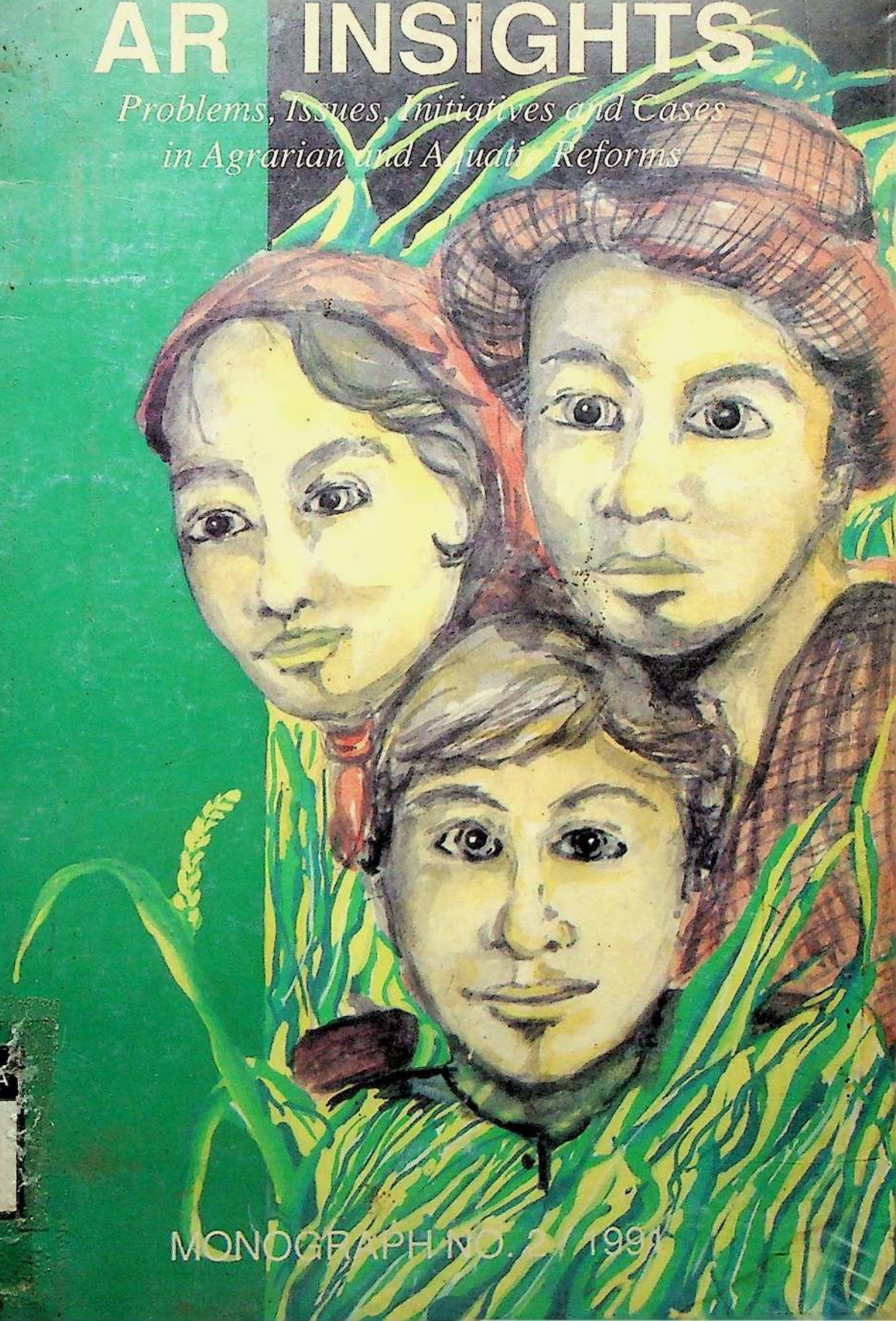
AR INSIGHTS

Problems, Issues, Initiatives and Cases in Agrarian and Aquatic Reforms



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Problems, Issues, Initiatives and Cases in Agrarian and Aquatic Reforms

PAKISAMA
Pambansang Kilusan
ng mga Samahang Magsasaka

in Cooperation with

WACC
World Association for Christian Communication



This monograph is a team effort of the PAKISAMA National and Regional Secretariat.

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FOREWORD

This publication will come out a few months after the second National Congress of the Pambansang Kilusan ng mga Samahang Magsasaka (PAKISAMA) which also coincides with our fifth year anniversary. Thus, it is a time for reminiscing and thanksgiving.

Since our founding in August of 1986 and since our first National Congress last February 1989, we have made great strides towards consolidating our ranks and realizing agrarian reform and rural development.

We have already established the federation's membership education program which emphasizes value formation and socio-political education. Leaders and trainers from the country's three main regions, Luzon, Visayas and Mindanao, have been trained to facilitate this education program. The program is at the moment being implemented in all PAKISAMA provinces.

PAKISAMA has also focused on the skills training necessary to maintain and strengthen people's organizations. The first phase of the management capability building program has been implemented in Mindanao and is being undertaken for the Luzon and the Visayas provinces. Para-legal and issue advocacy skills training have also been conducted in the various regions and sub-regions.

Furthermore, member-organizations are being assisted in setting up their own education, legal assistance and issue advocacy programs and income generating projects by linking them with the relevant institutions and resource persons. They are also assisted in generating and accessing the needed resources.

PAKISAMA has indeed continued to be a most vibrant federation. Perhaps a good measure of its vitality is its continously expanding reach which now includes formal affiliates in twenty seven provinces and potential members in ten others.

This vitality can also be gauged through the peasant initiatives being undertaken by PAKISAMA organizations on the ground level. These include plant and rent boycotts in Batangas and Nueva Ecija, land tranfer facilitation in Bukidnon, Aurora, Antique and Quezon, pilotting of Fisherfolk Resource Management Councils (RMC) in Camarines Sur, appropriate technology and environmental protection in Sorsogon, South Cotabato and Camarines Sur, and Multi-purpose cooperatives in Northern Samar, Zamboanga del Sur and Davao City among others.

Another source of strength for PAKISAMA is its linkages with other organizations which have been forged and developed over the years. Foremost among these are those with sectoral coalitions like CPAR (Congress for a People's Agrarian Reform) and NACFAR (Nationwide Coalition of Fisherfolks for Aquatic Reform). PAKISAMA also maintains links with issue-based coalitions — KASARINLAN, Freedom from Debt Coalition (FDC), National Peace Conference (NPC), and Project 2001; local NGOs and their networks such as PhilDHRRA, PDAP, PC-HRD, PHINCORD and PhilSSA; and foreign development organizations such as CEBEMO, APHD, MISEREOR, EIL, PACT, and WACC.

We have said that this is a time for reminiscing. It is also a time for looking and moving forward.

Fortified by the gains we have achieved in our first years, we now march forward with courage and cautious hope.

This publication chronicles some of PAKISAMA member-organization's experiences in agrarian reform and rural development advocacy. It starts off by giving a comprehensive analysis of the peasant situation in the Philippines. Then, it assesses the Comprehensive Agrarian Reform Law (CARL) or RA 6657 by citing concrete experiences of two farmers' organizations in Rizal and Camarines Sur. Initiaves with concerns ranging from environmental protection, fisherfolk situation and rural women's struggles, to the loopholes of CARL are likewise featured.

Going back a year from now, PAKISAMA's first monograph, **Four Peasant Initiatives Towards Agrarian Reform**, came out featuring four selected initiaves of PAKISAMA's member-organizations, one each from Aurora, Nueva Ecija, Batangas and Davao del Norte. Here are some developments on the said cases.

In Aurora, the land occupied by the Samahan ng mga Settlers ng San Luis, Aurora (SASESLA) which is part of President Manuel Quezon's landholdings in the province has been distributed to the farmer-settlers. Their certificates of Land Ownership Award (CLOA) were distributed to them last November 18, 1991 in a simple ceremony led by DAR Secretary Benjamin Leong. The struggle of SASESLA however continues for the support services which are critical to the success of the land transfer.

In Batangas, the issue of leasehold both in the local as well as in the national scene took a great leap when DAR issued administrative order No. 09, series of 1991 which concerns the rules and procedures on leasehold operations in tenanted coconut land. The group of Katipunan ng mga Samahang Magsasaka or KASAMA

still awaits the ruling on sugarcane lands which concerns them more.

Likewise, the Nagkahiusang Mag-uuma sa Sto. Nino (NMSN) land occupation case has also advanced a little. DAR has surveyed the area occupied by NMSN members and being subjected to valuation.

It is true that our society is still locked up in inequitable structures which render us basic sectors poor and powerless. For example, the past years have seen the enactment of a loophole ridden agrarian reform law, the bypassing of a pro-peasant agrarian reform secretary, and the non-confirmation of peasant and other sectoral representatives to the Congress.

And yet we still have the courage to hope and struggle because the past years have also been witness to the growth and consolidation of PAKISAMA and other like-minded organizations. Through our programs, activities and initiatives, we have seen the power that is ours, and the future that can be.





Philippine Agrarian Situation: Problems and Issues



PHILIPPINE AGRARIAN SITUATION

The agricultural sector remains an important pillar of the Philippine economy. Almost 50% of our labor force (10 million out of 23.5 million)[1] is employed by this sector. Over one-third of our land (13.1 million hectares of the total of 30 million)[2] is agricultural. And 26% of our Gross National Product (National Statistics Coordination Board, 1990) comes from the agricultural sector.

But 3.5 million or 53% of the families in the countryside are below the poverty line (National Statistics Office, 1988).

This is the bitter product of landlessness, the farmers' lack of control over natural and financial resources, and the dependence of our economy on the world capitalist system.

LANDLESSNESS

According to the National Census and Statistics Office (1985), only 1.5 million of the 10 million people in the agricultural sector own the land they till. The rest do not own or control the resources they depend on for their livelihood — 5 million are farm workers and subsistence fisherfolk, 2 million are share tenants and leaseholders and 1.5 million cultivate untitled public lands. The Department of Agrarian Reform (DAR) on the other hand, estimates that 20% of the landowners own 80% of land.

Large farmholdings dominate our countryside especially in the coconut and sugar lands.

Effects of Landlessness.

Farmers, lacking access to land, the basic resource in agriculture, are forced to give up a large portion of their produce as land rent or work in farms in exchange for low wages.

High Land Rent. There are two types of tenancy still prevailing in the Philippines: share and leasehold.

The leasehold system is more prevalent in rice and corn lands as this was part of Marcos's Land Reform Program (Presidential Decree No. 27). In this system, the landowner receives a fixed rental every cropping season. This is initially computed at 25% of the average normal harvest for three years. The farmer shoulders all the expenses and s/he is still obligated to pay the rental even when the crop has been damaged or totally destroyed.

Table I. Size, Number and Area Covered by Coconut Farms[3]

FARM SIZE	NO. OF FARMS (%)	AREA COVERED (%)
Below 5 hectares	91	33
5-20 hectares	7	22
above 20 hectares	2	45
TOTAL	100 % (852,889)	100% (3.3 million ha.)

FARM SIZE	NO. OF FARMS (%)	AREA COVERED (%)
Below 10 hectares	77	22
10-49 hectares	13	35
above 50 hectares	10	43

Table II. Size, Number and Area Covered by Sugar Farms [4]

The share tenancy system prevails in coconut farms and other crops. It is also practised (illegally and secretly) in some rice lands. The land rental ranges from 50% to 75% of the produce in coconut farms and is set at 50% for rice farms.

Low Farm Wage. Many of the agricultural workers are farmworkers in the farms and in the capitalist plantations. They are usually poorer than the tenants because their employment is not regular and the wage is low. In 1987 for example, it was estimated by the Bureau of Agricultural Workers that the daily wage for farmworkers ranged from P28 to P36 only even if the legally mandated wage at that time was already double that amount.

