarera de Tarlac (CAT)** sugar mill and a golf course. The eleventh village is Barangay **Central** in Tarlac City which houses the CAT sugar mill, the St. Martin de Porres Hospital and the Our Lady of Lourdes Church.

Today, portions of Hacienda Luisita have been converted to commercial, residential and industrial use. Aside from the 11 local village proper, other residential areas include a subdivision phase called the “homesite” near Barangay Cutcut; the Las Haciendas Subdivision, which used to be a racetrack that housed Jose “Peping” Cojuangco Jr.’s hundreds of horses; and the opulent 50-hectare Alto village residences of the Cojuangco-Aquinos. The so-called Central Techno Park area of the Luisita Industrial Park, Co. (LIPCO) houses a hotel and a few factories and is near the Aquino Center museum building. The Plaza Luisita

commercial area adjacent to McArthur Highway is now operated by the mall-conglomerate Robinsons Land Corporation of the Gokongwei family.

These converted or non-agricultural areas however comprise only about 8% of the estate, a very small section compared to vast areas planted to sugarcane, and to the burgeoning ricefields and foodcrop plantations of organized farmers under the Bungkalan (tillage) initiative of AMBALA.

Hacienda Luisita is one of the most controversial landholdings in the history of Philippine agrarian reform. It is the economic base of the immense political power

enjoyed today by the Cojuangco-Aquino clan. This landlord family – whose main figures are ironically touted icons of democracy in popular history books – has unleashed every possible devious scheme and machination to suppress worker and peasant unrest in Hacienda Luisita. They have used political influence, underhanded legal maneuvers, bureaucratic corruption, fascist violence and murder to maintain control of this sugar estate.

The saga of the toiling masses in Hacienda Luisita and their brave resistance against this vicious landlord clan is an intricate study in class relations and contradictions.

THE COJUANGCO-AQUINO CLAN ACQUIRES HACIENDA LUISITA

Hacienda Luisita was originally owned by a Spanish hacendero, Don Antonio Lopez y Lopez who named the estate after his wife, Luisa Bru y Lassus. The estate was once partly a tobacco plantation owing to the nature of Don Antonio’s company, the Compañia General de Tabacos de Filipinas or TABACALERA which also controlled vast landholdings in Cagayan and Isabela provinces.

The earliest labor union in Hacienda Luisita was the Hacienda Luisita Labor Union (HLLU) whose first president was Comedes Romero. Eventually, Comedes sided with management and went against ordinary farmworkers.

Even before the Cojuangco-Aquino takeover, the United Luisita Workers Union (ULWU) was founded in 1956. By then the ULWU won over the HLLU as official union. The management refused to recognize the ULWU, prompting the new union to wage a 4-day strike where the ULWU emerged victorious. Eventually, Luisita management employed various devices to subvert the militant nature of this union. The Central Azucarera de Tarlac Labor Union (CATLU) is another prominent labor union established in Hacienda Luisita.

When the lease contract of the Spaniards neared its expiration, farmworkers started asking government to acquire Luisita through public funds so that the estate could be distributed to them.

In 1957, Jose Cojuangco Sr. took control of the Central Azucarera de Tarlac (CAT) and the 6,453-hectare Hacienda Luisita through loans from the New York-based Manufacturer’s Trust Co. endorsed by the Bangko Sentral ng Pilipinas (BSP) or Central Bank, and the Government Systems Insurance Service (GSIS).

The BSP approved Cojuangco’s loan through its Monetary Board Resolution No. 1240 dated August 27, 1957 on two conditions, one of which states that:

“There will be a simultaneous purchase of Hacienda Luisita with the purchase of the shares (of the CAT –Ed.) with the view to distributing this hacienda to small farmers in line with the Administration’s social justice program.”

GSIS likewise approved a 5.9 million-peso loan through Resolution No. 3202 on November 27, 1957, on conditions that Cojuangco himself suggested to GSIS. Quoting from Jose Cojuangco, Sr’s letter to GSIS:

“It will pave the way for the sale to bona fide planters on a long term basis portions of the hacienda. This would provide an opportunity for deserving planters to own choice agricultural lands.”

“It will pave the way for the Filipino groups to subdivide the present barrio sites into small lots to be sold on long-term basis to bona-fide barrio residents. The purchase therefore would provide an opportunity to for the long-time residents within the hacienda to acquire their homesites.”

Since then, sugar production in Hacienda Luisita has always been a Cojuangco-Aquino enterprise. The Cojuangcos acquired the estate through the prodding of President Ramon Magsaysay, with whom Benigno Simeon “Ninoy” Aquino, Jr. worked for as personal assistant. Hacienda Luisita would be distributed to farmers after ten years under Magsaysay’s social justice program. Magsaysay was principal sponsor in Ninoy Aquino’s wedding to Jose Sr.’s daughter Corazon or “Cory.” When Hacienda Luisita and the CAT went under the control of Jose Cojuangco Sr.’s Tarlac Development Corporation (TADECO) in May 11, 1958, Ninoy Aquino became Luisita’s first administrator.

After his death in a plane crash, Magsaysay was succeeded by President Carlos P. Garcia. Elderly Luisita residents claim that thousands of farmworkers started to petition for land distribution during President Garcia’s administration.

Ninoy Aquino facilitated the surrender in 1954 of rebel leader Luis Taruc whose armed group Huk or Hukbong Mapagpalaya ng Bayan (HMB, People’s Liberation Army) had at that time resorted to banditry and opportunism under his flawed leadership. Elderly farmworkers still recall how Ninoy, as farm administrator, coddled and utilized bandit elements as his private army to quell dissent within Luisita.

After serving two years as union leader, former ULWU president Domingo Viadan was killed in 1960. Viadan led co-workers in petitioning government for land distribution to Luisita’s small farmers.

RULING CLASS SQUABBLE: MARCOS VS AQUINO

Under the conditions of Cojuangco’s loans from BSP and the GSIS, Hacienda Luisita would have been distributed to farmers in 1967.

In 1967, Conrado Estrella of the Land Authority inquired in writing with TADECO if they had complied with the SBP and GSIS conditions of land distribution. Jose Cojuangco, Sr. replied that when they took over Luisita, there were no tenants and that they only had to hire farmworkers.

During this time, President Ferdinand Marcos was early into his first term while Ninoy Aquino, who later emerged as Marcos’ most bitter critic and political rival, won a seat as the youngest Senator of the Republic.

But it was also a time of rejuvenation for the progressive mass movement with the emergence of several people’s organizations and formations championing the democratic rights of workers, peasants and oppressed sectors of society. In Hacienda Luisita, farmworkers also organized themselves to assert their rights.

In Tarlac, the peasant war was reignited when the discredited HMB was replaced by the New People’s Army (NPA). The NPA was founded March 1969 in Capas, a town adjacent to Hacienda Luisita.

The Cojuangco-Aquino clan continued to repress farmworkers with the systematic infiltration of pro-management unionists in the ULWU. Even before Martial Law, peasant leader Cecilio Sumat was disappeared. Sumat led workers in a campaign to push an agreement between TADECO and the government for the hacienda to be distributed to tillers 10 years after the Cojuangcos acquired the estate in 1958.

But when Marcos declared Martial Law in 1972, Ninoy Aquino was among the first to be arrested.

Threatened by renewed peasant unrest nationwide, Marcos explicitly cited land reform as one of his justifications for dictatorial rule. Marcos signed his flawed land reform law, Presidential Decree No. 27 (PD 27) exactly a month after on October 21, 1972. PD 27 decreed the distribution of vast rice and corn landholdings to tenants and farmers.

In 1977, the Marcos government started an investigation on land distribution in Hacienda Luisita. The Cojuangco-Aquinos cried harassment. Jose, Sr.’s widow, Demetria, who was at that time TADECO’s vice-president, insisted that it was impractical to distribute Luisita to so many beneficiaries – farmworkers who are technically not even “tenants.” Besides, the sugar estate was not covered by Marcos’ PD 27 which covered only rice and corn landholdings. In a June 22, 1978 letter to Ministry of Agrarian Reform (MAR) Deputy Minister Ernesto V.

Valdez, Demetria Cojuangco said:

“(it is) extremely unwarranted to make us account for the fulfillment of a condition that cannot be enforced... there are no tenants in Hacienda Luisita; ..the Central Bank resolution does not indicate “small farmers;” ..the hacienda is outside the scope of any land reform program of the government; there is no agrarian unrest in Hacienda Luisita.”

ian Reform, which shall take possession of the hacienda to be subdivided into small lots and conveyed at cost to qualified citizens ‘small farmers’ ... upon payment to defendants of just compensation fixed at 3,988,000.00 pesos, Philippine currency, with interest at legal rate from the finality of the decision, and costs.”

On May 7, 1980, the Marcos government filed Civil Case No. 13164 against TADECO before the Manila Regional Trial Court (MRTC). The case compels TADECO and the heirs of the late Jose Cojuangco, Sr. to turn over Hacienda Luisita to the MAR for subdivision and sale at cost to small farmers or tenants.

The bitter rivalry between Marcos and Aquino led to the assassination of Ninoy Aquino on August 21, 1983 at the Manila International Airport, as Aquino returned from a three-year exile in the United States.

The Cojuangcos lost in the case filed by the Marcos government when the MRTC rendered its decision on December 2, 1985. According to the seven-page decision by Judge Bernardo P. Pardo of the MRTC:

“defendants (TADECO and the Cojuangcos) shall execute the necessary documents to convey the entire hacienda to the Ministry of Agrar-

A day after this court decision, Cory Aquino fielded her candidacy to the 1986 Snap Elections on a land reform platform. The snap elections in February 1987 was beset with widespread fraud instigated by the Marcos camp.

But only a few months after the MRTC decision on Hacienda Luisita, Cory Aquino was swept into power through the historic EDSA People Power Uprising also in February.

The AMBALA petition in 2003 sharply analyzes Hacienda Luisita’s place in the ruling class squabble between two of the most powerful families in Philippine history:

It is true that Marcos, political enemy of the Cojuangco-Aquino clan, utilized the issue of the hacienda’s ownership to pressure them. But no amount of political squabble between these two ruling class factions can ever discount the historic and legitimate rights of farmworkers to the lands of the hacienda.

CARPING ON THE CORY PRESIDENCY

After the People Power Uprising toppled the fascist Marcos dictatorship, Ninoy and Cory were hyped as “democracy icons.” However, “Cory Magic” quickly dissipated for the Philippine peasantry after 13 protesting farmers were killed by state forces in the infamous Mendiola Massacre in January 23, 1987.

Like Marcos, Cory declared agrarian reform as the centerpiece program of her rule. Cory issued Presidential Proclamation 131 and Executive Order No. 229 in July 1987. These issuances were the basis for the Comprehensive Agrarian Reform Program (CARP), now infamous as the longest-running, most expensive bogus land reform program in Philippine history.

Cory Aquino’s rise to power was instrumental in the Cojuangco-Aquino clan’s maneuvers to maintain control of Hacienda Luisita. On March 17, 1988, the Cojuangcos elevated their lost Luisita case to the Court of Appeals docketed as CA G.R. 08634. To support the Cojuangcos, the Solicitor General, the BSP governor and the Department of Agrarian Reform (DAR) filed a motion to dismiss the civil case against the Cojuangcos, arguing that Hacienda Luisita would be covered by the Aquino administration’s agrarian reform program anyway.

On May 18, 1988, the Court dismissed the case against the Cojuangcos. Around this time, farmworkers have already organ-

ized themselves into a local alliance called the Alyansa ng mga Manggagawang-Bukid sa Hacienda Luisita or AMBALUS, the predecessor of the present day AMBALA.

However, it was Cory’s land reform law, Republic Act No. 6657 or the CARP, which would prove to dash the hopes of peasants for genuine land reform, not just in Hacienda Luisita but throughout the rest of the Philippine countryside where feudal and semi-feudal exploitation persists. Under the CARP, the Aquino administration concocted the Stock Distribution Option or SDO, a shady pro-landlord scheme which allowed landowners to distribute to farmers shares of stock in a corporation instead of land. Essentially, the SDO provided landlords the legal excuse to evade equitable land distribution.

CONFUSING CORPORATIVE SCHEME

On August 23, 1988, the Hacienda Luisita, Incorporated (HLI) was established as a spin-off corporation of TADECO to implement the SDO scheme. The establishment of the HLI ahead of a scheduled referendum to supposedly “consult” farmworkers of their preferred mode of land reform, speaks of the Cojuangco-Aquino clan’s certainty that the SDO scheme will not face opposition from the farmworkers. HLI’s incorporators were Pedro Cojuangco, Josephine C. Reyes, Teresita C. Lopa, Jose Cojuangco, Jr., and Paz C. Teopaco.

Farmworkers now recall these “consultations” as a reign of terror within the hacien-

da. The choice was between stocks or land – Cojuangco-Aquino supervisors mockingly referred to this as “prinsipyo o kaldero:” if one picks the principled choice of their right to land, the TADECO management threatened to automatically dismiss the person from work and evict them from their residence. As stockholders and part-owners of the hacienda, TADECO promised farmworkers that they would never go hungry again under the SDO.

Throughout the 1980’s, the Cojuangco-Aquino clan maintained the “Yellow Army,” a private army composed of 300 Israeli and British-trained paramilitary forces. At one point, 90 percent of TADECO’s 106 supervisors were armed and doubled as rabid minions of the Cojuangco-Aquinos. The “Yellow Army” and the armed TADECO supervisors were widely utilized to “convince” farmworkers to choose the SDO scheme.

On May 9, 1989, the Cojuangco-Aquino clan along with DAR Secretary Philip Juico, the Tarlac governor and mayors of Tarlac City, Concepcion, and La Paz, held a referendum among Luisita farmworkers to present the SDO. After the referendum, the Memorandum of Agreement (MOA) on the SDO was signed.

In the MOA of May 11, 1989, HLI was designated as the second party to which TADECO transferred control of agricultural portions of Hacienda Luisita and other farm-related property in exchange for shares of stock of farmworkers.

Agricultural land covered by the MOA consisted of 4,915.75 hectares out of the original 6,453 hectares of Hacienda Luisita. The said agricultural land had an appraised value of P196.63 million in 1989, or approximately Php 40, 000 per hectare. According to an article by Solicitor General Frank Chavez published by the Manila Bulletin in 1989, other tracts of Luisita land were classified as roads and creeks (265.75 has.), farmworkers’ homelots (120.92 has.), and an agro-forest (158.85 has). A residential area of 652.43 has. was retained by TADECO, but was also announced to be distributed to farmworkers if the allocated lots were inadequate. However, 339.3 hectares of land acquired by TADECO from the TABACALERA are unaccounted for in his report.

Based on the MOA, farmworkers supposedly owned 33.3% of the outstanding capital stock of HLI, which was Php 355, 531,462.00 (Php 355.53 million) or 355,531,462 shares at Php 1.00 per share before May 10, 1989. In the stock distribution plan, 33.3% of capital stock or Php 118,391,976.85 (Php 118.4 million) or 118,391,976.85 shares will be distributed to farmworker-beneficiaries (FWB) within 30 years. This meant that the Php 118.4 million worth of shares of stocks would be distributed to the FWBs over a period of thirty years at 1/30 of the Php 130 million per year.

1800s 1900s

1898 - 1940S

During the American colonial period, Hacienda Luisita supplies almost 20% of sugar in the US.



1882
Don Antonio Lopez of Spain, founder of the Compañía General de Tabacos de Filipinas or TABACALERA acquires a vast estate in Tarlac province. He names it “Hacienda Luisita” after his wife, **Luisa**.

1907-1909

Melecio Cojuangco, ex-president of Paniqui, Tarlac and only son of patriarch **Jose I Cojuangco** or **Ko Guiok Huang** of Fukien China, sits as Representative of the 1st District of Tarlac in the Philippine Legislature.



1928
Melecio Cojuangco’s four sons establish the **Paniqui Sugar Mills** with Ysidra Cojuangco, Melecio’s sister. The Cojuangco clan becomes the biggest landowner in Central Luzon.

1916-1928

Benigno Q. Aquino, Sr. of Concepcion town, owner of Haciendas Lawang, Murcia & Tinang, sits as Representative of the 2nd district of Tarlac.

1928-1934

Benigno Q. Aquino, Sr. sits as Senator.



1942-1945

Benigno Aquino, Sr. sits as Speaker of the House of Representatives during the Japanese puppet government of **José P. Laurel**.



1934-1946

One of Melecio’s four sons, **Jose Cojuangco, Sr.** sits as Representative of the 1st district of Tarlac in the Philippine Assembly.



Benigno Simeon “Ninoy” Aquino, Jr. works as assistant to Pres. Ramon Magsaysay. Ninoy negotiates the surrender of rebel leader **Luis Taruc** of the Hukbong Mapagpalaya ng Bayan (People’s Liberation Army) or HMB

Hacienda Luisita continues to operate during the World War II Japanese imperialist invasion of the Philippines.



1954
Pres. Magsaysay serves as wedding sponsor to **Ninoy Aquino** and **Cory Cojuangco** at the Our Lady of Sorrows Church.

The Cojuangcos and the Aquinos, the two most powerful political clans in Tarlac and the whole of Central Luzon, merge

1955
 Ninoy Aquino is elected mayor of Concepcion.

1956
The United Luisita Workers Union (ULWU) is established.

1950s

Aside from the enticing presentation of millions of shares of stocks, the Cojuangco-Aquinos proudly announced that FWBs were also to receive 240-square meter residential lots each under the SDO. In 1991, many farmworkers received Certificate of Award documents from the HLI for the homelots, but the original titles were never distributed to them. Until now, many claim that not all farmworkers were allocated homelots during the SDO period.

According to the MOA, qualified beneficiaries of the stock distribution plan shall be farmworkers who appear in the HLI's annual payroll. These included both permanent and seasonal employees who were regularly or periodically employed by the TADECO.

If a farmworker was dismissed for any cause, his name ceases to appear in the annual payroll and he will then be disqualified from receiving any shares of stock from the year he was dismissed onwards. On the other hand, a newly-employed worker, although he is not a resident of the hacienda and should not be a beneficiary of the SDO scheme, will technically receive shares of stock on the basis of his mandays just because his name appears on the payroll.

The distribution of the farmworkers' shares of stock was actually based on the number of hours of work or mandays in the hacienda. The mandays in turn, were based on the system of guaranteed work days wherein HLI management allocated the number of days available for manual work to each farmworker.

Farmworkers did not receive their full annual shares because these were allocated according to these management-controlled mandays. Even before the SDO scheme

was implemented, wide-ranging land use conversion and mechanization of sugarcane production were already implemented in the hacienda, which by 2003 limited the guaranteed mandays to only 80 days a year for each farmworker, or around 1-2 days of work per week.

Joblessness in the hacienda was then used by the Cojuangco-Aquino clan to aggressively push for land use conversion even while Hacienda Luisita was technically under a land reform program. The conversion and sale of the hacienda's agricultural assets were justified by the family by saying that commercial centers and industrial parks would generate jobs for Luisita residents.

LAND USE CONVERSION

Cory Aquino was succeeded in 1992 by General Fidel Ramos, whose presidency Aquino annointed. President Ramos aggressively pushed for the implementation of neoliberal policies in favor of imperialist globalization – liberalization, privatization, denationalization, and deregulation, anticipating that the Philippines would reach newly-industrialized country (NIC) status by the year 2000. Land use conversion and development plans favoring foreign private corporations ushered in unjust exemptions from Cory's land reform law CARP.

Even under a land reform scheme, part of Hacienda Luisita was mortgaged by HLI to Prudential Bank for Php 550 million in as early as 1991, without the knowledge of its "co-owners," the farmworkers.

In September 1995, the Provincial Board of Tarlac under Governor Margarita "Tingting" Cojuangco, wife of Peping

Cojuangco passed Resolution No. 28 that reclassified 3,290 hectares of Hacienda Luisita from agricultural to commercial, industrial, and residential land.

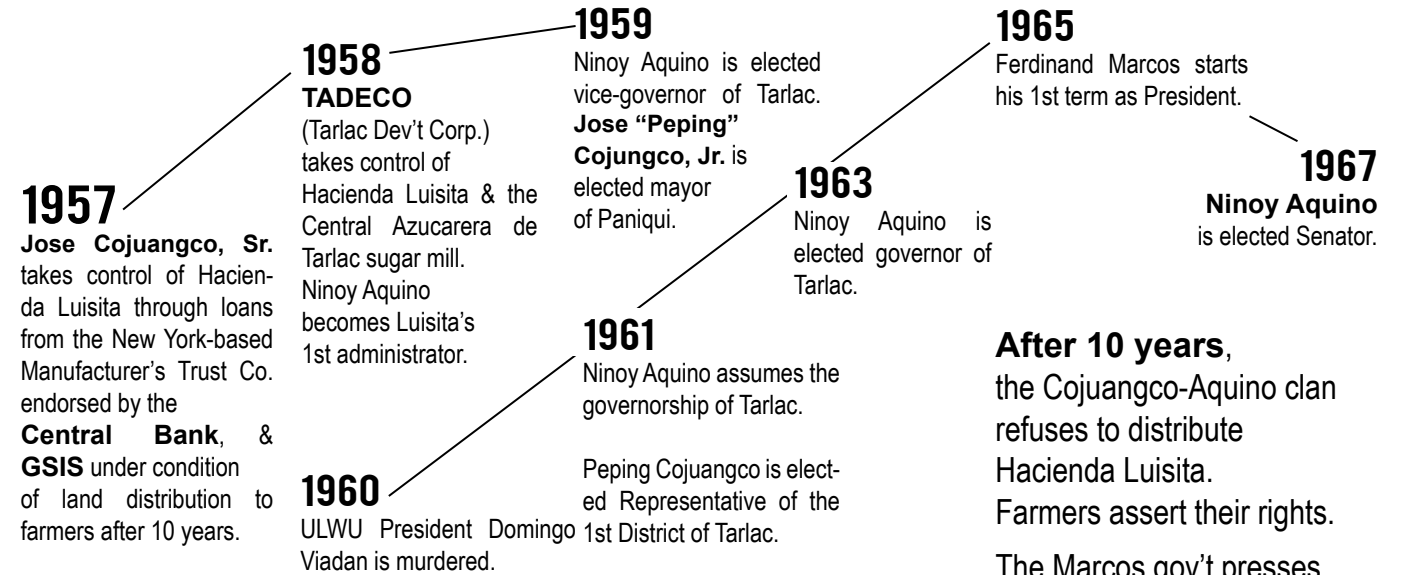
On August 1996, the DAR, through Sec. Ernesto Garilao issued Order No. 030601074-764-(95), Series of 1996, which approved 500 hectares of Luisita land for conversion. The approval was subject to payment of 3% of the gross selling price to FWBs, among other conditions.

HLI then ceded 300 hectares of the land approved for conversion to Centenary Holdings, Inc. (CHI), a subsidiary of HLI, in exchange for subscription of shares of stock. CHI then sold the entire 300 hectares to the Japanese-dominated LIPCO, of which the Cojuangcos and the banking magnate Yuchengcos were also stockholders and incorporators, for Php 750 million. The LIPCO was established in November 1996 by the Yuchengco-owned Rizal Commercial Banking Corporation (RCBC) Agila Holdings, Itochu and HLI to develop the 300-hectare industrial park for Japanese investors.

The Cojuangco-Aquino clan acquired hefty profits from the conversion projects but farmworkers never benefitted from these transactions. HLI absorbed the earnings from the sale of landholdings as additional capital of the corporation.

By 1998, a master land use plan was commissioned by the Luisita Realty Corporation (LRC) from the SWA Group, which according to its website is an international landscape architecture, planning and urban design firm with offices in the United States, China, and the Middle East. Another architectural design firm, the Noni Mendoza Associates (NMA) based

COJUANGCO-AQUINO TAKE-OVER



1960s

in San Francisco, California claims to have provided land planning services for LRC in consultation with the SWA.

