

16 January 2025

[REDACTED]
[REDACTED]
Special Procedures Branch, OHCHR
[REDACTED]

Dear [REDACTED]:

Subject: AL OTH 124/2024

Thank you for taking the time to write to us, effectively giving us an opportunity to refute allegations of our supposed wrongdoings against people whom you referred to in your letter as “peasants” and “farmers”.

Allow me to address the main “allegations” you stated at the start of your letter, in the order you enumerated them.

*Please note that **underscored blue texts** in this letter are actually hyperlinks that lead to folders, documents, videos and photos. For a better appreciation of the facts, **kindly take the time to go over the materials pertaining to each link**. See the materials by holding the CTRL button and clicking the text.*

At the onset, which will be supported in our response below, please know that there are **no “farmers”** tilling the land in Sumalo. Agrarian authorities have certified the land to be untenanted, consistent with the fact that **over the decades, the property has proven to be [REDACTED] [REDACTED] for agriculture**. The group you are supporting has unlawfully solicited and collected funds from the residents of the property, misrepresenting themselves to wield power and hold political influence to include them as agrarian reform beneficiaries. Abusing the Comprehensive Agrarian Reform Program of the government, they intend to acquire the entire property even if they know that the land will NOT succeed for agricultural purposes.

Those who do not join them in their illegal activity, they harass and intimidate. This is the reason why criminal suits of grave coercion and other criminal complaints have been filed against them by some of the residents.

This same group continuously placed obstacles to delay our development even after we obtained a Supreme Court Decision in 2007 that allowed the development of the property for

Industrial use. For one, several members of their group misused legal processes by causing the annotation of adverse claims on our land title, **based on their purported ownership over the property, and that our titles are fake.** Nothing could be more absurd and malicious than this – a case of an applicant for land under the agrarian reform program, owning the land to be granted.

It became clear that this organized and well-funded group, will continue to stymie the development of the property for selfish gain. Thus, **we had no recourse left but to seek relief from the courts.** Years have been spent exhausting efforts to reach out to them, to agree on a compromise, which included donating to them the homelots they are occupying. Their agenda, however, is to get the **entire property for themselves**, to which we simply could not afford to accede. Undoubtedly, as long as they remain in the property, they will continue to covet the property for themselves and oppose its development into a thriving residential and industrial community.

The majority of the poor occupants of our property strongly support our industrial development for they know this is what will bring real progress in the community.

This group you are supporting **are not peasants** for they have the financial means to refuse our offers of land donation and livelihood programs. They also have the financial means and the political connections to oppose our development efforts. **As can be verified, they have in fact engaged the services of private counsel in the present ejectment cases.**

In your letter, you mentioned of “...direct links between Litton & Co. and Riverforest Development Corporation and the situation in barangay Sumalo where...”

A) “... peasant communities face forced evictions, housing demolitions...”

Please know that we have filed or will file eviction complainants against those who refused to come to terms with us. Those that have accepted our offer of lot donation are assured that they will not be evicted from their homes. The poorest residents of Sumalo were in fact among those who readily accepted our lot donations. Some of them are peasants, some are not.

We are therefore not evicting peasant communities. We are evicting selected residents who have followed ██████████ in blocking our development of the property.

To reiterate, those who have means to support ██████████ financially in his machinations aimed at getting our property wrongly covered under the Comprehensive

Agrarian Reform Program (“CARP”) and then distributed to themselves, **are not peasants**. They are also not among the poorest. They can in fact afford to contribute monthly sums for their misguided “fight” and can afford to risk losing those sums and their homes against a bigger but contingent land award under the CARP. [REDACTED] himself drives a [REDACTED] and cannot be classified as “poor” under any local standards.

A third of those in our first batch of Eighteen (18) Unlawful Detainer defendants were not poor as you would see from the [REDACTED] issued by Presidential Commission on Urban Poor (“PCUP”) and by the Local Government of Hermosa, in coordination with the local branch of the Department of Social Welfare (“DSWD”). The others however did qualify as urban poor, so evicting them entailed more occasions of consultations and coordination with various government office tasked to coordinate with the Sheriff to effect demolitions.

Please be clarified that **actual evictions and demolitions are implemented by the court sheriff**, in compliance to the writ issued by the court. Under our system, which I understand is similar to those in democratic societies, the court sheriff is duty-bound, under the pain of an administrative sanction, to enforce the court’s judgment in a timely fashion. This however undergoes a deliberate process of coordination with various government agencies like the PCUP, the DSWD, the Commission on Human Rights, the Philippine Red Cross, the Philippine National Police, and other government agencies, **to ensure respect for human rights and availability of social support to affected parties**.

B) “... restriction of access to cultivated land and prohibition to cultivate the land...”

Our 213-hectare property is Sumalo is not economically suitable for agriculture. It is why there were, and are, no cultivations thereat other than sporadic, backyard-type planting of tomatoes, eggplant, banana trees, etc., which do not even yield well.

To give you a background, the original awardees/owners in 1911 acquired a loan from Banco de Agricola del Gobierno Filipinas and subsequently lost the land to foreclosure. It is not known why they were unable to pay the loan, but one can guess that their agricultural investments were unrewarded. The bank eventually closed down and the Philippine Government, being the owner of the bank, acquired ownership of its assets, including the land.

