

## **It ain't over yet, farmers warned**

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Philippine Daily Inquirer  
Last updated 01:08:00 12/20/2007

MANILA , Philippines -- The disputed land in Sumilao, Bukidnon, may still slip beyond the grasp of the farmer-claimants because of the political alliance between President Gloria Macapagal-Arroyo and San Miguel Corp. chair Eduardo "Danding" Cojuangco.

This was the warning aired Wednesday by Bayan Muna Rep. Satur Ocampo in the wake of Arroyo's executive order authorizing the reclassification of the 144-hectare property from agro-industrial to agricultural and its reversion to coverage of the Comprehensive Agrarian Reform Program (CARP).

In a statement, Ocampo said the "political collusion" between Arroyo and Cojuangco would be "a major roadblock to the Sumilao farmers' demand for land."

He said "the farmers will surely face stiff opposition from SMC," whose affiliate, San Miguel Foods Inc. (SMFI), is now the owner of the land.

Indeed, Executive Secretary Eduardo Ermita acknowledged at a press conference in Malacañang that the order he signed on Tuesday by authority of Arroyo did not grant the farmers ownership of the land.

### ***'Spirit' of order***

But he said the "spirit" of the order was clear.

"That is the objective," he said, pointing out that Arroyo had wanted the farmers to reclaim the land considered as ancestral domain by the Higaonon tribe in Bukidnon but was now being developed as an agro-industrial park by SMFI.

Ermita did not give any timeline for the redistribution of the land to the farmers who marched 1,700 kilometers for two months from Mindanao to Metro Manila to press their claim.

### ***'Concessions to Danding'***

He appealed to the farmers to understand the predicament of the Palace, which, he said, was constrained to follow legal processes, including the "equal protection clause" for both the farmers and SMFI, which bought the property in 2002 from the Quisumbing family.

"I hope people could be reasonable enough to explain the meaning of the President's decision," Ermita said, adding that SMFI had 15 days to appeal Arroyo's order, and the Office of the President several weeks to act on it.

Ocampo said the "political accommodation and economic concessions" granted Cojuangco by Arroyo were preventing her and the Department of Agrarian Reform "from exercising political will to give the land back to the farmers."

He said these concessions "can be seen not only in the Sumilao farmers' case but [also] in controversial disputes, particularly over the multibillion-peso coconut levy fund."

"This also explains why Danding's SMC is now pushing for the expansion of its cassava plantation and ethanol project in more than 30,000 hectares of land in Negros, Isabela and Cagayan, which the Isabela-Cagayan farmers oppose," he said.

Ocampo, coauthor of House Bill No. 3059, or the proposed Genuine Agrarian Reform Act of 2007, said the Sumilao case was serving to highlight "the bogus character of the government's [CARP]."

### ***Gov't as referee***

"The Sumilao farmers' plight is a concrete case where landlords made use of the CARP itself to evade land distribution. Land-use conversion is one of the major arguments provided by CARP to landowners' legal arsenal to maintain ownership and control of lands," he said.

He cited DAR records showing that from 1979 to Dec. 31, 2003, there were 2,885 approved applications for land-use conversion involving 40, 485.9124 hectares of agricultural land, and National Statistics Office records stating that in 2002, 827,892 hectares of agricultural land were converted to other uses.

Ermita said that in issuing a "political decision," the government was "bending over backward" in favor of the farmers.

"[But] there should be an understanding among the [contending parties]," he said, stressing that the government's role was only as a "referee."

"Let's wait for the respondent (SMFI) to receive the order and they will make a move. Let's not push the situation too hard ... Let's allow the process to be followed," he said.

SMC's corporate affairs office Wednesday said the company was still awaiting a copy of the order. It reiterated its previous statement that it would issue a response only after it had received the document from Malacañang.

Ermita said he had asked Manila Archbishop Gaudencio Cardinal Rosales to advise the farmers to be patient because "a fact-finding mission has to be sent [to Bukidnon] to determine the [realities on the ground]."

Even Agrarian Reform Secretary Nasser Pangandaman said he had asked the farmers to wait for the finality of Arroyo's order.

This means the farmers would be spending the holidays in their camp in front of the DAR central office in Quezon City--at least.

"If nobody will file a motion for reconsideration, there will be no aggrieved party, and the order will be final and executory after 15 days. By operation of law, we cannot just dip our hands in the case; we have to wait for the order of finality," Pangandaman told reporters.

He admitted that it might "take a while" for the farmers to realize their claim on the land.

### ***Christmas away from home***

Samuel Merida, one of the farmers, said he and his colleagues would not leave Manila until they were ensured that the land would be theirs.

"We will sacrifice, if that's necessary, even if we will not be with our families on Christmas. We can't return empty-handed," he told the Philippine Daily Inquirer.

Merida, his son Elgine, and his brother and nephew, Napoleon Merida Sr. and Jr., were among the 55 of the 163 farmer-claimants who marched to Manila to bring their plight directly to the government.

At dawn Wednesday, the farmers left the College of the Holy Spirit on Mendiola, where they stayed overnight after the two meetings between Arroyo and their representatives and lawyers.

They returned to their camp at DAR to plan their next moves.

On Thursday the farmers will march again, this time to Paco, Manila, to meet with Cardinal Rosales.

They intend to update their principal supporter on their plans and to seek his advice.

### ***Cease and desist***

The farmers want the DAR to stop SMFI from constructing a hog farm on the property because the company failed to follow the original conversion plan promised by the former landowner, Norberto Quisumbing, in 1995.

They say that under DAR rules, the Quisumbings were obliged to undertake the conversion of the land into an agro-industrial park within five years. But the Quisumbings sold the property in 2002 to SMFI, which began to build a hog farm that, the farmers say, was never part of the original conversion plan.

Under DAR rules, the failure to complete the conversion would mean the land will again be subjected to CARP coverage and distributed to the farmers.

Pangandaman said that once the notice of CARP coverage was issued, the DAR would "promptly" act on the case.

He declined to say exactly how long the farmers had to wait to get their certificates of land ownership award. But he said DAR rules on land acquisition and distribution would be duly implemented.

*With reports from Elizabeth Sanchez-Lacson in Manila  
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