The Hacienda Luisita master plan is still showcased as an existing project in the NMA website up to the present. The plan contains the comprehensive land conversion of the entire Hacienda Luisita property into a commercial and industrial complex leaving nothing for agricultural use. The conversion plan is complemented by a superhighway project which now appears to be former President Gloria Macapagal-Arroyo's pet project, the Subic-Clark-Tarlac Expressway (SCTEX).

The Luisita master plan envisions Hacienda Luisita as "the next important commercial and industrial hub in Central Luzon." In line with his neoliberal policies, President Ramos by then had formed a presidential commission for the implementation of a master development plan and "growth corridor" for the whole of the region. Hacienda Luisita is at the heart of this "W Growth Corridor" -- a W-shaped network of existing and future commercial hubs and eco-zones in Central Luzon starting from the Clark Ecozone to the controversial APECO in Aurora.

AMBALA observed that the Cojuangco-Aquino clan used the HLI as a laundering conduit to hide its earnings from farmworkers. At a given point, more than

11,000 individuals were under the payroll of the HLI, even when farmworkers in their employ numbered only to around 5,300. This meant that the HLI was shouldering wages and benefits of numerous supervisors, "confidential employees" and even member of their private army, or individuals in other Cojuangco corporations which had nothing to do with agricultural production.

The HLI and other spin-off corporations of the original TADECO of the Jose Cojuangco, Sr. and Sons such as the CHI, LRC, LIPCO and possibly others have been used by the Cojuangco-Aquino clan like dubious ghost corporations to fraudulently sidestep their obligation to distribute agricultural land to farmworkers.

THE HACIENDA LUISITA STRIKE

The Cojuangco-Aquino clan maintained their popularity and visibility in national affairs, regaining prominence when Cory Aquino supported another popular uprising against a corrupt president. In 2001, President Joseph Estrada was ousted by another EDSA People Power Uprising. Estrada was replaced by a former President's daughter, vice-president Gloria Macapagal-Arroyo.

But by 2003, unrest was brewing amongst farmworkers of Hacienda Luisita.

Joblessness, low wages and deceitful ben-

After 10 years, the Cojuangco-Aquino clan refuses to distribute Hacienda Luisita. Farmers assert their rights. The Marcos gov't presses the Cojuangco-Aquino clan on the distribution of Hacienda Luisita.

efits plagued farmworkers. By 2003, regular farmworkers received only P199.50 a day while seasonal or casual farmworkers, only P194.50. What they actually receive is a minimum of P9.50 a day, or for many others only P9.50 a week because management only allowed one to two working days a week. Since the implementation of the SDO in 1989, ULWU records show that 1,009 farmworker-beneficiaries lost their jobs. To fastrack retrenchment, HLI even resorted to offering early retirement plans to its workers.

On September 28, 2003, 95% of farmworkers boycotted the elections for farmworkers' and supervisors' representatives to the HLI Board of Directors in protest of the SDO scheme. Farmworkers lamented that four board seats were useless against seven management seats.

A month after, on October 14 the HLI Supervisory Group filed a petition before the DAR to revoke the SDO scheme. The group complained that HLI was not giving them their dividends – the 1% share in gross sales and 33% share in the proceeds from the conversion and sale of 500 hectares of land. The group also cited other MOA violations by the HLI, the most basic of which is the false promise that their lives would improve because of the SDO scheme.

When the milling season opened in Oc

tober 2003, more than a thousand farmworkers gathered to protest against the SDO scheme, land-use conversion and joblessness at the hacienda.

By December 4, 2003, AMBALA gathered signatures from around 80% of the total 5,339 Hacienda Luisita farmworkers and filed through its counsel SENTRA a historic petition to the DAR to nullify and rescind the SDO scheme and to stop land-use conversion at the hacienda.

The next year, a deadlock in the negotiations for a collective bargaining agreement (CBA) between the Central Azucarera de Tarlac Labor Union (CATLU) transpired in July when HLI refused to increase workers' wages to P225 per day. Workers also lobbied for work days to be increased from once a week to 2-3 days per week. On October 1, 2004, HLI ordered the illegal dismissal of 327 farm workers belonging to United Luisita Workers' Union (ULWU), including its President Rene Galang and other leaders.

These incidents sparked the farmworkers' outrage.

The Hacienda Luisita Strike was initiated on November 6, 2004. The ULWU started the strike at 11 a.m. Almost all of the 5,000-strong farmworkers' union membership joined. About 700 sugar mill workers of the CATLU stopped working and joined the strike at 3 p.m. the same day.

On November 10, Department of Labor and Employment (DOLE) Secretary Patricia Sto. Tomas issued an "assumption of jurisdiction" (AJ) order citing that Hacienda Luisita and the CAT sugar mill were "vital to the national interest." After failing to disperse the protesters, Sec. Sto. Tomas on November 15 deputized not only the police

but also the military to enforce her order.

In one Senate inquiry, Sto. Tomas had inadvertently implicated the Cojuangco-Aquino clan with her own revelation that she sent military troops after she received a call from then Rep. Noynoy Aquino of the Second District of Tarlac. Rep. Aquino informed her that "tension was mounting in Hacienda Luisita since 50 busloads of sympathizers from neighboring provinces had arrived to beef up the picket line."

On November 16, around 700 policemen, 17 truckloads of soldiers in full battle gear, two tanks equipped with heavy weapons, a pay loader and four fire trucks with water cannons were assembled to confront the picketline.

According to a fact-finding report by BAYAN:

Water cannons blasted the strikers and their supporters with chemical-laced water and initially forced them back from the front lines facing Gate 1...

but the strikers returned. Hundreds of tear gas canisters were then hurled at them. In due time, however, a few strikers learned to smother the tear gas by either dousing the canisters with water or burying these in sandy soil... The pay loader and tanks were then used to smash open Gate 1, the same gate management had earlier padlocked. After the third attempt, the tank succeeded but the strikers threw stones at it and forced the tank to pull back... Scores of strikers rushed through Gate 1 towards the fire trucks throwing everything they could get their hands on at the as-

saulting tank. Then a volley of gunfire rained down on the protesters. It lasted for a minute, followed by more sporadic shooting. Everyone scamp-ered away from where the gunfire was coming from, away from where the police and military were positioned, behind Gate 1, inside the compound of the sugar mill.

Seven people were killed and 121 others were seriously injured, 32 from gunshot wounds. This was the "Hacienda Luisita Massacre."

After the massacre, more than a hundred farmworkers were arrested and detained at the PNP Provincial Headquarters in Camp Macabulos, Tarlac City. Only 20 of those arrested were ULWU members.

Rep. Noynoy Aquino tried to downplay the horrifying incident by saying that most of the victims, and even possible perpetrators of the violence which police and military elements purportedly responded to, were most likely "outsiders."

Indeed hundreds of those arrested were migratory seasonal cane cutters employed by HLI management. Most of those arrested and hauled to Camp Macabulos were these "sakadas" – 48 from Negros island, 14 from Isabela, and four from Bataan. Out of the hundreds of victims of physical assault and injuries, almost half were not from Luisita: 45 from Negros, and the rest from Bataan, Nueva Ecija, and Isabela, according to KARAPATAN.



1986
The People Power uprising topples the Marcos dictatorship and catapults Cory Aquino to the presidency in February.

Militarization in Hacienda Luisita intensifies. The Cojuangco-Aquino clan establishes a "Yellow Army" of armed agents & supervisors.

In November 21, the funeral march of the Massacre victims was joined by more than 6,000 people. The marchers' streamers proclaimed: "Tuloy ang laban! Tuloy ang welga!" (The fight continues! The strike goes on!)

AMBALA's December 2003 petition suddenly started to move forward after the massacre.

The strike continued. During its peak, more than 10,000 farmworkers, their families, and sympathizers gathered in 10 picketlines established all around the sugar estate. State repression and killings continued. The first victim of post-massacre killings in Luisita was Marcelino Beltran, an armyman turned peasant leader of the provincial chapter of AMGL and KMP, Alyansa ng mga Magbubukid sa Tarlac (AMT). Beltran was scheduled to attend a Senate hearing on the massacre to serve as witness on gunshot trajectories. Aside from local farmworkers and peasant leaders, other subsequent victims were a barangay chairman, a Catholic priest, a city councilor and a bishop of the Filipino Independent Church.

On November 22, 2004, the DAR issued Special Order No. 789 which called for the strengthening of the Task Force Stock Distribution Option through the Presidential Agrarian Reform Council (PARC) Secretariat. The DAR Task Force Stock Distribution was then renamed Task Force Luisita and was

convened on November 25, 2004 to discuss for the first time the petitions by Luisita supervisors and AMBALA.

But only a few days after the massacre in November 25, LIPCO transferred 184 hectares of Luisita land approved in the 1996 conversion order to the Rizal Commercial Banking Corporation (RCBC) owned by the Yuchengco family, who are also LIPCO stockholders. The land was transferred in payment of LIPCO's loan obligations.

Amid the tension of the strike, AMBALA's clarion call was for farmworkers to occupy and cultivate the land for their very survival. This was the start of the bungkalan (tillage). Strikers started by planting crops near the picketlines. By 2005, AMBALA members went on to distribute .7 hectare-parcels of land to each farmworker willing to till and cultivate farmlots for food production.

TASK FORCE LUISITA

In March 2005, the DAR's Task Force Luisita deployed 10 teams to 10 barangays within the hacienda to investigate and conduct focus group discussions with farmworkers on the SDO and its supposed benefits and provisions. The Armed Forces of the Philippines' (AFP) Northern Luzon Command (NOLCOM) also pursued heavy deployment of soldiers to facilitate "peace and order" during the DAR investigation.

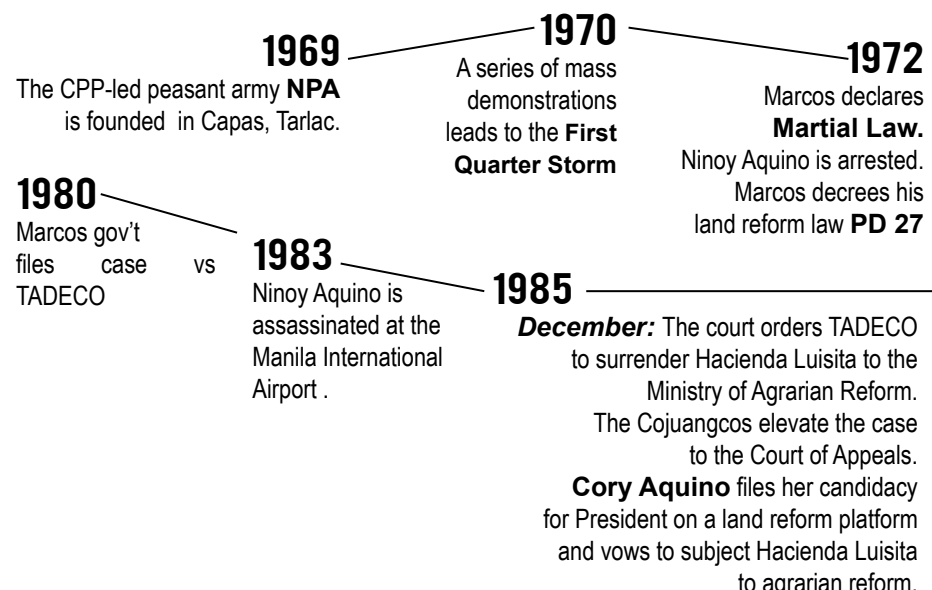
At that time, farmworkers were still on strike. Three companies from the 69th In-

fantry Battalion and 703rd Infantry Brigade patrolled the fields and entered villages at night. Residents, farmworkers and their leaders engaged the soldiers in verbal tussles and confrontations in most of the Luisita villages.

Task Force Luisita submitted its findings and recommendations on the SDO to DAR Secretary Nasser C. Pangandaman on July 2005. By August, Pangandaman created a special legal team to review legal issues in the task force's report. The DAR special legal team submitted its terminal report on the two petitions in September 23, recommending the revocation of the 16-year-old SDO scheme in Hacienda Luisita.

The PARC's actions were observed by the HLI management as political vendetta which resulted from President Arroyo's falling out with the Cojuangco-Aquino clan. It is clear however that the two ruling camps were solidly against farmworkers during the strike, and while anomalous deals such as the overpriced valuation and compensation for the right of way in Hacienda Luisita and construction of a "private" Luisita interchange in the SCTEX were underway.

Arroyo's most trusted fascist henchman, now fugitive Brig. Gen. Jovito Palparan personally facilitated extra-judicial killings and the reign of terror within Hacienda Luisita during his stint as commanding officer of the 7th Infantry Division based in Central Luzon starting in 2005.



1987
January 22: Farmers march to Malacañang to demand genuine land reform. State forces kill 13 farmers in the violent dispersal now known as the "**Mendiola Massacre.**"

Cory issues **PP 131** and **EO 229**, the basis for her land reform program, **CARP**. The Stock Distribution Option or **SDO** is among its provisions.



1987-1998
Peping Cojuangco gets reelected as Representative.

1988
Under the Aquino gov't, the Solicitor General, BSP governor & the DAR file a motion to dismiss the case vs TADECO.
The Court of Appeals junks the Marcos case vs TADECO.

The Cojuangco-Aquinos convert parts of Hacienda Luisita into commercial and industrial areas.

June: RA 6657 or **CARP** is signed into law by Pres. Cory Aquino.

August: TADECO establishes the **Hacienda Luisita, Inc. (HLI)** to implement the SDO scheme.

AMBALUS -- the precursor of the farmworkers' alliance **AMBALA** is established.

Distributing Luisita: FROM LANDMARK SC DECISION, TO BOGUS DAR IMPLEMENTATION



1989

The Cojuangco-Aquinos, DAR and Tarlac LGUs compel Luisita farmworkers to choose between stocks or land in a referendum. The SDO wins via militarization & coercion. **The Memorandum of Agreement on the SDO is signed.**

After Arroyo grew increasingly unpopular through allegations of massive corruption and electoral fraud, Cory Aquino called for President Arroyo's resignation.

On November 17, 2005, HLI signed a MOA with Hazama Corporation for quarrying in connection with the construction of the SCTEX over a period of one year. Hazama Corp. is a partner of Hazama-Taisei-Nippon Steel Joint Venture (HTN-JV), which won the SCTEX contract from Bases Conversion Development Authority (BCDA) to construct the Clark-Tarlac segment which passes through Luisita. Hazama Corp. is also contractor for the construction of the Luisita Industrial Park II, the 300-hectare portion of the DAR-approved conversion in 1996, a project which remains idle to this day.

The HLI's 1991 Prudential Bank loan was reportedly settled through government compensation for the 80.5 hectare right of way, which pegged land valuation at an overpriced Php 1 million per hectare. Farmworkers fought land conversion and the SCTEX project by building human barricades and engaging government institutions like the DENR to declare the quarrying illegal.

On December 23, 2005, the PARC, under President Arroyo issued Resolution No. 2005-32-01, which revoked the SDO plan of TADECO and HLI and placed the lands subject SDO plan under the compulsory coverage scheme of the CARP.

The Hacienda Luisita Strike officially ended after more than a year in December 2005, after the HLI management forged agreements with the CATLU and ULWU. The strikers declared it a "historic victory." The most striking achievement of their struggle by this time is the thriving bungkalan initiative which by then had covered around 2,000 hectares, and improved the daily lives of farmworkers. The DAR decision may be under the TRO, but farmworkers continued to occupy and cultivate the land.

After the PARC decision, the DAR appeared ready to undertake land distribution, even pronouncing to media that the DAR preferred to issue a collective or "mother" Certificate of Land Ownership Award (CLOA) to all FWBs of Hacienda Luisita.

On the first working day of the new year, the HLI was quick to file a motion for reconsideration of the PARC resolution before the DAR. In February 2006, despite the pendency of their DAR motion, HLI filed a petition for certiorari and prohibition against the PARC before the Supreme Court (SC).

The PARC denied the HLI's motion for reconsideration in May but by June, the SC issued a Temporary Restraining Order (TRO) preventing the PARC and DAR to implement land distribution.

Ordinary TROs are valid only for a specific number of days, but the TRO that prohibited DAR from Hacienda Luisita land distribution had no expiry date. This TRO went down in Philippine judicial history as the longest restraining order ever implemented.

The Cojuangco-Aquino clan answered with more political killings and a perpetual reign of terror.

In 2009, Cory Aquino died of colon cancer. Because of death, her son, Noynoy Aquino, who was elected Senator two years earlier despite a dismal legislative record, suddenly became a frontrunner in the 2010 Presidential Race.

ANOTHER COJUANGCO-AQUINO IN POWER

President Noynoy Aquino, now a fifth generation Cojuangco scion, was sworn into office in June 2010, under the banner of the "daang matuwid" (righteous path) anti-corruption crusade. A few months after, however, the Cojuangco-Aquino clan maneuvered yet again to maintain control of Hacienda Luisita through their political influence.

For the first time since the land dispute was brought to its doors four years earlier, the SC scheduled oral arguments on the Hacienda Luisita case.

The first of these oral arguments were scheduled in August 2010.

HLI quickly maneuvered to tap unauthorized representatives of AMBALA and ULWU to sign a compromise agreement to revive the SDO scheme.

The HLI asked the SC to approve the compromise deal.

Within Hacienda Luisita, increased military presence was once again felt, as the AFP established more permanent detachments around the estate.

Terror and militarization was once again utilized by the Cojuangco-Aquino clan as a way of "consultation" with farmworkers. AMBALA showed fierce opposition and urged the SC to junk the compromise deal.

In July 5, 2011, the SC promulgated a decision upholding the earlier PARC resolutions, but with the option for FWBs to remain stockholders of HLI.

Clarification to this earlier decision was promulgated in November 11, 2011 and resolved several motions filed by HLI, PARC and DAR, the HLI Supervisory Group, FARM, AMBALA and Rene Galang.

The SC ruling ordered the total land distribution of Luisita's agricultural lands, the revocation of the SDO, and the audit of HLI and CHI "to determine if the Php 1,330,511,500 (Php 1.33 billion) proceeds of sale of three (3) lots were actually used or spent for legitimate corporate purposes.

Any unspent or unused balance and any disallowed expenditures as determined by the audit shall be distributed to the 6,296 original FWBs."

In April 24, 2012, the SC affirmed its November 22, 2011 ruling in a final and executory decision which ordered the DAR to facilitate the total land distribution of Hacienda Luisita to farmworkers.



ON APRIL 24, 2012, ALL TEN VILLAGES THAT MAKE UP THE LUISITA ESTATE suddenly broke into euphoria. The Supreme Court had, on that same day, affirmed its decision to effect land distribution in the country's most controversial and dispute-ridden *hacienda*. In the face of a very important, even historic legal victory, thousands of Luisita farmworkers — all toughened by decades of struggle — could not have helped feeling as if social justice had at long last been won as well.

THE FINAL AND EXECUTORY RESOLUTION of the SC on the HLI case, in the main, instructs the DAR to facilitate the transfer of land ownership of agricultural lands in Hacienda Luisita to qualified farmworkers all within a period of one year.

The landmark resolution further orders the following:

1. The revocation of the 1989 SDO scheme;
2. The distribution by the DAR of 4,335 hectares, including other tracts that it would find to be agricultural in use, to 6,296 FWBs. Each should supposedly receive no less than a 6,886 sq. meter agricultural lot;
3. The issuance, for free, by the HLI of 18,804 shares of stocks to 4,206 non-qualified FWBs who will remain as stockholders of HLI;

4. The accounting by HLI of the proceeds of sale of the 500-hectare property to RCBC and LIPCO, and 80.5 hectares used for the SCTEX amounting to Php 1.33 billion;

5. The payment by the DAR of just compensation to HLI for agricultural land at the price prevailing in 1989.

Whereas it is the DAR that is principally tasked by law to carry out land distribution in Hacienda Luisita, the organized rank of the farmworkers has deemed itself likewise duty-bound and to have all the right in fact not to remain passive at this juncture of the agrarian struggle.

First of all, the farmworkers, especially through AMBALA, have remained firm on their stand for free land distribution. While the SC ruling prescribes that

the state pays the HLI for every hectare of agricultural land, it has been the assumption of AMBALA that no single centavo shall in the process come from the farmworkers' pockets. This for the simple reason, AMBALA has long argued, that several times over, the cost of land transfer has already been paid for by the FWBs' decades of toil and misery.

Second, the farmworkers, at every opportunity, have also been keen on reminding the DAR of their particular desire to own and till the distributable lands on a collective basis. Such desire at any rate has long been established as a social and economic fact through the practice of bungkalan, a mass cultivation movement which the farmers themselves and AMBALA have ingeniously initiated during the height of the Hacienda Luisita

Strike in 2005.

Third, as direct and active party to the social enterprise of land reform, the organized farmworkers have requested that, in the spirit of democratic consultation, the DAR provide them with corresponding documents, including copies of the all-important Luisita land survey and subdivision plan. Likewise, in the interest of transparency, AMBALA has many times asserted that the farmworkers themselves have the right to appoint an auditing firm that would review their share of the Php 1.33 billion total sale of HLI assets.

DAR meanwhile, sometime in the second half of 2012, confidently declared that land reform in Hacienda Luisita shall push through especially as it has then already become basically the department's

flagship endeavor. Such declaration may have effectively served to further dispel any popular doubt at that time as to Malacanang's willingness to abide by the SC and truly subject the vast land of the Presidential family and clan to distribution. It may be recalled particularly that the actions of President Aquino in May of the same year which led rather speedily to the impeachment of Chief Justice Renato Corona have largely been read as the chief executive's way of getting back at the latter, who was said to have been instrumental in the SC decision on Hacienda Luisita.

By the middle of 2013, it seemed by all indication that the DAR was enjoying maximum logistical support and media mileage in projecting the line that the current Aquino president, given

his rectitude and impartiality, shall not in any way intervene with land reform in his erstwhile 6,453 has. backyard, The pressure furthermore in beating the deadline in 2014 for the completion of CARPER's land reform targets, according to DAR, can only make land distribution in Hacienda Luisita more inevitably expeditious.

The findings of the September 2013 Hacienda Luisita NFFM which are here comprehensively presented generally confirm that land distribution in all of the ten villages of Hacienda Luisita has indeed been quite expeditious. Expeditiously bogus, that is -- a very unfortunate narrative no doubt which however speaks as well of the continuing life and death struggle for land and justice of the gallant Luisita farmworkers.

and divisive list has given AMBALA reason to finally opt for collective land ownership instead of individual titling. A highly organized, democratic and independent community can resolve problems far more rationally than any bureaucratic technicalities. Farmers' organizations can better maximize the land's productivity through planned cooperation and the systematic pooling of labor power and other productive resources, and the prompt consideration of each household's day-to-day needs based on the full recognition of their collective history and struggle.

AMBALA's fears however would be realized in February 2013 when the DAR finally released its official masterlist of 6,212 beneficiaries. Some of the oldest farmworker families, most prominent union and farmworkers' leaders and activists, and kins of victims of the Hacienda Luisita massacre and subsequent killings were nowhere to be found in the list. Meanwhile, nearly a thousand questionable names were included, some belonging to the Cojuangco-Aquino's most rabid agents, supervisors and so-called "yellow army."

Anomalous Land Survey

IN JULY OF 2013, THE DAR ANNOUNCED that FF Cruz & Co., Inc., the survey firm that the department has hired by, found only 4,099.92 hectares of agricultural land for distribution from the original 6,453-hectare property. Each of the 6,212 FWBs could thus expect to receive a 6,600-sq-meter farm lot (.66 hectares) or more than half a hectare of land.