In the 1930’s, after winning the land award via public auction, the second awardees/owners tried to make productive use of the land so they can pay the Philippine Government for the land. They entered into a joint venture with the Littons for the planting of various crops. The Littons helped fund the awardees’ planting activities as the Littons themselves planted cassava

for their use in the production of starch. The attempts however proved futile. The yields were not enough to justify the resources invested in the cultivation.

Eventually, the second awardees sold their rights to the property, to the Littons. The Littons bought the rights to the property and paid off the Philippine Government believing that maybe, with the deployment of more resources and the employment of better farming technology, the property would yield better; and if it still does not, the property can be used for the factories that it was planning. At that time, in the early 1940's, the Littons were in the textile **trading** business and were seriously considering going into textile **production** business.

Fast-forward to the late 1940's (after World War II), the Littons did go into textile production. They acquired a 2.5 hectare property in Mandaluyong City for their Knitting Mills and a 28-hectare property in Pasig City for their Textile Mills. Eventual expansion to its 213-hectare property in Bataan was a distinct possibility in the decades to come. But in the meantime, they attempted again to plant cassava and various crops in the property. But the yields over the following years proved insufficient to earn a decent return on the invested resources. Eventually, in the mid-1950's, as the Littons found their agricultural efforts unrewarded in spite of their employment of better technologies, they gradually slowed their planting activities.

Towards the end of the 1950's, as the number of Litton farm workers dwindled, waves of people from various places started to come to the property and take possession of several areas therein. Some of them took over the plantations that remained, while some started to cultivate new areas within the property. They occupied a good portion of the property. Eventually, most of the Littons farmworkers left. However, one Litton farmworker, [REDACTED], chose to stay because everything that he had, including his house, was within the Litton property.

Wanting to not just occupy but to own the land too, the waves of occupants later questioned the Littons' ownership of the land before the Bureau of Lands. After years of investigations and re-investigations, the **Bureau of Lands** and the **Department of Environment & Natural Resources (DENR)** confirmed the ownership of the Littons based on the documents presented by the Littons and the testimonies of some residents in neighboring areas. This was in the 1960's.

In order to avoid similar questions in the future, the DENR and the Littons agreed to execute a deed of sale transferring the land from the Philippine Government to the Littons. But because the title to the property was among those several land titles that could no longer be found and were thus presumed destroyed during the World War, the title had to be reconstituted first. Please see the [REDACTED] in the 1970's which narrates the events surrounding the land acquisition by the Littons.

It is therefore clearly untrue that the Littons came into the picture only in the 1970's to the surprise of the residents (who now style themselves as farmers). The truth is that during the reconstitution of the title, no resident could oppose the Littons' ownership anymore because the ownership of the land (by the Littons) had already been confirmed by the DENR a decade earlier.

After the DENR sustained the decision of the Bureau of Lands confirming the ownership of the Littons and ordering the occupants to vacate the property, the Littons nevertheless refrained from acting further to cause the eviction of the occupants. Out of magnanimity, the Littons continued to tolerate their presence on the condition that they will surrender the respective areas they occupy once the Littons decide to use the property or specific portions thereof. With the plan to eventually use the property for their factories, the Littons believed that it made sense to have a ready pool of manpower to tap for those industrial operations.

Fast-forward again, and to the late 1980's and early 1990s, the Littons considered putting up an industrial estate/complex in its 213-hectare property. In doing so, the Littons had to apply first for land conversion. Although the entire property had then been occupied in its entirety, less than 10% are occupied by full-time residents. Most of the property was occupied by businesses and "outsiders" (*people who reside there only from time to time, using it as a rest house, or a vacation house, or a house for rental business*). There was a quarrying operation for concrete aggregates, a hardware store and depot, grazing grounds for cows and goats, and other businesses.

It became apparent that the waves of occupants in the late 1950's, having failed to make productive use of the land for agricultural purposes, started to illegally sell off in-existent rights to occupy portions of the property to those businesses and outsiders. Without our knowledge, this business of selling rights continued even after we have obtained the land conversion approval from the Supreme Court in 2007 and have recovered possession of much of the property. See [REDACTED].

In applying for land conversion, the Littons were able to demonstrate, and submit evidence, that indeed:

- 1) The land is not devoted to, or used for, agricultural production;**
- 2) There are no farmers tilling land within the property; and**
- 3) The land is best utilized for purposes other than agricultural production.**

This is evident from the documents and photos in this [REDACTED]. This folder also contains video testimonies of **actual** farmers **residing** in Sumalo but are farming elsewhere

because of the poor soil condition of our property, and testimonies of long-time residents in our property attesting to the Litton's possession and ownership of the land.

The **Department of Agriculture** itself, adjudged that the property's soil is [REDACTED].

The **Municipal Agrarian Reform Office** attested that the property was [REDACTED].

After these material factual issues have been put to rest, the **Regional Agrarian Reform Office** endorsed the approval of our land conversion application. Unfortunately, the then **Secretary of the Department of Agrarian Reform** had other plans; and notwithstanding the unsuitability of the land for agricultural use, he placed the subject land under the comprehensive agrarian reform program.

The Office of the President under the administration of Former President Fidel Ramos, listened to our appeal and granted our land conversion application based on its merits. Among the more important findings of Executive Secretary **Ruben Torres** are:

Records show that the land has a marginal character. Actual investigations reveal that a team of specialists from the DA attributes such marginal character to its rolling and moderately sloping landscape, poor quality of the soil and the absence of an irrigation facility. It has, thus, been classified as best suited for agro-forestry and agro-based industries or for purposes other than agricultural production.

