

Building Bridges for Peace



**Philippine Coalition for the
International Criminal Court**

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Initiated by the Philippine Coalition for the International Criminal Court (PCICC) with the support of the Institut für Auslandsbeziehungen e.V. (IFA or the Institute for Foreign Cultural Relations) in early 2009, the Building Bridges for Peace Project aims to foster a change process in areas struggling with social unrest and armed conflict between the government and resistance groups, and the attendant underdevelopment.

Stakeholders in the project areas take part in multi-stakeholder dialogues and actions to address underlying causes of conflict. PCICC took the role of facilitator in building the capacity of and empowering stakeholders to address conflict. PCICC framed its work from a rights perspective, guided by human rights and international humanitarian law standards in addressing problems through responsive governance.

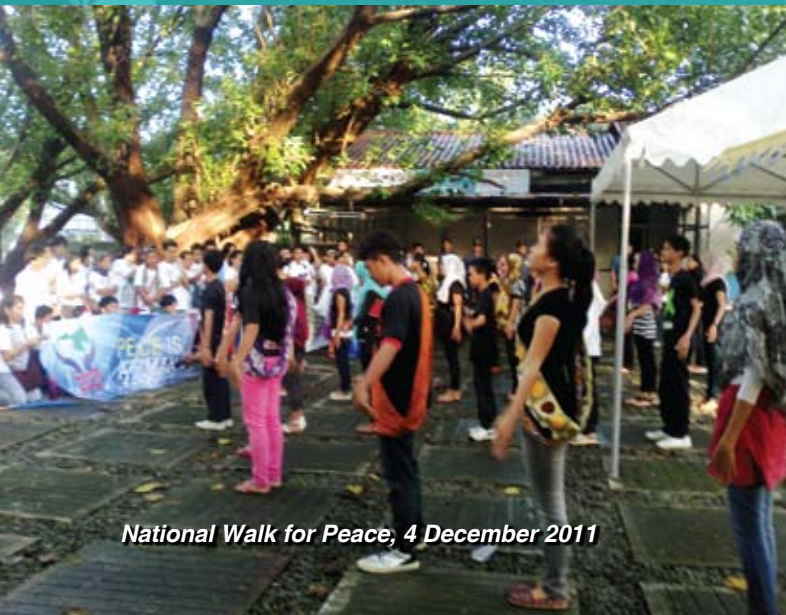
Communities in the project areas, Bondoc Peninsula in Quezon Province and Mt. Balatukan in Misamis Oriental, identified land rights as key to peacebuilding.

*After the BBPP assessment
at the Commission on Human Rights,
13 December 2011*



TERMS OF PEACE AND NATIONAL UNITY

by Rebecca E. Lozada, BBP Project Director



National Walk for Peace, 4 December 2011

Two negotiations re-started in February 2011, the first between the Government of the Philippines (GPH) and the Communist Party of the Philippines-National Democratic Front-New People's Army (CPP-NDF-NPA) after an impasse of six years; and, the second between the GPH and the Moro Islamic Liberation Front (MILF).

The Filipino public has made its aspirations known to those in the peace panels. There are

constant calls to find a way out of the fighting that has gone on for over 40 years. But the fighting on the negotiation tables go on over a wide range of issues – security issues, sincerity questions, constitutional matters, etc. The tensions are manifested in intensified clashes on the ground, resulting in hardship and more lives lost on the combatants and on communities in battle areas.

There are calls for a truce coming from many communities and sectors of society that need to be heard by those in the peace panels. One such call was issued by a predominantly Higaonon community in Sitio Lantad in Mt. Balatukan, Misamis Oriental.

Invoking the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) particularly provisions of Article 2 Part III, the Lantad Declaration says, “(I)t is not proper to disturb our peace experience at the community level since we have all agreed on CARHRIHL. We, therefore, hope that peace be given a chance in Lantad.”ⁱ

The community wanted to stem a new tide of violent incidents. They particularly cited

“the detachment of the Armed Forces of the Philippines (AFP) where our brothers in the CAFGU on duty last April 15, 2011 were harassed by armed group believed to be members of the New People’s Army. The detachment was strafed and lobbed with an M203 and a number of CAFGU men were wounded.”

“We were not terrified but the incident was certainly a disturbance on our peace experience... Our struggle to possess the needed Social and Economic Reforms at the ground level ought to be recognized,” the community says in the declaration.