The DAR-FF Cruz survey based its summary on a mysterious figure of 5,149 hectares which supposedly covers three land titles found in Tarlac City, La Paz and Concepcion towns that TADECO ceded to HLI in 1989 and placed under the SDO scheme. According to public records, the total agricultural land covered in the SDO is equal to 4,915.75 hectares, which should make only around 234 hectares in these three towns to be non-agricultural in nature. With this formula, the survey has glaringly left more than 1,300 hectares of Hacienda Luisita property to be unaccounted for.

These dizzying figures show how the DAR came up with only 4,099.92 hectares

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16, 2004. Ang manugang ko, winasak ng bala ang balikat. Mabuti nabuhay pa siya.

"2005 nagsimula kaming maglinang ng sariling lupa. Tinamnan namin ito ng palay. Mga .7 ektarya batay sa sabi ng organisasyon. Ganito rin ang magiging bahagi namin sa lupa kapag ipinamahagi na.

"Dahil kasama kami sa masterlist ng DAR nong 1989, nabigyan kami ng home lot. Kampante kami na makakasama sa pinal na listahan ng mga benepisyaryo. Laking gulat na lang namin nang ilabas na nila ang listahan -- wala kami rito. Pinagsabihan kami na umalis sa lupang nililalang. Ang tagal na namin dito. Kasama kami sa hirap at pakikibaka pero wala kaming napala sa DAR. Ayaw sana naming umalis pero baka pagod at gastos lang ang aabutin namin. Baka ang nakakuha ng aming lote sa tambyolo ng DAR ang sumunod na magpalayas sa amin. Gulo lang yun.

Ngayon heto kami at nakikiani, nagratrabaho muli bilang manggagawang-bukid sa tubuhan. Ang mga anak ko, naglalabada, sumasama sa konstruksyon, para lang mairaos ang araw-araw.

"Sa kaibuturan ng aming puso, lupa at hustisya pa rin ang aming hinahanap!"

Sa asyenda na pinanganak ang mag-asawang Marcela at Leopoldo Datu Sr. 1901 pa dumating rito ang kanilang mga ninuno. Ito ang kuwento ni "Nong Poldo:

"BILANG MANGGAGAWANG-BUKID DINANAS namin ang matinding hirap sa kamay ng panginoong maylupa. Kaya gaya ng karamihan, sumama rin kami sa welg. Nakatikim kami ng karahasan mula sa mga militar

at pulis. Pero hindi kami sumuko. Kasama kami sa inilunsad na bungkalan lalo na sa lupang kinakamkam ng RCBC upang igiit ang karapatan namin sa lupa".

"2005, nagsimula kami ng aking asawa't mga anak, na maglinang ng .7 ektarya sa erya dito sa barangay. Palay, gulay— kahit papano, may nakakain kami. Hindi nga lang ito magkasya sa aming malaking pamilya dahil umuutang lang ako sa mga pinansyer na nagpapa-usura. Mga anak ko naman ay tumulong na rin para kumita. Sumasama sila sa konstruksyon sa kung saan-saan sa labas ng asyenda."

"Dumating ang araw nang ilabas ng DAR ang pinal na listahan ng mga benepisyaryo. Gaya nina Norma at Edil, hindi kami kasama sa listahan.

"Ano ba ang basehan ng DAR para ilaglag kami samantalang matagal na kami rito? Benepisyaryo na nga kami ng home lot, e bakit sa farm lot wala kami? Gaya ng napagkaisahan sa organisasyon, at batay na rin sa batas, dapat kung saan nagsasak ay dun na kami italaga. Kaya di ko lilisanin itong .7 ektarya na ito. Hahantong sa gulo kapag may dumating para angkinin ito. Ano'ng karapatan nila? Bakit kasi ito ang ginawang paraan ng DAR na kami ay pag-away-awayin. Ito ba ang reporma sa lupa na sinasabi ng ating gobyerno?"

"Mahigit sa 25 pamilya pa rito sa barangay ang kagaya naming ganito.

"Lupa at hustisya pa rin ang aming hinihiling. Umaasa ako kasama ang aking pamilya na gaya ng pagkakaisa na ginawa namin sa welga noong 2004, andyan pa rin ang lakas ng organisasyon na titindig para sa karapatan ng mga manggagawang-bukid."

Farmworkers insist that it is impossible for 300 hectares of these so-called "common areas" to simply "disappear." In contrast, the visibly vast expanse of the SCTEX over Hacienda Luisita covers only 80.5 hectares.

Here is a comparison of figures from a 1989 report by former Solicitor-General Frank Chavez and the DAR's latest summary:

Drawing up the Masterlist

A QUALIFIED FWB IS DEFINED BY the SC decision as one who was a worker in the hacienda in 1989 when the SDO was adopted. An FWB therefore was supposed to have been eligible to own land had actual land distribution been implemented in the said year instead of the SDO. A non-qualified FWB, meanwhile, is someone who became a worker in the hacienda only after the SDO scheme had been in effect. He or she therefore is not entitled to land distribution but to shares of stock of HLI.

The 1989 MOA masterlist is the most reliable documented reference to check for original farmworker beneficiaries. It must be recalled, however, that this same list had been used by HLI to gain leverage over the opponents of its policies among the farmworkers. Those who staunchly asserted their right to land in 1989 were automatically stricken off this list. In a 2003 petition, meanwhile, AMBALA accused the HLI management of bloating the number of workers under the payroll. This masterlist thus is a veritable transcript of the Cojuangco-Aquino brand of intimidation and fraud.

In 2010, the HLI management submitted to the SC 10,502 names which the former identified as Hacienda Luisita FWBs.

The DAR released an initial masterlist of FWBs in October 30, 2012 com-

prised of 5,365 farmworkers, and an accompanying provisional list containing names of 1,221 individuals purportedly lacking in requisite documents to prove their qualifications as FWBs. The DAR pompously announced their elaborate verification process which mobilized hundreds of its personnel for rounds of interviews and collection of documentary evidence from nearly 10,000 FWB applicants.

The KMP criticized the DAR for sowing confusion, disunity, and chaos

when it padded the original number of 6,296 FWBs to 8,482. Increasing the number of beneficiaries by considering Cojuangco-Aquino dummies could only reduce the size of land for individual distribution down to a pitiful garden plot, and thus justify once more the age-old Cojuangco-Aquino alibi of the impracticability of subdividing an extremely vast estate like Hacienda Luisita.

The unfortunate prospect of land distribution based on a deliberately flawed

Mga Lista sa Tubig

Ang mag-asawang Norma at Edilberto Mabuti ay mga manggagawang-bukid sa Brgy. Bantog, Hacienda Luisita. Ito ang salaysay ni Norma:

"WALA PANG MASYADONG MGA TAO SA asyendang ito nang mapadpad dito ang mga ninuno namin galing sa Isabela. Dito na ipinanganak ang lolo't lola ko. Dito na rin ako ipinanganak, nagkaasawa at nabiyayaan ng anim anak. Gaya ng aming mga lolo't lola, kami ay naging manggagawang-bukid sa asyenda ng mga Cojuangco-Aquino. Hirap ang buhay namin bilang mga manggagawang-bukid.

"Nang maluklok si Cory, natuwa kami. Magiging marangya na raw ang buhay namin dahil magiging stockholders na kami sa programang SDO. Lumipas ang ilang taon, wala na-

man kaming natikmang magandang buhay. Mas lumiit pa nga ang kita namin. Marami sa amin ang tumatanggap na lang ng hindi hihigit sa P9.50 bawat araw. Pagpapahirap, pagsasamantala ang araw-araw naming nilulunok hanggang sa hindi na namin ito natiis.

"Nobyembre 6, 2004, sumiklab ang welga. Kasama kami lahat. Tumindi nang tumindi ang karahasan laban sa amin at humantong ito sa madugong masaker nong Nobyembre

Mga Lista... >> p. 5

TABLE 1. 2013 HACIENDA LUISITA LAND SURVEY BY DAR & FF CRUZ

LAND SUMMARY OF HACIENDA LUISITA, INC.

Updated summary as of July 12, 2013

Source: DAR

	LA PAZ	TARLAC	CONCEPCION	TOTAL
Original Titles	T-236740	T-236741	T-236742	
Area covered by Titles of HLI of HLI	1,434.4829	1,783.7684	1,931.3068	5149.5581
LESS (DEDUCTED IN 1989):				
Roads	10.0653	19.5641	6.1821	35.8115
Canals	22.3791	26.1796	15.3719	63.9306
Eroded	4.0702	21.4215	12.5685	38.0602
Legal Easement	2.4815			2.4815
Residential	6.3668	38.1366	11.6206	56.124
TOTAL (TO BE DEDUCTED)	45.3629	105.3018	45.7431	196.4078
BALANCE	1,389.1200	1,678.4666	1,885.5637	4,953.1503

LESS (PER SUPREME COURT DIRECTIVE):				
BCDA (SCTEX)	47.9313	5.9715	26.6087	80.5115
Converted Areas		500.0000		500.0000
TOTAL (TO BE DEDUCTED) ED)	47.9313	505.9715	26.6087	580.5115
BALANCE	1,341.1887	1,172.4951	1,858.9550	4,372.6388

LESS (NOT COVERABLE):				
Cemetery	2.1063			2.1063
SCTEX Access Roads	1.5936	7.0827	1.3424	10.0187
TOTAL (TO BE DEDUCTED)	3.6999	7.0827	1.3424	12.1250
BALANCE	1,337.4888	1,165.4124	1,857.6126	4,360.5138

ADD (DEDUCTED IN 1989 BUT TO BE ACQUIRED AS COMMON AREAS OF FWBS)				
Roads	10.0653	19.5641	6.1821	35.8115
Canals	22.3791	26.1796	15.3719	63.9306
Eroded	4.0702	21.4215	12.5685	38.0602
Legal Easement	2.4815			2.4815
TOTAL (TO BE ADDED)	38.9961	67.1652	34.1225	140.2838
TOTAL AREA (TO BE ACQUIRED)	1376.4849	1232.5776	1891.7351	4500.7976

LESS (TO BE RETAINED BY RP [NOT L RP [NOT DISTRIBUTED] AS COMMON AREAS OF FWBS)				
Concrete Structure		0.0155		0.0155
Add. Eroded		2.7425		2.7425
Creeks/Irrigation	0.9031	0.9813	4.5736	6.4580
New roads	4.3400	2.1417	9.9466	16.4283
Fishpond	14.1317	7.3715	32.5872	54.0904
Lagoon		2.2315		2.2315
Railroad (Central)		3.7194		3.7194
Firebreaks	63.5341	39.0121	71.5298	174.0760
Buffer zone	0.3768	0.2836	0.1719	0.8323
Roads	10.0653	19.5641	6.1821	35.8115
Canals	22.3791	26.1796	15.3719	63.9306
Eroded	4.0702	21.4215	12.5685	38.0602
Legal Easement	2.4815			2.4815
TOTAL (TO BE DEDUCTED) CTED)	122.2818	125.6643	152.9316	400.8777
TOTAL NET DISTRIBUTABLE AREA	1254.2031	1106.9133	1738.8035	4099.9199

/6,212 FWBs = .6600 sq. meters per FWB

HACIENDA LUISITA LAND CLASSIFICATION (IN HECTARES)	1989	2013
AGRICULTURAL LAND (UNDER LAND REFORM)	4,915.75	4,099.92
ROADS, CREEKS	265.75	140.29
FARMWORKERS' HOMELOTS	120.92	
AGRO-FOREST	158.85	
RESIDENTIAL	652.43	56.12
NEW DEDUCTIONS BY DAR		
FIREBREAKS, FISHPOND, NEWROADS, ETC.		260.59
CEMETERY / SCTEX ACCESS ROAD		12.13
CONVERTED AREA		500
SCTEX		80.51
UNACCOUNTED	339.3	1,303.44
ORIGINAL TOTAL LAND AREA	6,453.00	6,453.00

TABLE 2 - LUISITA LAND BREAKDOWN / Source: Manila Bulletin & DAR

Chavez noted that the large portion described as residential land in the 1989 data is a reserve that will also be distributed to farmworkers if the allocated home lots were inadequate.

Ahead of Cory Aquino's land reform program, the Cojuangco-Aquinos, through the LRC, converted certain portions of Luisita for commercial, residential and industrial use. Based on 1989 and 2013 information, it is still unclear however, if these famous Hacienda Luisita landmarks belong to the "residential" or to the "unaccounted" section.

500-hectare "converted land"

FURTHERMORE, THE DAR HAS EXCLUDED the 500 hectares of "converted area" from the Tarlac City title (T-236741) which the department has claimed to be entirely situated in Brgy. Balete, contrary to the 1996 order which clearly states that only 341.45 hectares from this land title had been approved for conversion. However, there are also discrepancies between the total number of hectares declared in 1996 (1,594.2 has) and 2013 (1,783.8 has.) for this Tarlac land title, making declarations

TABLE. 500-hectare area approved by DAR for CONVERSION in 1996 (IN HECTARES)

LAND TITLE	AREA PER TITLE (based on 1996 DAR order)	AREA PER TITLE (based on 2013 DAR summary)	AREA APPROVED by DAR for conversion in 1996
T-240197	8.7763	NO DATA	8.7763
T-258791	149.773	NO DATA	149.773
T-236741	1,594.2008	1,783.7684	341.4507
TOTAL			500.0003

based on these purported original titles highly questionable unless directly opened to public scrutiny.

HLI's conversion application in October 1995 stated that 300 hectares were to be used for an industrial estate, 100 hectares for medium-cost housing, and another 100 for low-cost housing. According to DAR's conversion order, the 500-hectare property is found in Sitios (sub-village) San Miguel, Luisita and Bantug, Barangay Ungot in Tarlac City, the original villages declared in the 1907 TABACALERA owned land titles.

The 500-hectare "converted area" has been a bone of contention between the Cojuangco-Aquinos and the farmworkers in the villages of Tarlac City, especially in Barangay Balete where, according to DAR, the entire 500-hectare area is found. After the approval of the conversion, HLI ceded 300 hectares to another Cojuangco firm, Centenary Holdings, Inc. which in turn sold the property to LIPCO. A few days after the Hacienda Luisita Massacre in 2004, LIPCO sold 184 hectares of the property to RCBC.

These "converted areas" failed to undergo any kind of development and remain agricultural up to the present. The gate of the Luisita Industrial Park II Complex leads to a vast expanse of idle land. However, at the height of the Hacienda Luisita Strike and AMBALA's bungkalan campaign in 2005 – or 10 years since the HLI applied for land use conversion – farmworkers took it upon themselves to cultivate part of the contested RCBC property for food crops.

AMBALA and Balete residents have since engaged RCBC in a bitter tug-of-war even as this private corporation has unflinchingly utilized violence, sometimes even in partnership with state forces, to suppress the farmworkers' claims. A number of incidents involving violent dispersals and arrests of farmers, charges and counter-charges ensued. In 2012, RCBC and the Cojuangco-Aquino clan hatched "Oplan April Spring" – a strategy akin to a military plan which aimed to destroy farmers' opposition to the RCBC claim. This local strategy complemented Noynoy Aquino's national counter-insurgency policy "Oplan Bayanihan" and utilized massive propaganda and mass deception, state

IS RCBC AN “INNOCENT PURCHASER?”

ON OCTOBER 2007, THE RCBC, FAMILIAR TO MOST AS A COMMERCIAL BANK FOUND in every major urban center in the country, intervened in the Hacienda Luisita SC case by filing a motion. After the Presidential Agrarian Reform Council resolved that Hacienda Luisita must be distributed to its farmworkers, RCBC claimed that their 184-hectare property within Luisita must be exempted, for they were but “innocent purchasers” that had nothing to do with the agrarian dispute.

Before the RCBC installed layers of concrete fences and fortifications around its purported property earlier this year, part of the lot was cultivated by AMBALA for the bungkalan since 2005.

RCBC acquired the contested 184 has. from Luisita Industrial Park Corp. (LIPCO) in November 25, 2004, as payment of LIPCO’s Php 431.7 million loan obligations. But how did agricultural land supposedly seized by government for land reform become property of an industrial firm in the first place?

In 1995, HLI applied for a land conversion order from the DAR. Hacienda Luisita was then under a corporative land reform scheme, the Cory-implemented SDO which allowed landlords to evade physical land distribution by having the farmers as “co-owners.” The scheme apparently also allowed agricultural land to be converted into other uses when. on August 14, 1996, the DAR approved the said HLI application allowing 500 has. to be converted for commercial use.

Of the total 500 has., HLI ceded 300 to Centenary Holdings, Inc. (CHI) in exchange for subscription of 12,000,000 shares of stocks on December 13, 1996. CHI is wholly-owned by HLI and the Cojuangcos, Teopacos and Lopas. The remaining 200 has. was transferred to Luisita Realty Corporation (LRC), a company created by the Cojuangco-Aquinos to facilitate its development plans for Hacienda Luisita.

Subsequently, CHI sold the 300-has. property to LIPCO for P750 million. LIPCO acquired the property to build an industrial complex. Is LIPCO then another company wholly-owned by the Cojuangco-Aquinos?

In November 1996, RCBC joined Agila Holdings, Itochu and HLI in putting up the Luisita Industrial Park Corp., a 300-has. industrial park for Japanese investors.

During the SC oral arguments on Hacienda Luisita in 2010, it was reported that RCBC held 524,997 shares in LIPCO while HLI had 134,999 or 9% ownership.

According to AMBALA counsel, Atty. Jobert Pahilga, CHI, LRC, and even LIPCO and RCBC are the successors-in-interest of HLI on the 500-has. property and, as such, are bound by the terms of the conversion order. On January 5, 2012 AMBALA filed a motion for the DAR to revoke the conversion order and include the 500 has. for land reform coverage. The conversion can be revoked by the DAR on the following grounds:

Non-compliance with the conditions of the conversion order;

- Failure to commence any development work on the property within a year from issuance of order (14 August 1996)
- Non-completion of the development plan on the property within 5 years from order;
- Failure to submit written request for extension within 6 months before the lapse of the 5-year period;
- Failure to submit quarterly reports on the status of the development to the MARO, PARO and Regional DAR as required by the rules;
- Non-observance of the conditions for the use of the land as authorized in the Conversion Order by HLI and its successor-in-interest;
- Unauthorized change of use of the land from the development plan as approved in the Conversion Order without the prior consent and approval by the DAR;
- Unauthorized sale, transfer or disposition of the land without the prior consent and approval by the DAR.

Is RCBC an “innocent purchaser?” Legal gobbledygook may say yes even if RCBC acquired the property only a few days after the gruesome Hacienda Luisita Massacre. Meanwhile, the DAR takes its sweet time “studying” and “considering” the farmers’ appeals and petitions as the RCBC unleashes the wrath of its “Oplan April Spring” upon defiant farmers.

violence, underhanded legal maneuvers, and even corruption and bribery of community leaders.

AMBALA through its counsel SENTRA has challenged RCBC in court. AMBALA contends that within the bounds of law, an area approved for conversion should undergo development within five years. Failure to do so forfeits the conversion order. Section 65 of Republic Act No. 6657, as amended (CARPER) stipulates the following:

“Failure to implement the conversion plan within five (5) years from the approval of such conversion plan or any violation of the conditions of the conversion order due to the fault of the applicant shall cause the land to automatically be covered by CARP.”

That these areas were never covered by any kind of development after nearly two decades uncovers the truth that the Cojuangco-Aquinos had all along been using spin-off corporations to perpetually dodge land reform and to benefit financially through deception and landgrabbing. The DAR has been issuing several technical and bureaucratic excuses for its ineptitude – practically favoring the Cojuangco-Aquinos and the RCBC – on the land conversion issue.

By the time DAR started its land allocation activities in July 2013, RCBC had installed several watchtowers manned by armed personnel, extensive concrete fences and layers of fortification around the contested property.

Furthermore, upon scrutiny of the DAR reports, the NFFM found out that the 500-hectare “converted area” could not have possibly been chopped off from Brgy. Balete given that the declared area of the said barangay in the Tarlac City title is only around 101 hectares. Yet just as questionable are DAR’s figures for the land areas of populous villages Balete and Mapalacsiao which are unusually small compared to how these villages appear in HLI’s own maps.

Instead, according to its records, the DAR has excluded from distribution a whopping 526 hectares in Brgy. Lourdes, a village adjacent to Balete. It could be assumed this time

that the 500-hectare “converted area” had been slashed off from Lourdes. When the NFFM however compared the HLI map of Lourdes with the DAR’s subdivision plan displayed on a tarpaulin during the tambio draw in the barangay hall, it revealed that the slashed portions in question are different from the “converted area” fenced by RCBC and LIP II. A portion adjacent to the RCBC and near Barangay Balete is among agricultural lands found by the NFFM to be guarded by TADECO/LRC personnel. A full-sized detachment of the paramilitary group CAFGU is also found in one area excluded by DAR from distribution near the SCTEX access road.

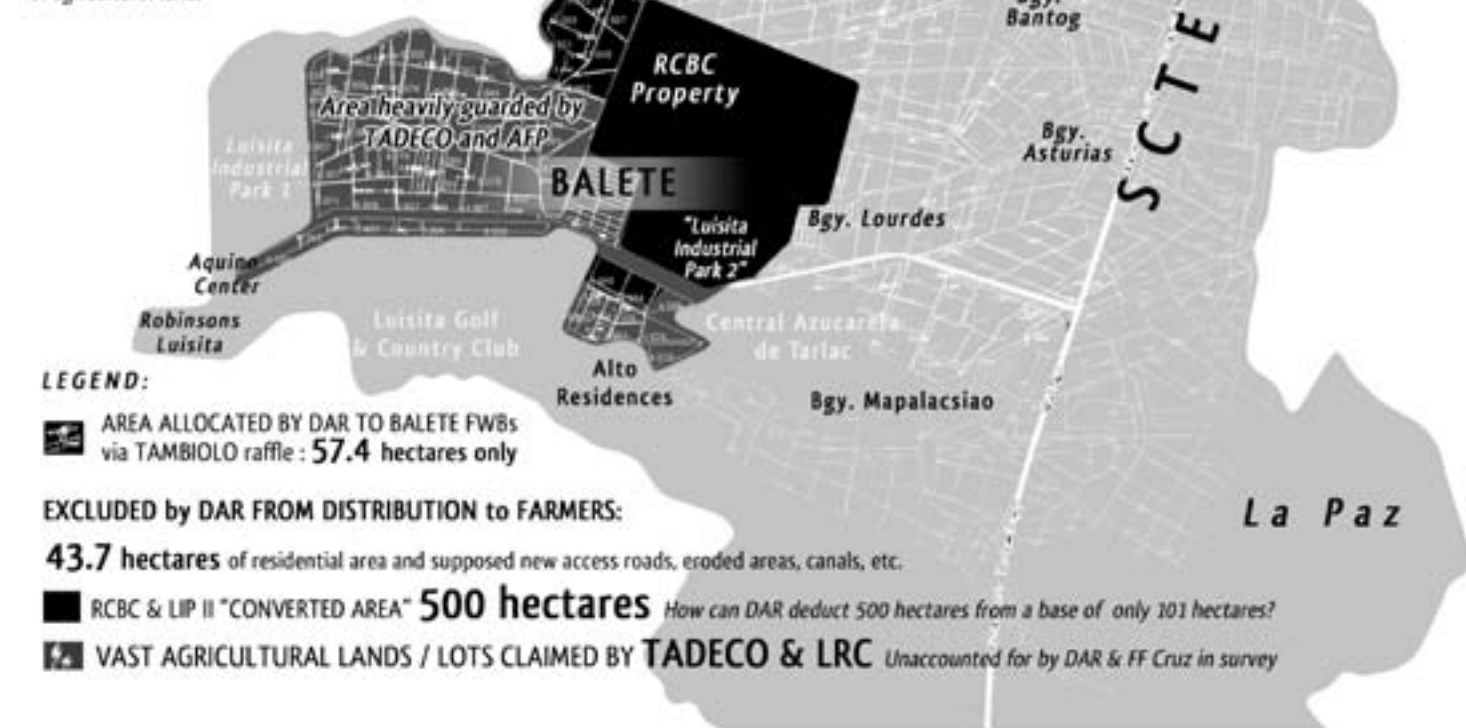
TABLE: LAND AREA OF HACIENDA LUISITA PROPERTY IN TARLAC CITY (source: DAR)

LAND AREA OF HACIENDA LUISITA PROPERTY IN TARLAC CITY (IN HECTARES)			
BARANGAY (VILLAGE)	TOTAL AREA BASED ON 1989 HLI LAND TITLE	ALLOCATED BY DAR TO BENEFICIARIES VIA RAFFLE	EXCLUDED BY DAR FROM DISTRIBUTION
Cutcut	364.9736	345.84	19.1336
Bantog	164.497	155.76	8.737
Balete	101.124	57.42	43.704
Lourdes	732.0986	205.92	526.1786
Asturias	271.5172	254.1	17.4172
Mapalacsiao	149.558	110.22	39.338
TOTAL	1,783.7684	1,129.26	654.5084
	*CONSISTENT WITH FF CRUZ REPORT OF 2013 HLI SURVEY	**INCONSISTENT WITH DAR SURVEY OF 1,106.91 HECTARES	*INCONSISTENT W/ DAR DEDUCTIONS OF 676.8 HAS.