We have taken note of the findings of the DAR Region III Office that out of the 45.378 hectares of the Litton property sought to brought within the coverage of the Comprehensive Agrarian Reform Program, only one (1) hectare has been devoted to palay.

Supporting the conversion of the property in question, the DA Region III Office issued a Certificate of Eligibility for Conversion that the land is marginally efficient which when utilized for cultivation will require high farm inputs and complex management levels to maintain productivity.

The thriving farming community adverted to by the Honorable DAR Secretary in his Order is in reality not composed of tenants of the Littons but mere occupants of homelots without their consent, who use the property primarily for residential purposes and commercial activities, and who have been subject of ejectment suits by the Littons.

We find the opposition raised by the Sumalo Homeowners Association to the application for conversion to be bereft of substance. It appears that the oppositors are not farmers-tillers but occupants of homelots and are the same defendants in the ejectment suit. Moreover, in the petition dated 29 August 1996, no less than 124 residents of Bgy. Sumalo, expressed their strong support for the conversion of the Littons' property with the hope that such conversion would generate employment and spur the development of their municipality.

Please see the full text of the [REDACTED].

Several months later, acting on a motion for reconsideration filed by a group of residents led by Barangay [REDACTED] (*Sumalo Homeowners' Association*), the Office of the President, then already under the administration of Former President Joseph Estrada, reversed the Torres Resolution without giving any justifications for its reversal.

At our appeal, the Court of Appeals reinstated the Torres Resolution on the grounds that:

- (1) the Sumalo Homeowners' Association is not a real party-in-interest and thus had no personality to file the motion; and
- (2) that the motion for reconsideration was filed, and then subsequently granted by Executive Secretary Ronaldo Zamora, **months after the Torres Resolution had already attained finality.**

On appeal by the Sumalo Homeowners' Association, the Supreme Court ("SC") reviewed not only the technical aspects of the CA Decision but also carefully reviewed the merits of our land conversion application. Among the more important findings of the Supreme Court are:

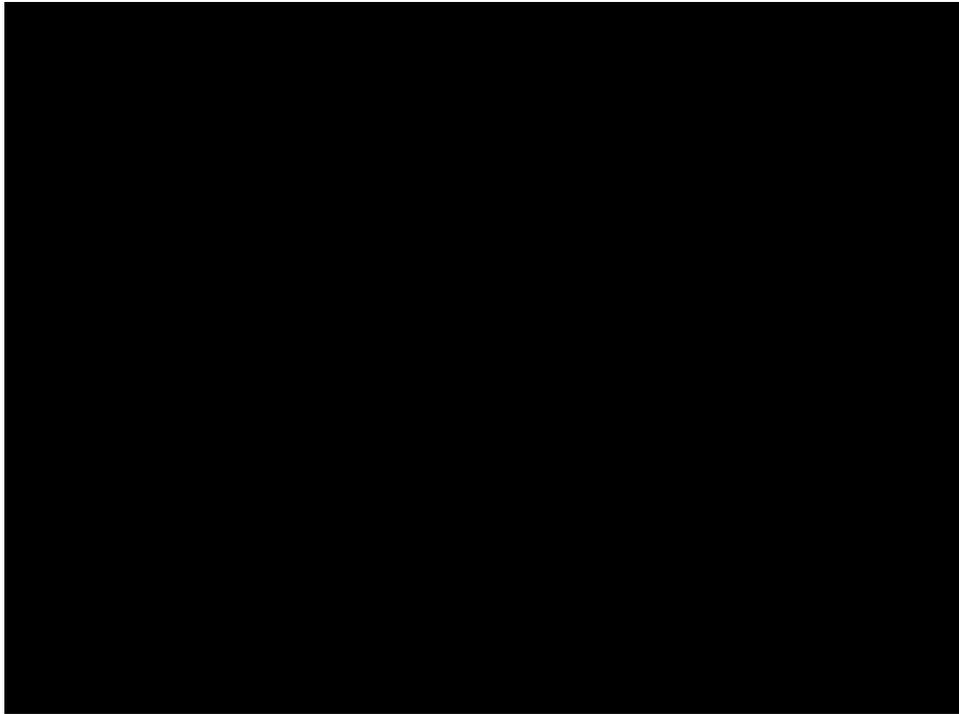
The claim that they have been working on the Litton property as farm workers is contradicted by the Ocular Inspection Report²² prepared by the DA Region III Office. The report not only recommended that the Litton property is best suited for purposes other than agricultural production, it also observed that the only notable developments on the property are residential houses, roads and recreational facilities. The ocular inspection report did not mention any agricultural developments to support the contention of the petitioners that they have been actually working on the land. If petitioners have indeed worked on Litton property for some time, the fruits of such endeavor should have been manifest and easily noticed by the DA representatives who conducted the ocular inspection. Moreover, the December 14, 1994 certification²³ of the Municipal Agrarian Reform Office (MAR) of Hermosa, Bataan stated that the subject properties are untenanted. Further, in the Certification²⁴ issued on May 2, 1994, the DA Region III Office observed that 60% of the Litton Property is under shubland/grassland and the remaining 40% is utilized for residential, institutional, roads, orchard and sporadic small areas cultivated to vegetables.

