



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



May 20, 2024

MEMORANDUM

TO : THE REGIONAL EXECUTIVE DIRECTORS
Region I
Region IV-A
Region IV-B
Region VIII

THE DIRECTOR
Land Management Bureau

THE DIRECTOR
Forest Management Bureau

THE DIRECTOR
Legal Administrative Service

FROM : THE UNDERSECRETARY
Field Operations – Luzon, Visayas, and Environment

SUBJECT : DIALOGUE ON SEVERAL LAND ISSUES IN REGIONS I, IV-A, IV-B, AND REGION VIII-EASTERN SAMAR PER REQUEST OF KATARUNGAN (*Kilusan para sa Repormang Agraryo at Katarungang Panlipunan*)

In line with the attached letter request of the non-governmental organization, KATARUNGAN, received by this Office on May 20, 2024, you are hereby instructed to attend the dialogue arranged by SMCRD technical representatives on June 4 and 5, 2024 at 9:00 AM at the DENR Social Hall, Quezon City.

The dialogue requested by KATARUNGAN seeks to tackle land issues in Regions I, IV-A, IV-B, and Region VIII-Eastern Samar. Please refer to the attached issues sent by the group dated May 4 and May 7, 2024, which SMCRD has clustered those issues on said dialogue dates.

For your compliance.


ATTY. JUAN MIGUEL T. CUNA, CESO I

Encls: As stated

*cc: Ernestina Jose
Stakeholders Management and Conflict Resolution Division*

MEMO NO. 2024 - 478

Let's Go Green!



Kilusan Para sa Repormang Agraryo at Katarungang Panlipunan

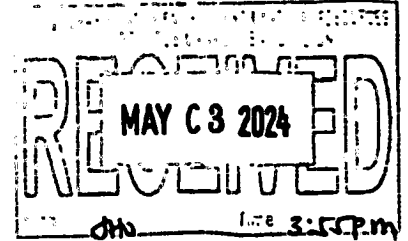
19 Saulo Compound, Gloria II, Tandang Sora, Quezon City

May 4, 2024

MA. ANTONIA "TONI" YULO-LOYZAGA

Secretary

Department of Environment and Natural Resources (DENR)
Elliptical Road, Diliman, Quezon City



Dear *Secretary Yulo-Loyzaga*,

Warmest greetings!

I am writing to humbly request a dialogue with your good office to resolve issues and cases involving public lands in the provinces of **Quezon, Occidental Mindoro, Cavite, and Pangasinan**. The dialogue is proposed to be held on **May 23, 2024, at 9:00 AM**.

The *Kilusan para sa Repormang Agraryo at Katarungang Panlipunan (KATARUNGAN)* has been initiating dialogues with your good office to resolve many of the issues of farmers in public lands through positive interaction with the government.

The following issues will be presented:

1. The need to finalize the farmers' application for the Community-Based Forest Management Program (CBFMP) at **Brgy. Tala and Camflora, San Andres, Quezon**, especially because of the continuing harassment and criminalization of farmers in the area. Up to this time, despite the formal award of CBFMP, farmers do not have the complete CBFMP documents, especially the ones whose lands are targeted by a claimant;
2. Farmers occupying alienable and disposable public land at **Brgy. San Juan, San Narciso, Quezon**, and their continuing criminalization as a consequence of trumped-up criminal charges against actual occupants. A certain former Vice Mayor of **Mulanay** is said to be fronting for an influential land banker who is buying the land from the claimant;



