



**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN**



MEMORANDUM

FOR/TO : **THE UNDERSECRETARY**
Finance, Information Systems and Climate Change

**THE OIC, ASSISTANT SECRETARY FOR FIELD OPERATIONS
– WESTERN MINDANAO AND DIRECTOR, IN CONCURRENT
CAPACITY**
Forest Management Bureau

THE REGIONAL EXECUTIVE DIRECTORS
DENR Regions III, IV-B and X

**THE PROVINCIAL ENVIRONMENT AND NATURAL
RESOURCES OFFICERS**
Pampanga and Bulacan

FROM : **THE UNDERSECRETARIES**
Field Operations – Luzon, Visayas and Environment
Field Operations – Mindanao

SUBJECT : **REQUEST FOR THE BRIEFER INPUTS ON THE ISSUES AND
CONCERNS RE: FEDERATION OF FREE FARMERS (FFF)
HEADED BY BOARD CHAIRMAN, LEONARDO Q.
MONTEMAYOR**

DATE : 07 DEC 2023

This pertains to the electronic email from the Office of the Secretary dated 06 December 2023, regarding the requested briefer relative to the letter of Mr. Leonardo Montemayor, Board Chairman of Federation of Free Farmers (FFF) for the upcoming meeting with the DENR Secretary to be held on 13 December 2023 at 10:00 AM at the Office of the Secretary (OSEC) Conference Room, 4th Floor, DENR Central Office, Visayas Avenue, Diliman Quezon City.

The FFF requested to discuss the following concerns:

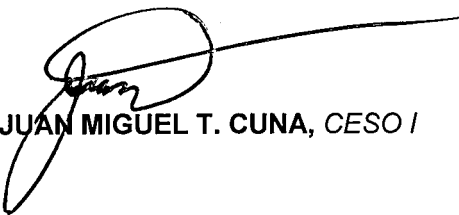
- a. Merangeran Free Farmers Association, Quezon, Bukidnon
- b. The Former Yulo King Ranch, Busuanga Island, Palawan
- c. Carbon Credits for Farmers, Settlers, IPs, and Fishers
- d. Implementation and Monitoring of Reforestation / Greening Programs

MEMO NO. 2023 - 1054

Anent the above, you are hereby enjoined to attend this meeting and are further instructed to provide your inputs for the Secretary's Briefer and to upload other pertinent documents/annexes relative to this meeting through Google link <https://tinyurl.com/SecFFFriefer> on/or **before 07 December 2023 at 5:00 PM** for our offices' consolidation, prior to submission to the Office of the Secretary on 11 December 2023.

You are also enjoined to attend a preliminary meeting to be held at the Office of the Undersecretary for Field Operations – Mindanao Conference Room on 12 December 2023 at 10:00 AM in preparation for the meeting with the FFF.

For immediate appropriate action.



ATTY. JUAN MIGUEL T. CUNA, CESO I



JOSELIN MARCUS E. FRAGADA, CESO III



Undersecretary for Field Operations - Mindanao <usec.fom@denr.gov.ph>

[Briefer Request] Meeting with Federation of Free Farmers- Leonardo Montemayor

1 message

Nissi Abigail Buenaobra <nabuenaobra@denr.gov.ph>

Wed, Dec 6, 2023 at 3:42 PM

To: Undersecretary for Field Operations - Mindanao <usec.fom@denr.gov.ph>, Joselin Marcus Fragada <jefragada@denr.gov.ph>

Cc: "Atty. Juan Miguel Cuna" <attymitchcuna@yahoo.com>, Juan Miguel Cuna <juanmiguel.cuna@denr.gov.ph>, Office of the Undersecretary for Field Operations and Environment <officeofuseccuna@denr.gov.ph>, Juan Miguel Cuna <usecmitchcuna@denr.gov.ph>, ghiplete@yahoo.com, mfragada@yahoo.com, OSEC Appointments <osec.appointments@denr.gov.ph>, Ignatius Rodriguez <iarodriguez@denr.gov.ph>, Joaquin Yulo Loyzaga <jloyzaga@denr.gov.ph>

Dear Usec. Marc and Usec Mitch,

We respectfully request for a briefer from OUFOM for the upcoming meeting with the Federation of Free Farmers Mr. Leonardo Montemayor to be held on **December 13, 2023, 10:00 AM (time to be confirmed) at OSEC Conference Room**. Further, we request OUFOM get inputs from OUFOLVE (Usec. @Juan Miguel Cuna) on issues and concerns raised for Luzon.

Attached is the letter from Mr. Montemayor.

Please submit a soft copy of the briefer on or before Dec. 11, 2023 (12:00 PM) to osec.appointments@denr.gov.ph
cc: nabuenaobra@denr.gov.ph

Per Mr. Montemayor, the following will be attending from their side:

1. Leonardo Montemayor
2. Cong. Argel Cabatbat, Magsasaka PL
3. Orlando Estanes, FFF Coron
4. Joselito Paec, FFF Coron
5. Rosalinda Angeles- DRT , Bulacana
6. Elisa Pangan- Magalang, Pampanga
7. Consuelo Opeña - Magalang, Pampanga

Mr. Montemayor also asked if DENR can invite the following officials or their reps:

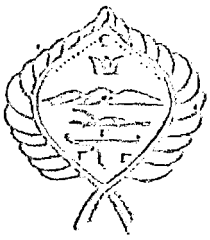
RD of Region 3
PENROS of Pampanga and Bulacan
RED of Region 10 - CDO
RED of Region IV B

For your information and appropriate action po Usecs. Thank you very much po.

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Best regards,

NISSI ABIGAIL BUENAOBRAExecutive Assistant IV
Office of the Secretary
Department of Environment and Natural Resources 120523 FFF letter Montemayor (oufom).pdf
1810K



FEDERATION OF FREE FARMERS

30-F. 6 Ave. Brgy Socorro, Cubao, 1109 Quezon City, Philippines
Office No.: (+632) 8-647-1451 | Email: freefarm@freefarm.org | Website: www.freefarm.org

04 December 2023

Secretary Ma. Antonia Yulo-Loyzaga
Department of Environment and Natural Resources
Visayas Avenue, Quezon City

Dear Secretary Loyzaga:

Thank you for agreeing to meet with us on December 13. We will present some pressing concerns, which we had discussed briefly with President Marcos, Jr. and DAR Secretary Conrado M. Estrella III last October 25th.