Agreeing with the Court of Appeals and finding the land economically unsuitable for agriculture, the Supreme Court upheld the Court of Appeal's Decision and reinstated the Torres Resolution. Please see full text of the [REDACTED].

Even before the Supreme Court issued its ruling, the Littons started recovering portions of the property from outsiders and businesses. The Littons **did not recover** those portions of the property occupied by "**insiders**" or "**full-time residents**" (*residents who reside nowhere else but within the property*).

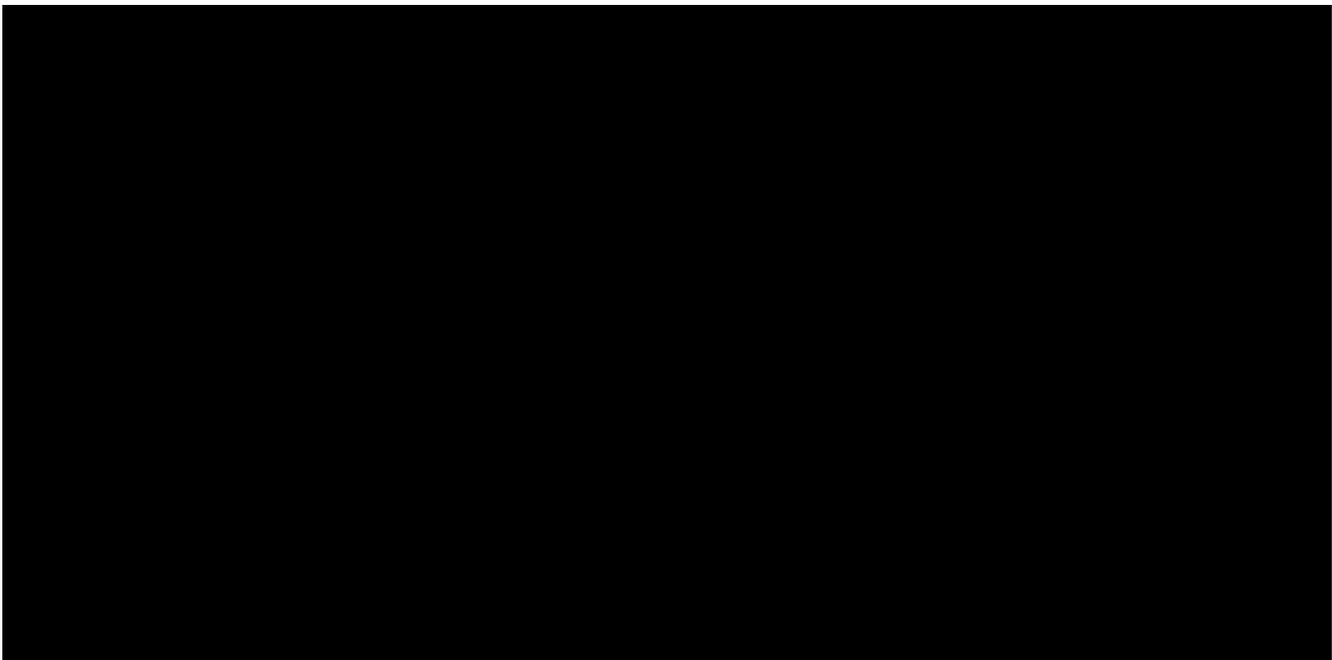
For humanitarian considerations, the Littons decided to continue tolerating their presence with the anticipation that since the Highest Court of the Land had already issued a final ruling, they will respect it and support the conversion of the property into industrial and other uses.

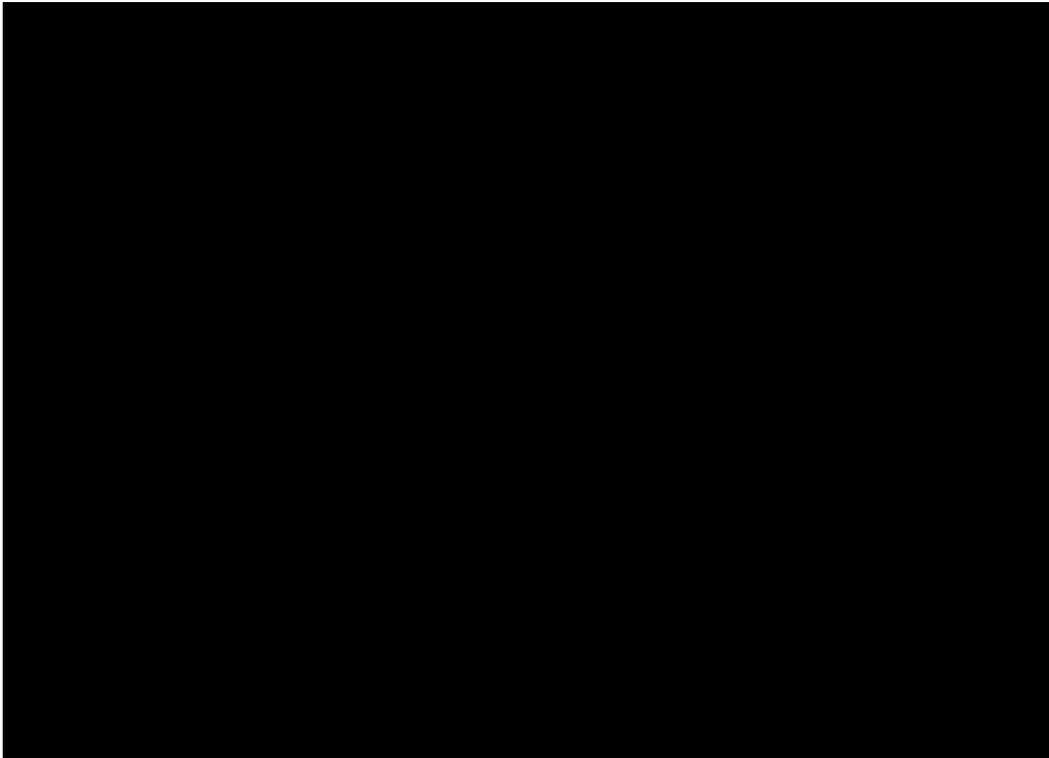
After recovering portions of the land from businesses and outsiders, the Littons launched a [REDACTED] [REDACTED] where the residents can own via donation, that part of the land where their houses stood.



