

Dear Secretary,

Recently I was informed about the situation of farmworker beneficiaries in Hacienda Luisita, who have received the Certificates of Land Ownership Awards in September/October 2013 after the landmark decision of the Supreme Court in April 2012, reaffirming its November 2011 decision to cancel the Stock Distribution Option (SDO) for Hacienda Luisita and to redistribute land to the farmworkers.

According to the information received, the farmer beneficiaries are not able to cultivate the awarded land due to several obstacles. Firstly, the DAR is still surveying and placing concrete boundary markers to delineate land boundaries of each farmworker beneficiary. While the process is still ongoing, it has been reported that some of the boundary markers have been removed or destroyed, thus further impeding the installation process. Secondly, many farmworkers - in the face of lack of financial resources to survive - have entered into informal contracts with the *ariendador* and received minimal yearly loan of maximum PhP 7,000. Many of these informal contracts, which were controversial due to their unjust conditions (denial of access to land) are still in place or have been renewed. Thirdly, social protection measures and direct support services which are urgently needed in order to make the awarded land productive after the completion of the land distribution, especially for those farmworkers who have not leased out their land to *ariendador*, are lacking.

The Philippines is a State Party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) and therefore obliged to protect and fulfil the right to food of its people, including the farmworker beneficiaries of Hacienda Luisita. Secured access to land is fundamental for the rural population who depend on cultivating land to feed themselves adequately. The Philippine government breached its protect-bound obligation under the right to food by not regulating the unjust arrangements of the *ariendador* that enforced farmworkers' dependency. Finally, the government of the Philippines has failed to fulfil the right to adequate food of the Hacienda Luisita farmers by not duly implementing the CARP - a program which aims to distribute land to landless farmers and to provide essential social protection measures and support services to guarantee their right to adequate food. As such, I would like to ask you to:

- fast-track the setting up of land markers, immediately install farmworker beneficiaries on the lands awarded to them, and accompany the installation process with police or military;
- provide immediate social protection measures as well as all essential support services (e.g. start up capital/credit, irrigation facilities, seeds, farming machineries (tractors) to the farmworker beneficiaries throughout the post-distribution phase to guarantee their right to food until the farmers are able to cultivate the awarded land;
- identify and persecute perpetrators who have removed or destroyed the boundary markers.

Please keep me informed of the action you plan to take in this regard.

Yours sincerely,