Tarlac City BARANGAY BALETE

*Data from the DAR indicate that the total land area of Barangay Balete put under land reform in 1989 is only 101.12 hectares.

But according to a Tarlac City land use plan, Balete sprawls over 581.36 hectares of agricultural land.



TADECO Strikes Back

AT THE DAR LAND ALLOCATION activities from July to August 2013, residents began to notice from DAR tarpaulin maps on display that certain portions in Barangays Balete, Cutcut and Mapalacsiao have been excluded from distribution. DAR personnel told residents that certain areas were yet to be surveyed.

Around this time, the Cojuangco-Aquinos suddenly revived the Luisita claim of their firm TADECO. Vast tracts of agricultural land – more than 200 hectares in Balete and 100 hectares in Cutcut were declared “TADECO private property” and were cordoned off from farmers through aggressive installation of watchtowers, guardhouses and armed personnel. TADECO also sent eviction letters to hundreds of residents and farmers who are supposed to be beneficiaries of land reform in these two villages. The letter signed by TADECO lawyer Eufrocino dela Merced asserted that farmworkers have encroached on lands owned

by TADECO and should vacate the lots within 15 days upon receipt of notice or face legal action. TADECO, as stated in the SC decision has no longer any legal claims to lands covered by Hacienda Luisita:

“The stock distribution scheme appeared to be TADECO’s preferred option in complying with the CARP when it organized HLI as its spin-off corporation in order to facilitate stock acquisition by the FWBs. For this purpose, TADECO assigned and conveyed to HLI the agricultural lands of Hacienda Luisita, set at 4,915.75 hectares, among others. These agricultural lands constituted as the capital contribution of the FWBs in HLI. In effect, TADECO deprived itself of the ownership over these lands when it transferred the same to HLI.”

When the NFFM inspected these areas in September, TADECO had erected six (6) watchtowers in agricultural lots near the village proper of Balete, three (3) of which surround AMBALA’s bungkalan pilot area; and two (2) in Barangay Cutcut, with one overlooking AMBALA’s

local “kubol” (hut serving as headquarters) and directly beside the ricefield cultivated by its members. Each of the outposts is manned by at least two (2) armed guards.

A detachment of the 3rd Mechanized Battalion of the AFP which was then under construction is situated directly beside ricefields cultivated by AMBALA leaders Rene Galang and Florida Sibayan. Despite Anakpawis Rep. Hicap’s insistence, soldiers refused to properly identify themselves. They told the NFFM that they were in the area because they were to vacate their previous post at the Aqua Farm near Barangay Cutcut, and that the Cojuangco-firm LRC offered the said area to their unit.

The NFFM observed that the tracts of land aggressively claimed by TADECO are considered prime lots – those in Balete and Mapalacsiao are very near the SC-TEX, while the Cutcut area is also adjacent to the newly-opened Tarlac-Pangasinan-La Union Expressway (TPLEX) operated by San Miguel Corporation, a

company owned by another Cojuangco landlord and business magnate, Eduardo “Danding” Cojuangco, Jr., cousin of Cory Aquino.

Through several formal correspondences, documented dialogues, personal follow-ups and an omnibus motion before the SC, AMBALA has repeatedly requested the DAR and its local offices to furnish them a copy of the new Luisita subdivision plan based on the survey conducted by FF Cruz. Maps or simple visual guides that farmworkers can better understand and scrutinize than the DAR’s confusing tables and survey summary can help clear or verify the observed anomalies. Portions of the whole subdivision plan were viewed by residents during the tambiolos activities, but still the DAR must not ignore AMBALA’s request to furnish the group with complete maps and other documents pertaining to the most recent land survey. Through its July 23 omnibus motion, AMBALA has urged the SC to appoint a geodetic engineer, or an independent survey to validate the survey conducted by

the DAR.

By withholding the survey from AMBALA and by consistently and openly defending the TADECO’s claims to these agricultural lands in its recent media pronouncements, the DAR is in effect being complicit to any attempts by any party to go against the SC decision. The DAR is practically aiding the Cojuangco-Aquino clan in the latter’s aggressive bid to retain ownership of choice prime lots, particularly in Tarlac City.

The DAR must show the public a complete survey of Hacienda Luisita to ensure that ALL agricultural land in Luisita is covered by land distribution. Granting the exclusion of the 500-hectare “converted area” and another 500 plus hectares of Hacienda Luisita landmarks such as the golf course and existing residential and industrial areas, there is still a discrepancy of nearly a thousand hectares that the Cojuangco-Aquino clan and the DAR should clearly and truthfully account for. Still, owing to its agricultural nature and potential, it is but just that the

500-hectare area which the RCBC and LIPCO failed to develop for industrial use must also be distributed to farmworkers.

The DAR should stop using the SC decision as a shameless excuse. Technically, the SC ordered the DAR to immediately distribute to FWBs agricultural land put under the SDO scheme. But the DAR is also mandated, not only by this specific SC ruling but by its very nature as an agrarian reform unit, to distribute all land that it may find to be agricultural.

Furthermore, the DAR-FF Cruz survey is anomalous not only by its blatant exclusion of vast agricultural lands that the Cojuangco-Aquino clan wishes to retain. Concerned DAR employees have pointed out that the FF Cruz survey itself was overpriced by as much as Php 6 million. Based on DAR records, the acquisition survey for lands planted to sugarcane is pegged at Php 2,516 per hectare or a total of around Php 12.9 million for the 5,149 hectares that the FF Cruz firm surveyed in Hacienda Luisita. The FF Cruz firm was paid Php 19 million in public funds for this dubious survey.

“TYPHOON TADECO,” WORSE THAN SANTI

TWENTY NINE (29) FARMERS IN BARANGAY BALETE, TARLAC CITY HAVE BEEN receiving verbal threats from TADECO security guards. “You must leave or else, we’ll evict you!” they warned. Farmers have tilled and cultivated the land here since AMBALA initiated the bungkalan in 2005.

Several residents of the 16 houses spread out in the area where the farmers work and reside have received written notices to leave their homes within 15 days or face legal action from TADECO. Recently, after the Typhoon Santi (international name: Nari) ravaged Tarlac in mid-October, six (6) of these houses were totally devastated. When farmers tried to rebuild their homes, they were barred from doing so by TADECO security guards.

These agricultural lots are part of more than 200 has. mysteriously excluded by DAR from distribution to FWBs. In Balete, only 117 residents were awarded lots near the village proper. The rest, 618 FWBs and their families, will be dislocated, or heavily inconvenienced if they chose to tend to the lots awarded them in distant villages Pando and Mabilog, 10-15 kilometers away in Concep-

cion town. TADECO says the lots are private property. The DAR backs the Cojuangcos’ claims and says these farmlands were considered “residential” and not agricultural, and were not covered by the SC decision.

Dennis de la Cruz, believed by residents to be murdered by TADECO guards last November 1, had this to say a few days before his death: “Typhoon Santi was terrible, it completely destroyed the bungkalan kubol (farm hut) where I stay. But after only a few days, our bungkalan work teams managed to rebuild it. But the next day it was dismantled. Not by any typhoon but by these TADECO guards!”

Hacienda Luisita farmers can be very outspoken. After all, they have been exposed to the most oppressive circumstances in this Cojuangco-Aquino controlled estate.

In a very low voice, ‘Nong Isko* said, “It’s not just the farm hut that they’ve destroyed; this time it’s Dennis himself whom they’ve killed.

Couple Carding and Marsing* share the same story: “Immediately after the typhoon, we tried very hard to repair our little hut. At least our kids would have a safe place to stay. We were ready to transfer our belongings from our cousins’ house which became our temporary shelter. To our dismay, we found our hut dismantled, a “NO TRESSPASSING” sign was even placed atop the wreckage.”

“One of our relatives confronted the TADECO guards and tried to stop them: ‘What right has TADECO to destroy that house? Why stop farmers from rebuilding their homes?’ The guard could only answer that it was ordered by their boss.”

It is different with couple Dodo and Lorna.* This is what they have to say: “We rebuilt our house immediately. Nobody can stop us because we have been here a very long time. That TADECO, I’ve never heard about them but now they claim this land is theirs. The SC

Typhoon Tadeco... >> p. 17

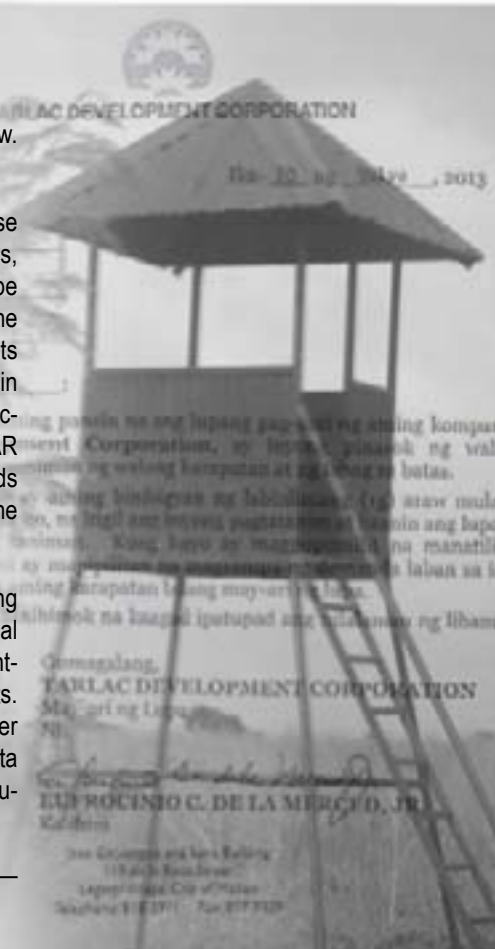
p.16 << Typhoon Tadeco...

says that the land will be returned to us now. Why would we lose this land now?”

Based on a 1998 Luisita master land use design commissioned by the Cojuangcos, the 200-hectare plus area in Balete will be the site of the Luisita Industrial Park III. If the landlord family is securing these prime lots near the SCTEX for development plans in the near future, then Cutcut and Mapalacsiao, the two other villages where the DAR shamelessly excluded vast agricultural lands for distribution, will have to brace for the same “TADECO storm.”

However, this master plan leaves nothing for agricultural use. There are only industrial parks and business districts, shopping centers and town centers for exclusive residents. It will leave nothing for farmworkers. After sham land distribution, the fight for Luisita remains a life and death struggle for thousands of oppressed farmworkers.

**names altered to protect their identities*



Tambiolos Land Reform

THE DAR CARRIED OUT THE DISTRIBUTION of Lot Allocation Certificates (LAC) to listed FWBs in all of the 10 barangays of Hacienda Luisita through a rather unorthodox mode: “tambiolos” (lottery drum) raffle.

Farmworkers reported extensive irregularities and cases of intimidation and harassment in the conduct of the DAR’s “tambiolos” land allocation. This prompted AMBALA, through its legal counsel SENTRA to file an omnibus motion before the Supreme Court on July 23, questioning the anomalous land distribution scheme being implemented by the DAR.

In all barangays covered by the NFFM, residents reported the presence of DAR personnel months before the scheduled “tambiolos” raffles. These people were welcomed by barangay officials and held house-to-house information campaigns regarding the DAR’s land distribution scheme.

These employees explained to farmworkers that the DAR land distribution

1991
HLI mortgages part of Hacienda Luisita to Prudential Bank for Php 550 M

1992
Gen. Fidel Ramos fields his candidacy via an endorsement from Cory. He is elected President with a minority vote.

1994
Poet Gelacio Guillermo (b. 1940 in Hacienda Luisita) publishes *Azucarera*, a book of poems on Luisita farmworkers.

NOVEMBER 16, 2004



State forces open fire on strikers, killing 7 farmworkers & injuring hundreds in the Hacienda Luisita Massacre. Mauling and illegal arrests ensue.

A few days after the massacre, RCBC buys 184-has. of land from LIPCO.

Strikers set up 10 picket lines around the hacienda. At their peak, picketlines gather more than 20,000 strikers & their families.

The DAR's Task Force Luisita is formed to investigate the implementation of SDO.

December 8: Marcelino Beltran, 53, Luisita massacre witness & Tarlac peasant leader, is assassinated.

CONTEND and poets from the UP faculty publish Pakikiramay: Alay ng mga Makata sa mga Magsasaka ng Hacienda Luisita (Poets' Tribute to Hacienda Luisita Farmers). The KM64 Poetry Collective publishes a similar collection titled Kabyawan (Sugarcane Harvest).

2005

AMBALA starts land occupation & cultivation of Hacienda Luisita with the *bungkalan*.

January: Tudla Productions & Eiler premiere Sa Ngalan ng Tubo (Profit/Sugarcane), a documentary on the struggle of Hacienda Luisita sugar workers. The film includes actual footage of the Hacienda Luisita massacre.

1995-1998
Margarita "Tingting" Cojuangco, wife of Peping, sits as governor of Tarlac.

1995
The Provincial Board of Tarlac under Tingting Cojuangco reclassifies **3,290 has.** of Hacienda Luisita into commercial, industrial & residential use.

1996
DAR approves 500 has. of Luisita land for conversion. HLI cedes 300 has. to its subsidiary, Centenary Holdings, Inc. (CHI).
RCBC & HLI establish LIPCO to develop a 300-hectare industrial park for Japanese investors. CHI sells the 300 has. to LIPCO.
Pres. Ramos issues EO 321 creating a Presidential Commission for the Central Luzon Growth Corridor.

2005

January: Noynoy Aquino's bodyguards are implicated in a shooting incident wounding 2 Luisita strikers.

The AFP NOLCOM conjures up a hitlist of presumed state enemies in Hacienda Luisita.

March: TF Luisita begins investigation
March 3: Tarlac City Councilor Abel Ladera, 45, a fierce critic of the Cojuangco-Aquinos in Hacienda Luisita, is killed by a sniper's bullet.

March 13: Luisita Strike supporter Fr. William Tadena, 37, dies in an ambush.

March 17: Victor "Tatang Ben" Concepcion, 68, Luisita Strike supporter & peasant leader, is assassinated.

June: The Arroyo regime is rocked by the "Hello Garci" election fraud controversy. Cory Aquino calls for Pres. Arroyo's resignation.

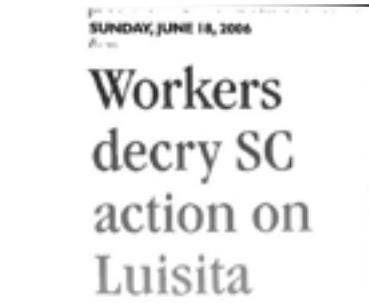
July: TF Luisita recommends SDO revocation and land distribution.

October 15: Luisita Strike supporter & Bayan Muna-Tarlac Sec.Gen. Florante Collantes, 51, is assassinated.
October 25: CATLU President & Mabalaciano Barangay Chair Ricardo Ramos is assassinated. He led farmworkers' opposition vs militarization & the SCTEX project.

November 14: Soldiers nab 11 strikers from a picketline. More charges are filed vs Luisita activists.

HLI signs a contract w/ Hazama Corp. for the construction of the SCTEX.

December 2005: Arroyo's PARC orders land distribution to farmer beneficiaries. The Hacienda Luisita Strike ends.



2006

HLI asks the SC to prevent the PARC from enforcing land distribution. The SC grants HLI's petition and issues a TRO vs PARC.

March 17: ULWU officer Tirso Cruz, 33, is murdered in cold blood in Barangay Pando. He led the farmworkers' bungkalan & opposition to the SCTEX project.

April 3: Luisita youth leader Ronald Intal, 24, of SAKDAL is disappeared.

October 3: Aglipayan Bishop Alberto Ramento, 70, a fierce supporter of Luisita sugar workers & staunch critic of the Arroyo regime, is stabbed to death in his rectory in Tarlac City.



June: Noynoy Aquino sits as President.

August: HLI and unauthorized representatives of AMBALA and ULWU sign a "compromise deal" to retain the SDO.

AMBALA opposes the "compromise deal" before the SC.

SC hears oral arguments on the Hacienda Luisita case.

2007
Noynoy Aquino sits as Senator.
LRC sells Plaza Luisita Mall to the Gokongwei's Robinsons Land Corporation.

2008
The SCTEX-Tarlac phase opens to the public. HLI begins to collect toll fees for the Luisita exit.
The Cojuangco-Aquino clan establishes the Luisita Estate Management (LEM), a group of agents & supervisors to protect its landlord interests.

2009
August: Cory Aquino dies of colon cancer. Noynoy Aquino becomes a frontrunner in the 2010 presidential race.

2010
Militarization in Hacienda Luisita intensifies. US soldiers eye Hacienda Luisita as site for the Balikatan Exercises.

1998-2007
Benigno Simeon "Noynoy" Aquino III sits as Representative of the 2nd District of Tarlac.

1998
Joseph Estrada is elected President.
A Luisita master land use plan is commissioned by the Luisita Realty Corp. (LRC) from int'l land planning firm SWA Group.

2001
Pres. Estrada is ousted by a People Power uprising supported by the Aquinos. Gloria Macapagal-Arroyo assumes Presidency.

2003
Farmworkers launch protests vs SDO, land conversion & joblessness.
The HLI Supervisory Group files a petition to revoke the SDO
The 5,000-strong AMBALA files a petition vs SDO & land conversion

2004

October: HLI retrenches 327 workers, including ULWU-AMBALA leader Rene Galang & other union officers.

November 6: 5,000 ULWU members & 700 members of CATLU launch the historic Hacienda Luisita Strike.



May: SC Chief Justice Renato Corona is impeached and found guilty.

October: DAR releases preliminary & provisional lists of Hacienda Luisita beneficiaries.

2013

February: DAR releases the final masterlist of Hacienda Luisita FWBs numbering to 6,212.

PNP arrests 3 picketing AMBALA members during a dialogue between AMBALA and the DAR-Tarlac in a hotel in Tarlac City.

May: DAR reverts the issue of the Php 1.33 B HLI audit back to the SC

July: The Aquino regime is rocked by the Pork Barrel Scam. DAR is implicated as "pork clearing house"

Gov't pays the Cojuangco-Aquinos Php 471 M as compensation for Hacienda Luisita.

July-August: The DAR determines land allocation for FWBs via tamboli raffle & compels them to sign the promissory note APFU in highly-militarized activities in all Luisita villages.

TADECO sets up outposts & armed guards around prime aricultural land in Barangays Balete & Cutcut.

September 17: TADECO orders the PNP to arrest 11 Hacienda Luisita fact-finding delegates including Anakpawis Rep. Fernando Hicap.

September-October: DAR distributes photocopies of the land reform title CLOA to FWBs in all Luisita villages.

November 1 AMBALA leader Dennis dela Cruz is found dead near AMBALA's bungkalan

RESULTS OF DAR "TAMBIOLO" LOT ALLOCATION IN TARLAC CITY (Source: DAR & NSCB)

BARANGAY (VILLAGE)	TOTAL RESIDENTS (2010)	LAND AREA (based on 1989 HLI TITLE, in hectares)	LAND AREA ALLOCATED TO RESIDENTS	LAND AREA ALLOCATED TO NON-RESIDENTS	FWB's ALLOCATED LOTS WITHIN VILLAGE	FWBs ALLOCATED LOTS IN ADJACENT VILLAGES	FWBs ALLOCATED LOTS OUTSIDE TARLAC CITY	TOTAL FWBs
CUTCUT	6,890	364.9736	345.18	.66	523	3	119	645
BANTOG	1,926	164.497	153.78	1.98	233	0	202	435
BALETE	4,819	101.124	57.42	0	87	30	618	735
LOURDES	2,365	732.0986	186.12	19.8	282	127	177	586
ASTURIAS	1,359	271.5172	173.58	80.52	263	0	179	442
MAPALACSAIO	4,980	149.558	107.58	2.64	163	65**	582	810
TOTAL	22,339	1783.7684	1023.66	105.6	1,551	225	1,877	3,653

FARMERS IN TARLAC CITY TO BE DISLOCATED BY DAR "TAMBIOLO" ALLOCATION: 1,877 to 2,102 individuals – 30 to 34% or 1/3 of all Hacienda Luisita beneficiaries. **outside Tarlac City but village adjacent to Mapalacsiao

scheme is “good” and will be “for the benefit of all.” But they also warned that “only those who will sign the APFU will be given land.”

DAR officials, even in their press releases have always stressed that the APFU or the DAR land reform document Application to Purchase and Farmers’ Undertaking, is a mandatory requirement for the generation and registration of the beneficiary’s Certificate of Land Ownership Award (CLOA), a land reform document or title.

But farmworkers further related instances of deception and disinformation perpetrated by DAR personnel and persons believed to be under the payroll of the Cojuangco-Aquino clan, months before the DAR’s lottery activities.

In Barangays Balete, Cutcut and Mapalacsiao, farmworkers were made to believe that signing the APFU is a prerequisite for the beneficiary to avail of the Cojuangcos’ supposed offer to buy their farmlots at Php 1 million per hectare. In Barangay Cutcut, many FWBs attended the raffle proceedings with the belief that they will be instantly awarded the promised cash during the DAR lottery.

In many villages, financier-agents of the Luisita Estate Management (LEM) of the Cojuangco-Aquino clan urged farmworkers to sign the APFU to serve as a sort of collateral before cash-strapped farmworkers can avail of illicit loans and leasehold agreements. Many farmworkers have

complained that the distant location of many farm lots discourages them to even plan on tilling the land, thus their “choice” to enter illicit lease agreements for easy cash.

Even before the SC released its final decision on Hacienda Luisita, lease agreements had already been introduced by LEM agents in supposed recognition of the farmworkers’ legitimate claims to the land. For a time, even AMBALA members have been enticed by these lease agreements especially given the offer of so-called “better terms.” AMBALA now sees this as a ploy to undermine their claims and further cement the disqualification of beneficiaries who under land reform laws are obliged to make their farm lots productive and are prohibited to sell or lease the awarded farm lots.

AMBALA decries the DAR’s actions compelling farmworkers to sign a document which states that they are willing to buy the land which is essentially theirs, at a price which is not expressly stated in the document and can be easily manipulated to favor the Cojuangco-Aquino clan. SENTRA maintains that the threat of the DAR to disqualify the FWBs who fail or refuse to sign the APFU has no basis in fact and in law.

If signing the APFU was implemented to protect the interests of FWBs, the DAR has also erred by issuing a unique APFU for Hacienda Luisita FWBs that excluded a certain clause which asks the FWB of their preferred mode of ownership – individual or collective. This clause is found in regular DAR APFUs but not in

the APFUs issued in Hacienda Luisita.