To draw up reasonable plans and to help ensure acceptance by the residents, the Littons engaged the services of a known and well-respected **Human Rights advocate**, [REDACTED] [REDACTED] to implement the Program.

Some of the residents accepted the donation, while some residents, intimidated by their so-called leaders ([REDACTED], et al.), never showed up after several program invitations and seminars held by [REDACTED] over the course of almost 2 years.





To avoid a repetition of the resident's past transgressions where the residents sold off other portions of the property to businesses and to outsiders, the Littons fenced off the portions of the property that they had recovered from the businesses and from outsiders. To this day, more than decade later, these areas are the only areas inaccessible to community residents.

As you will see from a careful study of the certifications, the court decisions, photos, and videos, there were, and are, no plantations or cultivations in these areas. These areas were merely recovered from businesses unrelated to agriculture, and from outsiders who neither used the property for agricultural purposes.

Clearly therefore, any claim that the Littons have confiscated any plantations or have stopped residents from planting, or have prevented people from harvesting their own plantations, are fabrications designed to gain sympathy while maligning the Litton family's reputation.

There were no farmers tilling the land in the Litton's 213-hectare property. Otherwise, it, or traces of it, would have been evident during the 1990's when the Department of Agriculture surveyed the entire property.

What we have so far stopped are scattered attempts by some residents closely affiliated with the so-called community leaders, to re-take possession of the fenced-off portions of the property.

Photos and videos showing supposed thriving agricultural activities that the so-called leaders show to people whom they approach for help, were taken elsewhere, and not within the Litton's property.

In fact, some of our residents who actually make a living out of farming but in other areas of Hermosa, have stepped up and refuted those false claims. Real farmer groups in the province of Bataan, taking offense with the claims of these so-called leaders and their pretend farmer group, actually stepped forward and denounced the claims that the Litton property is suitable for agriculture. They wrote the Office of the President under former president Rodrigo Duterte endorsing the reinstatement of the land's conversion to industrial. [REDACTED]

Clearly, after decades of possession, the occupants of our Sumalo Property, seeing for themselves that the property is not suitable for agriculture, sold off 90% of the property to businesses and outsiders, keeping about 10% of the property (along the barangay road) for themselves for residential purposes.

They pretended to be farmers only when the Littons informed them that it wants to take back possession of the property and develop it into an industrial estate. Suddenly, they claim having farms somewhere within the property that they have been relying on for their subsistence.

To gain sympathy from various groups they approach, they show videos and photos of farms that they supposedly used to cultivate within the property. **But the truth is that those farms are really located in Barangay Sibul in the Municipality of Orani and in Legua** (the part of Legua that is located within the Municipality of Hermosa). Our property never had such productive farms.

[REDACTED]

[REDACTED] **are the real farmers.** They reside in our property but farm elsewhere because the soil in our property is unproductive. Comparing their skin complexion with those of most of the SANAMABASU members will instantly reveal who the real farmers are, and who are just pretending.

In the early 1990's when we filed eviction proceedings against the businesses and the outsiders, we made sure that the insiders (those who actually live in the property) and their primary homes were not included in the eviction proceedings. The Sumalo Homeowners' Association led by ██████████ consisted not only of the insiders but also of outsiders and businessmen.

After we obtained the Supreme Court Decision, which authorized our land for industrial development, we offered to donate land to all of the insiders, ██████████ and his followers included. But they were apparently not interested. They only pretended to be interested and made it appear that they are considering the offer.

It became clear later that what they were interested in is to impede our efforts at developing the property. They filed various petitions, all aimed at negating the Supreme Court decision and impeding our development. They resorted to underhanded tactics. We had to continuously defend ourselves, and on several occasions, had to go to court for relief. Among the things they did were:

- 1) to harass and intimidate the surveyors that we commissioned to survey the land (a necessary step in planning for the development);
- 2) to harass and intimidate our fencing contractor and when that did not work, they physically prevented the delivery of fencing materials by blocking the road (fencing being a necessary step to take control of the areas that will be developed);
- 3) under a newly formed organization they called SANAMABASU, which they formed because the previous organization (Sumalo Homeowners' Association) had already been pronounced by the Supreme Courts as not real parties-in-interest, they filed a petition for coverage with the Department of Agrarian Reform;
- 4) when that did not work, they filed an appeal with the Office of the President appealing the decision of the DAR Secretary (██████████);
- 5) when a new Secretary of the Department of Agrarian Reform (██████████) was installed, they withdrew their appeal with the Office of the President and re-filed their petition with the Department of Agrarian Reform although under a different title;
- 6) meantime, unknown to us, and with the Register of Deeds not informing us afterwards, they filed adverse claims that prevented us from obtaining a development permit for the property.