Merangeran Free Farmers Association, Quezon, Bukidnon

In 2009, MERFASI was issued CBFMA No. 55150 covering 164.57 hectares by then Sec. Jose Atienza, Jr. However, MERFASI's name in the award parchment excluded the word "Free". In 2015, then Undersecretary Demetrio Ignacio, Jr. ordered the correction. Despite repeated follow-ups, including with the Anti-Red Tape Authority, the correction has not been made. We think that the delay is caused by MERFASI's unwillingness to allow the use of a substantial portion of its area for pineapple production.

(Please see attached our letter to Sec. Roy Cimatu dated May 25, 2021 and House Resolution No. 2398 filed by MAGSASAKA Party-List Cong. Argel Joseph Cabatbat in the 18th Congress.)

The discrepancy between MERFASI's name with the SEC and in the CBFMA has prevented it from availing of the DENR's greening program, loans from Land Bank and other financing institutions, and even simple matters like securing local DENR cutting permits for their over-mature falcata trees.

MERFASI has been compliant with the terms and conditions of its CBFMA. Aside from its name correction, we endorse the renewal of its CBFMA before its expiry in 2024.

The former Yulo King Ranch, Busuanga Island, Palawan

After EDSA People Power in 1986, more portions of the 40,000-hectare YKR have been occupied, developed and/or claimed by self-propelled settlers, influential individuals, corporate interests and speculators. Many *bonafide* settlers (including

FFF members) are reportedly being harassed and threatened with eviction by local DENR personnel.

In 2010, President Macapagal-Arroyo placed the former YKR under the DENR's jurisdiction as a timberland or forest area. However, titled lands, A&D areas, and lands covered by Executive Order 75 in 2019 have been or are being distributed by DAR to qualified beneficiaries, including FFF members. Currently, some 2,000 hectares are being claimed/sought to be retained by the Bureau of Animal Industry under DA for its livestock station. Another area is being developed or targeted for airport expansion in Coron. Settler-families are living and farming in these two areas.

In 2015 or 2016, the DENR reportedly tasked the Development Academy of the Philippines (DAP) to prepare a master development plan for the entire YKR. Until now, we have no information about the status of that plan.


Carbon Credits for Farmers, Settlers, IPs and Fishers

To provide a lasting incentive to farmers, their organizations and local communities in the campaign against global warming, we propose that a simplified system be devised whereby they can get carbon credits for planting/maintaining trees, bamboo, mangroves, sea grass, etc. In addition to augmenting farm incomes, these credits could be used for educational, health and other benefits.

Implementation and Monitoring of Reforestation/Greening Programs

Based on our experience and observations over the past 70 years, efforts of government to restore and safeguard our forests and other natural resources have generally failed because they have not effectively mobilized those directly working on the lands or waters. Urgently needed is a more effective collaboration between capable farmers' groups and DENR. This should include reorienting DENR personnel dealing with the rural folk.

Very truly yours,


LEONARDO Q. MONTEMAYOR
Board Chairman

cc: Secretary Conrado M. Estrella III
Secretary Antonio F. Lagdameo, Jr.



FEDERATION OF FREE FARMERS

30-F. 6 Ave. Bigy Sucro, Culem, 1109 Quezon City, Philippines
Office No. : (+632) 8-647-1451 | Email: info@fff.org | Website: www.freefarmers.org

4 December 2023

Secretary Conrado M. Estrella III
Department of Agrarian Reform
Diliman, Quezon City

Dear Secretary Estrella:

Thanks to your support, DENR Secretary Ma. Antonia Yulo-Loyzaga has agreed to meet with us at 10 a.m., Wednesday, December 13 at her office.

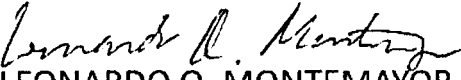
Topics to be discussed include the disposition of available lands within the former Yulo King Ranch (YKR) in the towns of Coron and Busuanga, Palawan. The Secretary will recall that this was one of the concerns I mentioned to President Marcos, Jr. during our brief conversation with him last October 25 after the commemoration of the FFF's 70th foundation anniversary.

Since portions of the former YKR are being or may be distributed by DAR under CARP, please direct Assistant Secretary Marjorie P. Ayson and the Regional Director for IV-B (MIMAROPA) to represent you at our December 13 meeting with Secretary Yulo-Loyzaga. Both officials are knowledgeable about the current situation and issues in the YKR area.

For further reference, we are attaching a copy of our December 4 letter (and related papers) to Secretary Yulo-Loyzaga.

With best personal regards, I remain

Very truly yours,


LEONARDO Q. MONTEMAYOR
Board Chairman

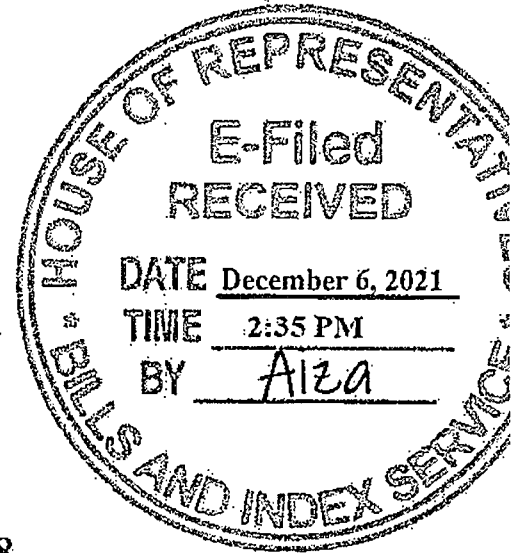
cc: ✓ Secretary Yulo-Loyzaga
Assistant Secretary Ayson



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE RESOLUTION NO. 2398



Introduced by Magsasaka Party-list Representative
ARGEL JOSEPH T. CABATBAT

A RESOLUTION

1
2 **URGING THE COMMITTEE ON NATURAL RESOURCES AND OTHER APPROPRIATE**
3 **COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE**
4 **CONDUCT OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**
5 **(DENR) REGIONAL OFFICIALS IN CARRYING OUT THEIR POWERS AND FUNCTIONS**
6 **AND LIMITATIONS ON ISSUES INVOLVING PEOPLE'S ORGANIZATIONS UNDER THE**
7 **COMMUNITY-BASED FOREST MANAGEMENT AGREEMENTS (CBFMAs)**

8 **WHEREAS**, Section 15 of the 1987 Philippine Constitution, under the Roles and Rights of
9 People's Organizations, provides that, "The State shall respect the role of independent people's
10 organizations to enable the people to pursue and protect, within the democratic framework, their
11 legitimate and collective interests and aspirations through peaceful and lawful means;"