Land/Agrarian Reform Programs

The problem of landlessness has long been recognized. As early as the Commonwealth Period (1930s), President Quezon had already been boasting of his land reform and social justice program. President Aquino declared agrarian reform as her administration's centerpiece program. But the Comprehensive Agrarian Reform Law (CARL) or Republic Act (RA) 6657 has been found wanting by the organized peasantry.

First, RA 6657 does not adhere to the principle of land to the tiller. It allows the landowner to retain five (5) hectares for him/herself and 3 hectares for each qualified child. It is estimated that by this provision alone, 75% of the privately-owned lands will no longer be covered by CARL. Also, corporations are allowed an escape through the "stock transfer option" and at the same time exempting commercial farms from the program.

Secondly, compensation to the landowner is based on the market value of the land as though this were a purely commercial transaction instead of a social justice measure.

Lastly, peasants' participation in the program is limited. For example, there are only six peasant representatives in the 20 person-Presidential Agrarian Reform Committee (PARC).

The criticism against CARL is

now supported by experience. Of the CARP-targetted 10.3 million hectares to be transferred in ten years, only 22% are privately owned lands. And, of this targetted portion, only 6,721 hectares were transferred from July 1987 to December 1989. This was a dismal 8% of the target of 88,250 has. of private lands for the period. In 1990, only an additional 7,630 has. were transferred.[5]

Also in 1990, the PARC decided in the middle of the year to scale down the annual target from 404,790 has. of land transferred to 250,000 has. It then proudly proclaimed in early 1991 that they had transferred 293,344 has. in 1990. But 51% of this are "settlements and landed estates" covered by RA 3844 and other old laws. 30% are rice and corn lands covered by Marcos' P.D. 27. Only 20% can be attributed to CARL.[6]

DEPENDENCE ON THE WORLD CAPITALIST SYSTEM

Our agricultural economy remains dependent on exporting raw materials and agricultural products and on importing technology and machineries.

We thus ride (and fall) on the coat-tails of the world market and the transnational corporations (TNCs). Examples of this are the collapse of the sugar industry in the mid-1980s due to the drastic fall of the price of sugar in the world market and the repeated drop of the prices of copra and coconut oil.

Low Production/Value

The focus on traditional export crops has stunted the growth of a diversified agriculture — 80% of our agricultural land is planted to only three crops: Palay (27%), Corn (28%) and Coconut (24%).[7]



This, together with the lack of support services such as irrigation[8] and credit[9] and the backwardness of agricultural technology, has caused the value of agricultural production to remain low. The average normal production from a hectare of land in the Philippines is only P11,800; in Japan, Korea and Taiwan, the comparative figure ranges from P100,000 to P200,000.[10]

Costly Agricultural Inputs

In the early 1970s, the government and the TNCs introduced high yielding varieties (HYVs) of palay, corn and even coconut ostensibly to increase production.

But this HYVs proved to be too dependent on chemical fertilizers and pesticides and was thus much more costly — personally and financially for the farmer, collectively and ecologically for the country.

The ones who gained and continue to profit much from this are the local companies and TNCs who produce the chemical inputs and the dealers and traders of this products. Thirteen of the 26 member companies of the Agriculture Pesticide Institute of the Philippines (APIP) belong to the *1000 Top Corporations of the Philippines*. This list is headed by the Shell Chemical Co. (Phils.), Marsman, Bayer, Ciba-Geigy, Jardine Davies and Hoechst.[11]

Foreign Capital and Agri-Business Plantations

Government policies especially during Marcos' time allowed and even promoted the expansion of the area under the control of capitalist plantations. It is estimated that from 1970 to 1984 fully 25% of the national total was covered by plantations (BFD). Many of these plantations are owned by foreigners. In Mindanao, 131 big agricultural and logging corporations control 3.1 million hectares or one-third of Mindanao. Fifty two of these corporations are owned or controlled by foreigners. [12]

Credit and Marketing Systems

The marketing system for agricultural products is in the hands of the few who have the capital.

Thus they are able to appropriate a large share of the value of the product. The Philippine Coconut Authority (PCA) reveals that the average mill price of copra (1987) was P5.10/kilo while the average farmgate price was only P4.10/kilo.[13] Palay traders on the other hand ordinarily buy at P3.80 to P4.50 a kilo even when the National Food Authority (NFA) price is already set at P6.00/kilo.

In order to make ends meet, farmers usually turn to informal sources of credit — and this squeezes them all the more.

Common practices are *talinduan* (50% interest), *takipan* (100% interest) and *tersyo* (30% interest). Aside from this, the "dos kontra sinco" (150%) is practised in Central Luzon and the "uno kontra sinco" in Negros.

In the *tampa* system in Central Luzon and the *pataya* system in the Visayas, the farmers who are indebted are forced to sell their produce to the creditor at prices usually 20% lower than those prevailing. This is also common for coconut farmers in Southern Luzon who borrow from the copra traders.[14]

ENVIRONMENT AND THE FOREST

While we have so far focused on agricultural lands, it is also important to look at the forestry situation. Sixteen million hectares or more than half of our land is classified as forest land.[15] And the state of the forests greatly affect our environment and our agriculture.

In 1934, we had 17 million hectares of forests. By 1969, this had gone down to 10.9 million and it further went down to 6.3 million hectares in 1988. And 80% of this, strictly speaking, cannot even be considered forests as they have been partly logged or damaged.[16] Peter Walpole of the Institute of Church and Social Issues (ICSI) maintains that we only have 988,000 has. of primary (virgin) forest and 50,000 of this is cut down by loggers each year.[17]

The deterioration of our forestry situation can be traced to:[18]

A. government policy in relation to land classification, public land allocation and access, and logging taxes. It should be noted for example that the area covered by Timber License Agreements or TLA reached 90% of our forested area during the Marcos regime. HARIBON also notes that the Department of Environment and Natural Resources (DENR) still allows 97 concessionaires to log. And they earn P2,800 per cubic meter of lumber while paying only P30 in taxes.[19]

The proposed bill on the total log ban would respond to many of these problems but some legislators have been successfully blocking its passage.

B. short-sighted orientation of loggers who are more interested in short-term but big and easy profits rather than long-term benefits. This is evident in their use of large and powerful machines that speed-up the process but are also very destructive and in their refusal to fulfill their obligation to re-plant and nurture the remaining trees. They are only after quick profits that the Asian Development Bank estimates at P100,000 per hectare for the first cutting; and

C. weak capacity of the government to enforce laws and policies related to forestry and the environment.

The sad state of our forests significantly contributes to the deterio-

ration of our environment. It is estimated that six million hectares of land are critically eroded.[20] This leads to the siltation of watershed areas and irrigation canals and the sedimentation of the rivers and the seas. The balance of nature is destroyed and floods, drought and pestilence occur more frequently.[21]

POVERTY AND INEQUALITY

The end-result of all these is painful poverty for the farmers. But this poverty does not come from the low production and income of all Filipinos. According to the NSCB, the Gross Domestic Product (GDP) per capita in 1989 was P16,207. For a family with six members, this translates to 97,242 or P8,103 per month — more than the poverty line which was then set at P4,538 per month.[22]

This poverty, this bitter poverty, is the product of the inequality the ownership and control of land and capital. In the coconut industry for example, 49% of of the industry's total income went to the big landlords who make up only 8.5% of the industry and 26% went to the traders and processors who make up only 2.5%. The farmers and farmworkers who account for 89% end up with only 25% of the total income.[23]

POWERLESSNESS

The national agricultural situation is also marked by the powerlessness of the peasants.

Token People's Participation

Although the Aquino government gives lip-service to consultations and people's participation, it still avoids giving meaningful participation to peasants in decision-making, planning and implementation.

The elite-dominated government usually allots only a small portion of consultative and decision-making councils to representatives of the basic sectors.

Also since the provisions are usually not specific, socio-civic clubs and business groups dominate the so-called "NGO" or "private sector" representatives in the local development councils.

In fact, this councils are sometimes just by-passed in the decision-making process.





Limited Reach of Peasant Organizations

The above-cited difficulty with government would not have occurred or would not have been a major problem if only a critical mass of the peasantry had been organized into alternative centers of power. These alternative centers would have served as alternative structures for various programs and services and as vigorous pressure groups on the government. But this state still remains years away.

Recent years have seen the coming-together of 12 national peasant organizations under the banner of the Congress for a People's Agrarian Reform (CPAR). This "rainbow coalition" of groups with varying principles and beliefs has been held together by their principled stand on agrarian reform and by their appreciation for the importance of coalition building.

While the importance of the triumph of CPAR cannot be over-estimated, it must still be accepted that the reach of peasant organizations is still severely limited. It is estimated that only 20% or so of the 10 million people in the agricultural labor force are organized by peasant groups with a clear program for agrarian reform.

This can be traced to several factors, among them:

A. the tragic experience of many peasants with organizations especially during the Marcos regime when they felt forced to join and contribute financially to the government-organized groups such as the Samahang Nayon (SN) which generally failed;

B. widespread poverty which forces many peasants to give time and attention only to earning their

day's needs;

C. the accompanying "culture of silence" — the dominant culture and the politico-economic realities result in apathy, and a feeling of inferiority/helplessness among the peasants;

D. militarization — the on-going war in the countrysides between the Armed Forces of the Philippines (AFP) and the Communist Party of the Philippines-New People's Army (CPP-NPA) has made organizing in the villages doubly difficult and dangerous. Peasant organizations that push for genuine and comprehensive agrarian reform and political empowerment are commonly suspected by the AFP as communist fronts. They are questioned and sometimes intimidated and harrassed.

On the other hand, the CPP-NPA has also been practising methods harmful to the rural population, albeit reports of these are less numerous. Among these questionable practices are forced taxation (no matter how subtle the force), intimidation of independent organizers and peasant leaders and the "claiming" of independent organizations.

CONCLUSION

Poverty, inequality and powerlessness — these are the bitter fruits of the harvest from the present unjust system.

Commitment, skills and community — these are required of the workers of the new season and the new harvest.

The harvest of a land productive, a bounty justly shared and a people empowered.