Before the tambiole raffles, the DAR instead announced that interested FWBs must show their intent to have their farmlots allocated adjacent to other FWBs, most likely their spouses or other family members, by filing notarized manifestations before the DAR Provincial Office during a two-month period from April to May 2013. Technically, this process added another layer of bureaucracy that signing the APFU would have covered. Despite this tedious process, the DAR still arbitrarily implemented individual titling for all FWBs. When the lot allocation scheme was imposed through the “tambiole” raffle, the DAR report implied that 3,804 FWBs were to be allocated lots in 689 groups.

The “tambiole” system itself is a very crude way of allocating land. It evades the correct process of truthfully consulting with the FWBs and studying the long history of exploitation within Luisita so as to exact social justice. Land allocation must consider the fact that since 2005, a considerable number of farmers have already cultivated plots and positioned themselves in areas that are naturally near their places of abode.

The DAR has continued to ignore the fact that more than a thousand hectares, a very sizable portion of the agricultural land it is tasked to distribute, are now ricefields and foodcrop plantations spawned through the blood and sweat of farmworkers. The DAR’s publicists even photograph and film these vast rice plantations for its media

campaigns to project prosperity in Hacienda Luisita. By resorting to the random means of raffle, land allocation is conceded to chance. The “tambiole” scheme unavoidably has not only caused confusion and chaos but actual displacements as well.

In Mapalacsiao, only 163 lots or 107.58 hectares of land were allocated by the DAR for distribution to 810 beneficiaries. This means that majority, or 647 out of 810 FWBs from Mapalacsiao will not get farmlots within, or near their places of residence. Twenty-one (21) FWBs in Mapalacsiao were allocated lots in Mabilog, 60 in Pando and 65 in Parang all in Concepcion town, while the majority of 500 FWBs were allocated lots in Motrico, La Paz. If FWBs chose to tend to these lots by living in farmhuts, there would be a virtual exodus of the population.

During the NFFM, Mapalacsiao residents also complained that a beneficiary awarded a farm lot in Barangay Motrico in La Paz town sought to survey the farmlot allocated by DAR only to be told by the Barangay Captain (village chief) that her name and lot number were nowhere in the official DAR survey of Barangay Motrico.

In Barangay Cutcut, 119 FWBs were allocated lots more than 10 kilometers away in Motrico village in La Paz town. Residents also questioned the exclusion of around 100 hectares of agricultural land from the DAR survey, notably the farmlots which are part of the AMBALA’s bungkalan.

In other Tarlac City villages, the NFFM confirmed that a significant number of FWBs were allocated lots in La Paz town, owing to the reduced distributable land area within the city. In Barangay Bantog, 202 out of 435 FWBs were allocated lots in Motrico, La Paz. The same is true for 179 FWBs in Barangay Asturias and 177 FWBs in Barangay Lourdes.

In Barangay Balete, only 87 lots or a paltry 57.42 hectares were allocated for distribution. This means that majority, or 618 FWBs out of 735 Balete FWBs will not get farmlots within, or near their places of residence. Of the 735 FWBs in Balete, 30 were allocated lots in the adjacent barangay Lourdes. The rest, however were allocated lots in Concepcion town, approximately 10-15 kilometers away from Balete – 307 were allocated lots in Barangay Mabilog,

while 311 were allocated lots in Pando. To be able to tend to their supposed farmlots in these barangays, a Balete resident must travel about 20 kilometers back and forth and must spend as much as Php 300 a day for transportation.

In Barangays Bantog and Balete, residents complained that because of the raffle, spouses and family members have been split up through the allocation of lots that were several kilometers, or several villages apart.

The “tambiole” system was not at all random as it had already been pre-programmed to impose land allocation based on the DAR’s anomalous survey. The DAR insists that only a small percentage – about 10% -- of all FWBs are to be awarded lots that are far from their original residences. The DAR points out Barangay Balete as

ures have yet to take into account deserving beneficiaries unduly discredited by the DAR master list.

War Zone

THE DAR’S FLAWED, FRAUDULENT “tambiole” land allocation, furthermore, was practically held at gunpoint. To ensure participation of defiant Luisita farmworkers, the DAR lottery activities were conducted with the heavy presence of the military and the police. In all villages, combined forces of the AFP and PNP numbered to an average of 200 fully-armed personnel including a Special Weapons and Tactics (SWAT) team and their intimidating police mobiles, a SWAT vehicle, a jail bus and a firetruck.



the only community affected, as the entire 500-hectare “converted area” is supposedly located in this village.

However, six out of ten Luisita barangays are situated in Tarlac City where distributable land has been reduced by a minimum of 677 hectares, based solely on the problematic FF Cruz survey. Based on the DAR’s own figures, 3,653 individuals or almost 60% of the total Hacienda Luisita FWBs are from Tarlac City. Walking or riding a bicycle to tend a farmlot even within one’s own village has now become difficult if the lot is located on the other side of the SCTEX. Yet even the DAR’s own data attest that 2,102 FWBs who reside in the six Tarlac City villages were allocated farmlots outside of this city. This is 34% or more than 1/3 of all FWBs in Hacienda Luisita – and not a mere 10% as the DAR stubbornly insists. These fig-

In Barangay Balete, the NFFM confirmed reports that barangay officials were ordered by the DAR to dole out Php 300 to each absent FWB to lure them to join the lottery. Despite the heavy presence of PNP and AFP troopers, farmworkers held a bold protest action during the DAR’s lottery. After local and alternative media groups and observers left, however, the military conducted warrantless raids in several houses to harass farmworkers opposing the lottery scheme.

In the final lottery held in Barangay Mapalacsiao, about a hundred PNP personnel were deployed a day before the August 19 DAR activity. Residents estimate the total number of armed men deployed to reach around 500, including armed intelligence agents in civilian clothes. Around 40 soldiers, believed by residents to be snipers, were positioned atop the ba-

rangay hall roofdeck. Farmworkers complained about the way the DAR holed them up inside the covered court, with policemen locking and heavily guarding all alternative exits. Police and military personnel were deployed at every street corner, apparently anticipating and aiming to preempt any form of protest from farmworkers. Residents compared their barangay to a “war zone.”

Only a month after these lot allocation activities, the DAR announced that it was ready to distribute photocopies of their CLOAs to thousands of FWBs. After much fanfare and drama in initial CLOA distribution activities in Concepcion and La Paz town, many beneficiaries realized that they have been practically issued amortization notices, which now bound

activities. In a dialogue, DAR officials mockingly told FWBs that amortization was only a small amount to pay compared to their drinking and gambling expenses.

Unjust Compensation

LUISITA FARMWORKERS, ACCORDING to AMBALA, should not be treated like any ordinary claimants of government land reform benefits. They have long been in fact the rightful, original Luisita landowners whom the Cojuangco-Aquinos, through decades of swindle and terror, have severely disenfranchised. AMBALA maintains therefore that the Cojuangco-Aquinos, in finally relinquishing claim over Hacienda Luisita, deserve not a single peso.

LAND ACQUISITION & COMPENSATION PAID TO HLL BY GOV'T BASED ON LAND BANK REPORT as of July 2013 (Sources: DAR & LBP)

LAND TITLE	LOCATION	AMOUNT PAID BY LBP Cojuangco-Aquino (in PH pesos)	AREA PER TITLE (in hectares)	AREA ACQUIRED BY LBP	TO BE ACQUIRED	TOTAL AREA ACQUIRED based on payments	TOTAL AREA ACQUIRED based on DAR survey
TCT - 236740	LA PAZ	74,176,407.37	1,434.48	1,093.56	56.27	1,149.83	1,376.48
TCT - 236742	CONCEPCION	122,418,506.00	1,931.31	1,804.98	5.90	1,810.79	1,891.74
TCT - 236741	TARLAC CITY	68,520,732.04	1,783.77	1,030.26	0	1,030.26	1,232.58
SUBTOTAL		265,115,625.41	5,149.56	3,928.80	62.07	3,990.88	4,500.80
PLUS ACQUISITIONS BY LBP UNDECLARED IN DAR LAND SUMMARY							
4 OTHER TITLES	LA PAZ	(available data indicated only total)			11.93	(total)	0
11 OTHER TITLES	TARLAC CITY	(available data indicated only total)			0	(total)	0
3 OTHER TITLES	CONCEPCION	(available data indicated only total)			0	(total)	0
TOTAL		34,051,861.13	497.99	497.99	11.93	509.92	0.00
TOTAL		299,167,486.54	5,647.54	4,426.79	74.00	4,500.80	4,500.80

them to start paying an open-ended sum imposed by the government. The original owner's copies of the CLOA are with the Land Bank of the Philippines (LBP) and will not be released to the FWB until they pay the full amortization over a span of another 30 years. As of the last the DAR press release, the value of farmlots amount to almost Php 80,000 per hectare.

According to Sec. Delos Reyes: “For the first three years, Hacienda Luisita beneficiaries will pay only P730 per year or about P61.00 per month. For the 4th and 5th year, they will pay more or less P1,410.00 per year or P118.00 per month. And from the 6th to the 30th year, they will pay more or less P2,770 per year or P230.00 per month”

After realizing that they have been swindled, many FWBs started to boycott the DAR's subsequent CLOA distribution

The Cojuangco-Aquinos, however, as any landlord whose land is subject to land reform, shall be awarded by the government, through the Land Bank of the Philippines (LBP) an amount which current agrarian law has chosen to call “just compensation.” As far as Hacienda Luisita is concerned, such remuneration, according to the SC ruling shall be pegged at the estate's 1989 value, or about Php 40,000 per hectare. With the landlord prerogative, however, to actively take part in the valuation process (which includes the right to appeal to the SC) very much recognized by the CARPER, “just compensation” for the Cojuangco-Aquinos is not unlikely to shoot up to the billions.

HLL spokesperson Antonio Ligon admitted that the Cojuangco-Aquinos found the 1989 valuation very low. The

most logical recourse then for his bosses, Ligon offered, was to make sure that interest rates would generously be considered. This was corroborated by the DAR secretary himself, Virgilio delos Reyes, when he revealed in August 2013 during a congressional budget hearing, that, after factoring in 12% interest incurred by the Luisita property since 1989, “just compensation” for the Cojuangco-Aquino may well reach a little over a hundred thousand pesos per hectare, or easily more than double the value initially prescribed by the SC.

At another budget hearing in September, Committee on Appropriations Vice Chairman Rep. Henry Pryde Teves disclosed that the DAR in fact had already paid the HLL a total of Php 471,501,417.98, Php 304,033,138.20 million of which is the actual cost of the land property while the remaining amount is the cash equivalent of matured 10-year LBP bonds computed using the prevailing 91-day T-bill rates from 1989 to 1999.

The same lucrative transaction between the government and the Cojuangco-Aquinos is recorded in a July 2013 report of the LBP. What's quite alarmingly interesting though with this LBP report, even more than the expected maneuver to hike up valuation, is that the LBP may have paid the Cojuangco-Aquinos for land titles that are, oddly enough, completely different from the ones that, according to the DAR, represent the distributable Luisita land.

According to the report (see table) around 510 hectares of the distributable land belong not to the three (3) original titles of Luisita land in Tarlac City, La Paz and Concepcion but to 18 altogether different titles. The said three titles have a total area of only 3,990.88 hectares according to the LBP report from which DAR's has further deducted 400.88 hectares supposedly for new roads, firebreaks, easements and others reduces the distributable land from these titles to only 3,590 hectares. Thus, a total of 910.88 hectares of land -- 510 hectares “padded” and 400.88 unduly deducted -- is now under question. The mysterious 910.88 hectares match Luisita farmworkers' observations and estimates that nearly a thousand hec-

tares are “missing” or have been chopped off from land distribution.

Related to the compensation issue is the delay in the auditing process of HLL and CHI assets caused by the actions of the DAR itself. The DAR was also directed by the SC ruling to appoint a reputable accounting firm to audit the books of HLL and CHI on the sale of 580.51 hectares of Hacienda Luisita. Opening the books of the HLL will further expose how the Cojuangco-Aquinos gravely swindled farmworkers during the 16-year implementation of the SDO scheme. Five of the six parties to the SC case had already chosen an auditing firm, but DAR refused to accede due to opposition from the HLL. Instead of upholding the majority decision, the DAR practically subverted the auditing process by referring the issue back to the SC.

Block Farming

THE DAR HAS INTRODUCED “Diversified sugar cane block farming” as its major support service to FWBs in an elaborate information drive even before its lot allocation activities. A block farm is an aggregation of several farmlots into a 30-60 hectare sugarcane plantation administered by a farm manager.

Block farms are similar to what the LEM-financier-agents of the Cojuangco-Aquino clan are currently promoting through illicit lease agreements with farmworkers. Since 2005, these agents have entered into sugar production deals with FWBs involving tens to hundreds of hectares of land. Today, a one-year land lease means that the farmworker as leasor gets anywhere between the extremely low amounts of Php 6,000 and Php 7,000. Since the DAR's lot allocation, financier-agents demand a copy of the FWBs APFU before entering into a lease agreement.

AMBALA sees these blockfarms as another mutation of the SDO scheme where despotic landlord managers associated to CAT's sugar production reign over underpaid farmworkers with no control over the land they supposedly own.

THE GOVERNMENT'S LAND REFORM schemes can never approximate what Hacienda Luisita farmworkers have ac-

tually gained from land occupation and cultivation since 2005. Due to the failure of CARP, AMBALA and so many other farmers' groups across the country have pushed for the passage of the Genuine Agrarian Reform Bill (GARF) repeatedly filed by representatives of Anakpawis Party-list since the HOR's 14th Congress. Despite overwhelming backing from farmers, the proposed legislation has not received significant

support from a hall dominated by sci- ons of landlord families. The GARF is now known as House Bill 252 as filed by Anakpawis Rep. Fernando Hicap.

On October 18, 2013, the DAR finished CLOA distribution activities in the last village of Barangay Mapalac-siao before a crowd of around 200 farmworkers and their supporters declaring the proceedings “a sham.” After receiving a mere photocopy, an indignant

WHAT IS BLOCK FARMING?

SUGAR BLOCK FARMING AS AN “AGRICULTURAL SUPPORT SERVICE” IS CONSIDERED by DAR as one of its accomplishments after the SC ruling on Hacienda Luisita, based on its report in the government's Official Gazette in April 2013

The DAR says that a farmworker-beneficiary (FWB) can choose whatever crop they wish to plant after land distribution. But in compelling FWBs to sign the promissory note APFU, the DAR seems to seek and ensure full compliance from FWBs on this sugar block farming scheme. There is even a threat stipulated in the document that if the FWB “misuses the extended support services,” they shall forfeit their rights to continue as beneficiary of land reform.

A block farm is an aggregation of beneficiaries' farmlots into 30-60 hectares of sugarcane plantation. With each FWB allocated only .66 hectares, a block farm in Luisita should consist of around 45-90 farmers.

The Cojuangco-Aquino clan is only too happy to advocate the DAR's sugar block farming scheme. Block farming ensures the continuous productivity of the family's sugar mill Central Azucarera de Tarlac (CAT), which is also a component of the Philippine government's sugar industry roadmap for 2011-2016.

Sugar produced in the Hacienda Luisita area dropped from 191,114.31 tons in crop year 2011-2012 to only 164,217.46. But still, CAT declared net earnings of P138,496,991 for the said crop year. Even without Luisita, the CAT still accounts for 69.5% of the total sugarcane harvest available for milling in Central Luzon.

The sugar industry roadmap considers block farming essential to increase production. The government blames “small farms” (less than 30-50 hectares) for low produc-

tivity of sugar (63 tons), making production price much higher compared to Thailand. The Sugar Regulatory Administration (SRA) says that 90% of sugar farms in the Philippines are below 10 hectares.

By 2015, the Asia Free Trade Agreement (AFTA) ruled that tariffs of imported sugar should be lowered to 5% from the present 18% in the Philippines. It was 38% in 2010. This has alarmed Labor Sec. Rosalinda Baldoz who recommended sugar industry stakeholders to study how to mitigate the negative effects of lowering tariffs.

Sugar block farming will essentially perpetuate landlord control again over agricultural farms supposedly awarded to farmer-beneficiaries. In Hacienda Luisita, the Luisita Estate Management (LEM) financier-agents and supervisors of the Cojuangco-Aquino clan have been subverting farmworkers' claims through illicit leasehold agreements even before actual land allocation took place. They dictate what crops to plant, when and where to plant, and where to sell the produce.

After the DAR's sham land distribution, farmers whose lots would be included in a block farm would just be hired as the farmworkers that they were for decades, and will split “profits,” if any, with officers and financiers of an Agrarian Reform Beneficiaries Organization (ARBO) – an organization that will essentially serve the same function as the Cojuangco-Aquinos' LEM. This scheme essentially maintains feudal and semi-feudal relations and will re-concentrate lands back to the landlords' control.

farmworker tore up his CLOA in frustration.

Again, hundreds of police officers were deployed to “keep the peace.”

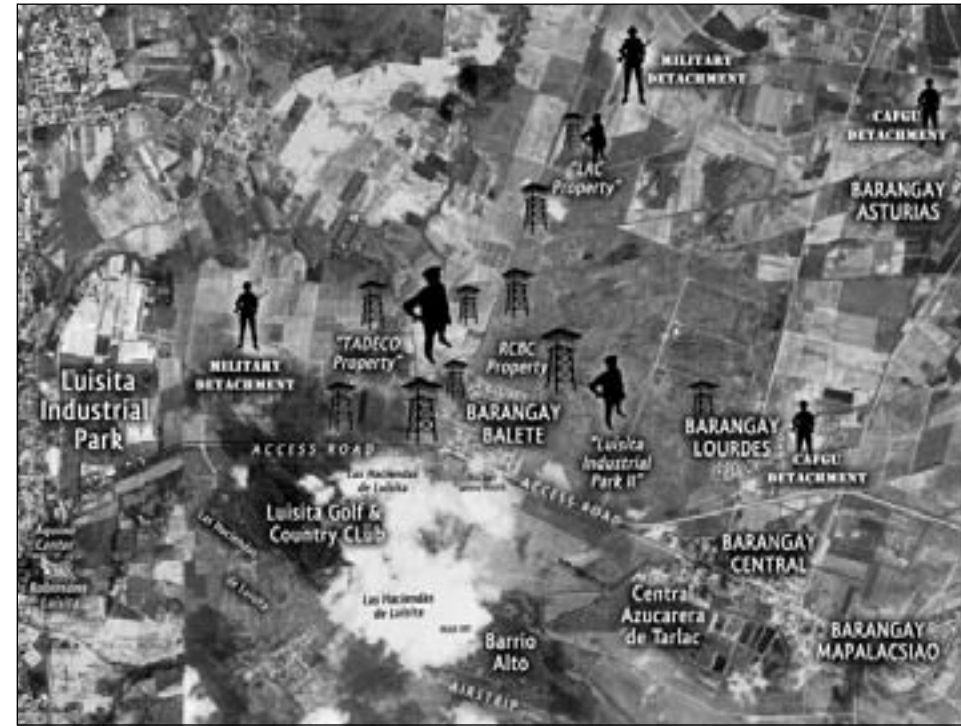
The DAR proudly proclaimed that the long sufferings of Hacienda Luisita farmworkers are now over with the supposed completion of land distribution. But not an inch of land in Hacienda Luisita has been physically distributed to farmworkers by the DAR. Instead, TADECO has since intensified its already aggressive claim over agricultural lands in Hacienda Luisita, setting up “NO TRESPASSING” signages, beefing up its private security forces, and taking fuller advantage of its influence over the military and the local police.

In October 2013, TADECO lodged formal unlawful detainer complaints against some 81 farmers of Brgy. Cutcut. Such terror tactic more or less characterizes the usual proven mode of the Cojuangco-Aquinos in dealing with the struggling farmworkers through every crucial historical juncture where the tillers supposedly held the moral and legal upper hand over the unjust and oppressive reign of this landlord family.

Toward the end of the 1960s, for example, the Cojuangco-Aquinos’ private army, augmented by military and police forces, went on a rampage to preempt the implementation of the SBP-GSIS loan condition which should have otherwise led to the outright land distribution of the Luisita lands. Hacienda Luisita would experience the same vicious violent pattern in 1989 when land distribution should have been imposed instead of the SDO; in 2005 when the PARC released its decision in favor of the farmworkers; in 2010 when the Cojuangco-Aquinos tried to push the compromise deal; and at present since the landmark SC decision on the Hacienda Luisita case.

The Cojuangco-Aquinos have been consistent in its efforts to sabotage land reform in Hacienda Luisita. Their power over state institutions such as the DAR, the PNP, AFP, the local and high courts and other branches of government has accorded them this blood-stained, murderous privilege.

MILITARY & TADECO / LRC STRUCTURES NEAR BRGY. BALETE



COMPARISON BETWEEN CARPER and the proposed GENUINE AGRARIAN REFORM LAW (HB 252 or GARB)		
	CARPER	GARB
SCOPE & COVERAGE	CARP backlog comprised mainly of private landlord property (1.2 M hectares)	ALL AGRICULTURAL LAND
	SDO & LEASE agreements allowed	NO EXEMPTIONS and exclusions from physical land distribution
	Coverage depends on technical land classification & allows land-use conversion	Coverage depends on actual agricultural use of public & private land
BENEFICIARIES	LANDLORD WILL DETERMINE BENEFICIARIES	ALL LANDLESS FARMERS
	Landlord confirms identities of farmer-tenants who will be farmer-beneficiaries.	Includes farmer beneficiaries of previous land reform laws whose lands are not sufficient
	Delineates between farmer-tenants and other tillers such farm workers and settlers	Includes farm workers, settlers, tillers & internally displaced farmers
	Landlords and land owners retain small portion of property but is not encouraged to till the land	Retention of land portion to landowners willing to till; May include OFWs & others w/ middle-to-high income who are in good standing & willing to till
LANDLORD COMPENSATION	ALL landlords get compensation in cash and/or bonds, even if land was illegally or fraudulently acquired	Compensation is given only to landlords who have acquired lands in good faith
	LANDLORDS DICTATE THE PRICE OF COMPENSATION	Gov't will determine price of compensation after assessing land value & after ample dialogue between farmers & land owners.
BENEFICIARIES' OBLIGATIONS	30-year monthly amortization, or foreclosure of awarded land after 3 cumulative months of failure to pay amortization	FREE LAND DISTRIBUTION

CONCLUSIONS OF THE 2013 HL-NFFM

1. Luisita sugar farmworkers & their families are no ordinary “beneficiaries” of land reform. They possess all the moral, historical & legal rights to the land which the Cojuangco-Aquino clan has ruthlessly denied them for decades. Their demand for **FREE LAND DISTRIBUTION** is a just call that must be granted.

The Cojuangco-Aquino clan acquired the estate through loans from the government in 1957. After so many decades, the Cojuangco-Aquino family never fulfilled the government loan condition to distribute land to the farmers. Instead, they have enriched themselves through the blood, sweat and tears of generations of Hacienda Luisita sugar farmworkers. They have piled hefty earnings from sales of portions of the property to private entities, under deals that the government itself had ironically supported and interceded for. More incredibly ironic is that despite this clan’s unflinching refusal to fulfill their loan obligations, it is the Cojuangco-Aquinos instead who have been diligently remunerated by the government with the SCTEX right of way payment and, most recently, of “just compensation” in the ongoing sham land distribution in Hacienda Luisita. Indeed, the Cojuangco-Aquino family, with the complicity of or in direct collusion with government, have, through the years, incurred serious debt not only to the Luisita farmworkers but to the whole Filipino people.

2. For land distribution to be equitable and just, state entities must seriously heed the farmworkers’ demand for **COLLECTIVE LAND OWNERSHIP**. Concerned agencies must recognize and study the bungkalan land occupation and cultivation program initiated by farmworkers during the height of the Luisita strike in 2005. The strike and the bungkalan demonstrated their enormous capacity to effect change in an environment mired in oppression and deceit. To simply dismiss or, worse, to actively suppress this emergent movement runs counter to the intentions of dispensing social justice. Meanwhile, the type of individual titling that the DAR has imposed and the complimentary promotion of block farming, in the context of the Luisita experience, are but modes that serve to reverse the course of land reform. What must be given full recognition and support is the organized rank of the farmworkers in their campaign to increase production and improve their livelihood through mutual aid,

cooperativization and collective farming.