12 **WHEREAS**, on 10 October 1996, according to Section 12 of Executive Order No. 263,
13 series of 1995, the Department of Environment and Natural Resources (DENR) established
14 Administrative Order No. 96-29 that created the Community-Based Forest Management
15 Agreement (CBFMA), a production sharing agreement between the DENR and the participating
16 people's organization (PO) for 25 years, renewable for another 25 years, that shall provide POs
17 tenurial security and incentives to develop, utilize and manage specific portions of forest lands;

18 **WHEREAS**, on 23 June 2009, an organization of farmers registered as 'Merangeran
19 FreeFarmers Association, Inc.' (MERFASI) in the Securities and Exchange Commission (SEC) is
20 granted with a CBFMA No. 55150 that authorizes them to manage 164.57 hectares of forestland
21 located at Barangay Merangeran, Municipality of Quezon, Province of Bukidnon. However, the
22 name reflected in the issued CBFMA No. 55150 was 'Merangeran Farmers Association', where the
23 word "FREE" was omitted from their original application;

1 **WHEREAS**, through PO Resolution Series of 2014 entitled, "Requesting the Correction of
2 the Name of Merangeran Freefarmers Association, Inc. (MERFASI) which is incorrectly indicated
3 in the CBFMA No. 55150 as Merangeran Farmers Association, Inc.," MERFASI filed a request for
4 the correction of their CBFMA parchment document from 'Merangeran Farmers Association, Inc.'
5 to 'Merangeran FreeFarmers Association, Inc.';

6 **WHEREAS**, the memorandum by then DENR Undersecretary Demetrio L. Ignacio, Jr.
7 granting clearance to insert the word "FREE" to the parchment paper of CBFMA No. 55150 has
8 not been implemented since its issuance on 28 December 2015;

9 **WHEREAS**, on 20 April 2016, Datu Victoriano Cuizon, representing a breakaway group of
10 MERFASI, submitted a letter of objection to correct the name in the CBFMA No. 55150 to the DENR
11 Secretary;

12 **WHEREAS**, by 5 October 2020, the breakaway group 'Merangeran Farmers Association,
13 Inc.,' represented by Datu Victoriano M. Cuizon, Sr., entered into a Joint Venture Agreement (JVA)
14 with Del Monte Philippines, which leases the area under CBFMA No. 55150 for pineapple
15 plantation;

16 **WHEREAS**, the JVA caused further conflict between the two MERFASI groups over the
17 utilization of the awarded forestland that the MERFASI (FreeFarmers) group has been occupying
18 and developing since the early 1980s;

19 **WHEREAS**, Virgilio N. Batocail, Community Environment and Natural Resources Officer
20 (CENRO), recommended conducting a special election by secret balloting on 25 May 2021 to
21 establish the legitimate officers under the CBFMA No. 55150 in an attempt to unite the two
22 disputing POs;

23 **WHEREAS**, MERFASI (FreeFarmers) camp did not participate in the special election,
24 explaining that it is unnecessary because the term of the current elected officers is still in effect
25 under their constitution and by-laws, and that the CENRO, PENRO, and other DENR officials
26 involved in the election have no authority to interfere in the electoral or internal activities of such
27 organizations;

28 **WHEREAS**, on 19 April 2021, the MERFASI (FreeFarmers), represented by its Chairman
29 Benerando A. Dioquino, filed a complaint against CENRO Virgilio N. Batocail for (1) alleged
30 violation of Republic Act No. 9485 (Anti-Red Tape Act) due to the delays in the implementation
31 of the name correction of MERFASI (FreeFarmers) in the CBFMA parchment document that
32 serves as a title for the awarded forestlands, (2) disregarding MERFASI's latest annual election in
33 October 2020, and (3) allegedly facilitating the illegal conversion of the area under CBFMA
34 No. 55150 into plantation crops in concert with agribusiness and political interests;

35 **WHEREAS**, on 25 May 2021, the MERFASI (FreeFarmers) under Dioquino's group,
36 represented by Leonardo Q. Montemayor, penned a letter addressed to DENR Secretary Roy A.
37 Cimatú to file a complaint against DENR officials in Bukidnon;
38

1 **WHEREAS**, DENR-PENRO conducted a Complete Staff Work (CSW) on 23 June 2021 with
2 a report and recommendation to cancel CBFMA No. 55150 due to:

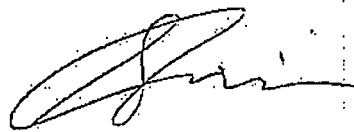
- 3 1) Failure to formulate the Community Resource Management Framework (CRMF)
4 and a 5-year work plan according to DAO 2004-2009;
- 5 2) Failure to resolve the intra-organizational disputes;
- 6 3) Continuing to ignore the invitations and activities of concerned agencies for a
7 unification and dispute resolution process; and
- 8 4) Registering members of the PO without an actual area within the CBFM, which is
9 clearly in violation of the provision of DAO 2004-2009.

10 **WHEREAS**, Dioquino's MERFASI (FreeFarmers) group found the CSW unfair and heavily
11 biased for Cuizon's MERFASI group;