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3. The need to refile the reversion proceedings for the land titled to the **Aquino family**. The title holder is once again active in the area and is reclaiming the land. The CBFMP of farmers will expire in 2025, and this can signal a more aggressive effort of claimants to retake control of the land;
4. Farmers occupying an area located at **Brgy. Lakdayan, San Narciso, Quezon** where they believe the land to be public but with claimant. The farmers are resisting the effort of the claimant to clear the land of coconut trees and the farmers. A conflict is brewing between the farmers and the claimant;
5. A claimant is persistent on a claim of ownership to a piece of land located at **Brgy. San Roque, San Manuel, Pangasinan** that the City Environment & Natural Resources Office (CENRO) asserts does not have a title. Those who are resisting the claim have suffered various forms of threats;
6. Indigenous peoples (IPs) belonging to the Tagbanuas have been demanding that the government recognize their right to their ancestral domain in the **Busuanga Pasture Reserve (BPR)**, but their demand has been ignored. In the meantime, portions of the land are allegedly being distributed by the Department of Agrarian Reform (DAR) under Executive Order No. 75 to farmers who are mainly migrants, some of whom already got their lands in other provinces through CARP;
7. Long-time occupants at **Sitio Pambuhan, Brgy. San Vicente, Abra de Ilog, Occidental Mindoro** are being evicted through criminal cases. They have also been prohibited from cultivating in the area to give way to proposed local government unit (LGU) projects in a land where the application of the LGU for a special patent is said to be still in process. A previous dialogue resulted in the commitment of the previous CENRO to process the title of actual occupants. Instead, however, Mangyans who were relocated to the area were given titles to home lots measuring 10x10 meters;
8. Farmers in an expired pasture lease at **Sitio Cambaog, Brgy. Sto. Nino, Rizal, Occidental Mindoro** are requesting that the land be covered under the CBFMP;
9. Farmers in an expired pasture lease at **Brgy. Pitogo, Rizal, Occidental Mindoro** are requesting that the land be covered under the CBFMP;
10. In March 2022, the claimant fenced the river with barbed wire to prohibit the farmers from going in and out of an occupied land. In response, the CENRO of **Mamburao, Occidental Mindoro** sent a letter to the claimant to remove the fence because the said act violated various laws. Farmers are requesting appropriate tenure security on the land. They also want that case to be pursued against the claimant based on the letter of the CENRO;
11. A public forest occupied by farmers and residents that overlaps with the Certificate of Ancestral Domain Title (CADT) and penal colony, located at **Sitio Culasisi, Brgy. Batongbuhay, Sablayan, Occidental Mindoro**. Delineate the area



occupied by farmers to determine whether said occupied lands overlap with CADT and penal colony. Declare the said area as a settlement area for farmers occupying the land.

Many of the issues are **urgent** because some of the farmers are seriously being threatened with eviction through harassment which includes the criminalization of their farming activities. Criminal cases often lead to the imprisonment of farmers.

Copies of this letter are provided to: 1) **Department of Justice (DOJ) Office of the Secretary** in the hope of calling its attention to the unjust prosecution of farmers who simply want to peacefully cultivate the lands they till but are targeted by harassment cases to evict them from the land; 2) the **Office of Honorable Senator Risa Hontiveros** for her continuing show of serious concern to the plight of small farmers and the implementation of the agrarian reform in the country; and, 3) **Atty. Christian Monsod, pro bono Senior Legal Counsel of KATARUNGAN.**

I am hoping for your favorable response to this request for dialogue, and we hope that **concerned officials of your agency will be able to attend this dialogue** to decisively address the issues of affected communities.

Please find attached a summary of the issues proposed to be tackled in the said dialogue.

Sincerely yours,



DANILO T. CARRANZA
Secretary-General
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cc: **HON. RISA HONTIVEROS**
Senator
Senate of the Philippines