3. The DAR land distribution scheme in Hacienda Luisita is the absolute opposite of a “successful model of land reform.” **IT IS A SHAM.** Not an inch of land has been physically distributed after all the grand pronouncements of the government that the sufferings of the farmworkers have already ended. The DAR has committed blatant abuse of discretion in most, if not all the actual steps it has undertaken, leaving its supposed beneficiaries disenfranchised, violated and swindled:

- inserting questionable names into the masterlist of beneficiaries
- procuring a dubious and overpriced land survey
- exclusion of hundreds of hectares of agricultural land from distribution sowing confusion, dislocation and dispute among beneficiaries in lot allocation and individual titling
- imposition of compulsory signing of promissory notes to ensure amortization payments
- grant of overpriced landlord compensation to the HLI / Cojuangco-Aquinos
- inept facilitation of the audit of HLI and CHI assets
- rabid justification of Cojuangco-Aquino claims over agricultural lands in Tarlac City
- inaction on farmworkers’ appeal for revocation of conversion order on 500 hectares (RCBC/LIPCO)
- imposition and promotion of block farming scheme “as support service” to serve landlord interest
- deceit and coercion of beneficiaries through threatening press statements and (dis)information campaigns and excessive use of intimidating state forces to implement its schemes and activities

4. The Cojuangco-Aquino clan has evidently sabotaged land reform through every means within its disposal. **The Hacienda Luisita Massacre is the family’s most blatant display of ruthless impunity.** The

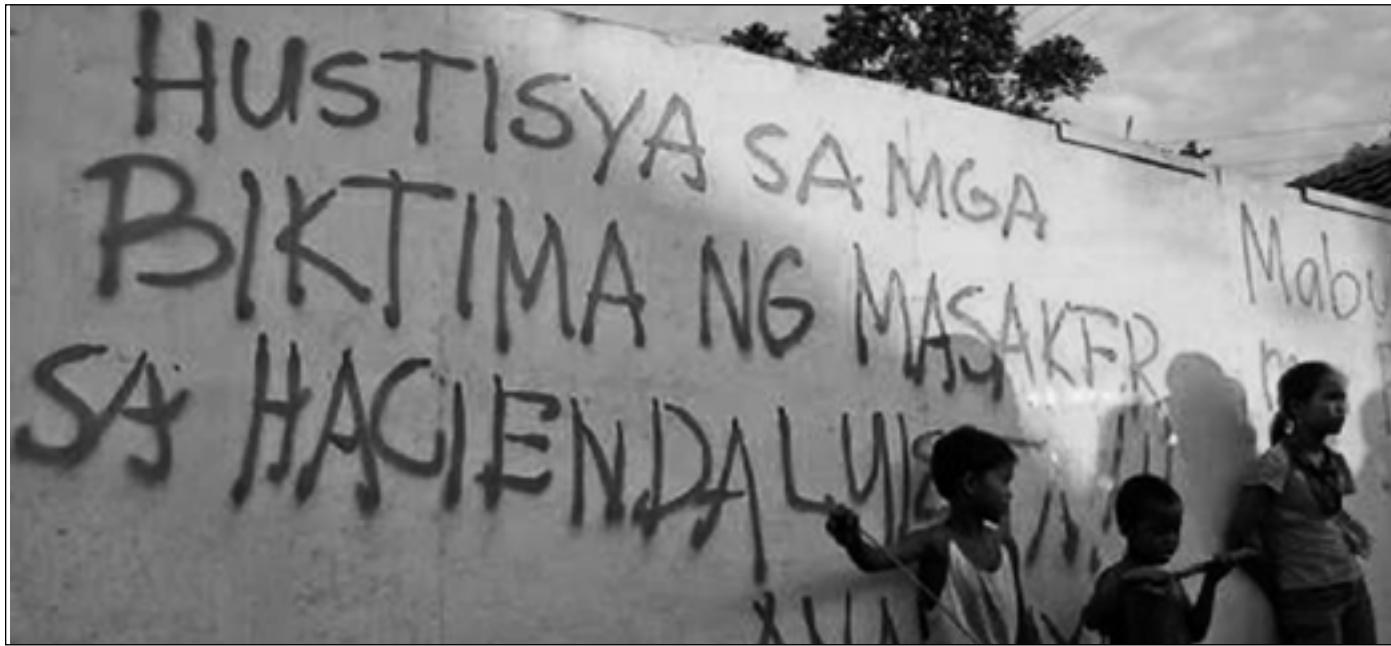
Cojuangco-Aquino clan will continue to unleash deceit and terror within Hacienda Luisita to protect its landlord interests. This reign of terror is brazenly imposed through the immense power enjoyed by the Cojuangco-Aquinos whose scion, Pres. Noynoy Aquino is currently at the helm of government. The Cojuangco-Aquinos are liable for:

- the illegal, aggressive & immoral claims of TADECO & LRC over agricultural lands for a “Luisita master conversion plan”
- use of force, with both private armed personnel and state forces imposing the Cojuangco-Aquinos clan’s illegal authority
- the violent “Oplan April Spring” repression and “neutralization” of organized farmers in collusion with RCBC and state forces
- illegal and arrogant claim of higher compensation for land acquisition
- intimidation, illegal arrest and filing of trumped-up charges against its critics
- Other state institutions such as the PNP, AFP and courts who have shamelessly colluded with the Cojuangco-Aquino family are also liable for rights violations.

5. Government policy – **institutionalized corruption and state terror and repression** – has made genuine land reform a distant reality for the thousands of farmworkers in Hacienda Luisita and for the millions of other farmers and tillers all over the country.

The DAR has been recently exposed as a **“pork clearing house”** for corrupt politicians and fake non-government organizations (NGOs) to illegally partake of lump sum public fund allocations. But even under land reform laws, the DAR has merely served as legal conduit for the blatant misuse of public funds for its ineffective land reform schemes and as milking-cow of landlord families entitled to “just compensation.” Pres. Aquino himself has allocated millions of pesos from his unconstitutional Disbursement Acceleration Program (DAP) for landlord compensation and for the alleged bribery of Senator-judges to secure the impeachment of SC Chief Justice Renato Corona, right after the SC promulgated its final and executive decision on Hacienda Luisita.

in Hacienda Luisita TERROR & IMPUNITY REIGNS



THE MENDIOLA MASSACRE -- “the most infamous mass murder of farmers in contemporary Philippine history” -- occurred within the first year of President Cory Cojuangco-Aquino’s rule. On January 22, 1987, thirteen (13) farmers were killed by state forces right outside Malacañang Palace gates at the foot of Mendiola bridge, the most common demonstration area in Manila now adorned by a statue of anti-dictatorship icon Chino Roces and a grotesque “peace arc.”

The thousands of peasants who marched to Mendiola in 1987 demanded genuine agrarian reform and the distribution vast landholdings like Hacienda Luisita. Eighteen years after this bloody incident, on January 13, 2005, hundreds of farmers marched to the Ombudsman’s Office in Quezon City to seek justice for another case of mass murder instigated by the Cojuangco-Aquino family – the Hacienda Luisita Massacre of November 16, 2004.

The Hacienda Luisita massacre resulted in the killing of 7 farm workers and the wounding of 121 others, 32 of which suffered gunshot wounds. Around 1,000 rounds of ammunition were used by the military and police to disperse picketing sugar mill and farm workers in front of the Central Azucarera de Tarlac (CAT) gates. (see table and sidebar: CSI of Massacre & martyrs)

In an unprecedented move, 52 farmworkers, survivors and relatives of victims in the Luisita massacre filed criminal and administrative charges against the owners and managers of the hacienda and the sugar central, police and military officials

and labor officials. Thirty-two of the complainants joined 200 other sugar mill and farm workers who marched to the Ombudsman’s Office upon the filing of the charges.

Complainants lodged criminal charges of multiple murder for the death of the seven massacre victims. Multiple frustrated murder, multiple attempted murder, serious and less serious physical injuries were filed for the wounding of at least 72 individuals, 27 of whom sustained gunshot wounds. Charges of theft and malicious mischief were also filed for stealing mobile phones, kitchenware and sacks of rice in the workers’ picketline.

These criminal charges were filed against owners and managers of the Hacienda Luisita, Inc. (HLI), and AFP and PNP officers and personnel. Administrative charges were also filed against labor officials led by Labor Sec. Patricia Sto. Tomas, then President Gloria Macapagal-Arroyo and then Rep. Benigno “Noynoy” Aquino III.

Nine years after the massacre, justice remains elusive. Nobody has been held liable for the Hacienda Luisita Massacre.

Key persons charged before the Ombudsman’s office retained their clout. Some, like President Noynoy Aquino himself, gained lucrative positions in government.

The agrarian dispute-related killings did not end with the Hacienda Luisita Massacre. Gross human rights violations against Hacienda Luisita farmworkers and their supporters are rampant to this day.

The following data are culled from KARAPATAN fact sheets, Bulatlat.com reports and documents submitted to the Permanent People’s Tribunal (PPT) Second Session on the Philippines in The Hague, Netherlands in March 2007:

MARCELINO BELTRAN: ARMYMAN TURNED PEASANT LEADER

On the night of December 8, 2004, Marcelino Beltran was brutally murdered in his home in San Sotero, Sta. Ignacia, Tarlac.

Beltran, 53, was chairperson of the AMT (Tarlac Peasant Alliance). He was a retired sergeant in the Philippine military before joining farmers’ groups.

Beltran’s son Mark, his wife, Simeona, and other children saw Beltran sprawled on the ground, bloodied but still breathing, 15 meters from the house. Bleeding in the arms of his wife, Beltran was able to utter his final words in the Ilokano dialect: “Suldado daggidyay nagpaltog” (Soldiers shot me).

Family members recount that as they were on board a tricycle to bring Beltran to the Camiling District Hospital some kilometers away, armed men in fatigue uniform accosted them and asked whether the patient they were carrying was Beltran. Fearing for their safety, they answered “no.” Those who had shot Beltran were leaving no chance.

Beltran died two hours after the shooting and never even reached the hospital.

Beltran was about to testify regarding bullet trajectories in scheduled hearings on the Hacienda Luisita Massacre in Congress and the Senate. He was also preparing to attend the Human Rights March two days later on December 10, his birthday.

SHOOTING INCIDENT AT LAS HACIENDAS

A month after Beltran’s murder, on the night of January 5, 2005, hacienda workers George Loveland and Ernesto Ramos were fatally injured when unidentified armed bodyguards of then Rep. Noynoy Aquino attacked them at a picket point outside the Las Haciendas de Luisita Subdivision gate.

Police authorities downplayed the incident as a mere altercation between strikers and homeowners of Las Haciendas, an exclusive village inside the hacienda. Witnesses said the gunmen were definitely not Las Haciendas residents.

A few days before, evening of January 2, then Rep. Noynoy Aquino escorted about 200 soldiers toward Barrio Alto passing through the Las Haciendas gate. Aquino alighted from his vehicle and talked to strikers manning the picket line. Witnesses quoted him as saying that any talk with them is doomed to fail. During a Senate investigation, Loveland revealed that Aquino was arrogantly urging strikers to let his “superhighway” project push through. (Note: By the end of the year 2005, HLI signed a MOA with Hazama Corp. on the construction of the SCTEX.)

On the early evening of January 5, about 20 strikers manning the picket line in front of the Las Haciendas were caught by surprise when a gray Nissan Patrol coming from inside the compound rammed through their barricades. Four men armed with .45 caliber pistols and M-16 rifles alighted from the vehicle, cursed at the strikers, and began shooting.

The two victims, Ernesto Ramos, 50, a CATLU member and uncle of union president Ricardo Ramos, and ULWU member George Loveland, 32, were brought to the Ramos General Hospital in Tarlac City. Doctors pronounced Loveland, who sustained a bullet wound in the upper left breast, stable. Ramos, who was also hit by a single bullet in the stomach, was in critical condition and underwent a major operation.

CSI: HACIENDA LUISITA MASSACRE

Excerpts from a report prepared by the Health Alliance for Democracy (HEAD) for a Senate Hearing in January 2005

DISPERSAL BEGAN AT AROUND 3:00 P.M. WHEN AFP AND PNP started shooting teargas into strikers’ positions. One APC tried to crash over strike barricades in Gate 1. After failing, shots were heard and strikers started to scamper away. Shooting continued after strikers were already fleeing.

After the violent dispersal, 7 people were dead and scores more wounded, including women and children. Many were hospitalized for gunshot wounds (GSW) although there were other injuries from the mauling that ensued.

The AFP and PNP were quick to deny any wrongdoing. Both claimed they fired in defense. Congressman Noynoy Aquino and Sec. Eduardo Ermita quickly blamed “leftists” and alleged “agent-provocateurs” who had supposedly infiltrated the workers’ ranks. Cong. Aquino stopped short of blaming strikers for the violence.

FINDINGS ON CASUALTIES

Seven identified casualties were Jhaivie R. Basilio, Adriano R. Caballero, Jr., Jhune N. David, Jaime B. Fastidio, Jesus V. Laza, Juancho C. Sanchez, and Jessie M. Valdez.

CSI: Hacienda Luisita Massacre >> p. 30



Farmers of Hacienda Luisita block vehicles in front of Tarlac city hall during their rally condemning the shooting of their two comrades in the picket line. PHOTO BY KENNETH D.

Luisita ‘homeowners’ gun down 2 strikers

BY LEN ESPINDA Central Luzon Bureau
 Hacienda Luisita, Tarlac: Another shooting incident rocked the picket line inside this 6,000-hectare sugar plantation Wednesday night and injured two members of the striking Central Azucarera de Tarlac (CAT) workers.
 Taken to the Ramos Doctors’ Hospital were Jorge Loveland, 32, of Barangay Balete, Tarlac City; and Ernesto Ramos, 50, of Barangay Maglatacian.
 Loveland sustained a gunshot wound leading to the Las Haciendas de Luisita, a sprawling subdivision inside the Cojuangco-owned estate. He said three men alighted from the vehicle armed with .45-caliber pistol, an M-16 rifle and a pump pistol.
 Malon Ricardo, one of the protesting workers and a witness to the incident, said the men shouted, “*Alit niyo kami dimatayang? Nigbabagay kami din, mga homeowners kay!*” after which they began to point their guns at them.
 He said one of the gunmen tried to point his .45-caliber pistol at his forehead but missed.
 Ramos said that the vehicle was also seen patrolling the hacienda Tuesday morning. It was learned that the car’s cupants and its plate number were logged in the guard book at the checkpoint as was customary before gun entry inside the sugar estate.
 “But we have ordered the protesters to bring and drink any alcoholic beverage at the picket line to avoid these deaths,” Ramos said.
 Ramos said that the vehicle was also seen patrolling the hacienda Tuesday morning. It was learned that the car’s cupants and its plate number were logged in the guard book at the checkpoint as was customary before gun entry inside the sugar estate.

p.29 << CSI: Hacienda Luisita Massacre

Bodies were brought to different funeral parlors. Valdez was reportedly brought to Camp Aquino (NOLCOM HQ) before being brought to the funeral parlor where the autopsy was made. There was a gap of at least 19 hours from time of incidence to the time autopsies were conducted. Alleged paraffin tests were done on casualties during this gap.

All of the seven died of GSW, contrary to the Provincial Health Office (PHO) report that Sanchez died of “severe head injury” and Laza died of “basal skull fracture”.

Three (Basilio, David, and Laza) suffered multiple GSW while others had single but fatal GSW. Except for 2 GSW sustained by Laza, none of the 10 GSW of other casualties were frontal. All entry wounds were either from the back or from the sides.

Two had other concomitant and suspicious-looking injuries. Basilio had contusions and lacerations on his face and neck areas, while Sanchez had a peri-orbital laceration and hematoma of the left eye, contusion hematoma over the lumbar area, and some discoloration on the feet. These were consistent with eyewitness accounts that the two were still alive when taken by the PNP and AFP and were mauled before being shot.

FINDINGS ON THE INJURIES

There were at least 121 injured – 63 adults, 11 children, 4 of the geriatric age group, and 43 without age data. Of this total, 32 were cases of GSW. Some warranted hospitalization, especially those with multiple injuries or multiple GSW. Based on clinical histories, many of the injured were already running from Gate 1 when they were hit. GSWs were not sustained from a single volley but from a sustained volume of fire lasting up to 2 minutes.

Other injuries included teargas-related respiratory irritation, fractures (of the bones), abrasions, lacerations, and contusions from blunt trauma. Injuries were sustained from the use of around 100 teargas canisters and from the ensuing stampede. At least two (one with multiple fractures and another with a fractured right hand) were the result of being bludgeoned by the PNP with riot sticks after the shooting.

FINDINGS ON HOSPITALS AND HEALTH INSTITUTIONS

The nearest hospital, St. Martin de Porres Hospital less than 300 meters away from Gate 1, transferred existing in-patients at least a day before the incident. Before the dispersal, the hospital was secured by the AFP and PNP. Army medical personnel were stationed in the hospital before the shooting.

The PHO report is found to be flawed. Juancho Sanchez supposedly died of “severe head injuries” whereas autopsy findings show that he died of a single GSW penetrating the left side near the pelvic area that hit his vital organs. The PHO report also states that Jesus Laza supposedly died of “basal skull fracture.” The medico-legal report of the PNP Crime Laboratory shows no head and neck injury and instead notes two GSW to the chest, both of which were fatal. It merits serious consideration as to why the PHO report made these serious errors in the first place.

CONCLUSION

Adequate evidence is found to state that Luisita strikers were shot not “as defensive stance” but rather as direct armed offensive assault. GSWs suffered by those killed and injured dispel any and all allegations that the PNP and AFP elements fired because they were under threat. Not even alleged paraffin tests, conducted under dubious circumstances by the very same agency under question, can justify the blatant use of automatic and high-powered firearms against unarmed civilians. These are gross violations of basic human rights.

The findings point strongly to an element of premeditation rather than spontaneity. The size of the kill zone, volume of fire, character of injuries, and the positions of victims, all validate the element of premeditation. The events surrounding the St. Martin de Porres Hospital further corroborate this.

The brutality of the dispersal thus casts a pall of shame on the PNP and serves as a grim reminder of why the AFP is prohibited from picket lines.



NAME, AGE	RESIDENCE	OCCUPATION
JHAVIE BASILIO, 20	Brgy. Mapalacsiao	CAT part-time worker
JHUNE DAVID, 24	Brgy. Cutcut	farmworker
JESUS LAZA, 34	Brgy. Parang	farmworker
JESSIE VALDEZ, 30	Brgy. Balete	farmworker / LIP worker
JUANCHO SANCHEZ, 20	Brgy. Balete	Tarlac State University student
ADRIANO CABALLERO, JR., 23	Brgy. Balete	golf course caddie
JAIME FASTIDIO, 46	Brgy. Motrico	farmworker

TABLE. *Martyrs of the Hacienda Luisita Massacre*

Seven policemen were guarding the Las Haciendas gate that night but none of them responded to the incident.

THE NOLCOM HITLIST

In a January 22, 2005 press briefing the Northern Luzon Command (NOLCOM) of the AFP commanded by Gen. Romeo Dominguez declared the Hacienda Luisita strike as a threat to “national security.”

In its headquarters inside Camp Servilano Aquino, just across the entrance leading to the hacienda, the NOLCOM press statement said that the strike was a “handiwork well orchestrated” by the CPP-NPA-NDFP.

They named the KMU, KMP and its regional counterpart, AMGL, and its local chapter in the hacienda, AMBALA as the Left’s “front organizations.” Lumped with them were the BAYAN, Bayan Muna (People First) and Anakpawis (Toiling Masses) - and other affiliated organizations like human rights alliance KARAPATAN.

Others included in the Nolcom list were Tarlac City Councilor Abel Ladera, who said was the “contact person” of the CPP-NPA in Hacienda Luisita. UN’s Judge ad litem Romeo Capulong was fingered as a supporter who would elevate the issue of Hacienda Luisita to the international forum.

The NOLCOM list was an open threat it made true with the reign of terror and spate of killings of Hacienda Luisita farmworkers and their supporters.

In Dingalan, Aurora province, Chrispin Amazona, 40, of Barangay Umiray, was last seen by relatives and friends on February 14. Two days later, his body was found along the street in Amucao, Tarlac City.

Relatives said Amazona’s hands were tied and his body wrapped in a black plastic bag with his name and the words “Hacienda Luisita.” He had bullet wounds in the head and chest.

COUNCILOR ABEL LADERA: BRAVE SON OF LUISITA

On March 3, 2005, Abelardo R. Ladera, 45, a duly elected City Councilor was shot dead by a single bullet in the chest while he was buying spare parts for his automobile at the Lyra Auto Supply in Barangay Paraiso, Tarlac City.

Ladera was a member of Bayan Muna (People First) Party-list and was a staunch supporter of the strike. He grew up in Barangay Balete, Hacienda Luisita, where his



CITY COUNCILOR LADERA



FR. TADENA

mother Rosalina was a farmworker and his father Leonardo once worked for the sugar mill. Ladera, an engineer by profession, was once a Balete village councilor and chairman, before he won a post in the Tarlac City council in 2001.

The day before he was shot, Ladera was at the provincial office of the Department of Agrarian Reform (PARO) in Tarlac City to obtain documents on the controversial stock distribution option (SDO) implemented by the Cojuangco-Aquino family in Hacienda Luisita.

At the PARO, Ladera was handed a sheaf of documents containing the SDO compliance report of HLI and the corporation’s response to two petitions questioning the SDO submitted by the farm worker beneficiaries and from a group of plantation supervisors.

At around 1:00 pm the next day, March 3, a single sniper’s bullet pierced his heart, killing him instantly.

Ladera vehemently opposed land use conversion in Hacienda Luisita. He was to expose certain details of the land use plan and design of the Cojuangco-Aquino family and President Arroyo’s SCTEX when he was killed. Ladera had said that these projects run counter to the farmworkers claim on the land and their desire for a better life.

FATHER WILLIAM TADENA: WORKERS’ PRIEST

On March 13, 2005, only a few days after Councilor Ladera’s murder, Father William Tadena of the Iglesia Filipina Independiente (IFI) or Philippine Independent

Church was gunned down after officiating mass in his parish in La Paz, Tarlac.

Fr. Tadena, 37, was chairperson of the Human Rights and Social Concerns Committee of the Diocese of Tarlac. He was an active member of the provincial chapter of the PCPR and KARAPATAN, and a known supporter of the Hacienda Luisita strike. He mobilized his parish to regularly donate rice and food to the striking workers.

At about 7am of March 13, Fr. Tadena celebrated mass at the IFI mission chapel in Barangay Guevara, La Paz town. After the mass, Fr. Tadena, together with his sacristan Charlie Gabriel, parish secretary Ervina Domingo and guitarist Carlos Barsolazo on board an owner-type jeep proceeded to the La Paz town proper to celebrate another mass. Fr. Tadena was driving.

Along the provincial highway some 50 meters from the IFI chapel, an unidentified person hollered at Fr. Tadena and waved for him to stop. This person was joined by another unidentified man at a waiting shed. Both were wearing helmets. When the men approached the jeep, Fr. Tadena already sensed danger and told Domingo, “Ambush na ito (We are being ambushed!).”

The two immediately shot Fr. Tadena and his companions several times. Perpetrators fled to the direction of Victoria town. IFI parishioners brought the victims to the La Paz Medicare Center for first aid, after which they were transferred to the Central Luzon Doctor’s Hospital in Tarlac City.

Despite medical attention, Fr. Tadena did not survive. Barsolazo who was critical underwent surgery.