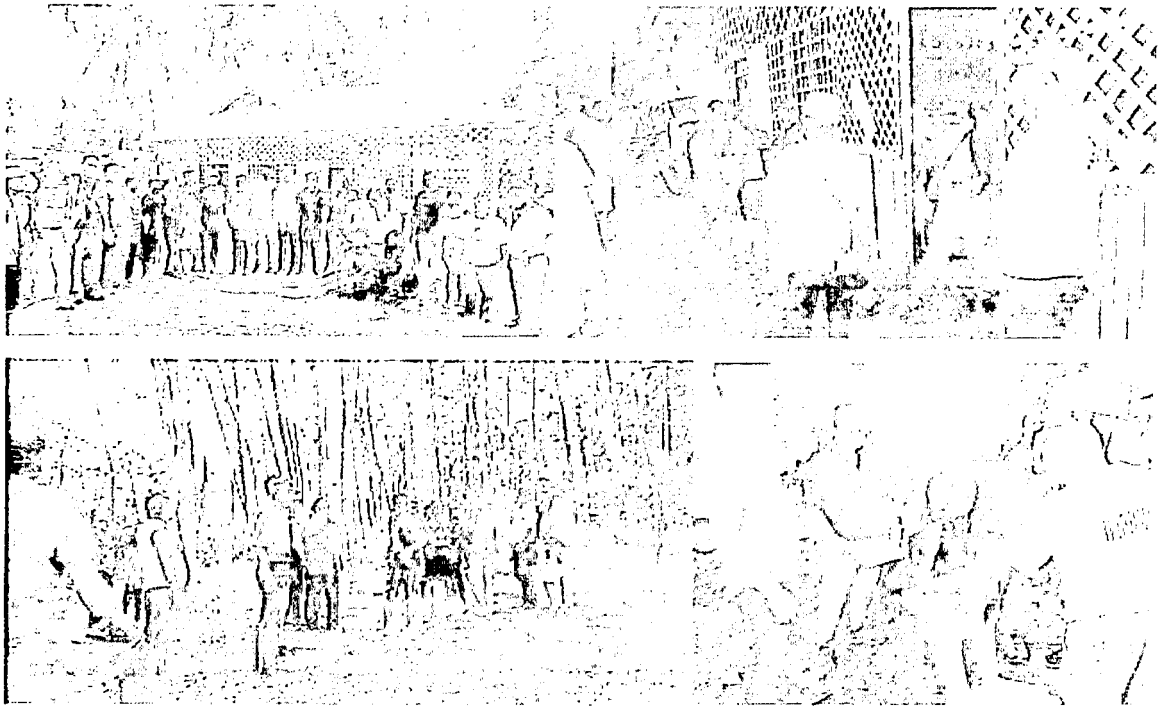
12 **WHEREAS**, the MERFASI (FreeFarmers) group is seeking the help of Congress to clarify
13 the powers and functions and limitations of the DENR regional officials in light of the continuing
14 dispute between the two MERFASI groups with respect to CBFMA No. 55150;

15 **NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED,**
16 that the Committee on Natural Resources and other appropriate committees are urged to conduct
17 an inquiry, in aid of legislation, on the conduct of the Department of Environment and Natural
18 Resources (DENR) regional officials in carrying out their powers and functions and limitations on
19 issues involving people's organizations under the Community-Based Forest Management
20 Agreements (CBFMA's).

Adopted.



ARGEL JOSEPH T. CABATBAT



**DENR INSPECTS MERFASI'S CBFMA AREA:
MERANGERAN, QUEZON, BUKIDNON**

To verify the Federation of Free Farmers' complaint against Department of Environment and Natural Resources officials in Bukidnon, a five-person investigation team from DENR Central Office - headed by Atty. Ricky Arzadon - physically inspected the Community-Based Forest Management Agreement (CBFMA) area of the Merangeran Free Farmers Association, Inc. in Merangeran, Quezon municipality on November 5, 2021.

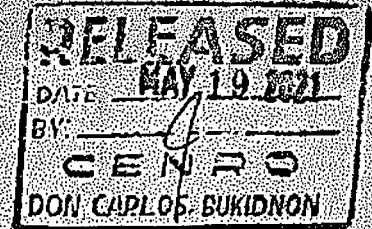
MERFASI-FFF officers led by Chairman Benerando Dioquino also submitted voluminous documents to Atty. Arzadon to support their complaint against CENRO Virgilio Batocail, PENRO Vergilino Alima and DENR Regional Director Arleigh Adorable for reportedly pressuring MERFASI and its members to convert their landholdings into a pineapple plantation.

May 19, 2021

BENERANDO A. DIOQUINO
Merangeran Free Farmers Association
Merangeran, Quezon, Bukidnon

Sir:

Makakalikasang Pagbati!



This pertains to your letter received by this office on May 17, 2021. Executive Order 192, series of 1997, mandates Department of Environment and Natural Resources as the primary agency responsible for the conservation, management, development, and proper use of the country's environment and natural resources.

Pursuant to Executive order No. 263, the CENRO is responsible in giving assistance to PO formation and for providing technical assistance and to ensure the sustainability and stability of the CBFM areas, thus DENR plays a major role in the management of CBFM.

The conduct of the scheduled election is an order coming from The Provincial Environment and Natural Resources Office (PENRO) based also on the Complete Staff Work (CSW) Reports made previously, that the only way to resolve the long standing conflict between the two contending POs (Merangeran Freefarmers Association and the other Merangeran Farmers Association led by Datu Victoriano Cuizon) under the CBFMA 55150 is the conduct of an election to unify all its members. It is also required to all existing CBFMA holders, pursuant to our existing laws, rules and regulations on the matter.

Our participation in assisting the conduct of such election by secret balloting, is part of our mandate in the management of CBFM to ensure its sustainability and stability. The People's Organization (PO) where you belong, was created for the formulation of CBFMA 55150. Thus, International Labor Organization has no bearing at all because your organization is NOT A LABOR UNION BUT A PEOPLE'S ORGANIZATION.

The issue on the parchment paper was already addressed by this office through a letter dated February 18, 2021 which was duly received by your end last February 19, 2021.

Please be reminded, that if no further notification which will be sent to you, the conduct of the annual election shall be pushed through this coming March 25, 2021 as previously notified. Further, the newly elected set of officers thereof shall be the legitimate set of officers under CBFMA 55150 to be acknowledge by this office.

Thank you!

Very truly yours,


VIRGILIO N. BATOCAIL
CENRO Officer

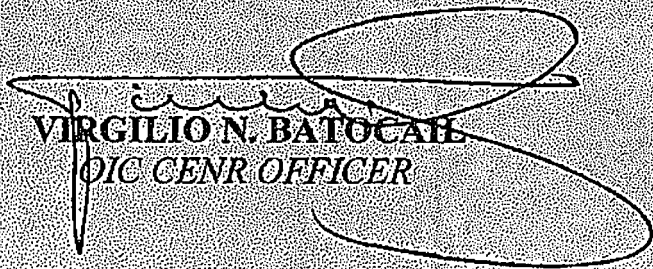
Received by:

FURTHERMORE, there had been two (2) Complete Staff Work (CSW) reports conducted and endorsed by this office dated September 11, 2019 and just recently dated February 3, 2021 both positively recommended the conduct of an annual election to unite the two groups. In addition, Letter notice was just recently sent and received by both groups for the conduct of a possible annual election facilitated by this office through secret balloting. Anent thereto the other group has submitted the list of the actual occupants under CBFMA 55150 duly certified by the Punong Barangay, there was an implied affirmation and no opposition whatsoever on their part on the possible conduct of the said election to unite the members thereof.