Notes:

1. "Economic Indicators", Information Division, Department of Agriculture (DA), circa 1989
2. "Selected Statistics on Agriculture", Bureau of Agricultural Statistics, DA, April 1990
3. PCA paper, 1989, distributed during the Southern Luzon Consultation on Agrarian Reform sponsored by SOLAIR and FES
4. PHILSUCOM, 1985
5. "Farmnet', Vol 1, No. 1, PAKISAMA, 1991, based on Field Operations Data, DAR
6. Ibid
7. Ibid
8. According to the Bureau of Agricultural Statistics of DA (April 1990), only 51% of the irrigable area are actually irrigated.
9. According to the Congressional Planning and Budget Office (CPBO), in their "Oversight Report - DAR", 70% of farmers approach informal credit sources
10. "The Philippines: The Challenge of Poverty", Oct. 1988. World Bank, quoted in "CARP, The Development Imperative" Eduardo A. Morato, Jr.
11. "Walang Patid ng Gutom, Walang Humpay na Pakikibaka-Ang Pambansang Kalagayan ng magbubukid", PPI, circa 1989



12. Ibid
13. PCA - Lucena City, during the Coconut Week Celebration, August 1989
14. The discussion on credit is based on "Land, Our Life", Steven Hick, Claretian Publications, Q.C., Philippines, 1987
15. Forest Management Bureau (FMB), 1988, in "Philippine Agricultural Profile", Information Division, DA, circa 1990
16. "The Forestry Crisis in the Philippines: Nature, Causes and Issues", Gemelino M. Bautista, Dept. of Economics, Ateneo University, 1989; based on DENR-Delfin Ganapin, Philippine Forestry Statistics and Forest Resource Inventory Project
17. Saving the Earth; The Philippine Experience (1990), Philippine Center for Investigative Journalism, in NASSA News, July-Aug. 1991
18. same as #16
19. same as #17
20. Ibid
21. same as #16
22. "Philippine Fact Sheet", Ibon Databank Phils, based on data from the National Wages Council
23. PCA paper of Mr. Manuel Gloria, read during the Southern Luzon Consultation on Agrarian Reform (May 1989, Lucena City)

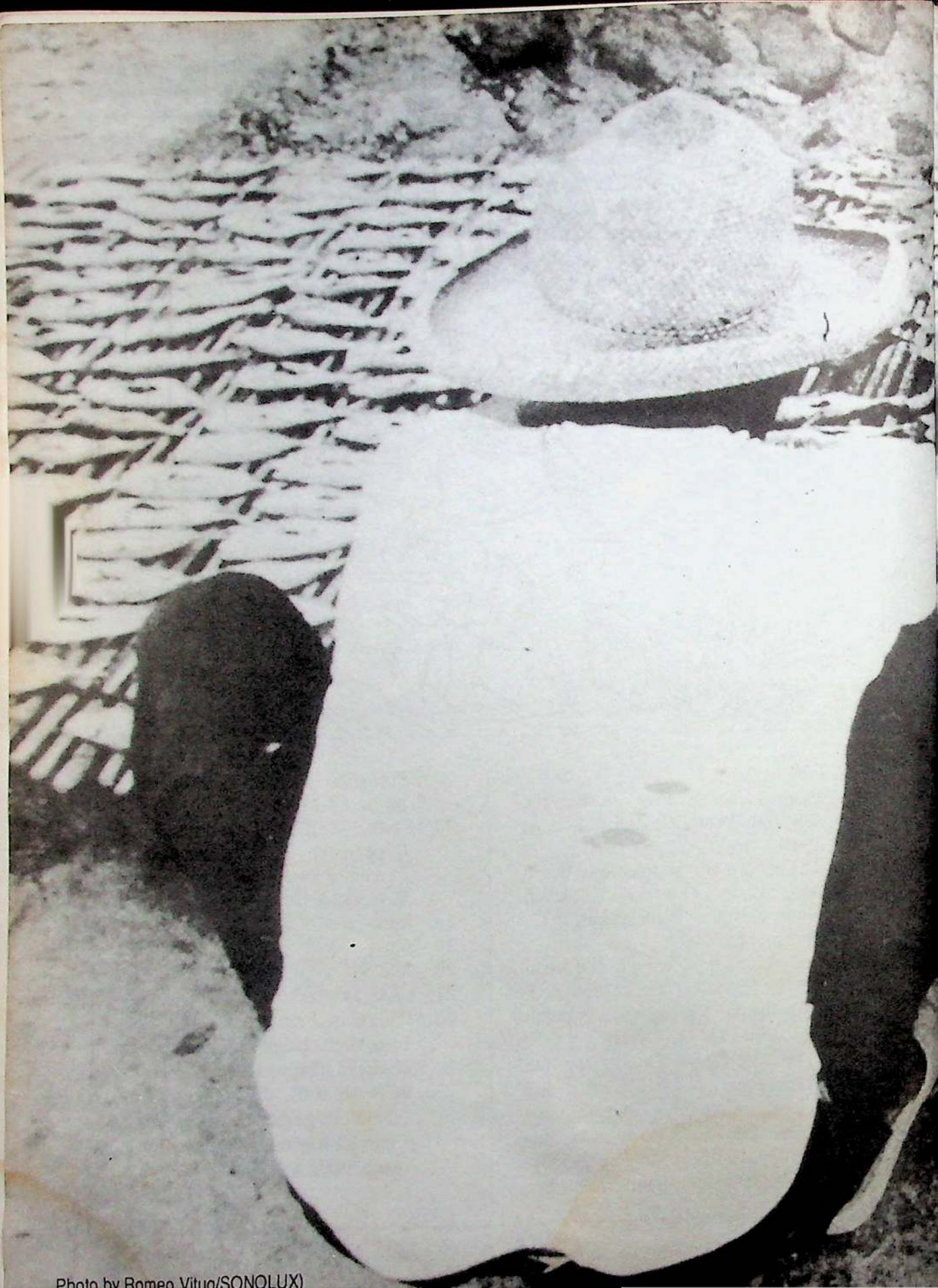


Photo by Romeo Vitug/SONOLUX)



Peasant Initiative



"The Philippine government is committed to an agriculture-led and farmer-focused development path as the strategy towards sustainable development.

To ensure the success of this strategy, the small farmers must be empowered. They must be provided with the resources and the means by which they can make full use of such resources in a responsible manner. The most basic of these resources is land."

from **A Charter on Agricultural Lands** by the Department of Agriculture; 17 May, 1991

CARL'S "DYNAMIC" LEAP

Republic Act 6657, more commonly known as the Comprehensive Agrarian Reform Law (CARL), marked its fourth anniversary last June 10, 1991. A "flawed law made by flawed men for flawed purposes", as columnist Conrado de Quiros describes it, CARL has failed in addressing the peasants' call for significant changes in the social and economic structure of Philippine society.

The loophole-ridden law targetted 10,295,000 hectares of land for distribution over a period of ten years. After four years of existence, only 9.4% have been distributed to only 13% of the total targetted beneficiaries. Of this total land distributed, 57% are areas covered by Republic Act 3844 which dates back to Ramon Magsaysay's incumbency. Furthermore, 30% of the law's reported accomplishments are tenanted rice and corn lands covered by Marcos' Presidential Decree No. 27.

Land transfer has been painstakingly slow mainly due to the organized landlord bloc's efforts to circumvent the law and the Aquino government's lack of political will to pursue it. To illustrate, former Secretary of Agrarian Reform Florencio Abad lamented the program's backlog of 4.3 million hectares which are earmarked for distribution under the first phase of the law's implementation. Furthermore, Abad cites the irony of the situation since land "acquisition is

slowest in categories where the government should have encountered minimal problems - voluntary offer to sell (VOS), foreclosed and sequestered lands."

The dismal performance and showing of CARL is especially felt by the sector it is supposed to liberate - the small farmers themselves! Peasant rumblings are louder at present disproving the government's claim that the "rural situation is increasingly characterized by social justice brought about by a more equitable distribution of land."

PECUARIA: Experiences with a Loophole Ridden Law

One concrete manifestation of CARL's limitations and DAR's feet-dragging is evident in the case of PECUARIA (People's Coalition for Unity and Agrarian Reform Integrated Action), a member-organization of PAKISAMA in the Bicol region south of Manila.

In Bula, Camarines Sur, four hundred eighty (480) marginalized landless farmers and agricultural workers appeared to be heading for a head-on collision with another peasant group mainly due to the DAR's inability to mediate and implement the law efficiently.

The issue began when the *Union Agricula Y Pecuaria del Sur de Luzon* (otherwise known as Pecuaria estate), a 1,036 hectare of rice, sugar and pasture land, was voluntarily offered for sale to the government last February 15, 1988 in compliance with the provisions of CARL. When the VOS was forwarded by the owners, a Memorandum of Agreement (MOA) was concurred upon and signed by the DAR and the Pecuaria Employees and Farmworkers Organization (PEFO) on the 6th of March, 1989. The MOA specified the criteria for screening qualified farmer-beneficiaries (FBs) for the estate.

Confident of their confirmation as qualified FBs, some of the farmers and workers entered, cleared and occupied part of the estate. After the occupation, the DAR informed them that they could be disqualified as beneficiaries if they stay in the area. CARL stipulates that land occupation by rightful beneficiaries of the area prior to payment of the government to the owner is a ground for disqualification. Acquiescing, the 480 farmers left the area hoping for a speedy implementation of the program.

Typical of government bureaucracy, red tape bogged down the whole process of land transfer. Aside from this, problems regarding land valuation and inability to resolve transaction issues between the estate owners and the government impelled the DAR to abandon its plan to develop the site as a pilot testing area for an agro-industrial estate. In the meantime, as the DAR procrastinated, the estate was becoming the arena of a tug-of-war between major peasant groups.



PECUARIA leaders show to visitors part of the Pecuaria estate they are presently occupying in Bula, Camarines Sur.

In December, 1989, thirty-six farmers belonging to the Federation of Free Farmers (FFF) entered the area and began to cultivate the most productive part of the estate. To avert the massing-up of more illegal entrants in the area, Pecuaria farmers pressured DAR to mediate and prevent the influx of more people who will contest the list of qualified FBs. Aside from this, to avoid further tension, they also pressed for the release of the DAR's official list of qualified beneficiaries since this will help settle the issue.

To complicate matters, the estate owners joined the melee by filing a case of forcible entry against the FFF members. Not deterred, another 200 members joined their compatriots and occupied more areas in the estate.

While all of these were happening, a tripartite body composed of non-government, government agencies and people's organizations conducted investigations in the area (the area is covered by the Tripartite Partnership for Agrarian Reform and Rural Development, TRIPARRD, Program of PHILDHRRA) and eventually assisted in the identification of qualified beneficiaries. After a rigid processing, the following conclusions were reached:

1. among the Pecuaria workers and farmers, there are 480 qualified beneficiaries; and
2. the more than 200 FFF entrants are not farmworkers in the estate nor do they live in the nearby communities.

The middle of 1990 witnessed again an additional 200 FFF members joining the previous entrants. This move by the FFF people and the inability of the DAR to halt the land occupation exasperated the Pecuaria members leading them to more decisive actions.

On October 29, 1990, the qualified farmer beneficiaries of the estate re-entered the area and claimed what they believe is rightfully and legally theirs. Isolating the area occupied by FFF members, the Pecuaria farmers successfully occupied the land for cultivation. But the initial success was followed by harassment from three unidentified masked men who accosted a Pecuaria member on his way to clear his area.

Threat Lingers in Antipolo

Meanwhile, in Antipolo, one hundred fourty six farmers belonging to the Samahan ng mga Magsasaka sa Bundok Antipolo (SAMBA) are faced with an altogether different problem.

The land involved in the dispute is located in Sitio Banaba, San Luis, Antipolo, Rizal and covers about 218.7 hectares. Occupying the land since 1971, the SAMBA farmers made it productive by planting vegetables, rice, corn, root crops and fruit trees.

After the effectivity of CARL, the whole area was declared under Compulsory Acquisition (CA) on December 14, 1989 with about 300 families eyed as beneficiaries. However, plans to convert the prime agricultural land into a subdivision got underway when the owner, Natalia Realty, realized the spiralling value of residential areas.

On December 28 and 29, 1990, men sent by the Natalia group started to bulldoze the area thereby destroying the farmers' crops and properties. Not satisfied, they came back on January 14, 1991 to continue with their inhuman task.

Harassment followed resulting to some of the SAMBA members landing in jail due to trumped-up charges. Houses were burned by



PAKISAMA issue advocacy officer Edgardo Ligon briefs SAMBA leaders before a dialogue with DAR officials.

hired goons and cases of trespassing and illegal entry were filed against the farmers. Not cowered, they filed an urgent motion with the DAR Adjudication Board (DARAB) to restrain the Natalia group from continuing the destruction brought about by the bulldozing.

Disputing the charges against them, the SAMBA members cited the DAR's previous classification of the land as subject to agrarian reform. Human rights lawyers assisted them as continous harassment from the claimant's people still hounded them.

Inspite of the land's CA classification, the DAR still dallies in coming up with a firm resolution of the case. Although the case has reached the DARAB, it apparently still has a long way to go if they use as basis the board's track-record in resolving cases.

As the case progresses, the farmers are slowly learning about the impotency of CARL and DAR. For one, the rampant land use conversion transpiring today is traced to the vagueness of the law and DAR's equivocation on the issue. For the farmer-members of SAMBA, the challenge of pursuing agrarian reform is not at all limited . the pages of CARL.