Gabriel sustained two gunshot wounds in the legs and pronounced out of danger. Domingo sustained bruises on her wrists and legs and suffered extreme anxiety.

“TATANG BEN” CONCEPCION: TOILING MASSES

On March 17, 2005, Victor Concepcion, 68, a peasant leader and coordinator of party-list group Anakpawis in Pampanga, was shot dead in his daughter's house in Angeles City. “Tatang Ben” as he was fondly called, also supported the strikers in Hacienda Luisita. He was secretary-general of the peasant group Aguman da reng Maglalautang Capampangan, the local chapter of the KMP.

Concepcion suffered from rheumatic heart disease and acute emphysema and had just been discharged from the hospital. At 6:45 p.m. March 17, Concepcion was resting in his daughter's house in Angeles City to recuperate when a gunman aimed at him and fired several shots. He received five bullets including three in the chest and died on the spot.

SPATE OF HARASSMENT

Villages in Hacienda Luisita became heavily militarized especially when Maj. Gen. Jovito Palparan held the reins of the 7th ID stationed in Central Luzon. Many villagers complained of being subject to threats, intimidation and illegal arrest. Others have been unjustly suspected of being NPA members and forced to sign rebel returnees' papers. Around this time, the DAR Task Force Luisita began its investigation on the implementation of land reform through the SDO.

ULWU president Rene Galang and his family has been the principal target of police and military harassment. Several army elements virtually maintained a detachment in a house just across his residence. Sometime in September 2005, soldiers broke into his house. His wife was slapped in the face by a soldier for telling other people about the break-in. His children also experienced harassment even while at school.

FLORANTE COLLANTES: PEOPLE FIRST

On October 15, 2005, unidentified men shot Florante Collantes, 51, in front of his home in Barangay Tuec, Camiling, Tarlac. Collantes was a former labor organizer and

provincial secretary-general of Bayan Muna in Tarlac. He was also a staunch supporter of the Hacienda Luisita strike.

His wife, Delia, said two men on board a motorcycle stopped in front of their retail store along the Romulo Highway at about 11 a.m. appearing to buy cigarettes when one of them fired a single shot that killed the victim. Collantes was tending the store when he was shot.

Dr. Saturnino Ferrer, a government doctor who conducted the autopsy, said a single bullet entered the base of the victim's skull near his left nape and exited through his right cheek. Collantes died on the spot.

Delia recognized the assassin, a burly man wearing a dark jacket who, three days before the shooting, stopped by the store also on board a motorcycle to buy cigarettes. Before the shooting, two former military men whom she knew were residents of nearby barangays, drove past their house on several occasions: “They drove slowly and cast hard looks on the house.”

RICARDO RAMOS: MILITANT UNION LEADER AND VILLAGE CHIEF

Nighttime of October 25, 2005, after distributing back wages and benefits of sugar mill workers retrieved through the union's efforts, Ricardo Ramos, president of the CATLU and village chairman of Mapalacsiao, was brutally gunned down while celebrating this victory near his house.

CATLU petitioned DOLE for the release of workers' earned wages prior to the strike, including 13th month pay and Christmas bonus for the year 2004. The DOLE should have confiscated some eight thousand bags of sugar amounting to P8.8 million as early as the last week of September so that workers could receive back wages. On October 22, the DOLE confiscated the bags of sugar. In the morning of October 25, Ramos, assisted by the DOLE-Region III, led the release of the earned wages, with each worker receiving around P25,000 each.

Together with friends and some village officials, Ramos was celebrating the union's victory when he was shot dead that same night.

A few days before the DOLE confiscation, HLI Director Teopaco called on Ramos to sign a document stating that the union was already settling its issues with management, therefore, the levying of CAT property was not necessary. Ramos declined to sign it.

Witnesses to the killing of Ramos said that two military men inquired about him



CATLU PRES. RIC RAMOS

a few hours before his murder. Police investigators named the two as Army Sgts. Roderick “Joshua” dela Cruz and Romeo Castillo, Jr. Witnesses executed affidavits that became basis for the filing of Criminal Case No. 14419 under the sala of the acting presiding Judge Cesar L. Aganon. The case moved slowly after several government lawyers withdrew from the case.

Union officers and members have no doubt that it was soldiers who gunned down their leader. Ramos went against the presence and operations of the military in the hacienda. After the strike, the AFP established detachments in all barangays of Luisita except for Mapalacsiao and Balete, where residents led by their village chairmen, Ramos of Mapalacsiao and Rodol Galang of Balete, actively opposed the army's proposals.

In two separate occasions, Ramos also led his constituents in a barricade to stop the construction of the SCTEX. Contractors belonging to the Bases Conversion and Development Authority (BCDA) allegedly tried but failed to bribe Ramos the amount of P1.2 million just so he would allow the project to continue.

Ramos stood up for the welfare not only of sugar mill workers but also of the farmworkers. He declined to enter into any settlement with CAT management unless HLI settled the agrarian dispute with ULWU. Ramos once vowed: “Unless the

WHERE ARE THE MASSACRE PERPETRATORS NOW?

AFTER THE HACIENDA LUISITA MASSACRE, 52 survivors and victims' relatives represented by SENTRA filed cases against perpetrators and co-conspirators of the massacre before the Office of the Ombudsman in January 13, 2005.

These include Don Pedro Cojuangco, president of HLI, former congressman Jose “Peping” Cojuangco Jr; Ricardo Lopa, HLI general manager, Jose Manuel Lopa, manager of Central Azucarera de Tarlac (CAT) and Ernesto Teopaco, chief negotiator for the management in CBA negotiations with HLI workers.

From the government, those charged were then Labor Sec. Patricia Sto. Tomas; DOLE Undersecretary for Labor Relations Manuel G. Imson and Francis Reyes, DOLE sheriff; then Rep. Benigno “Noynoy” Aquino III and then President Arroyo were also charged.

Various officers of the PNP Region 3, the AFP NOLCOM, the 69th IB and 33rd Light Armor Company of the Philippine Army were also charged. They include Brig. Gen. Ricardo Visaya, commander of the 69th IBPA; then P/Supt. Angelo Sunglao, commander of Task Force Luisita; then PNP Region 3 director Chief Supt. Quirino dela Torre, PNP Tarlac provincial director and ground commander during the dispersal; and then NOLCOM commander Maj. Gen. Romeo Dominguez.

The Ombudsman, however, dropped all charges against the civilian respondents and has sat on the case ever since. To this day, NOBODY has been held liable for the massacre. Where are they now?

Benigno “Noynoy” Aquino III is now the President.

Former President **Gloria Macapagal-Arroyo** is facing plunder charges but is confined at the Veterans Hospital.

Patricia Sto. Tomas served as Chairman of Development Bank of the Philippines (DBP) and became Vice-Chairman and Director of Al-Amanah Islamic Investment Bank of the Philippines since July 2008. She was also director of Metro Rail Transit Corporation (MRTC) and the Land Bank of the Philippines (LBP).

Don Pedro Cojuangco died on July 20, 2011.

Jose “Peping” Cojuangco Jr. is presently President of the Philippine Olympic Committee (POC) and Presidential Adviser on Food Security. A malversation case was recently filed against him before the Ombudsman for releasing public funds to alleged bogus sports associations.



Jose Manuel C. Lopa is the Director of CAT since 2002. He is also President of TAO Commodities Trading, Inc.; Director of Renaissance Realty Corporation; and Deputy Director for Australian Affairs of the Philippines Sugar Millers Association, Inc. He is Vice-President of ALRAC Inc. and Ralco Agricultural Corporation.

Ernesto G. Teopaco is the Vice-President and a Director of CAT since 1986. He is also Director and Industrial Relations Officer of other JCSO affiliates.

Manuel Imson is now Labor Attaché at the Philippine Mission to the UN and other international organizations in Geneva, Switzerland with supervisory function over all Philippine labor offices in Europe.

Angelo Sunglao, now retired, became director of the the PNP Provincial office in Nueva Ecija before being assigned to the Zamboanga Peninsula Police Office, and the PNP Maritime Group. Sunglao implemented joint trainings and projects with US troops in Zamboanga.

Quirino dela Torre, now retired, was one of the nominees of the Alliance for Rural and Agrarian Reconstruction, Inc. (ARARO) in the May 2013 elections. ARARO claims to be a farmers' party-list. He was earlier implicated as member of a group that actively pushed for the anomalous National Broadband Network deal with Chinese firm ZTE Corp (NBN-ZTE deal).

Romeo Dominguez, now retired, is touted one of the influential “Cory generals” for joining the People Power Uprising in 1986. Even before leading the AFP NOLCOM, Dominguez was enmeshed in the Abu Sayaff ransom money scandal in 2001 concerning kidnap victim Gracia Burnham. “Cory generals” staunchly campaigned for Noynoy Aquino during the 2010 elections.

Gen. Ricardo Visaya was recently appointed by President Aquino as commanding general of the 4th Infantry Division based in Cagayan de Oro City. Visaya was the “right hand man” and “protégé” of Ret. Maj. Gen. Jovito Palparan's in his reign of terror in Central Luzon. Elements of the 69th IB-PA headed by Visaya were involved in the abduction and torture of farmers Raymond and Reynaldo Manalo in February 2006. Visaya headed the 27th IBPA in Polomolok, South Cotabato which perpetrated harassment against farmworkers of Dole Phils. during a union election in 2011, targeting leaders of the incumbent union affiliated with the KMU (May First Movement). Before his latest appointment, Visaya was transferred twice. First, as Asst. Commander of the 6th ID based in Barangay Awang, Datu Odin Sinsuat, Maguindanao. Visaya then helmed the 901st IBPA, heavily criticized for use of halls, day care centers, chapels, and other civilian facilities for encampment by troops in Albay. Visaya justified the beheading of Albay village councilor Ely Oguis in Nov.2012 by accusing that Oguis was an NPA “tax collector”.

problems of ULWU are settled, we will not allow the mill to operate. As long as ULWU is in strike, we will stay here with them. We, workers, care for the hacienda farm workers.”

MAULING , ILLEGAL ARRESTS, TRUMPED-UP CHARGES

On November 14, 2005, strikers manning the picket point in Barangay Balete were seized and mauled by elements of the 48th IB under the command of Palparan.

At around 2am, 10 strikers and a 15-year old striker's son were sleeping when about 20 soldiers suddenly searched the picket line. The workers were punched, kicked and hit with armalite rifles.

Arnold Cunanan, one of the workers, was repeatedly hit with a steel tube at the legs and lower part of his body. All 11, which included two women and a minor, were forced to board a shuttle jeep and were then

taken to a house rented by soldiers. There, the victims were repeatedly mauled while being interrogated for about three hours. At around 5 am, they were transferred to the police station in Tarlac City. Twenty-one year old Rachele Bayudan's cellular phone was confiscated by the soldiers.

The two women arrested were Bayudan and Malou Ricardo, 29, both from Balete. The minor was Nino Oles, son of Rico Oles, 39 of Bantog. The others were: Cunanan, 37; Eduardo Martinez, 25; Arnel Padel, all of Balete; Renato Mendoza, 35, of Cutcut; Eduardo Capulong, 27, of Mapalacsiao; Lito dela Cruz, 35 of Asturias; and Resty Puzon, 20, of Motrico.

The strikers identified leaders of the arresting team as TSgt. Julius Paman, Sgt. Dennis Mendoza and a certain Michael Salvador who the strikers said is also a soldier.

Cunanan, Ricardo, and Martinez were subsequently charged with illegal posses-

sion of firearms and for violation of the Anti-Deadly Arrow Law. The strikers denied possession of any deadly weapon when arrested.

After this warrantless arrest, Balete village Chairman Galang and 22 others received subpoenas for a scheduled arraignment on an “alarm and scandal” case, concerning a protest march held two years before in mid-summer of 2003, docketed at the Municipal Trial Court (MTC) as Criminal Case No. 1237-05. Two of those charged, Isidro Batan and Albert Gonzales, were already dead.

TIRSO CRUZ: “BUNGKALAN” MARTYR

On March 17, 2006, around midnight, Tirso Cruz, 33, an officer of the ULWU, was murdered in cold blood as he was walk-

ing home with his father and brother in their village, Barangay Pando.

Cruz was a member of the ULWU Board of Directors representing his village Pando where he also served as village councilor.

His father, Federico said that only government agents could have killed his son. He testified that at 12:30 am on March 17, he was walking home along with Tirso and one of his sons in their village in Pando, Concepcion when assassins came from behind and repeatedly shot Tirso.

The two assailants rode a motorcycle and wore ski masks to cover their faces. Cruz died instantly from nine bullets from an M-16 rifle used by the assassins. After committing the murder, the killers poked their guns at Cruz's brother and calmly drove away passing an army detachment some 100 meters away.

The soldiers and Citizens' Armed Forces Geographical Unit (CAFGU) members inside the detachment at the time of the shooting did not bother to investigate or help the victim. They even put out the lights when a barangay tanod (village security) member ran to the detachment minutes after the shooting to report the crime and plead for help.

Cruz was at the picketline when the Hacienda Luisita strike commenced in 2004, survived the infamous massacre and courageously fought for workers' interests even after the strike ended a year after. In the course of the strike, farm workers defied a management edict prohibiting them to use the land and dared to cultivate parcels for subsistence. They planted vegetables, rice and corn on the land that used to be devoted solely to sugarcane.

Cruz led this cultivation initiative known as the “bungkalan.” He also led subsequent protests against the SCTEX project. He was also very vocal in protesting the presence of soldiers and calling for their withdrawal.

RONALD INTAL: YOUNG DESAPARECIDO

Ronald Intal, 24, was last seen by his relatives on April 3, 2006. The Hacienda Luisita youth leader was believed abducted by government troops in Barangay Balete at noon of that same day. His relatives have reason to believe that Intal may have been under the custody of the NOLCOM.

Intal was a resident of Barangay Asturias and leader of the Samahan ng mga Ka-



BISHOP RAMENTO CONFRONTS MILITARY DEPLOYED IN LUISITA

bataang Demokratiko sa Asyenda Luisita (SAKDAL or Association of Democratic Youth in Hacienda Luisita) and the Anak ng Bayan (Sons and Daughters of the People). Ronaldo's partner Sydney Ramos was four months pregnant when he was disappeared.

Intal's father, Gonzalo, said that his family sought the assistance of Tarlac City vice-mayor Teresita Cabal who informed them that his son was being held by NOLCOM personnel and may be released once Maj. Gen. Jovito Palparan gives the go-signal.

The elder Intal quoted Cabal as saying that “Gen. Palparan will not release him yet because his appointment is not yet over.”

Witnesses said Intal was brought to the Aqua Farm, a former fish breeding station between Barangays Balete and Cutcut, which was used as headquarters of soldiers belonging to the 70th IB, 7th ID headed by Major Gen. Jovito Palparan. Soldiers at the Aqua Farm denied taking him into custody.

BISHOP ALBERTO RAMENTO: BISHOP OF WORKERS AND PEASANTS

On October 3, 2006, Bishop Alberto Ramento, 70, of the Philippine Independent Church, was brutally stabbed to death in his room at the San Sebastian Church in Tarlac City.

Bishop Alberto Ramento served as the ninth Obispo Maximo (Supreme Bishop) of the IFI from 1993-1999. He was a co-chairperson of the Ecumenical Bishop's Forum and a firm peach advocate. He initiated the Pilgrims for Peace, a multi-sectoral network calling for the resumption of peace talks between the government and the NDFP. He also served as member of the presidium of the Citizen's Congress for Truth and Accountability (CCTA), an independent attempt of civil libertarians to investigate the

human rights violations and electoral fraud committed by the Arroyo administration.

Dubbed “The Bishop of the Poor,” Bishop Ramento staunchly supported the striking workers of Hacienda Luisita and openly condemned human rights violations committed by state forces and their agents.

When Bishop Ramento was found dead, the police immediately concluded that he was a victim of robbery and homicide. This was based mainly on police findings that Ramento's cellular phone, ring and an undetermined amount of cash from his wallet were missing.

Ramento and other IFI priests were reportedly included in the NOLCOM “hit list” or “order of battle.” Before the incident, Bishop Ramento had been receiving several death threats via text message. The messages contained words such as “Ikaw ang susunod” (You will be next), “Isang bala ka lang” (One bullet is all it takes), “Dahil sa pakikialam nyo sa Hacienda Luisita” (Because of your meddling in Hacienda Luisita) and “hindi siya tatamaan ng bala, papatayin sya sa saksak” (He will not be killed by bullets, he will be killed by stabbing).

Bishop Ramento stood and fought for the rights of the poor, the exploited and the oppressed. He was on the side of the workers and peasants in Hacienda Luisita. Together with the workers and peasants, he faced the attacks of the military against the striking workers. Loved and respected by the masses, his clergy and the faithful he served, he was honored as the “bishop of the poor workers and peasants.”

In the last pastoral letter that he signed as Chairman of the Supreme Council of Bishops, Ramento called on the people to “find courage and confront the darkness that is engulfing the very soul of the nation and continue to tread the path towards the establishment of a just society under a government that genuinely serves the interest and welfare of the Filipinos.”

LUISITA ESTATE MANAGEMENT: THE NEW “YELLOW ARMY”

Around this period, Luisita Estate Management or LEM was established to create an atmosphere favorable to the Cojuangco-Aquino family after the SC issued a TRO on the PARC decision to distribute land in Hacienda Luisita. The LEM unleashed intimidation, harassment, deception and

EXCERPT FROM AN INTERVIEW WITH PASTOR GABBY

GABBY SANCHEZ of Barangay Balete is a pastor of the United Church of Christ in the Philippines (UCCP). He is the father of Juancho Sanchez, one of the victims of the 2004 Hacienda Luisita Massacre.

Q. Since when have you been a resident and farmworker of Hacienda Luisita?

A. I was born here. My parents were here long time ago. I was only 13 when I started working at the hacienda in 1963.

Q. So you're also listed as a farmworker-beneficiary (FWB) of the hacienda's land distribution?

A. Sad to say I am not listed as a FWB and I don't know why. We were part of the original masterlist as farmworkers but we were excluded when DAR released its final list. The residential lot awarded to us proves we are legitimate farmworkers, but now the DAR just deprived us the chance to own a farm lot under its land reform scheme.

Q. Were you part of the striking farmworkers in 2004?

A. Yes indeed! You know we couldn't swallow the terrible suffering the Cojuangco-Aquino clan has inflicted on us farmworkers so everybody just stopped working and joined the strike.

Q. Your son Juancho was a student, how come he became a victim of the Hacienda Luisita massacre?

A. Juancho was a third year Engineering student at the Tarlac State University. He was a bright young boy with a future. At that time, I was unaware that he was at the strike. I was only informed after the incident that he was already at the morgue. I found out that he was at the strike with other young volunteers aiding farmworkers with water and food to eat. You see even our children un-

derstood our plight and they were with us in the struggle. When the military and police fired bullets at the strikers, my son was one of the seven victims who instantly died. There were many, more than hundred wounded too.

Q. How did you and your family take the death of Juancho?

A. Our son did not die for nothing. His blood and the blood of the martyrs is our landmark for the long years of struggle of the farmworkers in this hacienda. His death is also a challenge to the young people of Luisita.

Q. Nine years have passed, have you found justice for your son's death and the death of other victims?

A. Justice is so difficult to find when the powers that be still dominate. Impunity reigns. No perpetrator has been punished. In fact the case has already been dismissed. Some of those responsible for the crime have even been promoted! Our hearts still bleed and we still wail for justice.

Q. What can you say about the struggle of the farmworkers here in Hacienda Luisita?

A. It is not over. This thing the DAR did, allocating lots through raffle draws, this landgrabbing going on.... There would be more bloodshed. It is very disappointing to know there are community leaders whose principles could be bought, as in that recent deal they entered with RCBC. But I just hope that people will continue the struggle.





RCBC SECURITY GUARDS

systematic attacks against farmworkers and their organizations. The LEM also ensured that economic activity in Hacienda Luisita after the strike would still benefit the Cojuangco-Aquino clan. It was LEM agents who facilitated rampant deceptive lease agreements with farmworkers, by dangling unequal rent contracts to cash-strapped farmers.

The LEM conspired with military troops deployed all over Luisita to “convince” workers and residents to revert to the old set-up. LEM agents pushed farmworkers to agree with the Cojuangco-Aquinos’ “compromise deal” in 2010. But the “compromise” ploy was exposed and bitterly opposed by farmworkers led by AMBALA.

Noynoy Aquino’s inauguration as President in June 2010 ushered in renewed massive deployment of troops, aggressive recruitment of CAFGUs, and construction of new military and CAFGU detachments in all 10 villages of Hacienda Luisita. Soldiers who were deployed for the May elections never left. There was also active recruitment for members of the military’s Barangay Intelligence Network or BIN which had specific tasks in monitoring Luisita activists and their movements.

The Cojuangco-Aquino clan has practically revived their “yellow army” and Hacienda Luisita has been turned into a military garrison. AMBALA leaders were openly surveilled and followed by at least four military men armed with high-powered rifles. Soldiers from the 701st IB also conducted widespread military operations, patrols and house-to-house campaigns. Soldiers reportedly burned down the hut of one AMBALA leader. Another Luisita resident said the soldiers had also trailed the eldest daughter of a former AMBALA official to her new job at a mall, threatening to abduct her if he did not get her father’s “head on a platter.” The daughter resigned from her new job to

avoid going out and being tailed by soldiers.

BALIKATAN IN HACIENDA LUISITA

In March 2010, residents reported to the ULWU that they have seen US soldiers within Hacienda Luisita. They were first sighted sometime when US soldiers asked Barangay Bantog village official Greg Gardano who their barangay captain was.

After several months, the entire village council of Bantog had a meeting with 15 US soldiers in August. During this meeting, US soldiers discussed the construction of a three-story building, which will serve as an evacuation and health center. In Barangay Bantog, the building will be constructed beside the village basketball court. Two more three-story buildings would be constructed in Barangays Mapalacsiao and Parang.

ULWU is also received reports that vehicles marked with “RP-US Balikatan Exercises” were seen in October 2010, conducting “surveys.” Around that time, AFP soldiers deployed in Hacienda Luisita seemed to prepare for the arrival of US troops for the Balikatan exercises. Balikatan (“shoulder-to-shoulder”) is an annual joint military exercise conducted by Philippine and U.S. Armed Forces. These exercises are held by virtue of the Mutual Defense Treaty (MDT) and the Visiting Forces Agreement (VFA).

Militarization in Hacienda Luisita continued to intensify. Barangay Asturias, the smallest among the 76 villages in Tarlac, home to an estimated 300 households, has a 600 square-meter military detachment of the 70th IB of the Philippine Army. The same village also has five nipa huts that serve as resting places of CAFGU members.

During the last week of October 2010, two more truckloads of soldiers arrived in Asturias. They had to add four more huts

for accommodation. The military been conducted patrols at night. White vans were sighted patrolling Asturias, Mapalacsiao and Motrico.

Balikatan joint military exercises involving thousands of US troops were held several times in different locations in Central Luzon including Capas, Tarlac since 2010.

OPLAN APRIL SPRING

In 2012, the RCBC and the Cojuangco-Aquino clan hatched “Oplan April Spring”—a campaign which aimed to destroy farmers’ opposition to the RCBC claim to hundreds of hectares of agricultural land near Barangay Balete. This campaign utilized mass deception, state violence, underhanded legal maneuvers, and even corruption and bribery of community leaders.

On February 20, 2012, a hundred RCBC security guards, ten elements of the Tarlac provincial PNP and 15 members of the Philippine Army escorted the fencing of the contested agricultural lands, the very site of the bungkalan cultivation campaign of the farmworkers.

They failed to break the resolve of the farmworkers to defend their right to cultivate the land. More than 300 members of AMBALA blocked the putting up of fences. The security guards, police and military fired shots eight times. The RCBC then filed charges of grave coercion and illegal occupation of real property against 23 AMBALA leaders and members.

