

Philippines: 1,741 farmer-households threatened by illegitimate dispossession in Sariaya

Monday 26 January 2009, by [Fian International](#) (Date first published: 13 January 2009).

Dear all,

Please find attached our Urgent Action on the Philippines, in support of 1,741 farmer households facing landlessness in the Philippines.

Here is the link to the Urgent Action on the FIAN website:

<http://www.fian.org/cases/letter-ca...>

Rural Poor Institute on Land and Human Rights Services, Inc. (RIGHTS) Network)

Beginning of Action: 13-01-2009 - End of Action: 24-02-2009

1,741 households of farmers are threatened to be turned landless and destitute by attempts of landowners to reclaim former landholdings of a total of 2,074 hectares in Sariaya that were rightfully redistributed to them under the Comprehensive Agrarian Reform Program (CARP). Although the claims of former landowners were officially declared void, several cases of displacement have already taken place. As such, the right to food of 1,741 farmer-households is at stake.

Background

The Municipality of Sariaya in Quezon Province is exemplary for the successful implementation of the Comprehensive Agrarian Reform Program (CARP) that distributed land to landless and poor sharecroppers, and thereby enabled them to feed themselves adequately. Previously as sharecroppers, they were forced to hand over substantial parts (up to 80%) of their harvest to their landowners. By providing land to such sharecroppers, they were able to till land and feed themselves and their families adequately, with the effect that poverty in Sariaya was sustainably reduced over the past 10 years.

However, former landlords are now attempting to claim half of the land (equalling to 2074 hectares) which was distributed under the CARP all cross the municipality of Sariaya. The landlords' claims are based on an outdated and vague land use plan from 1982 which reclassifies agricultural into non-agricultural land. Although the said plan was at no time put into practice and only designed provisionally, the landlords are arguing that the land should have never been distributed because non-agricultural land is exempted from the CARP. In June 2008, this land use plan was declared void by the local and provincial representatives of the Department of Agrarian Reform (DAR), and the

local government of Sariaya dismissed the said document.

Notwithstanding these legal decisions, the higher ranks of DAR bureaucracy continue to dispossess farmers of their land and cases of evictions of several communities have already been reported. In one specific case, a family in Barangay Tumbaga is facing an eviction from their 1.2 hectares of land which they have legally owned for the past 10 years and tilled for 65 years. A meagre compensation of 7000 Philippine Pesos (approximately 114 Euros) was paid to the farmers. This, however, can not replace their source of livelihoods. It is very likely that further dispossessions will follow, threatening the right to food of 1741 farmer-households who live on the contested 2074 hectares.

FIAN Mandate

As a state party to the International Covenant on Economic, Social and Cultural Rights, the Philippines is duty bound under international law to respect and protect the farmers' right to food. The claims of the former landlords to reclassify the land in question were declared void by legal institutions of the Philippines. The ongoing procedures of dispossessing farmer- beneficiaries in Sariaya is a grave violation of their right to feed themselves and their families.

Call to Action

An international action is urgently needed to prevent violations of the right to food implied by illegal evictions of farmers from their land. Please write to the Secretary of the Department of Agrarian Reform (DAR), Nasser C. Pangandaman, requesting him to stop procedures of dispossessing land from farmers in Sariaya.

Original Letter:

Hon. Nasser C. Pangandaman

Secretary of the Department of Agrarian Reform

Elliptical Road, Diliman,

Quezon City 1100

PHILIPPINES

Fax: +63 (2) 929 3088

Email: nasser.dar.gov.ph

Dear Sir,

With great concern I received information about ongoing illegal dispossessions of farmers' lands that were legally redistributed to them under the Comprehensive Agrarian Reform Program (CARP) 10 years ago in Sariaya, Quezon Province. These dispossessions are threatening the livelihood of 1741 farmer-households living on 2074 hectares of land.

The landlords' claims are based on an outdated and invalid land use plan of 1982 which reclassifies

agricultural into non-agricultural land. As such, they claim that the land should have never been distributed to landless tenants, because non-agricultural land is exempted from the CARP. However, not only was this plan never implemented, it was also recently declared void by the local and provincial representatives of the Department of Agrarian Reform (DAR). Also, the local government of Sariaya dismissed the said document as a basis for land claim. Despite these legal decisions, the DAR continues to dispossess the farmers of their land and several cases of evictions of farmers have already taken place. It is very likely that further evictions will take place, turning farmers landless and violating their right to feed themselves and their families.

The Philippines is a state party to the International Covenant on Economic, Social and Cultural Rights and therefore duty-bound under international law to respect and protect the right to food of all of its population, including the farmers in Sariaya. As such, I would like to ask you, Mr. Secretary, to urgently take the following steps to meet the related obligations:

- To immediately stop procedures of dispossessing land of farmers in Sariaya based on invalid land-reclamations of former landlords and ensure the farmers' right to food;
- To accept governmental and DAR rulings and to officially dismiss the claims of the former landlords based on the invalid land use plan of 1982 on all local levels;
- To return the land to those farmers' families who have already been displaced.

Please inform me about the actions you will take regarding this matter.

Yours sincerely,