Organizing and organizational consolidation are being undertaken. Education campaign regarding their issue has reached the streets. Several times, SAMBA members picketed the doorsteps of the DAR in order to pressure the agency to expedite the resolution of their case. Indomitable, they continue to cultivate and nurture the land amidst the desperate attempts of the owner to evade agrarian reform.



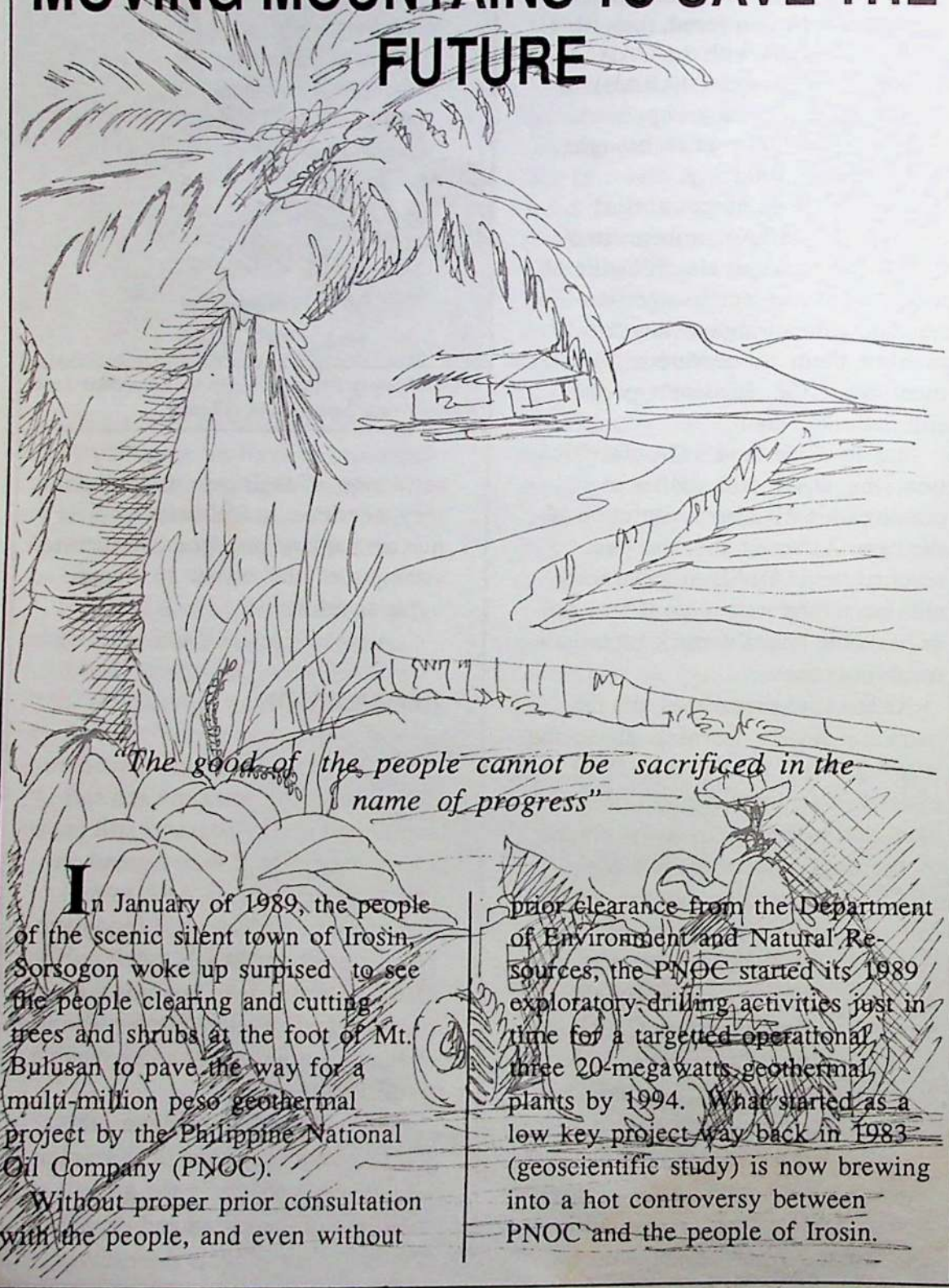
SAMBA prexy Protacio Naga presents their land transfer case before DAR officials.

CONCLUSION

Taking all of these into consideration, indeed, the marginalized and exploited Filipino peasants still have a long way to go if they depend on the loophole-ridden CARL to free them from the problem of feudalism. For, in reality, CARL's much publicized "dynamic leap towards the ultimate goal of an equitable distribution of land" is nothing but an expensive publicity stunt.

There is much to be done - this, the peasants are aware of. Genuine change does not lie in the government but in the tested and capable hands of the peasants themselves.

MOVING MOUNTAINS TO SAVE THE FUTURE



"The good of the people cannot be sacrificed in the name of progress"

In January of 1989, the people of the scenic silent town of Irosin, Sorsogon woke up surpised to see the people clearing and cutting trees and shrubs at the foot of Mt. Bulusan to pave the way for a multi-million peso geothermal project by the Philippine National Oil Company (PNOC).

Without proper prior consultation with the people, and even without prior clearance from the Department of Environment and Natural Resources, the PNOC started its 1989 exploratory-drilling activities just in time for a targetted operational three 20-megawatts geothermal plants by 1994. What started as a low key project way back in 1983 (geoscientific study) is now brewing into a hot controversy between PNOC and the people of Irosin.

SAGIP: People's Initiative to Save the Environment

By February, the anxious people of Irosin initiated a series of dialogues with the PNOC and other technical people to discuss the advantages and disadvantages of the project. During the last dialogue held at the Irosin Central School, which was attended by top management and technical people of the PNOC, the people of Irosin were even more convinced of the over-all negative impact of the project to the town and its people. Subsequently, they demanded that PNOC furnish the people with a copy of their project study as designed, approved and as to be implemented. A stop to all PNOC activities and operations was likewise demanded.

However, on both demands, the PNOC did not comply. It even amplified its activities into well-funded propaganda campaign in the form of free snacks, one-sided community campaigns, job offers and other lucrative incentives to influential people of the town. Lately, it has ventured into black propaganda labelling some of the organizations and people against the projects as subersives and people or groups who will resort to violence.

The PNOC was and is really bent on pursuing the Irosin Geothermal Project against all odds.

But the majority of the people, after patiently listening to all issues, after considering the advantages and disadvantages of the project, and after analyzing the over-all net impact, have finally made a decision.

On March 14, in a rare show of solidarity, thousands of people, old and young, professional and farmers, teachers and students, the



SAGIP members SANDIGAN and SAFSCO lead a demonstration rally to dramatize the groups' opposition to the Irosin Geothermal Plant Project in Sorsogon.

church and the laypeople, government and non-government employees, marched and rallied against the Irosin Geothermal Project, firmly voicing out: WE DON'T WANT THE IROSIN GEOTHERMAL PROJECT! This mass action was repeated in Sorsogon town on September 1, 1989, this time supported by local leaders, notably the Bishop and Clergy of Sorsogon, the Governor and majority of the members of the Provincial Board.

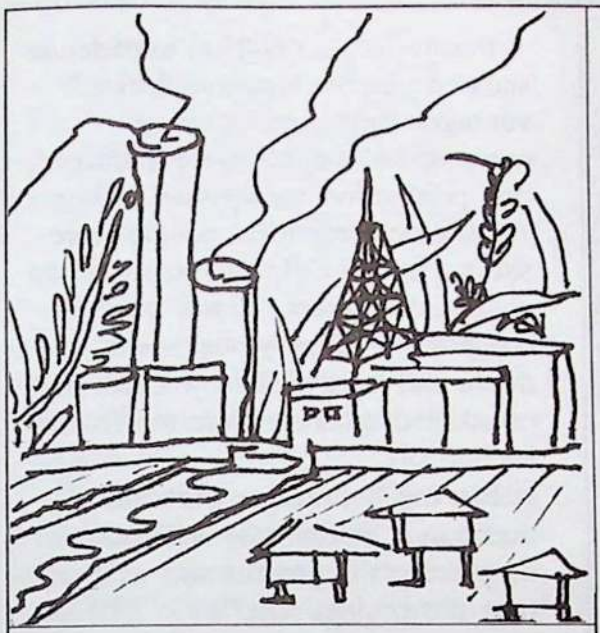
Last January 18, 1991, during the public hearing on the project conducted by the Environmental Management Bureau of the DENR, the people of Sorsogon, under the umbrella of SAGIP (Sectors Against the Geothermal in Irosin Project), a broad multi-sectoral group of various organizations, networks and movement of students, out-of-school youth, professionals, government employees, teachers, workers, farmers, businessmen, religious and clergy - again reiterated their vehement opposition to the proposed Irosin Geothermal Project. Among the frontrunners of SAGIP are Sandigan ng mga Magsasaka (SANDIGAN) and SAFSCO, two of the broadest and strongest people's organizations in the area.

Environmental Development and Safety: A Critical Concern

There are three fundamental reasons to SAGIP's opposition to the project. The first reason is that the Irosin Geothermal Project can not guarantee environmental development and safety. The project is an environmentally critical project to be located in an environmentally critical area.

So many possible adverse environmental effects can happen with the presence of a geothermal project. Just to cite a few, there could be increases in seismic disturbances which could lead to serious earthquake shocks, ground subsidence which could lead to tilting and stressing of pipelines and surface structures, land erosions, scenery spoilation like disappearances of "GEYSERS" and boiling pools, contamination of downstream water courses used for farming, fisheries, human water supplies by toxic ingredients like arsenic, ammonia, carbon dioxide and mercury, noise nuisance from drilling, disappearance of local flora and fauna, and even relocation of residents.

What could happen can really happen. Take the example of the Tiwi Geothermal Project of the Philippine Geothermal, Inc. Land erosion and ground subsidence happened especially in production fields. Barium concentration exceeded the National Pollution Control Commission's (NPCC) standard for surface water, Emmission of Hydrogen Sulfide concentrates from vent gas stacks also exceeded the NPCC standards. In fact, inside the power plants, Hydrogen Sulfide concentration of as high as 18.1 to 169.7 ppb was recorded. Inside the NPC power



house and equipment buildings, noise levels registered which could lead to hearing loss after 8-hour exposures for several years. In residences near the plants, the noise level was at 60-70 decibels most of the time which really interferes with the people's normal activities. There were also destruction of vegetations leading to loss of faunal habitats. Some Tiwi hot springs and pools likewise disappeared. Thermal eruptions occured near residential areas which led to the relocation of 882 people.

There are more negative environmental effects noted. Now, majority of the people in Tiwi regret their decision to allow PGI to install a geothermal project in the first place.

Weighing the Economic Viability

The second reason why the people of Irosin don't want the Geothermal Project is that they don't find the project totally sound economically.

The overriding concern for economics over and above other things is at the core of the geothermal project agenda. The Irosin Geothermal Project once operational by 1994, is estimated to displace 1.1 million barrels of imported oil for a savings of P16.5 million a year. PNOC also claims that with a projected P860.96 million investment, an estimated P286.86 million will accrue to the locality.

These are big economic figures clouding equally important questions and issues.

Can PNOC guarantee the generation of energy in the first place? The 1989 budget of P96,664,000 for exploration alone is confirmatory at best. This amount for digging just two (2) wells is already too big "risk capital" that if not successful, is only a waste of people's money. This same amount could already extend the needed credit service to 32,221 poor farmers at 3,000 each directly increasing their income. The same amount could be used to treat 96,660 dying tuberculosis patients.

And granted that the project successfully generates energy by 1994, can it guarantee that the cost of electricity to consumers be lower than the current rates? PNOC's answer to this is in the negative.