This office looks forward for your positive cooperation to the conduct of the possible annual election in line with existing laws, rules and regulations. To secure such conduct from any intimidation, coercion, repression or whatsoever we will invite representatives from the Barangay Officials, Municipal Officials and even to request live media coverage of your chosen local station. We will assure you that this office will have the conduct of such election in a peaceful and transparent manner as we will also invite personnel from the PNP and AFP and with documentation in its processes.

Lastly may I render this quote from Patrick Henry "United we stand, divided we fall. Let us not split into factions which must destroy that union upon which our existence hangs".

May God bless us all.


VIRGILIO N. BATOCAN
OIC CENR OFFICER

Copy Furnish:

- *Datu Victoriano Cuizon, Sr. (MERFASI President)*
- penrobukidnon@denr.gov.ph
- info@arta.gov.ph
- pcc@malacanang.gov.ph

Received by:

(Name, Signature and Date)



LETTER NOTICE

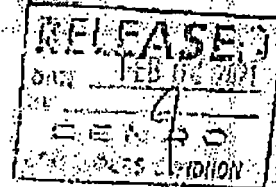
February 1, 2021

BENERANDO A. DIOQUINO
Merangeran Free Farmers Association
Merangeran, Quezon, Bukidnon

Sir,

Nakakaisang Pagbabati!

This letter pertains to the Community-Based Forest Management Agreement (CBFMA) No. 55150 of MERANGERAN FARMERS ASSOCIATION (MERFAS) situated in Merangeran, Quezon, Bukidnon. To resolve the long-standing issue between members of the CBFMA 55150, this office shall facilitate an initial election through secret balloting and shall verify the legitimate members who will participate to the election. DENR Executive Order No. 2004-29 mandates the following:



ARTICLE II
SCOPE, COVERAGE AND KEY PROGRAM PARTICIPANTS

Section 5. Qualifications of Participants

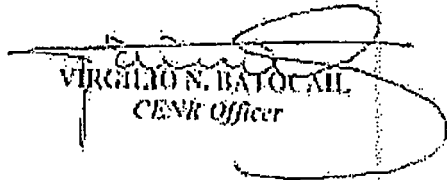
The principal participants in CBFMP shall be the local communities represented by their organizations, herein referred to as People's Organizations (POs).

In order to participate in the CBFMP, a PO must have the following qualifications:

1. Members shall be Filipino citizens;
2. Members may either be:
 - a) Actually tilling portions of the area to be awarded;
 - b) Traditionally utilizing the resource for all or substantial portion of their livelihood; or
 - c) Actually residing within or adjacent to, and dependent on, and actually developing portions of the areas to be awarded.

As such, you are hereby directed to submit the list of legitimate members of Merangeran Free Farmers Association, including the area they actually occupy or any interest therein, duly certified by the Punong Barangay.

For more information or clarification, you may call our Legal Assistant at these numbers: 09531732352 (Touch Mobile) and 0948605-0810 (Smart).


VIRGILIO N. BATOCALL
CENR Officer

Received by:

(Name, Signature and Date)



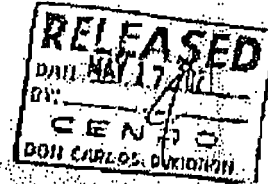
LETTER NOTICE

May 5, 2021

BENERANDO A. DIOQUINO
 Merangersa Free Farmers Association
 Merangersa, Quezon, Bukidnon

Sir:

Makakalikasang Pagbail



This letter pertains to the letter dated May 7, 2021 we sent, for the conduct of annual election this coming May 25, 2021. Please be informed that based on DENR Executive Order No. 2004-20 Section 5 (qualifications of participants) mandates the following:

The principal participants in CBFMP shall be the local communities represented by their organizations, herein referred to as People's Organizations (POs).

In order to participate in the CBFMP, a PO must have the following qualifications:

1. Members shall be Filipino citizens;
2. Members may either be:
 - a) Actually tilling portions of the area to be awarded;
 - b) Traditionally utilizing the resource for all or substantial portion of their livelihood; or
 - c) Actually residing within or adjacent to, and dependant on and actually developing portions of the areas to be awarded.

IN VIEW THEREOF, please inform your constituents to secure from your Punong Barangay a certification that you are a bonafide actual possessor of an area under CBFMA 55151 pursuant to the above qualifications including the respective area of occupation in hectares. The said certification together with your proof of personal identification such as Valid ID or Community Tax Certificate (Cedula) shall be brought on the day of election which shall serve as your proof in order to participate on the said annual election.

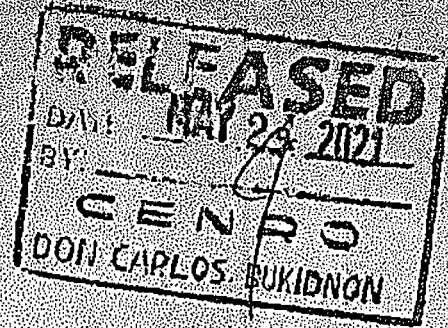

VIRGILIO N. BATOCADE
 CENR Officer

*Rec'd at
 5/19/21
 8:09 AM*

LETTER NOTICE

May 24, 2021

BENERANDO A. DIOQUINO
Merangeran FreeFarmers Association
Merangeran, Quezon, Bukidnon



Sir:
Makakalikasang Pagbati!

We acknowledge the letter from Merangeran FreeFarmers Association (MERFAST) Inc. however, we fortunately inform you that the conduct of election set for tomorrow as scheduled will be materialized. Rest assured that IATF health protocols will be strictly imposed. Moreso, the conduct of which had already been approved by the Local Chief Executive.

We look forward for the participation of every members of the people's organization under CBFMA NO. 55150, for this election is vital for your CBFMA Assessment and a condition precedent for your CRMF Formulation. The process is that there will be a submission of Certificate of Candidacy for the position of Nine (9) Board of Trustees. Candidates for Board of Trustees must be a qualified member of the P.O of good standing and with no criminal records, to be submitted One (1) hour before the election time or at exactly 12:00 noon for screening of qualifications. The qualified candidates for Board of Trustee shall be given 3 minutes to campaign for themselves. The qualified electorates shall choose the Nine (9) Board of Trustees from among themselves and the elected Board of Trustees will convene to choose/elect President and Vice-President. The position of the Secretary, Treasurer and Auditor are then to be appointed by the Board of Trustees.

We also repeat that the winner of the incoming election by secret balloting shall be acknowledged by this office as the legitimate officers under CBFMA 55150.