Balete residents then set up a camp-out and barricade to block RCBC’s attempt to set up fences. For three consecutive days in March 2012, RCBC security guards attempted to set up fences as farmworkers defended their camp.

At around 3 p.m. on March 27, 2012, seven farm workers were arrested by the local police.

Among those arrested were two village officials of Balete – Winky Esteban and Jay Martinez—along with Dionisio Mandigma, Manuel Mandigma and Robert Mendoza. They were charged with malicious mischief and detained at the PNP Provincial Office in Camp Macabulos, Tarlac City. Also arrested were Alfred Martinez, 17 and Meric Trinidad, 16, but they were eventually released.

During the arrest, two policemen pointed their M-16 rifles at farm worker Becky Canlas while two other policemen manhandled Florida Sibayan of AMBALA.

The SC issued its final and executory decision on Hacienda Luisita in April 2012,

but the ruling excluded the 500-hectares of “converted land” -- which includes the contested RCBC property -- from distribution to beneficiaries. Instead the SC ordered the audit HLI books for the proceeds of sale of this property. As “co-owners” under the SDO, the share of farmworkers from the sale must be distributed to them, according to the SC.

After hatching secret deals and monetary offers to a few corrupted local leaders in mid-2013 coinciding with the massive “information drive” of the DAR for its scheduled land distribution activities, the RCBC was able to finally fence the contested property. RCBC also withdrew charges against the co-opted leaders.

TARLAC CITY DEMOLITION

President Aquino is now tagged “Demolition King” for the spate of violent eviction and dislocation of residents in urban settlements. Tarlac City was not spared.

On October 2, 2012, at around 8 am, some 70 residents of San Roque village in Tarlac City had put up a barricade, to resist the demolition of their homes by the Tarlac City government. Around 100 police men arrived, armed with M16 rifles, handguns and shields. They were followed by eight members of the PNP-SWAT who were also in full-battle gear, armed with baby armalites and bullet-proof vests. Around 100-member demolition team also arrived, along with two fire trucks, that trained their water cannon on the residents.

John Khali Lagrimas, 14, along with four others, was standing on the roof of a furniture shop that was on the row of houses to be demolished. At around 9:30 am, gun shots rang out and John fell on the next roof. Residents brought him down and rushed him to the Ramos General Hospital, where he was declared dead on arrival.

Lagrimas was a resident of Brgy. San Francisco in Tarlac, and a member of the youth group SAKDAL based in Hacienda Luisita. Lagrimas’s widowed mother is a Hacienda Luisita farmworker and member of Anakpawis Party-list in Tarlac.

FARMWORKERS IN DAR DIALOGUE ARRESTED

After On February 28, 2013, three Hacienda Luisita farmworkers belonging to AMBALA were arrested by the Tarlac PNP as their leaders were engaged in a dialogue with officers of the PARO at the La Marjara Hotel in Tarlac City.

During the dialogue, a simultaneous pro-

test action was staged by some 80 members of AMBALA outside the hotel. At about 2:30 p.m. the marshals of the AMBALA picket picked on a policeman in civilian attire taking pictures of the protesters. A commotion ensued.

A leader of AMBALA went out to check why a commotion was taking place. They found Bernardo Duque, more popularly known as “Tang Ben,” a 62-year old AMBALA member from Brgy. Cutcut, with a swollen eye due to mauling. When the commotion subsided and relative quiet was restored, leaders went back to the meeting.

When the meeting ended at 4 pm and farmer-leaders were about to join their members, policemen -- some in full battle gear and some in uniform -- started to arrest random protesters. Those illegally nabbed were Jay Parazo, 33, of Balete; Renato Mendoza, 42; and Wilson Duque, 44 of Cutcut, who were immediately brought and detained at Camp Macabulos, Tarlac City.

PNP Provincial Director Alfred S. Corpus said that the three stole a gun and a cell phone from one of his men. This is contra-

dictory to information in the charge sheets.

On March 1, 2013, the PNP referred for inquest proceedings cases of Direct Assault and Robbery allegedly committed by the three detainees. By virtue of an Inquest Resolution, d.d. March 01, 2013, the Tarlac City Prosecutor, Hermo A. Manglicmot, immediately filed criminal cases. Cash bond was placed at Php 206,000.00 each for the three accused.

No preliminary investigation was conducted by the Tarlac City Prosecutor before he filed the Information charging the three farmworkers. A Motion for Reinvestigation was filed by the three detainees. Unable to produce the costly bail bond, however, the three were released only after 3 months when the charges were dropped.

The dialogue between PARO, HLI management and AMBALA focused on the selection of an auditing firm that would review the proceeds of P1.3 billion HLI assets. AMBALA believes that the arrest was made to intimidate farmworkers into blindly abide by the DAR’s irregular schemes concerning land distribution in Hacienda Luisita.

“I WILL NOT DIE WITHOUT A FIGHT”

IN THE EARLY MORNING OF NOVEMBER 1, 2013, AMBALA leader **Dennis de la Cruz**, 39, was found dead – his head pinned by a concrete electrical post near the bungkalan farm in Barangay Balete. He had a *bolo* (long dagger) by his side.

AMBALA and residents of Hacienda Luisita suspect foul play.

Barangay officials in Balete did not file a local blotter of the incident. According to Balete village councilor Winky Esteban, dela Cruz’s relatives, who were escorted by barangay officials from their residence, Barangay Lourdes, immediately took custody of his body. Esteban explained that the blotter should be made in dela Cruz’s barangay even if the incident happened in Balete.

The PNP’s scene of the crime operatives (SOCO) quickly dismissed dela Cruz’s death as an accident. They told dela Cruz’s family that since nobody intended the death, there was no need for an autopsy.

Sensing that there was indeed foul play, the family oddly decided it was unwise to have the body undergo autopsy. They are afraid of reprisals from the Cojuangco-Aquino family.

Dela Cruz was last seen alive around 1am of the same day at the Ramos residence, where the funeral wake of Melchor Ramos, another AMBALA member who had died of an ailment, was held. Ramos has a grandchild by Ronaldo Intal, the young SAKDAL leader who was believed disappeared by the military in 2006. When he left the gathering, dela Cruz told the Ramos family that he was going to the bungkalan.

The bungkalan farm is dela Cruz’s responsibility. He was tasked to work and look after the farmlot. The lot was first occupied and cultivated by Melchor Ramos in 2005, during the height of the Hacienda Luisita strike. The lot is only 10 minutes away from the Ramos residence.

I will not die >> p. 38



p. 37 << *I will not die...*

The *bungkalan* farm is located within agricultural lots that the Cojuangco-Aquino firm TADECO has cordoned off and claimed to be its private property since the DAR commenced its “tambiol” lot allocation activities in July. A round three (3) outposts were erected by TADECO near this AMBALA farmlot. Each outpost is manned by a minimum of two armed guards. A military detachment is also under construction about a kilometer away from this farmlot.

Dela Cruz and other AMBALA members have been constantly under threat for questioning TADECO’s presence in Barangay Balete. Farmers assert that the agricultural lots that they have cultivated for the past 8 years cannot remain Cojuangco-Aquino private property.

On the night of September 17, hours after TADECO ordered the violent arrest of 11 delegates of this fact-finding mission in Barangay Balete, dela Cruz was hunted down by 10 TADECO security guards. Four of these armed men trained their guns on dela Cruz when they spotted him at the *bungkalan*, but dela Cruz managed to run. For three consecutive days since then, TADECO guards tried to accost dela Cruz but he was able to run away from them.

When Typhoon Santi (international name: Nari) hit Central Luzon, AMBALA’s *bungkalan* farm hut was among those destroyed. Concrete electrical posts near the farmlot were also toppled. Dela Cruz led the repair of the hut with AMBALA’s *bungkalan* work teams between October 19 and 20. But after only a few hours, three TADECO security guards barged into the farmlot. Dela Cruz watched from afar as the guards destroyed the hut they rebuilt. He could not do anything because the guards were fully-armed.

One morning a few days before his death, Dennis told Melchor’s wife and another AMBALA member that he strongly felt that his life was in danger because of the TADECO guards. He had been sleeping with a *kampilan* (sugarcane knife) beside him for self-defense. He said that if the Cojuangco-Aquinos tried to have him killed, he would not let up without a fight.

“LUISITA 11”

WHEN BIGWIG SENATORS AND CONGRESSMEN embroiled in a colossal pork barrel scam successfully dodge or postpone their arrests, and a neophyte people’s legislator is easily nabbed by provincial police for the puny charge “malicious mischief” as he performs his job of supporting Luisita’s toiling masses – where is justice?

There is no denying that Hacienda Luisita is under a reign of terror when delegates to this fact-finding mission – the “Luisita 11” led by Anakpawis Rep. Fernando Hicap – became the actual victims of the very rights violations this group aims to document.

This National Fact-Finding Mission (NFFM) was organized by AMBALA, UMA and Anakpawis Party-list to probe into reports of fraud, militarization, threats and harassment before, during and after the DAR’s lot allocation activities in Hacienda Luisita. It also aimed to confirm reports of the Cojuangco-Aquino firm TADECO’s aggressive steps to retain control over vast agricultural lands in three villages: Balete, Cutcut, and Mapalacsiao.

The first batch of NFFM delegates led by UMA arrived September 16. The delegates were formed into three groups to conduct interviews with farmworkers in the said three villages.

On September 17, the Mapalacsiao and Balete groups merged in Brgy. Balete to welcome the second batch of NFFM delegates led by Anakpawis Rep. Hicap. The other group of delegates remained in Cutcut. The reinforced Balete group assembled at AMBALA’s *kubol* (hut) right beside the stretch of concrete fence set up by RCBC. By 9am, the groups in the two villages simultaneously conducted ocular inspections of reported outposts and detachments, and on-the-spot dialogue with TADECO and AFP/PNP personnel manning the structures.

The Balete group, composed of around 30 NFFM delegates and more than 70 Luisita residents including elderly men and women supported by walking canes, proceeded to inspect two (2) TADECO outposts northwest the village proper. They met and talked with 2 armed guards manning a watchtower. The guards said they were employed by TADECO and were guarding private property. The area in question is planted to sugarcane and is visibly agricultural in nature.

The group then walked toward the Luisita Access Road, where a bigger outpost is manned by at least three TADECO guards and two local policemen. This outpost is near AMBALA’s *bungkalan* pilot area farm. Hicap and other leaders talked to the guards and police to inquire about their presence and to explain the aims of the NFFM.

Another watchtower situated around a hundred meters from the main road is also near the AMBALA’s *bungkalan* pilot area and right beside an AMBALA member’s farm hut. The *bungkalan* area is planted to palay and other vegetable crops and was first cultivated by farmworkers in 2005.

The Balete group proceeded to a small pumping station structure found beside a sugarcane plantation easement lined with a row of giant electrical towers. The group met some soldiers belonging to the 3rd Mechanized Battalion of the Light Armory Division of the AFP, identified only through signage on a six-by-six army truck and an army jeep parked in front of their temporary base. The NFFM group led by Hicap repeatedly asked the soldiers to identify themselves. One who identified

himself only as a team leader, confirmed that they were indeed state troopers but refused to give their real names and rank.

Their temporary base is lined with building materials for a military detachment and is right beside a ricefield tended by AMBALA leader Rene Galang. A few meters away are ricefields tended by acting AMBALA chairperson Florida Sibayan. The soldier explained that they were to vacate their base at the Aqua Farm because it was now up for distribution to farmworkers. The current site furthermore, was offered to them by the Luisita Realty Corporation (LRC). The leader denied that they were there to serve as “private army” of the LRC, and said that they did not mean to meddle with agrarian disputes. However, the planned military detachment is positioned right beside productive ricefields and stretches of sugarcane plantation that should belong to farmworkers and must not be retained by the Cojuangcos through the LRC, TADECO or any other entity.

At around 11:00 am, the NFFM started to walk back to the AMBALA *kubol*.

At the main road, the NFFM sighted three mobile vehicles full of policemen. There were also a number of motorcycles parked near the area, manned by persons in civilian clothes. The NFFM leaders talked to the police officer, Jovy Arceo and explained the aims of the NFFM. After Arceo responded calmly that they were in the area only to maintain peace and order, the NFFM then proceeded to walk back to the *kubol*, while elderly delegates were accommodated in an NFFM vehicle.

A few moments after the NFFM delegates walked away from Arceo’s group, a SWAT jail bus passed by and a black SUV arrived and parked in front of the delegation’s path. A police officer, later identified as the OIC City Chief P/Supt. Bayani Razalan, alighted from the SUV with around seven other men, some in civilian clothes. Razalan started to order the men and the uniformed police to seize members of the delegation, particularly pointing to leaders like Rep. Hicap. Policemen seized the group like rabid dogs: they cursed and threatened to pull out their guns as they nabbed people by hitting, slapping, punching and pulling them by their hair and clothes. Even elderly farmworkers alighted from their vehicle to plead and try to stop the police from assaulting the NFFM group. The po-

lice did not spare them.

The scuffle which lasted for about 30 minutes led to the arrest of 11 members of the team. Those arrested were Rep. Hicap, his aide Rene Blasan, Anakpawis staff Karl Mae San Juan, Kerima Acosta and Danilo Ramos, Sister Patricia Fox of the Zion Sisters, cultural worker Ericson Acosta, KARAPATAN paralegal Ronald Matthew Gustilo, and Luisita residents Florida Sibayan, Luz Versola, and Angelina Nunag. Injured were Fox, Blasan, San Juan, Versola, and Sibayan who suffered head concussions and bruises in the chest area when she briefly lost consciousness and hit the concrete road during the scuffle. The group was brought to the Tarlac City PNP station where the group immediately asked police officers for first aid and the exact reason for their arrest. No first aid was applied. A medical procedure was granted 24 hours after the incident but only upon the group’s insistence.

A police officer then read the Miranda Rights to the whole group, including Hicap who enjoys congressional immunity from arrest. The Tarlac City PNP informed the group that they were being charged for trespassing to property, direct assault, and malicious mischief. After some hours, Razalan informed the group that he is also charging them for robbery because he supposedly lost two of his mobile phones during the altercation.

After police realized their blunder, PNP Provincial Director Alfredo Corpus person-

ally informed Rep. Hicap and Sister Patricia Fox, an Australian national, that they were not really arrested but were only “invited” by the police. However, Corpus said that the 9 others will still be charged.

Hicap and Fox refused to leave their companions and were brought to the PNP Camp Macabulos. Police denied the violent manner of the arrest and termed the detention as “custodial investigation.”

The next day, police informed 9 of the delegates that were already charged with robbery, direct assault and malicious mischief. The PNP rushed the “inquest” while the group underwent medical procedure at the provincial hospital – a “Cojuangco prosecutor” filed the cases without requiring the 9 accused to appear before him. The group’s counsel Atty. Jobert Pahilga questioned the anomalous inquest and moved for the prosecutor to inhibit. The group was able to confirm what actual charges were brought before them – malicious mischief with the TADECO as complainant, and direct assault filed by the PNP itself – only after more than 24 hours in detention. They were released on September 19 after posting bail of Php 2,000 each for the direct assault case.

“I was hit by a bullet during the massacre but I survived. Another time, I was dragged by RCBC guards. Now the police hit me in the head and nabbed us. They can imprison us again and again but we will continue our struggle,” said Sibayan.



APONGMARIA & NANAY LEONING: Two generations of women fighting for land rights



IN HER TWILIGHT YEARS, MARIA DOMINGO CORPUZ, 99, a resident of Brgy. Cutcut in Hacienda Luisita continues for fight for her and her family's right to land in the 6,453-hectare sugar estate controlled by the family of President Noynoy Aquino.

Apong Maria, as she is fondly called by her family, farmers and agricultural workers in the community says: "Ang Hacienda Luisita ay pag-aari ng mga magsasaka at hindi ng mga Cojuangco. Sinangla lang ito ng 10 taon at hindi na nila isinauli, inagaw na nila." (The Hacienda Luisita is owned by the farmers not the Cojuangcos. They mortgaged the land for 10 years and after that they no longer returned it to the farmers, they already grabbed it).

Born 1915 in the adjoining barangay of Guevara, Capaz, Tarlac, her family moved to the Hacienda Luisita in the 1930s, and helped clear and cultivate the forested lands of Hacienda Luisita. They planted food crops such as rice, cassava, vegetables and cash crops such as tobacco and red sugarcane. At age 15, she was already a farmworker. She started with a daily wage of 50 centavos under the TABACALERA which run the hacienda.

In 1957, Apong Maria was hired as farmworker in the sugar plantation acquired by the Cojuangcos. She planted sugar seedlings with a native basket called "bakol" tied to her waist. She plants the seedlings after a machine tractor clears the soil and marks the area.

"We used to have a hectare of land where we planted rice for our consumption. But that piece of land was taken by the Cojuangcos when they came in 1957." Apong Maria joined the union of workers, earning her some benefits. But this also signaled the beginning of her participation in asserting for their rights and wel-

fare as farmworkers in the hacienda.

Apong Maria wed in 1937 and sired 10 children, 5 girls and 5 boys. All of her children became farmworkers in the hacienda. One of her daughters, Leonarda Corpuz Halili, now fondly called "Nanay Leoning," is currently one of the women leaders in Brgy. Cutcut.

Nanay Leoning is 57 years old, married with a fellow worker in the hacienda. They have six children. She became a farmworker in 1972, working as sugar seedling planter and weeder. She started with a P4.50/day wage on a 5-day work week. She became a member of the United Luisita Workers Union (ULWU).

In 1989 the sugar estate was put under the SDO scheme of the CARP. The SDO promised to make the lives of farmworkers prosperous as they were made to believe that they were stockholders and part-owners of the Hacienda.

But living conditions of farmworkers worsened under the SDO. They had to earn their shares of profit by working in the plantation. Farmworkers were confronted with scarcity of jobs and reduced workdays because of mechanization of the plantation and land conversion. The farmers' shares of stock were cut down to a pittance, making it difficult for families to make ends meet.

That was when the workers decided to strike in 2004.

Nanay Leoning asserts "I was in the picket-line since day one of the strike. I practically lived in the picketline for the whole year that it was erected. I stopped doing other jobs and focused on contributing to the strike as I realized the importance of the struggle for our land rights. I helped in cooking food. I helped plant crops for our food on patches of land adjacent to the picketline. I joined political education sessions that raised my knowledge of how we were exploited by the Cojuangcos. These discussions sharpened my determination to fight. I joined dialogues at the DAR and rallies at the SC."

"I thought to myself then, had we done this earlier, I would have sent my children to school. There's been a big improvement in our income now that we have decided to cultivate the land through the bungkalan, unlike before when we were only earning a measly P9.50 as take home pay.

The bungkalan (tillage) is AMBALA's clarion call which rallied farmworkers to occupy and cultivate land in Hacienda Luisita for their very survival during and after the strike of 2004-2005. Responding to the call, Nanay Leoning mobilized her whole family to plant various food crops. In the eight years of the bungkalan, participating farmworkers experienced a marked improvement in their lives with increased food production and additional cash for their needs including for the education of their children.

Today, the family of President Aquino has been blocking full land distribution not only with every loophole of the pro-landlord CARPER, but also with threats, harassment, intimidation and even corruption and bribery of farmworkers and their leaders. The once quiet and rustic life in Luisita villages has been replete with fear and terror.

But farmworkers are ready to face all adversities. As they reclaim the land, they enjoy the fruits of their struggle. "These gains must be protected," said Nanay Leoning. The lands taken away during Apong Maria's generation must now be returned to the legitimate owners of the land – the toiling masses of farmworkers.

**Nanay Leoning declares:
"Our struggle is not over."**

RECOMMENDATIONS

1. All concerned institutions and individuals must support the farmworkers' demand for **FREE LAND DISTRIBUTION** and **COLLECTIVE OWNERSHIP**. Land to the tillers now!

2. The SC must immediately act on the latest motion of farmworkers questioning anomalies and irregularities in DAR's land distribution activities.

3. TADECO, LRC and other representatives of the Cojuangco-Aquino clan **must withdraw all private armed personnel and dismantle its outposts** pending resolution of dispute on its claims on vast agricultural lands excluded by DAR from distribution to beneficiaries. **TADECO personnel** under orders of the Cojuangco-Aquino clan, **must be held liable for abuses**, grave threat, damage to property, forced eviction and the murder of Dennis dela Cruz.

4. With sham land distribution, farmers' agricultural lands are under constant threat of conversion. Whole communities are under threat of eviction and dislocation. The **Tarlac Provincial Government and City Government of Tarlac, local government unit of La Paz and Concepcion towns**, and **all** other concerned government agencies **must disapprove**, or **desist from implementing any development plan or project within Hacienda Luisita** pending resolution of land disputes between farm workers, TADECO, RCBC, LIPCO, LRC and any other company or entity that might represent the interests of the Cojuangco-Aquino clan.

5. Beneficiaries of land reform must not be treated like enemies of the state. **The AFP must withdraw all military and para-military forces deployed in Hacienda Luisita**. State forces must not be utilized in favor of the landlord interests of the Cojuangco-Aquino family.

6. The Office of the Ombudsman and all concerned local and international institutions must act and continue to seek **justice for the victims of the Hacienda Luisita Massacre and all subsequent killings and rights violations** related to this agrarian struggle. Harassment, intimidation, illegal arrests and filing of trumped-up charges by the Cojuangco-Aquino clan must be put to a stop. All fabricated charges must be dropped.

7. All concerned groups and individuals should **support the continuing agrarian struggle of Hacienda Luisita sugar workers for genuine land reform and social justice**. Support the bungkalan land cultivation program as the landmark of the farmworkers' agrarian struggle.

HOW YOU CAN HELP:

1. **Sign the online petition** for FREE LAND DISTRIBUTION and AGAINST LANDGRABBING and MILITARIZATION in Hacienda Luisita sponsored by UMA Pilipinas at www.change.org

You and your organization may also **create your own petition or letters of appeal and concern on land reform issues and human rights violations** based on this report. You may send these to concerned government officials and institutions:

H.E. President Benigno Simeon Aquino III

President, Republic of the Philippines
Malacanang Palace, Manila Philippines
Tel: (+632) 564 1451 to 80
Fax: (+632) 742 1641 / 9293968
E-mail: op@president.gov.ph
Twitter handle: @noynoyaquino

Sec. Virgilio delos Reyes

Department of Agrarian Reform
Elliptical Road, Quezon City
Twitter handle: @dargovph

Sec. Leila de Lima

Department of Justice

Hon. Conchita Carpio-Morales

Office of the Ombudsman

Gov. Victor Yap and Provincial Board

Tarlac Province

Mayor Gelacio Manalang and City Council

Tarlac City

2. **Create awareness on the Hacienda Luisita situation** by organizing fora, symposia, group discussions, and other related activities in your organization, church, school, university or community. You may contact AMBALA and UMA for resource persons and discussion materials.

3. **Support the campaign** by actively joining, organizing and promoting mobilizations, petition-signing, fund-raising, and other solidarity activities in your community and social media network. Follow posts by the Hacienda Luisita Campaign and UMA Pilipinas on Facebook and @UMAPilipinas on Twitter for campaign updates. #Land&JusticeLuisita

4. **Organize rural integration visits to Hacienda Luisita** and directly interact with the farmers. These may be arranged through AMBALA and UMA.

5. **Support the bungkalan cultivation initiative**. Support the "Adopt-a-Farm" project by donating seeds, seedlings, farm tools, etc., and sponsoring farmers' political education, workshops or training sessions on model land reform experiences, cooperativization, organic farming and other practical learning sessions on cultivating crops and maintaining farm tools and implements.

6. **Sign up as full-time or part-time Hacienda Luisita volunteer or organizer for AMBALA and UMA**.

NOVEMBER 2013



UNYON *ng mga* MANGGAGAWA *sa* AGRIKULTURA

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