Furthermore, the Tiwi experience showed us other economic disadvantages: the cost of living increased, 882 people were displaced, rice production went down. Even employment for local people were short term and limited to semi and unskilled workers. Upon project completion, employment went down and semi-skilled workers and nonskilled laborers were the first to be laid off.

But the bottomline economic question is really who will benefit most from the project and who will bear the project cost?

Since the financing will come from borrowings from World Bank-IMF, the foreign countries like the US and Japan will surely benefit and this will further bury us into more indebtedness which we can no longer afford to pay. Since PNOC is a government corporation, whether we like it or not, every citizen will share in the burden of paying the loan.

Progress and Development: Going Back to the Pith

The above discussion ultimately brings us back to the core question of progress and development.

For decades our people have not been actively involved in charting the development course of our nation. It has always been the notion and grand idea that development is a technical problem that must be solved correspondingly and competently by bureaucrats and technocrats. The Irosin geother-

mal project is mainly an economic and technical problem. Ergo, economist and engineers know best. The people should just accept projects as they are.

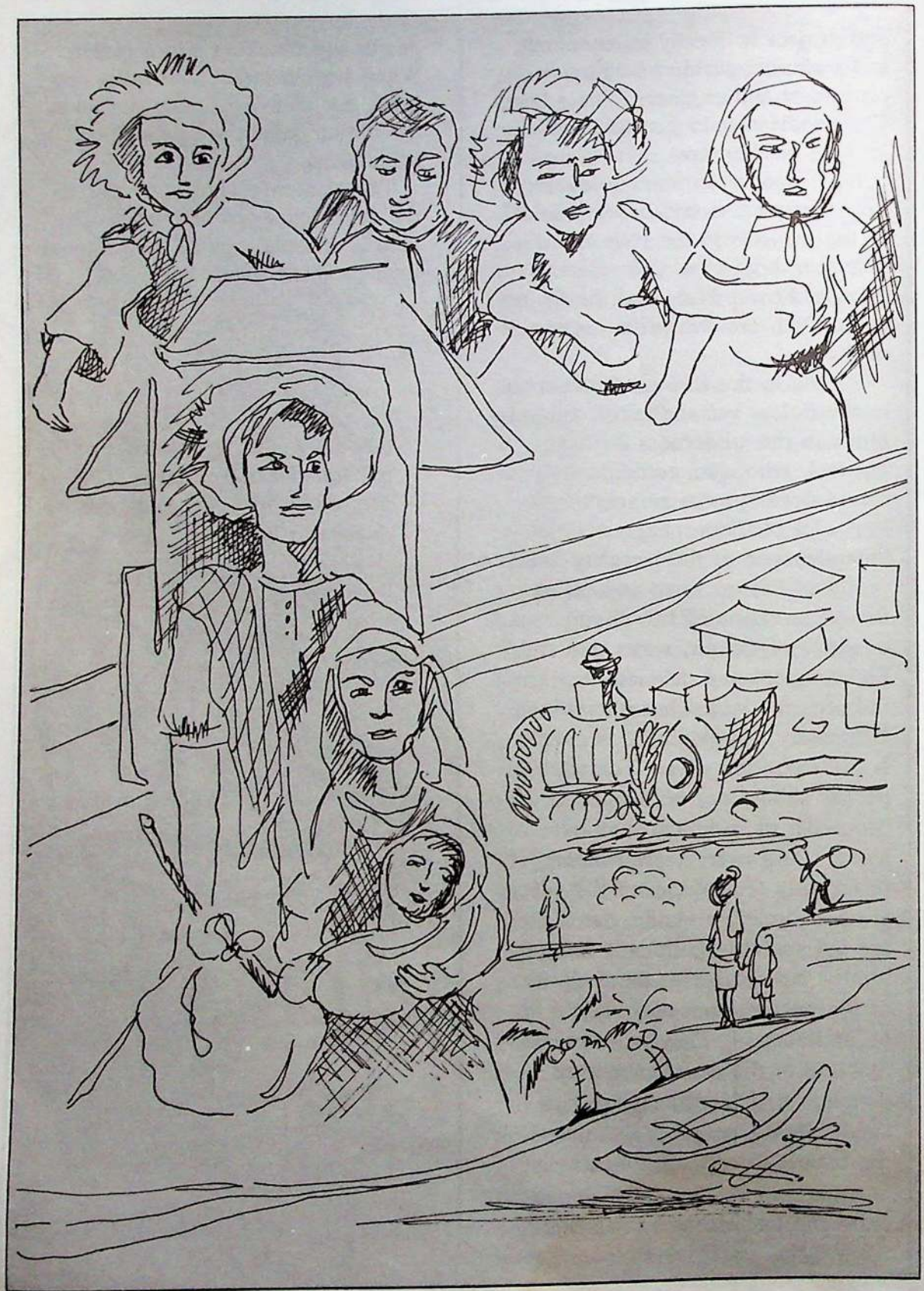
Such one-track minded development perspective has brought a lot of big projects in the past into disasters at high cost. The Bataan Nuclear Power Plant and the Chico River Dam are two prime examples of these.

People in the forests, the farmers in the fields, and the tribal communities in the wilderness do have gut-feel, wholistic, ecologically sound development perspectives. For a lot of them, progress is the "maintenance of the integrity and purity of life on earth as well as the preservation of life-giving qualities of the air, water and soil." Environment and development are not separate issues but intertwined. Ultimately, development is people. It can't be otherwise. Therefore, people should not be sacrificed for economic or technical reasons alone. And even if projects are technically feasible, even if projects are economically viable, but if they are not socially, politically and culturally acceptable to the majority of the people, then they should not be undertaken. They will not redound to the development of people. And if projects are pursued against people's sentiments, the people have the right to resist.

And when people resist, bureacrats and technocrats think that people are blocking development. When people march and rally, and voice out their legitimate demands, the military think the people are subersives.

The challenge here is similar to the one Moses put before the people of Israel before they entered their promised land:

> "*Today I offer you a choice of life or death, blessing or curse. Choose life and you and your descendants will live.*"



FISHERFOLK FIGHT FOR THEIR LAND AND RIGHTS

Barangay Hukay III, a small fishing community nestled in the southern coast town of Calatagan in Batangas, was once throbbing with the voices and laughter of little children. Now, what remains is a desolate place, all because some men want more land, more money and more power.

"Mahirap talagang kalabanin ang may pera. Ikaw na nga ang agrabyado, ikaw pa ang talo (It is really difficult to fight those who have money. Victims of injustices could still come out losers in the end)," lamented Manny Noay, 29.

His statement perhaps embodies the sentiment of many Filipinos who have felt the injustice in a society where wealth and power are concentrated in the hands of the few.

Noay is talking about the plight of more than 200 residents of Bgy. Hukay III facing ejection brought about by a 20-year old land dispute.

The old, sleepy fishing community that was Hukay is gone. What used to be houses are now mere piles of stone and wood lying on the sand.

In the morning of October 4, 1991 the fisherfolks' houses were demolished by goons hired by a certain Sergio Tolentino who claims that he was the owner of the land and was selling it to Inter-Technica Aqua Culture Corporation, believed to be Chinese-owned, through a certain Agustin Leong.

The fisherfolks say the corporation plans to transform the fishing village either into a factory or a beach resort.

They contented, however, that the land is public domain and can not be titled and sold because it is within 25 meters from the shore.

Most of the affected families have been living in the area for more than 30 years.

"July 1991 pa dumating ang unang order para sa demolition. Napigil lang namin dahil nagbarikada kami (The first order for

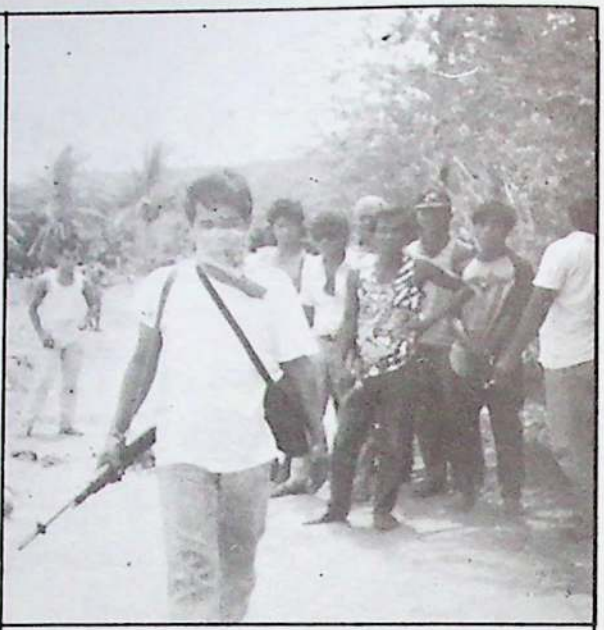
demolition came in July of 1991. We were able to stop it only because we barricaded the area)," explained Santi Panganiban, vice-president of the Samahang Mandaragat ng Bgy. Hukay, Inc. (SMBH).

Already charges have been pressed against three residents, including Panganiban, because of their refusal to leave the land.

The Hukay III case was first brought to the Municipal Trial Court but dismissed because of the negligence of the resident's counsel. It was then brought to the Regional Trial Court where it suffered the same fate.

At present, the case has reached the Supreme Court. Once again, Hukay residents are waiting for the results of the case — hoping for a reversal of the previous decisions, dreading the prospect of losing yet another case to their moneyed opponents.

Meanwhile, the Katipunan ng mga Samahang Magsasaka (KASAMA), an affiliate of Pambansang Kilusan ng mga Samahang Magsasaka (PAKISAMA) has started seeking the intervention of President Aquino and other concerned government agencies in the resolution of the case. Roger Magyaya, President of KASAMA, said they hope to get the support of President Corazon Aquino, the office of the solicitor general and the Department of Environment and Natural Resources (DENR), in their battle.



An unidentified armed goon alledgedly hired by Inter-Technica Aqua Culture Corporation patrols the land in dispute in Barangay Hukay III in Calatagan, Batangas to prevent local fisherfolk from occupying the property.

The case has obviously taken its toll on the people. Because of their numerous attempts to stop the demolition and their unending struggle to see their case win, residents are unable to fish and, consequently, are left with no money to buy their food and gasoline for their boats. Many are also forced to stop sending their children to school.

After the demolition of October 4, only the untended bancas of the fisherfolks are what's left of the community.

Most of the residents, particularly the women and children, are temporarily seeking shelter in another community, living off the

sympathy of their neighbors. Still, many choose to sleep in their bancas, afraid of recent threats to burn the only thing left they have of value.

"*Ni sa pangarap ay hindi sumagi sa isip ko na mangyayari ang ganito sa amin* (Not even once did it enter my mind that these things will happen to us)," bewailed Ka Pabling Induso, 35.

