



**SENATE**

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P.S. Res. No. 153

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**INTRODUCED BY SENATOR RISA HONTIVEROS**

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**A RESOLUTION URGING THE SENATE COMMITTEES ON AGRARIAN REFORM AND SOCIAL JUSTICE AND RURAL DEVELOPMENT TO CONDUCT AN INVESTIGATION IN AID OF LEGISLATION ON THE DISMAL RATE OF LAND DISTRIBUTION BY THE DEPARTMENT OF AGRARIAN REFORM (DAR) RESULTING IN LOST INCOME FOR FARMER-BENEFICIARIES AND WASTAGE OF GOVERNMENT FUNDS**

**WHEREAS**, the 1987 Constitution states that the State shall, by law, undertake an agrarian reform program founded on the right of farmers and regular farmworkers who are landless, to own directly or collectively the lands they till or, in the case of other farmworkers, to receive a just share in the fruits thereof;

**WHEREAS**, in August of this year, President Rodrigo Duterte vowed to distribute the remaining land acquisition and distribution (LAD) balance of almost 550,000 hectares of agricultural lands nationwide<sup>1</sup>, of which around 520,000 has. belong to private landowners;

**WHEREAS**, if the landholdings in Negros Occidental are any indication, the DAR will not be able to reach this target by the end of the President's term in 2022;

**WHEREAS**, in the sugarlands of Negros Occidental, the historic hotbed of agrarian reform struggles between landowner and peasant, most of the landholding are nowhere near the land distribution stage of CARP and nearly 80% remain stuck in the first step of the LAD process – a long and arduous process consisting of 27 steps<sup>2</sup>;

**WHEREAS**, Task Force Mapalad, a national peasant organization, is working with farmers cultivating in around 54,000 has. Of that number, only 992 has. have completed the LAD process until the distribution of Certificates of Land Ownership Award and only 1,986 has. (61 landholdings) have reached the near-final stages -- issuance of cash deposit to the landowners, generation of title in favor of the Republic of the Philippines<sup>3</sup>;

**WHEREAS**, it has also been found that the DAR spends millions for land acquisition – it pays the landowner an average of PhP310,000 per hectare – but stops short of land distribution because control of the land, including cultivation, still remains with the landowner and is not transferred to the agrarian reform beneficiaries;

**WHEREAS**, according to research from Task Force Mapalad, the DAR has allocated around PhP616 million pesos to the landowners, but the latter still remain in control of the landholdings, contrary to the letter and spirit of the Republic Act No. 9700;

**WHEREAS**, to quote Teresita Tarlac, President of TFM- Negros-Panay Chapter, "in effect, because the landholdings remain undistributed to us, even when these could have already been awarded to us, the hacenderos, who are supposedly already former landowners, continue

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<sup>1</sup> [https://pcoo.gov.ph/news\\_releases/renewing-commitment-to-land-reform-president-duterte-leads-mindanao-wide-cloas-distribution/](https://pcoo.gov.ph/news_releases/renewing-commitment-to-land-reform-president-duterte-leads-mindanao-wide-cloas-distribution/)

<sup>2</sup> TFM research data

<sup>3</sup> TFM research data

reaping profit from the properties that were already acquired from them by the DAR through the Land Bank's deposit of landowner compensation";

**WHEREAS**, this is in direct contravention of Section 9 of R.A. 9700, or the CARP Extension with Reforms Law (CARPER) which states that pending the awarding to agrarian reform beneficiaries of a CARP-acquired property, they should already be given "usufructuary rights" over the land as soon as DAR takes possession of such land, and such right shall not be diminished even pending the awarding of the emancipation patent or CLOA;

**WHEREAS**, aside from tenurial insecurity and grinding poverty, sugarcane farmers are also vulnerable to violence and killings – the most recent example being the massacre of nine farmers in Hacienda Nene, in Barangay Bulanon, Sagay City<sup>4</sup>;

**NOW THEREFORE, BE IT RESOLVED**, to urge the Senate Committees on Agrarian Reform and Social Justice and Rural Development to conduct an investigation in aid of legislation on the dismal rate of land distribution by the Department of Agrarian Reform (DAR) resulting in lost income for farmer-beneficiaries and wastage of government funds.

**Adopted,**

  
**RISA HONTIVEROS**

*Senator*

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<sup>4</sup> <https://www.rappler.com/nation/214796-farmers-killed-sagay-negros-occidental-hacienda-nene-october-20-2018>