Kindly remind all your members for tomorrow to wear face masks and faceshields, and to practice social distancing. Thank you!


VIRGILIO N. BATOCAIL
CENR Officer

Received by:



BATOCAIL, Virgilio N.
Re: Complaint
X-----/

April 21, 2021

Director General JEREMIAH B. BELGICA, REB, EnP
Anti-Red Tape Authority
4th & 5th Floor, NFA Building, NFA Compound
Visayas Avenue, Brgy. Vasra, Diliman, 1128 Quezon City

Dear Director General Belgica:

We are forwarding the complaint dated April 19, 2021 of the Mesangeran Freefarmers Association (MERFASI), Inc., represented by its Chairman Benerando A. Dloquino, with principal office address at Purok 8, Merangeran, Quezon, Bukidnon against Virgilio N. Batocail, CENRO, B-320, Poblacion, Don Carlos, Bukidnon, for alleged violation of Republic Act No. 9485 (Anti Red Tape Act). The complainant alleged in part, as follows:

xxx

1. That the Corporation applied for the correction of the name of the corporation which should appear in the Parchment Document, which document serves as sort of a title over the land which was given to the Association under the Community Based Forest Management Agreement (CBFMA) involving land which land is located at Purok 8, Merangeran, Quezon, Bukidnon;

xxx

3. That the application to make correction of the name from MERANGERAN FARMERS ASSOCIATION INC., to MERANGERAN FREEFARMERS ASSOCIATION INC., was approved by the DENR by DEMETRIO L. IGNACIO JR., (xxx), and the processing of the said correction should emanate from the local DENR and was assigned to VIRGILIO N. BATOCAIL;

4. That the correction process started on February 17, 2016, but until now, (after six (6) years), the correction has not been done because the matter was referred to the Barangay and LGU and said VIRGILIO N. BATOCAIL imposed new requirements which is already unnecessary because what was needed is only the correction of the name, plainly adding the word FREE before the word FARMERS, making it FREEFARMERS. All the requirements were already complied with and that is the reason why this application for the Parchment document was already APPROVED. Xxx.

Bawat Kawani, Lingkod Bayani

If a prima facie case is established after investigation, the Authority shall issue a Final Complaint, directing the filing of the appropriate case/s against the person/s complained of with the Office of the President (OP), CSC, the Ombudsman and other appropriate courts, as the case may be.

xxx

(emphasis supplied)

On the other hand, Section 2, Rule XI of the same Joint Memorandum Circular, provides:

"Rule XI. Anti-Red Tape Unit, Authority and Council

Section 1. CSC Anti-Red Tape Unit

The CSC shall maintain an anti-red tape unit, not lower than a division, in its central and regional offices, which shall have the following functions:

- a.) Serve as the focal office for service delivery initiatives in the civil service;

xxx

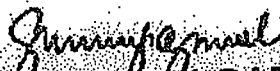
Section 2. Complaints before the CSC Anti-Red Tape Unit

The CSC shall receive, review, hear, and decide on complaints on erring government employees and officials and non-compliance with the provisions of the Act and subject to the existing civil service laws, rules and regulations.

Based on the afore-cited rule, the CSC Regional Offices shall establish its Anti-Red Tape Unit which shall cater to complaints such as this instant case. It must be noted, however, that to date, the CSC Regional Offices, this regional office included, is still in the process of setting-up its own Anti-Red Tape Unit with the publication of the vacant positions to man the said unit.

In view thereof, this Office respectfully refers the instant complaint. Herewith is the letter-complaint (including all attachments) of the Merangeran Freefarmers Association (MERFASI), Inc., for resolution.

Very truly yours,



Saqueton Grace Belgado

GRACE R. BELGADO-SAQUETON, CPA

Director IV

Copy furnished
BENEFANDO A. DIBDINGO
MERANGERAN FREEFARMERS ASSOCIATION, INC.
Pardal B. (Kawit) (CSC)
Cebu City, Cebu

Enclosure (1) - stated



Office of the President
of the Philippines
Malacañang

LBE-2021-60

27 May 2021

MR. LEONARDO Q. MONTEMAYOR

Chairperson

Federation of Free Farmers

Quezon City

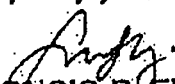
Dear Chairperson Montemayor:

This is to acknowledge our receipt last 25 May 2021 of your letter-complaint against several environment and natural resources officers assigned in Bukidnon for alleged violations of Republic Act No. 9485.

Please be informed that pursuant to our mandates under Executive Order No. 129 series of 2021, we are recommending the investigation of the complaint to the Anti-Red Tape Authority and the Department of Environment and Natural Resources.

Thank you!

Very truly yours,


LEONCIO B. EVASCO, JR.
Secretary



Republic of the Philippines
 Provincial Environment and Natural Resources Office - Bukidnon
 San Vicente St., Higay, 9, Malaybalay City, Bukidnon
 Email add: penrbukidnon@deped.gov.ph Telephone No. (084) 811-2103

MEMORANDUM

TO : The CENRO Officer
 Don Carlos, Bukidnon

ATTN: The CBFM Coordinator

FROM : The OIC, PENR Officer
 PENRO B300, Malaybalay City

OF THE MONTH
RELEASED
 DATE: 6-20-2021
 TIME: 1:10 PM
 BY: [Signature]
 MALAYBALAY CITY

RECEIVED
 BY: [Signature]
 DATE: 6-20-2021

DATE: APRIL 16, 2021

SUBJECT: COMPLETE STAFF WORK REPORT OF THE ACTION TAKEN
 RE: THE ISSUES OF BOTH PEOPLES ORGANIZATION
 CLAIMING TO BE LEGITIMATE TO UNDER CBFMA NO. 55150
 "AMERLANGUAN, QUEZON, BUKIDNON"

(This pertains to the submitted Complete Staff Work (CSW) Report of the action taken by your
 Office relative to the issues on the two (2) P.O.s claiming as legitimate holder of CBFMA No.
 55150.

Relative thereto, you are instructed to review the constitution and by laws of the P.O. and
 implement Item VI, last paragraph of comment and recommendation of CSW re: conduct of an
 annual election to be facilitated by the CENRO Office.

For information and compliance.