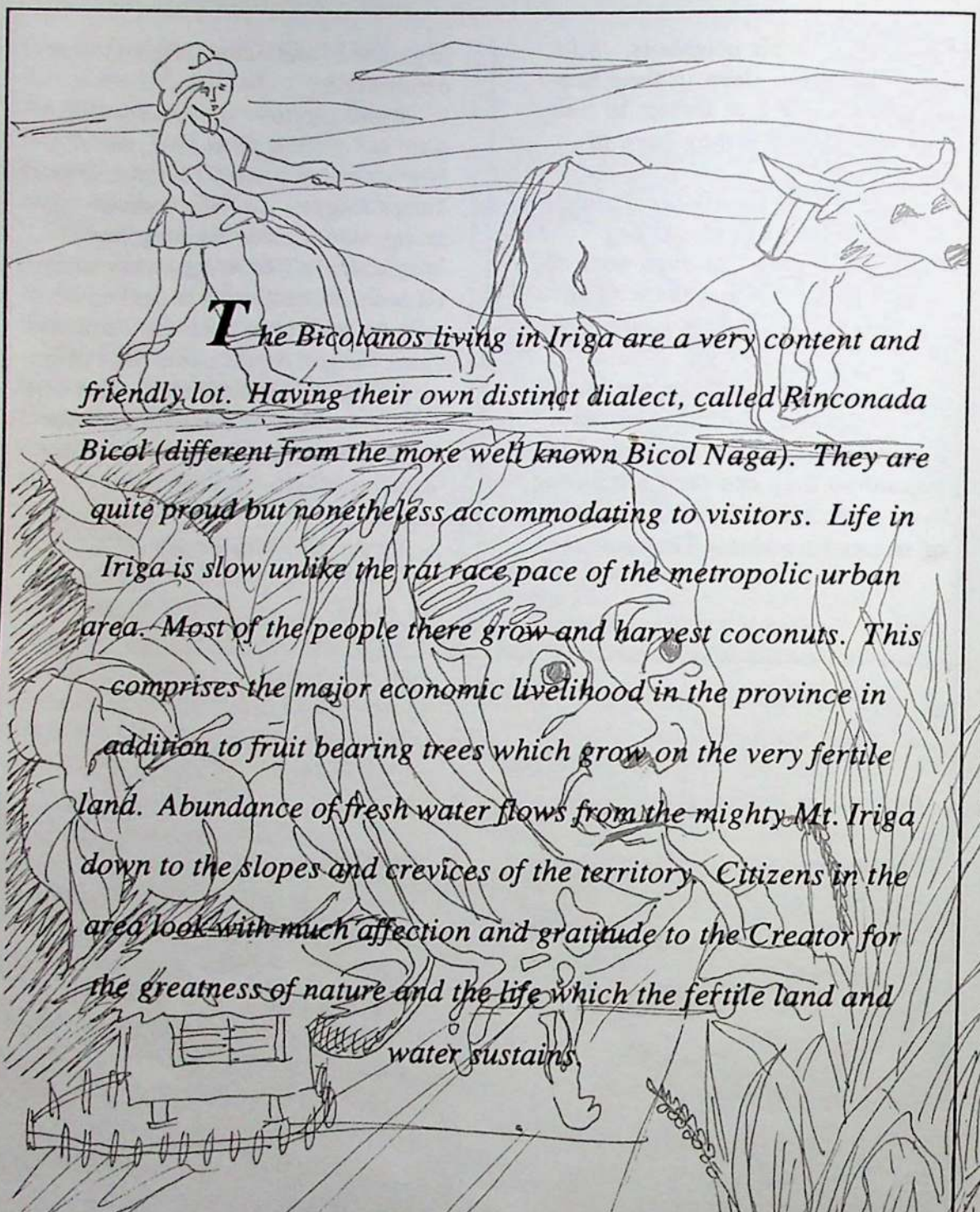
Although they will be the last one to admit it, the affected families are yearning for the end of the dispute so they can start rebuilding their lives, either in the same area or somewhere else. They are frightened and demoralized, but determined.

"*Kung pipilitin kaming umalis dito, aalis kami para lang matahimik na ang pamilya namin. Pero kung bibigyan ako ng pagkakataong mamili, dito na lang kami. Magtatayo uli kami ng bahay dito* (If we will be forced to leave, we will do so just to save our families from further harassment. But given a choice, we want to stay. We will start rebuilding our homes and our lives)," said Ka Pabling, wistfully looking at what was once his home.

– ***Virgie Capiral, PeNN***



Fisherfolks' homes are reduced to rubles after goons hired by a certain Sergio Tolentino forcibly demolished them, October 4, 1991.



The Bicolanos living in Iriga are a very content and friendly lot. Having their own distinct dialect, called Rinconada Bicol (different from the more well known Bicol Naga). They are quite proud but nonetheless accommodating to visitors. Life in Iriga is slow unlike the rat race pace of the metropolic urban area. Most of the people there grow and harvest coconuts. This comprises the major economic livelihood in the province in addition to fruit bearing trees which grow on the very fertile land. Abundance of fresh water flows from the mighty Mt. Iriga down to the slopes and crevices of the territory. Citizens in the area look with much affection and gratitude to the Creator for the greatness of nature and the life which the fertile land and water sustains.

THE STORY OF THE GREAT FLOOD:

How Farmers were Robbed of their Land and Homes

Twilight of Misery

It was June 12, 1991. For two consecutive days and nights in Iriga, the rain poured. The people kept to their usual chores expecting the usual arrival and departure of rain and storms in this rain abundant province. They usually stay home when too much rain pour to the delight of affection loving parents. Rain, for the farmers, also gives the precious land a brief respite to absorb enough water before the farmer could till it again after the downpour stops.

At the Gates of Disaster

The 13th day of June brought confusion and panic to the peaceful residents of Iriga. This was the second day of non-stop rain. Much to the horror of residents living in the barangay of Perpetual Help in Iriga, water from the two-day downpour rose angrily and engulfed hectares upon hectares of fertile and inhabited lands. Houses were submerged, properties destroyed, and families were forced to flee to safety. The people could not imagine why such an event occured. Iriga has a high mountainous terrain. Why then should the waters from the great Waras River flood out the peaceful town of Perpetual Help? Was it an act of God to destroy all sinners? The people were at a loss. They needed answers.

The people realized the following day that they were not alone. On the other side of River Waras stood a great more people who were themselves victims of the flooding. Much more land, properties and families were affected in Baao side than in Perpetual Help in Iriga. All in all, around 188 families were forced to evacuate their dwellings and land with nowhere to turn to. It was with the good graces of God that no human being died in the aftermath.

Harbinger of Flood and Misery Identified

Right across the Waras River between Barangay San Rafael Pugay in Baao and Perpetual Help in Iriga City, the Department of Public Works and Highways (DPWH) is constructing a huge dam entitled SWIM (Small Water Impounding Management). The dam is expected to irrigate the province's towns in its perimeter. But even before the infrastructure project benefitted the farmers in the area, mysteriously unknown to its implementors, the dam has wrought destruction.

The victims of the flash flooding, on their own initiative, convened the residents of the barangays concerned together with the local government officials of Baao, the barangay councils of Pugay, Bagumbayan and Perpetual Help. They made a resolution asking for a re-investigation of the dam basing on the destruction it has wrought in the lives of the people. The resulting petition was then forwarded to the DPWH Central Office, and then to the office of the President in Malacañang.



Baao farmers survey the extent of damage wrought to the San Rafael, Pugay Chapel by the flood caused by the Nabua Dam Project on June 12, 1991.

The City Council of Iriga, and Municipal Council of Baao followed suit in filing another petition to re-investigate the plans of the dam and its resulting disastrous effects on the people. In the meantime, the Mayor of Baao issued a stop order memorandum to the contractors (JECCA Construction, Inc.) of the DPWH to stop further construction pending possible investigation. The stop-order was ignored and the petitions sent to Manila did not get any answer.

It was after SALIGAN and PAKISAMA stepped-in to help the poor peasants and accompanied them to Malacañang for an appointment that some action was taken by the government. The Presidential Management Staff with the director for Region IV and V (Director Danny Encinas) went to Baao last November 26,1991 to hold a dialogue between the DPWH, the contractors, and the victims to clarify the issue.

It was clarified then (and was supported by facts from the Project Feasibility Study of the Dam) that no consultations from those who will be affected were ever done to make sure that no human lives will be sacrificed. Local government officials of various government agencies whose projects were also negatively affected by the dam's functionings say that they were not even informed of the project. Even the clamor for justice was apparently taken all too lightly by the self righteous project engineers of the dam who were insensitively defending the viability of the project regardless of how many lives and private property will be put into grave danger.

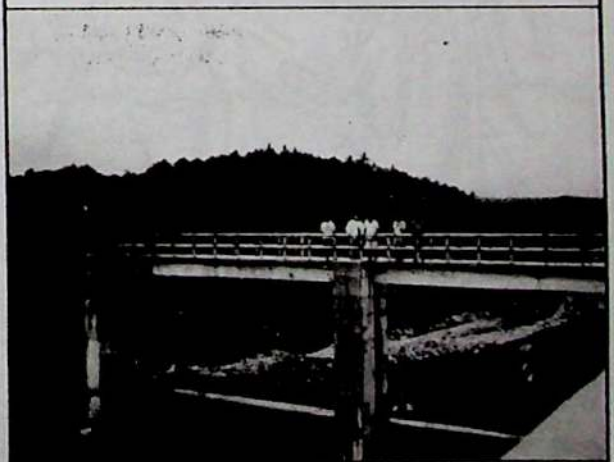
The resulting deadlock between project implementors and the people from the vicinity resulted in the formation by the Presidential Management Staff special committee (repre-

senting the DPWH, the contractors, the victims from the 12 barangays, and the non-government organizations concerned) to investigate and come up with a recommendation within two weeks.

So far, inconsistencies about information given by the project implementors still have to be ironed out. The project engineers say only a maximum of 47 hectares will be submerged once the dam is operational, but the project technical study points to a staggering maximum of 464 hectares. A compensation package favorable to the victims still has to be proposed, the very issue of the project's supposed benefits (which is now even in question) must be resolved to decide the possible fate of the questionable dam, and more importantly, social justice is still waiting to be served.

Government officials are supposed to be the champions of the people. Government projects, especially when rejected by the majority of the people affected, must not be defended blindly by our public servants who still use their better judgement. Even if the project is well intended, defending a project against the people to whom it is intended will turn public service into public disservice. How can the people be benefitted when their own safety is overlooked, injustice is being done, and they are even treated as enemies of "public good". This issue puts the moral integrity of the officials implementing the projects in question.

It is good that the farming sector, the great majority of our people, though not highly educated, are beginning to be aware of the changes that have to be done in the society, and they are slowly beginning to see their role in effecting social change. It has been too long that thay have been blind receivers of what some aristocratic politicians suppose is good for the people. A lot of the people end up getting only partially benefitted and greatly exploited. People are now made aware, through genuinely dedicated social development movements, that they must take an active part in planning and bringing about a just and effective social transformation. On their part, farmers are learning and slowly taking an active and effective role in participation through our democratic institutions. This for them is people empowerment. Hopefully, "public servants" would come down from their marble or ivory pedestals and learn from these progressive peasants what public service really is.



The spillway portion of the Nabua Dam Project in Baao, Camarines Sur.



EMPOWERING FISHERFOLKS THROUGH RMC

Muro-ami — a Japanese gear very effective in catching elusive reef fishes but has destructive effects. Introduced by Okinawan fishermen to the Philippines in the 1930s, it has caused destruction of coral reefs by the scarelines weights hitting fragile corals.

This together with dynamite fishing, cyanide poisoning, and other illegal practices drastically add to the rapid depletion of fishes and degradation of marine resources in the country. All of them spell the apparent doom of the Philippine marine life along with our native shores. They also predict the downfall of the fishing industry.

The Resource Management Council (RMC)

In an attempt to save the country's water resources, series of consultations were held among fisherfolks nationwide. From these consultations, the concept of local fisherfolks themselves managing, protecting and developing the country's marine and aquatic resources emerged. This local initiative shall be led by a council, majority of the members coming from the fisherfolk sector and with the council chair reserved for actual fisherfolks, an endeavor not far from the true essence of stewardship.

Today, a more formal structure has been formed known as the Resource Management Council or RMC. A major component of the Unity Bill for Aquatic Reforms, the RMC is a concretization of fisherfolk participation and empowerment.

Supported by PAKISAMA (Pambansang Kilusan ng mga Samahang Magsasaka) and other fisherfolk groups in partnership with Cong. Arturo Olegario, sectoral representative for small fisherfolk, the RMC aims to ensure the continuous natural production of the sea's resources in order to also assure a continuous source of livelihood for the small fisherfolks. It tries to achieve this by bringing in ecological awareness programs coupled with vigilant actions from the fisherfolk themselves. In addition, development programs for improving the lot of existing marine resources plus establishing alternative sources of income for the fisherfolks are introduced.

