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CRIMINALIZATION AGAINST FILIPINO PEASANTS REACHES THE UN

Geneva, May 8, 2023 – The Movement for Agrarian Reform and Social Justice (Kilusan para sa Repormang Agraryo at Katarungang Panlipunan / KATARUNGAN), together with Centre Europe - Tiers Monde (CETIM), FIAN International, Transnational Institute (TNI), and Focus on the Global South submitted today a complaint to the United Nations (UN) human rights protection mechanisms to alert on the persecution of Filipino peasants who are advocating for the just implementation of the government’s agrarian reform program and seek redress for violations of their rights.

Over the past years, Filipino peasants have confronted numerous threats to their fundamental rights to land, life, housing, livelihood, and basic freedoms. One glaring challenge has been the continuing and systematic criminalization of their movements through the filing of fabricated charges by landlords, influential claimants, and corporations and their agents. The main aim of these Strategic Lawsuits against Public Participation (SLAPP) disguised as civil or criminal claims is to sow fear and silence dissent, including peasants who are claiming their rights to land. The systematic criminalization of peoples’ movements results in deeper poverty and marginalization of peasant communities through physical and economic dislocation towards a future of uncertainty.

Criminalized peasants and their family members, including their children, suffer serious anxiety and mental anguish. Most often, they do not have access to legal professionals of their choice and are burdened by the high cost of litigation, which draws on resources they need to meet their basic needs such as food, shelter, clothing, and the education of their children. The fear of arrest and actual loss of liberty through imprisonment lead to untold economic hardship and loss of basic dignity. Moreover, paid media often vilify criminalized peasants and delegitimize their rights claims.

Despite agrarian reform and social justice being enshrined in the Philippine Constitution and legislated into national laws, the continuing and systematic criminalization of peasants reflect judicial institutions that are unable to extend basic guarantees of due process and fair and speedy trial. The weak and snail-paced implementation of pro-poor land policies often provide anti-land reform actors such as landlords and corporations the space and opportunity to file trumped-up criminal offenses to harass peasants and overwhelm their land rights claims. The arrest and criminalization of peasant leaders—who are often primary targets of fabricated charges—create an atmosphere of fear amongst peoples and communities and serve as a deterrence against peasants from asserting their rights to land, as well as a stern warning that such assertions could lead to their imprisonment.

It is in this context that the above-mentioned movement and organizations sought the intervention of UN mechanisms to address the situation of Filipino peasants by investigating these concerns and conducting a dialogue with the Philippine government to guarantee the protection of peasants’ rights. Furthermore, the complaint calls on the Philippine government to comply with its international commitments on human rights, specifically the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP). This entails putting an end to the criminalization of peasants, expediting the implementation of agrarian reform, and preventing land grabbing through the enactment of a national land use law and fair implementation of land use plans.

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