HON. JESUS CRISPIN REMULLA
Secretary
Department of Justice

ATTY. CHRISTIAN MONSOD
Senior Legal Counsel
KATARUNGAN



SUMMARY OF PUBLIC LAND ISSUES

Location and Affected Farmers	Issues	Demands
A. Bondoc Peninsula, Quezon (Region IV-A)		
<p>1. Brgy. Tala and Camflora, San Andres, Quezon</p> <p>250 hectares 120 farmers</p>	<p>Two farmers were jailed recently on charges of grave threats by the claimant who was emboldened to claim land based on a Free Patent issued to him by the previous CENRO even if the land is timberland. In December 2022, a couple were also jailed on charges of qualified theft.</p> <p>In April 2024, two farmers, namely, Nelson Fuentes and Vicente Dilao, were arrested and jailed on grave threats. Dilao is still in prison as he has no money to pay for the bail amounting to P 20,000.00.</p> <p>A woman leader, Lisa Tulid, was murdered in 2013 due to the same land issue.</p> <p>While the CBFMP was already signed on July 25, 2023, the names of farmer-grantees have yet to be made.</p> <p>Farmers who are targeted by land grabbing and harassment are claiming they are not included in the contract when they were the ones consistently following up on the CBFMP application.</p> <p>A Free Patent issued by a previous CENRO to the claimant covers timberland. It emboldens the claimant to expand his private claim of the timberland.</p>	<p>Provide an official copy of the CBFMP contract with all the attached documents such as maps and a list of farmers.</p> <p>Give an official explanation of why a Free Patent was issued to the claimant in a timberland area.</p> <p>Already been subjected to so many dialogues since 2005.</p>
<p>2. Brgy. San Juan, San Narciso, Quezon</p> <p>40 hectares of A&D land with the claimant</p>	<p>Ronnie and Marivic Banquiles, a farming couple, were arrested for the qualified theft of coconuts for allegedly harvesting coconuts without the property owner's consent.</p> <p>11 other farmers are facing the same charge from a claimant whose rights are seriously questionable based on CENRO certification, a decision of the Department of Agrarian Reform Adjudication Board (DARAB), and the Court of Appeals (CA).</p>	<p>Process the titles in favor of long-time actual farmer-occupants.</p>

	<p>Criminalization continues. Carlos Banquiles was arrested and jailed in March 2024 on the same charge of qualified theft. He was freed upon posting P 15,000.00 bail. The DENR's lack of action may have contributed to this situation of farmers' criminalization.</p> <p>The remaining un-arrested farmers are afraid their warrants will be issued anytime soon.</p>	
<p>3. Brgy. Cambuga, Mulanay, Quezon</p> <p>201 hectares and 30 farmers</p>	<p>No news yet as to the commitment of the refiling of reversion proceedings. The CBFMP is expiring in 2025. The claimant with title subjected to reversion proceedings is active again in asserting private ownership of the area.</p>	<p>Give status on the refiling of the reversion proceedings based on the commitment in previous dialogues that DENR will coordinate with the Office of the Solicitor General (OSG).</p>
<p>4. Public land with claimant but believed to be classified forest.</p> <p>175 hectares 75 families</p>	<p>The claimant wants to initiate coconut cutting in the area. This threatens the livelihood of farmers who refused the coconut tree cutting because it lacked a permit and many of the trees were planted by the farmers.</p> <p>The farmers claimed that a CENRO person already come to the area more than a decade ago and told them the area was timberland.</p>	<p>Farmers want to be covered under CBFMP.</p>
B. Pangasinan (Region I)		
<p>5. Brgy. San Roque, San Manuel, Pangasinan</p>	<p>Several certifications issued by the CENRO that the land is not private and untitled have not resulted in the processing of title in favor of long-term occupants. Attempts of a claimant to get the land continue.</p> <p>Already subjected to several national and local dialogues.</p>	<p>Process title for long-term occupants.</p>
C. Coron-Busuanga, Palawan (Region IV-B)		
<p>6. NPBTACBU</p>	<p>The indigenous people Tagbanua claim they were original claimants and occupants of the</p>	<p>Convene an inter-agency</p>