Since the RMC is supposed to be spearheaded by fisherfolk leaders themselves, it hopes to instill in them a sense of responsbility for their own source of livelihood, that is, the concept of "user-manager" where the beneficiaries of the sea's resources will be the guardians of it as well.

As of now, the Unity Bill for Aquatic

Reforms which contains provisions for the institutionalization of RMC has yet to be approved in Congress.

Bringing RMC to the Grassroots

Citing "People's Initiative" in the constitution, the Resource Management Council is slowly being introduced at the local level. A pilot RMC has already been set up in the Lamon Bay area in Quezon Province as well as in the Ragay Gulf in Camarines Sur.

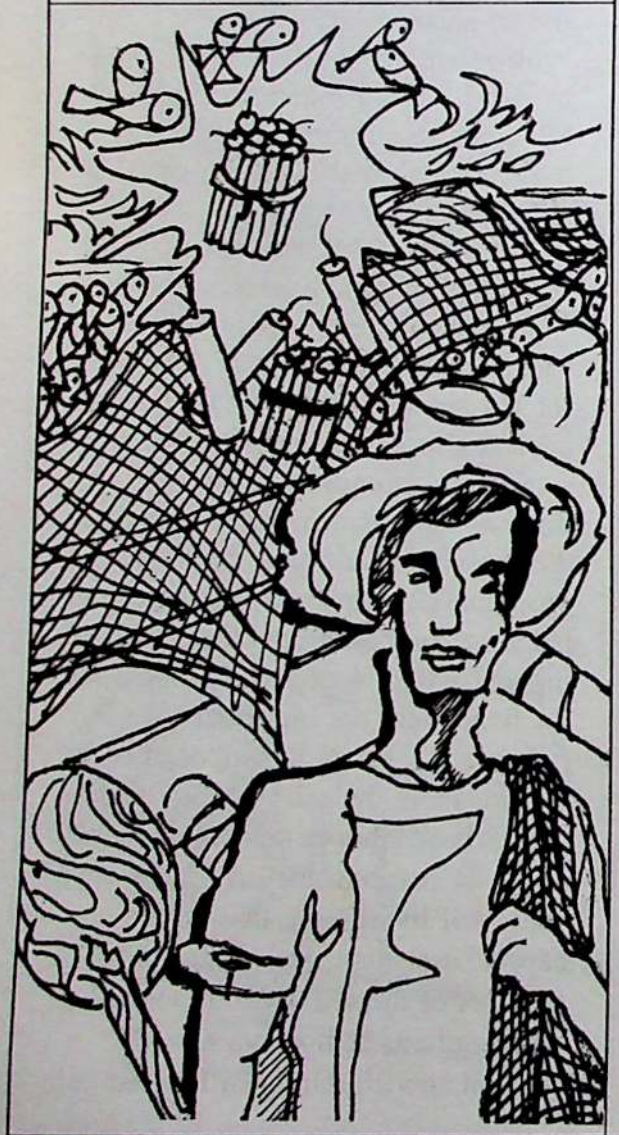
The Barangay Resource Management Council (BRMC), as it is called in the barangay level, is the most basic unit of the RMC. The council is largely participated in by fisherfolk leaders and other members of the barangay with the following main objectives:

(1) to recommend to the municipal RMC guidelines on price standardization of all products from the sea;

(2) to decide on conflicts concerning fishing rights and the subdivision of rights to fishing areas by local fisherfolks;

(3) to help establish BRMCs in neigboring barangays; and

(4) to take responsibility for other matters pertaining to the fishing situation in their respective barangays.



In achieving the above-mentioned goals, mutual cooperation between line agencies and local fisherfolks are sought. Local government are being encouraged to support the formation of RMCs by providing support services and facilities. They are also asked to recognize efforts of local RMCs by approving ordinances, licences and permits related to fishery based on the recommendations of the RMC.

FUERSA: An Experience of Fisherfolk Power

Last January 25, 1991, NACFAR (Nationwide Coalition for Aquatic Reforms) officers set a dialogue with the local government officials of Pasacao, Camarines Sur. The objective of the dialogue was to get the support of the local government of

Pasacao in the implementation of the NACFAR pilot-RMC in Barangay Balogo in the same municipality.

The dialogue was headed by Ka Nonie Orlina of FUERSA-PAKISAMA (Fisherfolk Unity in the Entire Ragay Gulf Shoreline, Association). On the government's side were Pasacao Mayor Reyes and Department of Agriculture (DA) Regional Officer Dr. Fe D. Laysa. Also present were Cong. Olegario and other NACFAR leaders.

Along the discussions, Dr. Laysa suggested that instead of creating another structure for aquatic conservation, the fisherfolk should just actively participate in the existing aquatic conservation structure of the DA. Dr. Laysa noted that no significant difference occurs in the objectives of the two structures.

Fisherfolks present in the dialogue, however turned down the proposition citing the decision making process in the DA initiated structure as the main flaw. It was argued that since the government (DA) initiative is headed by local officials, the fisherfolks will continually be under their mercy and thus defeating the real vision of RMC. The fisherfolk panel insisted on the RMC, explaining that this will enable them to have direct participation in aquatic conservation.

The dialogue reached a positive result as the local government and the DA official agreed to support the formation of RMCs on coastal barangays of Pasacao.

There exist five (5) BRMCs operating in Pasacao, Camarines Sur under the guidance and leadership of FUERSA-PAKISAMA, a federation of fisherfolk organizations in the municipality. The BRMCs are located in Caranan, Balogo, Tinalmud, Dalupaon and Sta. Rosa del Sur.

The activities of the five councils can be categorized into three general functions: data gathering, site selec-



FUERSA members pose with Fisherfolk Sectoral Representative Arturo Olegario in the site of the RMC pilot area in Barangay Balogo, Pasacao, Camarines Sur. In the background is the Ragay Gulf.

tion for marine reserves and fish sanctuaries, and issue advocacy for marine protection. Education and ecology awareness seminars are also being regularly undertaken by the councils.

In Barangay Balogo, some members of FUERSA have volunteered and have been deputized as fish wardens under the "Bantay Dagat" project of the government. The wardens safeguard the waters from illegal fishers and other unscrupulous activities. Here, we can say that the education program of FUERSA have borne its fruits gauging from the spirit and dedication exhibited by member-fisherfolks.

The RMC, being a fisherfolk initiative, has not been spared from financial difficulties. Funds for operations are scarce and equipment such as aqua divers and diving equipment for identifying marine reserves and fish sanctuaries, fast motorized boats for monitoring protected marine areas, and telescope as well as office supplies which are essential in running efficient RMCs are inadequate if not altogether nonexistent. In addition, the seeming lack of support of national policy makers for such undertakings is clearly manifested in their turtle-paced and lukewarm support for the Unity Bill which up to now is sleeping in congressional files.

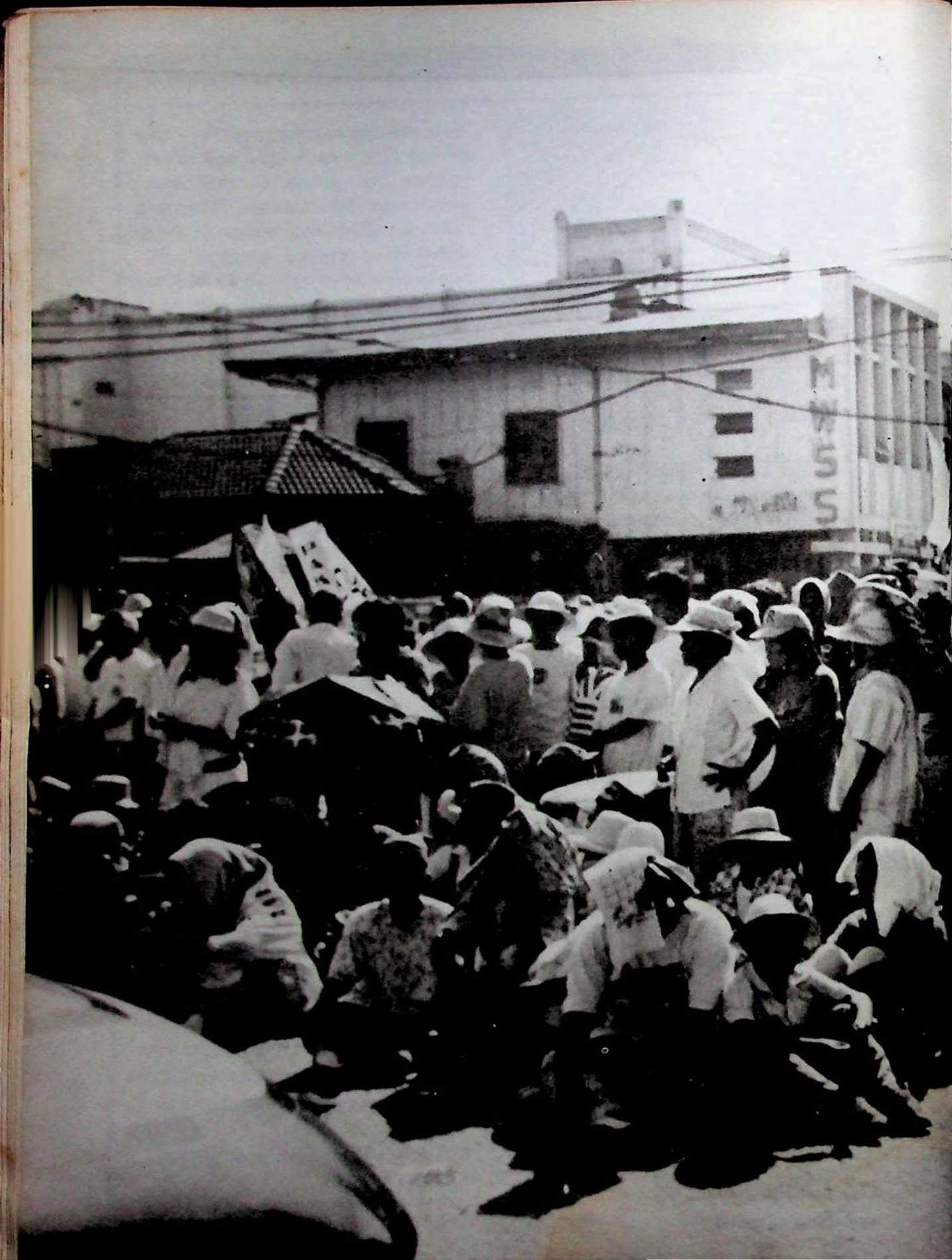
However, despite the problems faced by local RMCs, substantial gains have been achieved. In Pasacao for example, dynamite fishing and fish poisoning as means of catching fishes in the Ragay Gulf have been generally eradicated. A municipal ordinance



prohibiting commercial fishing operation within fifteen (15) km. radius of municipal waters has been successfully lobbied also in Pasacao. And just recently, a purse seiner illegally operating within the seven (7) km. radius off the coast of Pasacao and Libmanan has been caught. The case is presently being investigated by the Philippine Navy, Coastguard and the PNP.

Conclusion

The impact of Resouce Management Councils can be considered substantial. But, no doubt, in the national scene the impact is not a qualified success. There are good reasons, however. The problems mentioned above are contributory factors that hindered the promising potentials of RMCs as they in the barangays made concrete contributions to the communities. The Resource Management Councils were consistent to their goals — which precisely are the foundation for their creation.


MWSS



More Cases

RP-TAIWAN TREATY, A THREAT TO BATANES FISHERFOLKS

Background:

Batanes is a small group of islands and islets at the northern tip of the Philippines. Lying along the typhoon belt, small scale fishing has become the main source of livelihood. Aside from the fisherfolks who comprise majority of the population , small land owners and landless agricultural workers also thrive on occasional rootcrops like camote.