V. J. DELA ROSA
 OIC, PENR Officer



February 19, 2021

BENBRANDO A. HIGUITINO
Merangeran Freefarmers Association
Merangeran, Quezon, Bukidnon

Sir:
Makakalikasang Pagbatil



This pertains to your letter received by this Office on February 16, 2021. The antecedent of this issue is the fact that there are two (2) People's Organization claiming to be the legitimate PO namely: Merangeran Freefarmers Association (MERFAS) led by you) and the other Merangeran Farmers Association (MERFAS) led by Datu Victoriano Guizon, Sr.) under CBFM 55150 of MERANGERAN FARMERS ASSOCIATION (MERFAS), composed of 164.57 hectares, situated at Merangeran, Quezon, Bukidnon.

On the first issue that you alleged, that this office is violating the law of the Philippine Constitution Article XIII Section 15 and 16 for allegedly we have no right to conduct annual elections just for the purpose of the said conflict?

This office vehemently disagrees with your allegation. May I reiterate to you the letter notice we sent that the conduct of the annual election is stated in your articles of incorporation and by-laws and that our participation is in no way an INTERFERENCE, COERCION, OR REPRESSION in your organization and that our engagement to facilitate such annual election is our means of resolving this long standing conflict between the two (2) POs. DENR being the lead agency in the management of the Community-Based Forest Management Program it is our task to resolve any conflict which would arise within our jurisdiction, it is also clearly stated in the letter notice we sent that it shall be by way of secret balloting to ensure a total transparency and as a means of protection against any coercion or repression on the part of the actual members. May I also reiterate that two letters were sent to your PO, as well as, to the other contending PO to submit a certification from the Punong Barangay of the actual occupants of the said CBFM, This action of this office is to ensure that all rights of the actual members of the CBFMA shall be ascertained and protected. This certification from the Punong Barangay of the actual occupants of the area was never submitted by your PO but nevertheless voluntarily submitted by the other PO wherein the said Certification from the Punong Barangay states that under that PO there are 52 members occupying a substantial area of 98.17 hectares out of the total 164.57 hectares of the whole CBFM. This denial of yours to submit the said document in this office is a clear manifestation that you do not regard any importance to the actions of this office to resolve the long standing issue covering the 2 POs of CBFMA 55150.

Secondly, your letter asked if what is the real issues we want to be resolved? Since your only concern was the CORRECTION of your name and implementation of the corrected PARCHMENT PAPER DOCUMENT. It should be emphasized, that this correction of name

was put in issue in your PO Resolution No. 06, Series of 2014 entitled: Requesting the Correction of the name of Merangeran Freefarmers Association, INC. (MERFASI) which is incorrectly indicated as Merangeran Farmers Association, Inc. In the CBFMA with the DENR.

That the correction and implementation of the corrected PARCHMENT PAPER DOCUMENT issue is no longer feasible for quite a few reasons to wit:

- a. On April 20, 2016, a letter/resolution of "opposition/objection" addressed to the office of the DENR Secretary in relation to the granting of clearance to change the name of P.O. MERFASI was submitted by Datu Victoriano Culzon, Sr. also known as "Datu Igbayayo", which was duly recognized by the office of the DENR Secretary. Since then the issue for the correction of the said parchment paper is already in question and put on hold, and that this office already recognized that there are two (2) POs contending to be the legitimate PO under CBFMA 55150.
- b. Report on ADR Proceedings, would show that voluntarily your PO agreed to settle the matter in an Administrative Dispute Resolution with the other P.O. based on the said report: two (2) ADR Sessions were conducted on June 6, 2019 and August 7, 2019. Unfortunately, there was unsuccessful settlement between your PO and the other, your voluntary submission to settle the issue amicably is an indication in your part of the existence of the other PO and their cause.
- c. Letter dated June 26, 2019 from Thirteenth (13th) Sangguniang Bayan of the Municipality of Quezon addressed to HON. GREGORIO LLOREN GUE copy is furnished to this office. To quote a portion of the letter: "after having thoroughly reviewed the matter, reached the collective decision to forego the signing of the subject Parchment Paper submitted by the second group also MERFASI with President, Mr. Bernardo A. Dioquino. Hence the completion of the parchment paper is no longer feasible by the act of the 13th Sangguniang Bayan in foregoing the signing thereof. In addition, DAO No. 2003-11 (May 10, 2003) was issued repealing DAO No. 99-29 which amends certain provisions related to the processing and approval of Community-Based Management Agreement (CBFMA) which states that: "As such, all applications for CBFMA shall be endorsed individually or jointly by the concerned Legislative Councils of the Barangay, Municipal and Provincial Local Government Units (LGUs) depending on their jurisdiction and coverage". Assuming arguendo that yes, you are no longer applying for CBFMA because it was already issued, nonetheless DAO No. 2003-11 also applies for the completion of the said parchment paper.

IN VIEW OF THE ABOVE, to answer your question of what is the real issue we want to resolve, it is clear from the foregoing that the correction of name and implementation of the correction of the parchment paper is no longer feasible and that this office's only concern is to unite the members of the 2 POs under CBFMA



FEDERATION OF FREE FARMERS

30-F, 6th Ave, Brgy. Socorro, Cubao, 1109 Quezon City, Philippines
Office No.: (+632) 8-647-1451 | Email: freefarm@freefarm.org | Website: www.freefarm.org

25 May 2021

Secretary Roy A. Cimatu
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City

Dear Secretary Cimatu:

In line with President Duterte's call to action against government red tape and corruption, we earnestly call on you to go after key DENR officials in Bukidnon who are making a mockery of the President's campaign and oppressing our long suffering farmer-members. In particular, the following should be investigated:

1. Vergilino Alima, Provincial Environment and Natural Resources Officer (PENRO), who holds office in Malaybalay City;
2. Virgilio Batocail, Community Environment and Natural Resources Officer (CENRO) in Don Carlos (with coverage of Quezon municipality); and
3. Felicisimo Escuadro, Jr., former CENRO in Don Carlos, now posted to Valencia City.

Last December 28, 2015, following a lengthy process, the DENR Central Office through Undersecretary Demetrio L. Ignacio, Jr. ordered the correction of the name of the organization awarded Community Based Forest Management Agreement (CBFMA) No. 55150 dated June 23, 2009 from "Merangeran Farmers Association, Inc." to "Merangeran FreeFarmers Association, Inc." (MERFASI) with official address at Purok 8, Merangeran, Quezon, Bukidnon.

For your information, the MERFASI was registered in 1991 with the Securities and Exchange Commission's office in Davao City, and re-registered in 2012 at SEC Cagayan de Oo. MERFASI and its farmer-members have been affiliated for the last 30-40 years with the Federation of Free Farmers (FFF), which is registered as a labor organization with the Department of Labor and Employment (DOLE) and is registered separately with the Securities and Exchange Commission (SEC).