<p>Busuanga Pasture Reserve (BPR)</p>	<p>land before they were evicted when the land was used as a pasture and livestock breeding area during the Marcos Regime in the 70s'. Many of them were relocated to the periphery of the pasture reserve, but they were also driven out by private claimants.</p> <p>The IPs want the area to be reverted to the original IP occupants. They also complained that so many migrants have been occupying the area and corporations are also being given concessions, and this is undermining their right to their ancestral land.</p>	<p>meeting between DENR and the National Commission on Indigenous Peoples (NCIP) to settle the claim and ensure that IP rights will be respected.</p>
<p>D. Occidental Mindoro (Region IV-B)</p>		
<p>7. Public alienable and disposable lands</p> <p>Sitio Pambuhan, Brgy. San Vicente, Abra de Ilog, Occidental Mindoro</p> <p>80.4 hectares</p> <p>60 farmers (previously) – now 10 families</p>	<p>Long-time occupants were or are being evicted through criminal cases. They have also been prohibited from cultivating in the area to give way to a proposed LGU project.</p> <p>The land is public alienable and disposable, and the CENRO already promised to distribute the land back in 2014; the promised processing of title for actual occupants never happened.</p> <p>Abra de Ilog LGU applied for a Special Patent over portions of Lot 744 situated at Sitio Pambuhan, Brgy. San Vicente. The DENR said only unoccupied areas can be allocated to the LGU. The said application is still in process (Certification by CENRO dated June 20, 2018).</p> <p>However, the promised processing of the title never happened.</p> <p>In the meantime, many of the occupants have been driven away while a portion of the area has been awarded by the DENR to Mangyan IP who were relocated to the area by the LGU.</p>	<p>Investigate why IPs who were not from the area were granted Free Patents for their home lots.</p> <p>Investigate why farmers who are actual and long-time occupants are not prioritized in the Free Patent grant by the DENR.</p> <p>Pursue the commitment to survey and distribute the land to the actual occupants based on the dialogue with then DENR Regional Director Natividad Bernardino.</p>
<p>8. Expired Pasture Lease of Ate Pilar Corporation/Paja Estate Corp.</p>	<p>Farmers started to enter the area after claiming that the land had been abandoned for 40 years more or less. They also said that the area is covered by an expired pasture lease agreement by the Paja family on May 16, 2019, claiming the area was abandoned for 40 years.</p>	<p>Farmers are hoping that the DENR will include them in the CBFMP program so they can use the area</p>

<p>More than 200 hectares</p> <p>Around 120 farmers cultivate a portion of the area.</p> <p>Sitio Cambaog, Sto. Nino, Rizal, Occidental Mindoro</p>	<p>According to the farmers, the land is untitled and is classified as forest. The farmers already approached the DAR who could not give them any advice. The DENR, on the other hand, told them to continue planting forest trees because it is a requirement for them to be covered under the DENR program.</p> <p>In 2020, claimant Paja filed a complaint at the barangay LGU against the entry of farmers. The claimant, however, failed to show any document to prove ownership of the land.</p> <p>In 2023, the farmers wrote the claimant for a dialogue in the barangay. The claimant attended but claimed he was selling the land for P 40,000 per hectare.</p>	<p>continuously as an agro-forestry area.</p>
<p>9. Public land / previous pasture area of Pablo</p> <p>474 hectares</p> <p>Brgy. Pitogo, Rizal, Occidental Mindoro</p>	<p>The pasture lease of the Pablo family expired in 2013. With the expiration, the land became almost idle and abandoned.</p> <p>In April 2021, landless farmers occupied a portion of the land, settling in the area and planting various crops since their occupation.</p> <p>The pasture grantee charged the farmer-occupants with forcible entry twice. The cases, however, were dismissed because the complainant failed to prove that the land was theirs.</p> <p>Many of the occupants need land because the area where they reside is prone to flooding.</p> <p>Another parcel was identified as Lot No. 2175 is mainly planted to rice with tenants. 10 cavans per hectare are being paid by farmers every harvest.</p> <p>In 2021, some of the farmers were ejected. During a dialogue in the local DAR Office, the claimant failed to show title to the land.</p> <p>However, an agreement was said to have been forged between the claimant and the</p>	<p>Farmers are demanding for their coverage under CBFMP.</p>