Conflict:

On July 7, 1991, the Philippine government entered an agreement with Taiwan allowing the passage of Taiwanese fishing vessels in Philippine Territorial Waters despite mounting protests from fisherfolks in the affected areas. In the agreement includes the territorial waters of Batanes.

In a resolution drafted and circulated by the Batanes Fishermen-Farmers Association (BFFA), the group appealed to President Corazon Aquino not to allow the Taiwanese to exploit Batanes' marine resources.

According to local fisherfolks in the area, even before the treaty was signed, Taiwanese fishermen have been plundering their marine resources and even go to the extent of threatening the activities and lives of locals. Their illegal activities have wrought wanton destruction due to use of dynamite and chemicals within the 12-mile economic zone of the Batanes Islands.

Contrary to the provisions of Section 7 Article XIII of the 1987 Philippine Constitution which states that " The State shall protect the rights of subsistence fishermen, especially of local communities , to the preferencial use of the communal marine and fishing resources , both inland and offshore.... the protection shall extend to offshore fishing grounds of subsistence fishermen against foreign intrusion", BFFA members feel that the treaty unjustly deprive poor fisherfolks of their main source of livelihood (90 percent depends on fishing!).

Initiatives:

The people of Batanes has petitioned the Aquino Government to consider the cancellation of the RP-Taiwan Agreement on Sea Lane Passage based on three major points (1) the said Agreement or Pact is not recognized by the Beijing Government as it is against the One-China Policy (Manila Standard, 12 July 1991); (2) Batanes local leaders and fishermen-farmers associations, who are mostly and critically concerned and affected were not represented in the talks such that could have credibly and honestly presented their concerns; (3) the government in its

agreement to the Pact with the Taiwanese Government is neglecting, taking for granted and sacrificing the Batanes people and their rights to honest living and development.

In a dialogue with Department of Agriculture (DA) officials during PAKISAMA's second national congress last August 8, 1991, the issue of the treaty has also been brought out by the local leaders themselves. The DA gave assurances to the leaders regarding the illegal acytivities in the area and vowed to conduct consultations with local official and peasant leaders. To date,however, no significant development regarding the RP-Taiwan Treaty has transpired. Despite BFFA's effort to propagate the issue via the local radio stations, it has continually experienced a slow and silent death.

THE CASE OF THE MISSING LAND TITLES

Background:

In 1972, former president Ferdinand E. Marcos' brand of agrarian reform took effect — the much publicized Presidential Decree 27 under the New Society. Among its beneficiaries are the members of the Samahan ng mga Magsasakang Magkakapit-Bisig ng San Isidro (SMMB-SI) who, prior to their supposed emancipation, are tenants of Attorney Deogracias Tanedo and Family. They started tilling the land of the Tanedo Family located in Barangay San Isidro, Tarlac in the early 1960s.

In 1974, employees of the Department of Agrarian Reform (DAR) met with the tenants of Atty. Tanedo informing them of the land reform program of the government. During the meeting, the tenants were asked to identify the land they are working on which the surveyors measured and valued at P9,000.00 per hectare based on their formula.

The following year, the tenants were summoned by their landlord and were informed of the change in their status from tenants to leaseholders. The transition was made in accordance with the Land Emancipation Act under P.D. 27. The leasehold relationship prevailed to date with the farmers faithfully paying their dues.

Conflict:

A very long, dry season finally came in 1982. The irrigation system has dried up and therefore second cropping was impossible in the dry summer months. Even the harvest in the rainy months of the year declined. The farmers tried to ask their

landlord for a cutback in leasehold payment in view of the substantial reduction in their production. Their pleas, however, fell into deaf ears.

The burden of paying gigantic leasehold payment for the land, however, was nothing compared to the second shock they received a year after. In 1983, the leaseholders of the Tanedo Family received a notice of tax delinquency from the provincial treasurer's office. Holding nothing as to prove ownership of any land-holdings, the farmers were adamant at paying the taxes. The receipt of a tax declaration when they are continuously paying leasehold rentals to their landlord confused them even more.

Initiatives:

A visit to the Provincial Agrarian Reform Office in Tarlac by the farmers concerned that same year resolved the case of the missing Certificates of Land Transfer (CLTs). They were not missing, the agrarian reform officer explained, they were just not yet scheduled for distribution.

That was in 1983. Eight years to date, the titles remained undistributed.

In a para-legal clinic conducted by PAKISAMA in Nueva Ecija, SMMB-SI leaders were invited, their CLT case discussed and they were given advice as to how to pursue their case.

Starting with securing data and proofs as to their claims, files from the Provincial DAR Office revealed that in the early seventies (at the time the surveys were being done) the back of the land titles of Atty. Tanedo and family's land-holdings indicate their names as the original tenants. Present documents, however, shows that the same land were registered anew to a different name, their rights as tenants deleted in the land titles.

SMMB-SI leaders decided to approach their Barangay Agrarian Reform Committee (BARC) chairman to ask for an affidavit stating that they were the original tenants of the land and have been tilling it from the early 1960s up to the present. The affidavit was positively granted.

They also referred their case to Atty. Bobby Gana, a lawyer from the Sentro ng Alternatibong Lingap Pan-legal or SALIGAN, an alternative lawyer's group which is giving legal assistance to people's organizations in partnership with PAKISAMA.

At present, the farmers are in the process of consolidating documents supporting their claims.

KPM-D WOMEN CLAIM RECOGNITION

Background/Conflict:

For a long period of time, the peasant sector has always been addressed as one. Although it helped a lot in terms of consolidating their ranks, the women sector within has never been given proper recognition as one of the main components comprising the peasant sector. There may be women concerns tackled but are not properly addressed within the wider sector.

During meetings or any political gathering, one observes that women representation is very minimal and sometimes none at all despite rising clamor.

These are the main reasons for the strong feeling in forming the Kapunongan sa mga Pundok sa Mag-uuma sa Davao (KPM-D) women group. The women strongly claims for recognition as a sector and as an important ingredient for social change.

Initiatives:

On February 1991, the BANIKA was formed. The name itself stands for "farm" and was adopted as the official name of the KPM-D Women. Consultations were made in the municipal level prior to the formal launching of the organization and gained favorable response from the women groups within the federation.

With the help of various group and institutions as well as symphatetic individuals, BANIKA has conducted a Gender Education Seminar for the leaders last May 1991. The purpose of the seminar was to level off their views concerning issues that affects them. This somehow pumped in more interest for the BANIKA group to continue what they have started.

At present, BANIKA operates in Davao del Norte particularly in Kapalong nad Monkayo. It is concentrating on the consolidation of its membership in the base level.

To answer the financial needs of the group, a catering service has been formed and services seminars and other gatherings. They have also conducted toyo (soysauce) and soap making seminars for members. But among other things, conscienticizing and organizing work have always been given top priority.

CYNIDE POISONING IN MONKAYO

Background:

Davao del Norte is a gold-rich province which can be found in the eastern

part of the island region of Mindanao. Because of the goldmining potential of the area, many people invest business here particularly in the mining industry.

The same business opportunity exists in Monkayo, a municipality of Davao del Norte. Aside from being a mining area Monkayo also is an agricultural area where most of the populace are farmers.

Conflict:

Last June 1991, two people and a number of carabaos were killed as reported by the Department of Environment and Natural Resources (DENR). Investigations revealed that the deaths were caused by cyanide poisoning. Sources of the deadly chemical were traced to be the neighboring rivers where farmers take their beasts for a bath and drink. Likewise, the rivers are also the main source of irrigation in these areas.

It was reported that a lot of big business enterprises in Davao del Norte are manufacturing cyanide. Authorities, however, has not the power to stop them.

Initiatives:

The case has reached the attention of both the local and national units of the DENR through the help of KPM (Kristohanong Pagtinabangay sa mga Mag-uuma), a farmer's organization in Monkayo affiliated with PAKISAMA. But the concerned line agencies could not fully well decide on how to stop the infiltration of poisonous cyanide in the river systems because according to them, it may be very impractical to stop it at the moment. Meanwhile, the resolution leaves the lives of the local farmers and their families, not to mention their livestock, in grave danger.

DAVAO FARMERS' FORUM: STRUGGLING AGAINST PROJECT SELF-RELIANCE

Background:

The Project Self-Reliance is a national project of the government which, according to its concept, aims to create a condition where farmers' organizations are encouraged to perform and/or expand their grains trading operations in an environment where government intervention is minimal. Simply put, the National Food Authority (NFA) will no longer be dealing directly with the farmers in terms of rice and corn procurement. The authority the NFA presently holds will be turned

over to the cooperatives which shall directly manage the project.

In Davao del Norte, it is the Davao Federation of Agricultural Cooperatives (DAFEDACO) who shall assume NFA's authority in the procurement of rice and corn and in the utilization of all its necessary facilities.

Likewise, the government subsidy in the price of rice and corn will be cut-off while the authorized cooperative shall buy the produce at the present buying rate.

Conflict:

While in its concept still, Project Self-Reliance states that the National Food Authority shall hold necessary consultations with NGOs and peasant organizations of the project. The said consultation has not even reached the ears of the small farmers who are supposed to be affected by the project.

Initiatives:

On May 22, 1991, the Congress for a People's Agrarian Reform (CPAR) initiated a dialogue with the Department of Agriculture (DA) and the NFA together with Pambansang Kilusan ng mga Samahang Magsasaka (PAKISAMA) allies and member-units in the provinces including the Kapulungan sa Pundok Mag-uuma sa Davao or KPM-D.

The KPM-D leadership tried to talk with Davao del Norte Governor Prospero Amatong requesting him (since he is the most insistent implementing personality) to defer the implementation of the project. But he was not around.

Two days later, NFA Provincial Manager Constantino Cespon wrote a letter to the NFA National Administrator endorsing KPM-D's position paper of protest.

On the 27th of the same month, the dialogue with Governor Amatong pushed through. The KPM-D leadership requested him to consider the farmers' demand of project deferment, but to no avail.

To formalize the group of peasants opposing Project Self-Reliance's implementation, KPM-D initiated a gathering of other protesting groups thereby consolidating their forces in opposing the project. On June 26, 1991, the Davao Farmers' Forum (DFF) was launched.

To further concretize DFF's opposition, a mobilization was launched by the group to dramatize their demands, that is, to stop the implementation of Project Self-Reliance to enable genuine people's organizations (POs) and their cooperatives to benefit from the project. Yet there was no favorable response from concerned agencies.

On August 8, 1991, NFA Administrator Pelayo Gabaldon promised during a dialogue with PAKISAMA to convene a new PO-NGO-GO consultation in Davao del Norte to discuss the problems regarding Project Self-Reliance. No consultation whatsoever happened.

Until now, the DFF still commits itself to continue its struggle for the deferment of the project.

Farmers' Demands:

In the pursuit of all these initiatives, the Davao Farmers' Forum has these following reasons for its strong opposition to the implementation of the project:

1. The small farmers were not consulted about the project.
2. The implementing cooperative which is the DAFEDACO is not really a cooperative of small farmers. It is composed of big cooperatives and big businessmen.
3. The small farmers shall trade their rice and corn in a collective process and not in a way by which the farmers are traded in individually
4. If the project fails because of its undue implementation, the money the government will be investing here will be wasted on landlord dominated cooperatives while it could have been utilized for the development of the small farmers.
5. It would be very unjust to experiment the lives of the small rice and corn farmers.
6. There will no longer be justifiable basis for setting the price of rice and corn.
7. The project will result to cutting off the government's subsidy for the price of rice and corn but only in Davao del Norte.
8. If the government wants the farmers to be really self reliant, it should give ample attention to the plight of the small farmers and not those already self-reliant.

To this extent, the DFF further demands the deferment of the implementation of the Project Self-Reliance in Davao del Norte until such time when the small farmers are ready to go into cooperatives.