The above-mentioned correction in the CBFMA parchment document was - and remains - important because it would resolve any remaining issues about the DENR's lease award of 164.57 hectares, which FFF/MERFASI members have been occupying since the early 1980s. Said area is part of a 200-hectare portion of the former Bueno ranch in Merangeran, which in 1984 President Marcos approved "for the settlement of settlers" under the FFF. (Attached is a scanned copy of the map of the Bueno ranch, with President Marcos' signed marginal note.)

Unfortunately, what should have been a simple, ministerial correction has not materialized. Instead, Messrs. Alima, Batocail and Escuadro have subjected MERFASI members to

protracted, abusive and frustrating runaround. Their actions also clearly violate the Anti-Red Tape Act of 2007. (Please see attached MERFASI recent complaint with the Anti-Red Tape Authority.)

The unconscionable delay in correcting the afore-cited CBFMA parchment document has likewise gravely prejudiced the socio-economic interests, peace of mind and general wellbeing of MERFASI-FFF and its farmer-members. For instance, a few years ago, they already advanced some P70,000 in planting materials, labor and other expenses under the NGP, only to be told that their application could not be processed pending the CBFMA correction. For the same reason, MERFASI could not secure assistance from the Department of Agriculture, development loans from banks, and DENR permits to harvest falcata and other trees grown by members or to cut down senile trees).

Moreover, the various follow-up activities undertaken by MERFASI over the past 15 years, both to get the CBFMA and then to work for its correction, have entailed expenses (excluding lost income of officers) of around P400,000.

The latest shocks administered to our MERFASI-FFF and its members were CENRO Batocail's series of orders dated February 4, February 18, May 5, May 7 (based on PENRO Alima's April 16 memo), May 19 and May 24 for MERFASI to hold a special election with alleged members of a breakaway faction, by secret ballot and with voters to be pre-qualified by the CENRO! (Please refer to attachments.)

It turned out that some inactive MERFASI members (mostly likely abetted by outside forces and interests) had used the delay in the CBFMA correction to have their rogue group, called "Merangeran Farmers Association, Inc." and using the same office address of MERFASI-FFF, registered last October 12, 2020 with the SEC Cagayan de Oro Office. (In this regard, the SEC's decision on MERFASI-FFF's protest against the rogue group's registration is expected soon.) Claiming to be the legal holder of MERFASI-FFF's CBFMA No. 55150, this brand new group tellingly approved on October 5, 2020 the lease of the CBFMA area to Del Monte Philippines for pineapple plantation. (Attachment supplied.)

Aside from their directives, CENRO Batocail and PENRO Alima have been personally warning MERFASI-FFF officers that failure to participate in the DENR-administered joint election for both groups would expose MERFASI and members to possible decertification of its CBFMA or exclusion from CBFMA coverage/privileges. They have dismissed MERFASI's repeated insistence that the local DENR's actions were infringing on the right to freedom of association and non-interference in the internal affairs of MERFASI-FFF -- a farmers/rural workers/labor organization -- under the Labor Code of the Philippines and duly ratified global agreements, such as International Labor Organization Convention Nos. 87 (freedom of association and protection of the right to organize), 96 (right to organize and collective bargaining), and 141 (rural workers' organizations).

These DENR officials further disregarded MERFASI's latest annual election in October 2020, held in accordance with its By-Laws as a SEC-registered people's or farmers' organization.

In contrast, it is a testimony to the developmental mindset and law abiding character of MERFASI-FFF and its members that they have managed - largely on their own - to comply with CBFMA requirements by developing most of their awarded 164.57 hectares with various

trees and food crops, In addition, they have established a two-hectare community center with residential homes, a communal farm, a chapel, a training center and a recreational area.


All this -- despite the gross negligence, dereliction of duty and abuse of authority committed by Messrs. Alima, Batocail and others. Regrettably, DENR-10 Regional Director Arleigh J. Adorable has failed to exercise decisive leadership on this entire issue.

It is the fact-based judgment of both MERFASI and its mother organization FFF that PENRO Alima, CENRO Batocail and their colleagues have been scheming and prevaricating these past several years in order to facilitate the illegal conversion of MERFASI's area to plantation crops like pineapple, in concert with agri-business and political interests in the province.

Considering the gravity of the above offenses of Messrs. Alima, Batocail and Escudro, we ask the good Secretary to cause their immediate investigation, and pending the outcome of such inquiry, suspend them from holding office.

Thank you and regards.

Very truly yours,



LEONARDO Q. MONTEMAYOR
Chairman of the Board

cc: Secretary Jeremiah B. Belgica
Director-General, Anti-Red Tape Authority

Secretary Silvestre H. Bello-III
Department of Labor and Employment

Secretary Leoncio B. Evasco, Jr.
Presidential Assistant on Streamlining of Government Processes

Chairman Benerando A. Dioquino
Merangeran FreeFarmers Association, Inc. (MERFASI)
Purok 8, Merangeran, Quezon, Bukidnon



Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
R-320, Don Carlos, Bukidnon
Tel. No. 088-216-2632; Fax No. 088-216-2697

RELEASED
Date: 6/18/2015
By: _____
CENRO Don Carlos
Bukidnon

CERTIFICATION

TO WHOM IT MAY CONCERN:

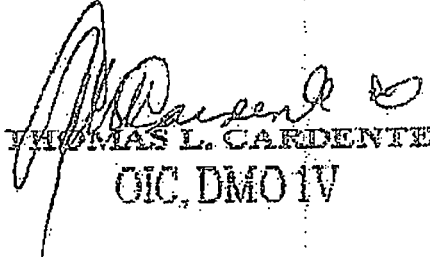
THIS IS TO CERTIFY that Merangiran Farmers Association (MERFASI) is the same Peoples Organization referred as Merangiran Free Farmers Association (MERFASI) and so with the members of the association.

This is to certify further that the pertinent papers/documents for CBFMA application forwarded to central office was bearing in the name of Merangiran Free Farmers Association (MERFASI). Upon the approval of their CBFMA application it was changed to Merangiran Farmers Association due to clerical error.

Certification issued upon the request of Ma. Teresa T. Avila, secretary for whatever purposes it may serve her best.

Done this 17th day of June 2015 at CENRO Don Carlos, Bukidnon Philippines.

FOR THE CENR OFFICER:


THOMAS L. CARDENTE II
OIC, DMO IV