	<p>farmers where it was supposed to have been agreed that the farmers would give shares to the claimant.</p> <p>According to the farmers, the land is untitled per a certification issued by DENR. The farmers also claimed that the land was part of the public land.</p> <p>As to the cases being filed against them, the farmers claimed that they have spent close to P 500,000.00 for litigation expenses, including lawyers' fees.</p>	
<p>10. Public lands/illegal logging</p>	<p>Prior to the year 2020, native trees can still be found in the area. Narra, ananapla, amuguis, mulawin, taloto, and gmelina are still found in the area. These trees slowly disappeared due to illegal logging.</p> <p>Landless farmers started to occupy the area and planted various crops as well as forest trees. The occupants knew the land had no registered owner and that it was classified as timberland.</p> <p>A certain Ederlinda Rendon, however, is asserting ownership of the land. The farmers alleged that the said claimant already sold the portion of the area bounded by the river to a certain Julius Tomas for P 400,000.00, while another nearby 5-hectare area was also said to have been sold for 40,000.00 to the same buyer.</p> <p>In March 2022, the claimant fenced the river with barbed wire to prohibit the farmers from going in and out of the occupied land. In response, the CENRO of Mamburao sent a letter to the claimant to remove the fence because the said act violated various laws.</p>	<p>Issue an appropriate tenure instrument to the occupants.</p> <p>Pursue case/s against the claimant due to various violations of the law as cited by the CENRO.</p>
<p>11. Public forest occupied by farmers and residents that overlaps with CADT and penal colony</p>	<p>The farmers claimed that the area was previously known as Lontoc Pasture Area. Members of the organization started to occupy the land in the year 2000 because it was unoccupied, idle, and abandoned; many of the members had no land of their own.</p> <p>When the CADT was issued, however, the occupied area was supposed to have been</p>	<p>Delineate the area occupied by farmers to determine whether said occupied lands overlap with CADT and penal colony.</p>

<p>532 hectares located in Sablayan, Mindoro</p> <p>500 families</p>	<p>included. It was unclear if the CADT encroached in the area occupied by farmers.</p> <p>Despite the CADT, however, the DENR implements reforestation projects in the area.</p> <p>The penal colony also suggests that the CADT may have also overlapped with the area proclaimed as reserved for the penal colony.</p>	<p>Declare the said area as a settlement area for farmers occupying the land.</p>
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Kilusan Para sa Repormang Agraryo at Katarungang Panlipunan

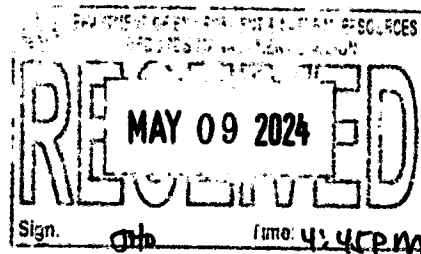
19 Saulo Compound, Gloria II, Tandang Sora, Quezon City

May 7, 2024

MA. ANTONIA "TONI" YULO-LOYZAGA

Secretary

Department of Environment and Natural Resources (DENR)
Elliptical Road, Diliman, Quezon City



Dear *Secretary Yulo-Loyzaga*,

Warmest greetings!

I am writing to humbly request a **dialogue** with your good office to resolve issues and cases involving public lands in the province of **Eastern Samar**. The dialogue is proposed to be held on **May 24, 2024, at 9:00 AM**.

The ***Kilusan para sa Repormang Agraryo at Katarungang Panlipunan (KATARUNGAN)*** has been initiating dialogues with your good office to resolve many of the issues of farmers in public lands through positive interaction with the government.

Please find attached a summary of the issues proposed to be tackled in the said dialogue.