We had to go to the courts three (3) times just to proceed with preliminary development activities and to obtain a development permit:

- (a) we had to seek an [REDACTED] against them to prevent them from harassing our surveyors;
- (b) after the surveys, we had to secure [REDACTED] against them to prevent them from harassing our fencing contractor; and
- (c) after learning that we could not get a development permit because they caused the annotation of adverse claims against on our titles, we had to go to back to the courts to have the [REDACTED] removed.

Each injunction took more than a year to acquire, and the removal of the annotations took almost two years.

Before we were able to have the annotations removed and finally obtain a development permit, the new Secretary of the Department of Agrarian Reform ([REDACTED]) had surprisingly, disregarded:

- a) all the facts about the land's unsuitability for agricultural use;
- b) the Supreme Court Decision upholding the Torres Resolution;
- c) the subsequent [REDACTED], which had attained finality when the SANAMABASUs withdrew their appeal with the Office of the President;
- d) the dismissal of the SANAMABASU's petition by the DAR Region III office;
- e) all our pre-development efforts and the reasons for our inability to obtain a development permit;

and proceeded to revoke the land conversion granted by the Supreme Court based on his evaluation that after we obtained the land conversion, we did not do anything to obtain a development permit and effectively sat on our rights.

After tolerating [REDACTED] and his accomplices for decades, the Littons finally gave up on them; and in 2013, filed the first batch of eviction cases against [REDACTED] and his immediate followers. We had to appeal the initial dismissal of the eviction cases because the DAR certified that the matter is one of Agrarian Dispute in nature (and therefore outside of the MCTC's and RTC's jurisdiction). We had to file an appeal with the Court of Appeals who ordered that the lower courts must not readily accept the DAR's certification on the nature of the case being one of an Agrarian Dispute but to test it. Finally in 2018, the lower courts ruled correctly, setting aside the DAR certification and within the next two years, issued the requisite eviction orders and demolition orders, which took two more years to implement considering the pandemic and the necessary coordination with various government agencies.

Meantime, up to this day, [REDACTED] and his followers have continued to gather and build-up support from unsuspecting politicians, members of the press, the Church, various offices in the executive branch of the Philippine government, non-governmental organizations and cause-oriented groups while insinuating that the courts have not treated them fairly. They have effectively resorted to forum-shopping by approaching these groups to plead their fabricated case and to gain sympathy while portraying themselves as poor farmers deprived of livelihood.

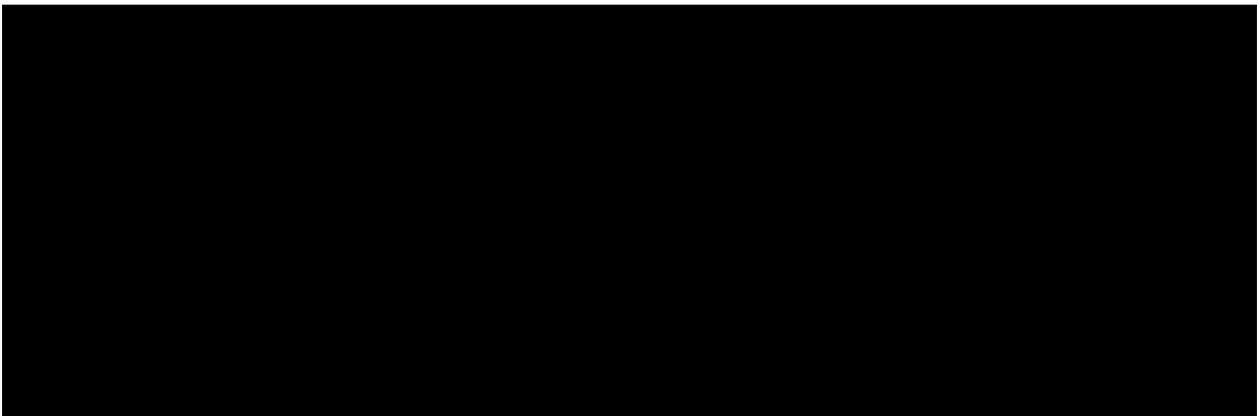
But a thorough investigation would reveal otherwise.

