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REPUBLIC OF THE PHILIPPINES)
First Regular Session)

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P.S. Res. No. 449

RECEIVED BY: 

Introduced by Senator Loren Legarda

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON AGRARIAN REFORM TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE UNPAID LANDOWNERS' COMPENSATION FOR LANDS THAT HAVE BEEN ACQUIRED AND DISTRIBUTED BY THE GOVERNMENT UNDER THE COMPREHENSIVE AGRARIAN REFORM PROGRAM (CARP), TO DETERMINE REMEDIAL MEASURES TO REFORM CARP IN LIGHT OF ITS IMMINENT EXPIRATION

WHEREAS, Article XII, Section 1 of the Constitution declares that "The State shall promote comprehensive rural development and agrarian reform";

WHEREAS, Section 2 of Republic Act No. 6657, otherwise known as the "Comprehensive Agrarian Reform Law of 1988", states that "xxx a more equitable distribution and ownership of land, with due regard to the rights of landowners to just compensation and to the ecological needs of the nation, shall be undertaken to provide farmers and farmworkers with the opportunity to enhance their dignity and improve the quality of their lives through greater productivity of agricultural lands";

WHEREAS, the right of landowners to just compensation over lands covered by agrarian reform program is consistent with the Constitutional provision under Article III, Section 9 which guarantees that "Private property shall not be taken for public use without just compensation";

WHEREAS, land acquisition and distribution accomplishment report by the Department of Agrarian Reform (DAR) revealed that it has already distributed 3,960,255 hectares of agricultural lands nationwide as of end of December 2007;

WHEREAS, out of the 3,960,255 hectares, a total of 2,241,192 hectares of those distributed by the DAR are private agricultural lands;

WHEREAS, out of the total private agricultural lands acquired and distributed under the agrarian reform program, 650,910 hectares were distributed through Voluntary Land Transfer (VLT) while the remaining 1,590,282 hectares require the payment for landowners' compensation by the government through the Land Bank of the Philippines (LBP);

WHEREAS, from 1987 to 2007, a total of P45,470,585 from the Agrarian Reform Fund have been utilized for landowners' compensation;

WHEREAS, during a public hearing of the Senate Committee on Agrarian Reform held on 21 May 2008, the LBP revealed that it had covered and approved payment for 600,000 hectares in the amount of P37 Billion, under the agrarian reform program.

WHEREAS, based on the figures reported by the LBP and the DAR, an estimated 990,282 hectares of land have been acquired and distributed under the agrarian reform program but the former owners of such lands have yet to be compensated;

WHEREAS, there is a need to look into the inability of the government to sufficiently provide for landowners compensation which is one of the essential components of the program;

WHEREAS, in light of the pending expiration of the Comprehensive Agrarian Reform Law, it is imperative to determine the extent to which government can pay for landowners' compensation due and the viability of accruing additional payables in the event that the agrarian reform law is extended;

NOW THEREFORE, be it resolved as it is hereby resolved, to direct the Senate Committee on Agrarian Reform to conduct an inquiry, in aid of legislation, on the unpaid landowners' compensation for lands that have been acquired and distributed by the government under the Comprehensive Agrarian Reform Program (CARP), to determine remedial measures to reform CARP in light of its imminent expiration.

Adpoted,


LOREN LEGARDA
Senator