I am hoping for your favorable response to this request. Your support and participation are crucial in our efforts to resolve these pressing issues.

We hope that **concerned officials of your agency will be able to attend this dialogue** to decisively address the issues of affected communities. By working together, we can find sustainable solutions that will benefit both the communities and the environment.

Sincerely yours,

DANILO T. CARRANZA

Secretary-General

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EASTERN SAMAR DENR CASES

For discussion during the proposed dialogue with the DENR Central on May 24, 2024

Name of Landholding, Location, and Area (ha.)	Issues and Updates	Demands
<p>1. Lot 597 - Brgy. 5, Giporlos</p> <p>2 has.</p>	<p>- DENR survey done; no update re: survey plan/returns.</p> <ol style="list-style-type: none"> 1. Survey - For purposes of application for Free Patent; 2. No update re: completion of survey plan/approval despite follow-ups; 3. Claim to property of 28 households - traced to a "purchase of property" in the 1980s; 4. Persons concerned have submitted requirements related to a free patent application (e.g., Certificate from ROD, CENRO Certification, Updated Tax Payment papers, Clerk of Court Clearance) – 2019. 	<p>- Fast-track processing of survey and other steps for FP application; issue FP within the year.</p>
<p>2. Lot 486, 455 - Brgy. 5, Giporlos</p> <p>5,000 sqm. estimate</p>	<p>- DENR survey done; with survey returns but no approval yet.</p> <ol style="list-style-type: none"> 1. Survey - For purposes of application for Free Patent; 2. Survey done in 2019; with survey plan as of 2020; 3. No update re: survey plan approval despite follow-ups; 4. Claim to property of 23 households - traced to a "purchase of property" 1985 to 1995; 5. Persons concerned have submitted requirements related to a free patent application (e.g. Certificate from ROD, CENRO Certification, Updated Tax Payment papers, Clerk of Court Clearance) – 2019. 	<p>- Fast-track processing of survey and other steps for FP application; issue FP within the year.</p>
<p>3. Brgy. Binalay, Gen. MacArthur</p> <p>1 ha.</p>	<p>- DENR raising certain issues supposed to block the Free Patent application.</p>	<p>- Clarify ASAP the classification of land; existence and extent of the CBFMA in the area</p>

	<p>1. Basis of claim — One of the residents (Glenelyn Borja) claimed she is the granddaughter of Juan Borja (untitled owner/tax declarant); current residents bought land from Juan or successors in interest;</p> <p>2. At first, DENR asserted that the residential is classified as a mangrove (therefore forest) on August 15, 2023;</p> <p>3. <i>Kilusan para sa Repormang Agraryo at Katarungang Panlipunan</i> (KATARUNGAN) requested a field investigation (FI); FI done January 30, 2024;</p> <p>4. DENR has not provided KATARUNGAN a FI Report to date;</p> <p>5. However, in February 2024, a CENRO staff told Glenelyn that the area is actually A and D land; Glenelyn was required to pay for the Certification. In the end, DENR did not give Glenelyn the Certification because there was supposed to be a “problem” regarding the land.</p> <p>In this regard, a CENRO staff commented that a 500-hectare area, which supposedly includes the residential area, is under CBFM;</p> <p>6. Note: A farmer asserts she is a member of the CBFM beneficiary association and that the agreement is only implemented over a portion not exceeding 200 hectares.</p>	<p>- If the residential area is already A and D land — accept/ process the application for FP from the affected community.</p>
<p>4. Brgy. Cag-ulango, Balangiga</p> <p>3 has. residential</p>	<p>- DENR survey done; with survey returns but no approval yet.</p> <p>1. Survey - For purposes of application for Free Patent;</p> <p>2. Survey done in 2019; with survey plan as of 2020;</p> <p>3. No update re: survey plan approval despite follow-ups;</p> <p>4. Claim to property of 160 households.</p>	<p>- Fast-track processing of survey and other steps for FP application; issue FP within the year.</p>