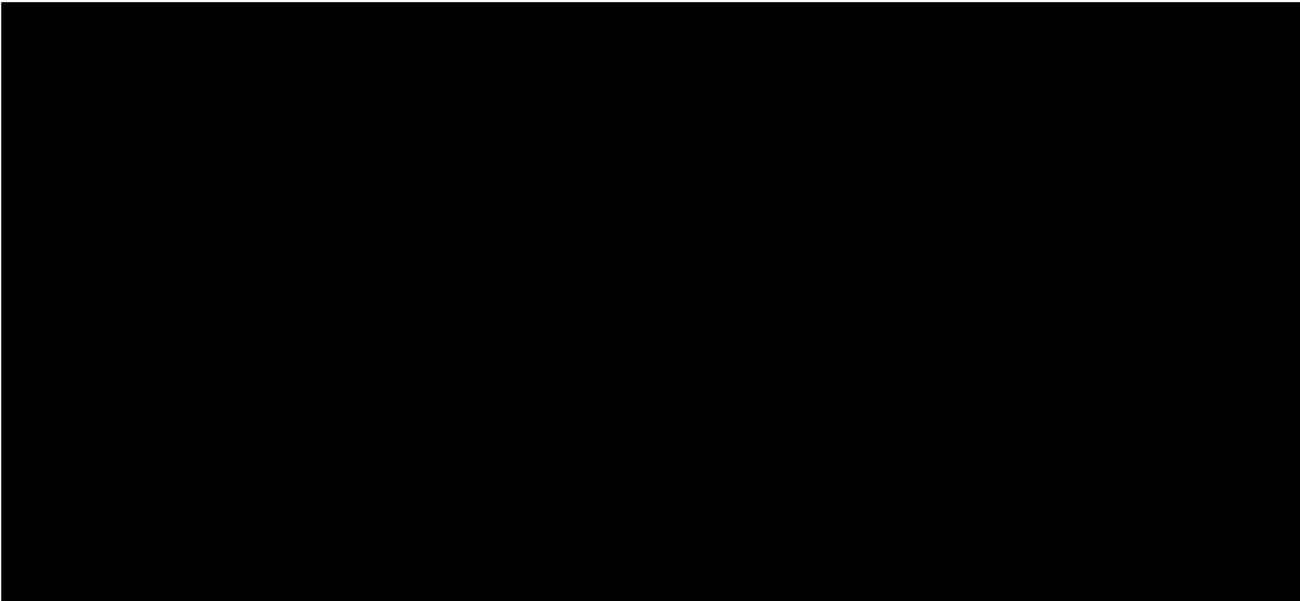
As previous supporters like politicians, pastors, members of the press and cause-oriented groups come to know better, their support for [REDACTED] fades. But with the constant efforts of [REDACTED] and his accomplices, newly-approached politicians, media persons and cause-oriented groups come to life.

C. "... Community leaders and human rights defenders suffer attacks and criminalization, leading to arbitrary arrests and the killing of one community member, in relation to the land conflicts with Litton & Co., Inc. and Riverforest..."

From what I remember, the only criminal complaint that we filed against the barangay leaders was a case of Grave Coercion arising from their illegal disconnection of our water supply and their threats of bodily harm to one of our security guards who attempted to reconnect the water service. Aside from the criminal complaint, we filed a civil suit to compel them to reconnect water service to us.

You might see from the [REDACTED] that the members of [REDACTED]'s group are not the "oppressed peasants" as they may have portrayed themselves to be, but are in fact the ones that lord over the members of the community.





From the narrative, it was apparent that they cut off our site office's water supply at the behest of [REDACTED]; and later threatened with bodily harm, one of our security guards who tried to reconnect the water pipe, saying that if he (our security guard) continues to try to lay the connecting pipe, they (the barangay leaders) will "lay" the pipe inside his body.

Later, these same barangay leaders denied having cut the water service based on [REDACTED] orders but instead claimed that they cut the water service due to complaints received from other residents alleging that RDC site office consumes too much water compared to a typical household; yet they could not produce evidence of such complaints.

That grave coercion case was about the only criminal complaint I remember that we filed against the barangay leaders and prospered. We filed other grave coercion cases related to their harassment and intimidation of our fencing contractor, but those were dismissed by the court.

The rest of the criminal cases they faced or continue to face were the result of their actions against their fellow residents within our property.

To defend themselves legally against the barangay leaders, **the aggrieved residents pool their very limited resources to hire a lawyer to file a complaint. But their resources are limited so they request us to provide them support.**

The community is divided. On one side, are the SANAMABASU (the former Sumalo Homeowners' Association) who continue to oppose our proposed industrial development. They want the land to be acquired under the agrarian reform program and then distributed to them

even if they know that land cannot be economically used for agriculture. It is for this reason that they continue to position themselves as farmers even if most of them are not.

On the other side, there are the residents who support our industrial development for they know that this will be the key to progress in their community and improvement in their quality of life. Some of them have availed themselves of our lot donation program. Many of them have been long-time residents (some since the late 1950's and are descendants of the initial wave of occupants) who have always acknowledged the fact that the Littons owned the property and that they were able to continue occupying the property over many decades only by virtue of the Litton's generosity and tolerance.

Many of those who came only in 1980s or later, know little. They bought inexistent "rights" either from existing occupants or from occupants who have already left the Litton property. To protect their purchase, some of them have sided with the barangay leaders who served as witnesses and endorsers of their purchase of the rights. Some of them opted to avail themselves of our lot donation.

Many of the barangay leaders' followers changed sides recently after hearing the real story behind the property's history from us or from their neighbors who have been in the community long enough to know the truth behind everything.

All these happened and are happening only because the so-called leaders went into hiding to evade arrest warrants. The residents started to learn the truth as they begin to talk to each other more freely without the prying eyes of their leaders who were in hiding.

From what we understand, **the residents have complained, or are complaining, about the following:**

- 1) The three (3) deep well water systems donated by various socio-civic groups are operated by the barangay leaders. The leaders collect money from the residents based on the consumptions but do not issue proper receipts. The residents do not know where the collected money went or goes because over the years, the water service deteriorated. Broken pump systems remain broken for long periods. These days, only one (1) pump system works and water service delivering murky water comes only once in a day.
- 2) The so-called leaders who were also the barangay leaders, whom the Littons evicted in 2022, misappropriated the barangay's basketball court to themselves

and members of their extended family, as their place of relocation, even after receiving relocation funds from the Municipal Government of Hermosa. It was tolerable for a few months even if the children of the remaining residents have effectively lost a basketball court to practice in. But it soon became apparent that the relocators have no intentions of leaving. Worse, the number of occupants and makeshift structures kept growing (even when the Littons were not evicting more people). Thus, members of the community decided to file a complaint with the Municipality of Hermosa. Knowing that they gave these people relocation assistance as mandated by law, the Municipality gave them a soft deadline, an absolute deadline, and finally forced them out. At that time, and as we understood it, more than half of those who relocated in the basketball courts have already set-up their houses elsewhere months before they were evicted from the basketball court, but they continued to go there during the day to pose as oppressed peasants to gain sympathy, especially when reporters or socio-civic groups have been invited over.

- 3) The barangay leaders attend to their followers only. They do not attend to the needs of those who have accepted our lot donations or those that do not support their attempts to get the land from the Littons. A number of them have experienced being scolded by barangay leaders instead of being helped.
- 4) Some of their previous supporters complained that notwithstanding their contributions to the “land dispute fund”, they were not included in the Master List of Agrarian Reform Beneficiaries, contrary to what the barangay captain, [REDACTED] and his fund collectors promised. Apparently, these residents were induced by [REDACTED] and his fellow barangay officials into contributing anywhere from hundreds up to thousands of pesos on a regular basis (referred to as “**Butaw**”) as their respective contributions to **ensure their inclusion** as Agrarian Reform Beneficiaries. All these years, they believed [REDACTED] promises that they will be included. After the Master List of Agrarian Reform Beneficiaries was prepared, they were still told that they were included. But recently, when one of them got hold of the list, they found out that several of them were not in the list. Yet, [REDACTED] and his barangay officials continued to require them to contribute the sums, purportedly because their association continues to fight for them. This very complaint is the reason why [REDACTED] and his collectors went into hiding, surrendering to the Courts only recently. After the conclusion of the [REDACTED] against [REDACTED], the residents saw it fit to file a criminal case against [REDACTED] and his collectors after realizing

that the most that the local government of Hermosa can administratively impose against [REDACTED] is not enough to appease them and pay for the damages they suffered.

The verified complaint in the Butaw Case filed by the residents with the Local Government of Hermosa, Bataan, and the findings of the Committee on Justice & Human Rights of the Sangguniang Bayan during the series of investigations would clearly show that the “human rights defenders” that you referred to in your letter, are actually the oppressors in the community; and the community would be better off without them.

That is why we had some of them evicted and why we have filed eviction suits against those among them that remain.

For your additional information, while we have already caused the eviction of eighteen (18) of the so-called leaders along with persons claiming rights under them, **we have, at the last minute, asked the Sheriff and the Court to suspend eviction proceedings** against:

- a) one (1) family with a household member who is **more than 80 years old**; and
- b) three (3) families whose respective heads sought our reconsideration while explaining that **they were merely pressured or intimidated by their next-door relatives into supporting the activities of the barangay captain and his followers.**

The death you mentioned in your letter was an unfortunate incident; but that **has nothing to do with the Littons or with the land dispute.**

From what we had gathered, it was a feud between neighbors.

Allegedly, the young man ([REDACTED]) was shot as he, along with others, assaulted another resident ([REDACTED]) within the community. Our security guards who came to try and bring peace, were actually quickly chased away by members of the assaulting mob. At the height of the tumultuous affray which involved [REDACTED], shots were fired where [REDACTED] allegedly suffered a fatal gunshot wound. The case was investigated, and charges were filed against [REDACTED], who, as we understand it, was later tried, convicted, and is currently serving his sentence.

Unfortunately, the barangay leaders capitalized on that tragic incident and spun the narrative differently to suit their purposes, making it appear that the Littons or the land dispute caused that unfortunate incident.

The incident is just one of many narratives that the barangay leaders have twisted to suit their purposes.

They accuse us of “criminalizing” their actions. But what we must emphasize is that we always go through legal processes whenever we feel that our rights have been violated, or to have our rights, recognized by the law, enforced. We leave the matter to the sound discretion of the courts or appropriate government agency. For the record, some of our complaints or petitions have been granted while some have been dismissed.

To help you form a **better picture of the real** situation, please visit our property, the community within it, and the residents therein. Choose a number of houses there at random, introduce your institution, and listen to what they have to say.

If you happen to choose the house of someone who knows the facts and is not part of [REDACTED] group, you will hear the truth.

I hope the foregoing will give you a better appreciation of the facts surrounding the so-called “disputes”. Should you wish to be provided with other documents or if you have questions or would need further clarifications, please do not hesitate to contact me via my email address shown below.

Finally, this letter reply is not to be construed as a voluntary submission to the UN’s jurisdiction. It is being submitted to counter the false and misleading accusations spread by [REDACTED] and his group against our company and personnel.

Sincerely,

Litton & Co., Inc. & Riverforest Development Corp.

by:

AM Boquiren

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