This echoes a concern expressed in many ways and occasions. “We do not consider the New People’s Army, Armed Forces of the Philippines, Mindanao Islamic Liberation Front, Moro National Liberation Front as our adversaries. But we, indigenous peoples (IP) leaders and elders must learn how to become an effective implementer in our own communities and how we can protect our rights being IPs,” said Datu Tony in discussing governance in a gathering of Higaonon leaders initiated by the Building Bridges for Peace (BPP) project earlier in the year.

i Number 1 and 2 of Article 2, Part III – RESPECT FOR HUMAN RIGHTS in CARHRIHL, thus:

“1. The right to self-determination of the Filipino nation by virtue of which the people should fully and freely determine their political status, pursue their economic, social and cultural development, and dispose of their natural wealth and resources for their own welfare and benefit towards genuine national independence, democracy, social justice and development.

“2. The inherent and inalienable right of the people to establish a just, democratic and peaceful society, to adopt effective safeguards against, and to oppose oppression and tyranny similar to that of the past dictatorial regime.”

The BBP Project makes its contribution

The Lantad Declaration is but one of several calls the peace panels have to reflect on. In Bondoc Peninsula, the call is for land reform to be in the peace agenda and, meanwhile, for combatants to leave farms alone.

Such calls are heard nationwide. But Lantad and Bondoc Peninsula are both project areas of the Building Bridges for Peace Project and project stakeholders feel a growing stake in having a say in the national peace discourse.

Initiated by the Philippine Coalition for the International Criminal Court or PCICC with the support of the Institut für Auslandsbeziehungen e.V. (IFA or the Institute for Foreign Cultural Relations) in early 2009, the BBP aims to foster a change process in areas struggling with social unrest and armed conflict between the government and resistance groups, and the attendant underdevelopment.

Stakeholders, rights-holders and duty-bearers, in the project areas were invited and have been taking part in multi-stakeholder dialogues and actions to address underlying causes of conflict. Among the rights-holders are individuals involved in or affected by conflict, people's organizations, cause-oriented groups, academe, church and the private sector. The duty-bearers are key government agencies, from the line agencies of the Executive Branch (DOJ, DAR, DENR, DILG), the Office of the President on the Peace

Process (OPAPP), the provincial and municipal governments units, the security sector including the Armed Forces of the Philippines (AFP), the Philippine National Police (PNP), the National Defense College of the Philippines (NDCP), and the Judicial Branch of government. The security sector was among the first to be drawn into the project in recognition of their role as primary peacekeepers and defenders of human rights.

PCICC took the role of third party facilitator in building the capacity of and empowering participants to address conflict through dialogue and action planning. PCICC framed its work from a rights perspective, guided by human rights and international humanitarian law standards in addressing problems through responsive governance.



Consultation-Workshop on Upholding IHL sponsored by PCICC-BBP with the Armed Forces of the Philippines and the National Defense College of the Philippines.

Police Senior Supt. Ericson Talavera Velasquez calls for cooperation on responding to harassment from hacienda goons and armed groups in Bondoc Peninsula.



The project areas, Bondoc Peninsula in Quezon Province and Mt. Balatukan in Misamis Oriental, both identified land rights as key to peacebuilding. Bondoc Peninsula has long been subject to the flaws of the letter and the inaction in the implementation of the 1988 Comprehensive Agrarian Reform Law. Aggravating the failed land distribution, hired men of the big landlords continuously harassed and criminalized the activities of tenant farmers in the lands they are claiming. Mount Balatukan is the ancestral domain of the Higaonon people but the Higaonon have had no say on the land while their claim is still being processed by government. Bondoc Peninsula farmers and Higaonons have seen many among them, especially young people, recruited into state and non-state armed groups and shed their blood in armed conflict.

The BBP dialogue process engaged the local communities including former combatants; local government units; provincial peace and order councils;

the national, regional and provincial officials of the departments of agrarian reform, environment and national resources; the National Commission on Indigenous Peoples (NCIP), AFP, PNP and the Philippine Supreme Court among others.

The dialogues encouraged confidence and respect among the participants. The adoption of the project by the community, local government and other stakeholders led to positive developments in both pilot areas. The results of BBP are best expressed in the work in the project areas. *(Please see articles starting on pages 12 & 25.)*

Breakthroughs

The project years from 2009 to 2011 have seen victories for addressing the land issues through implementation of legislation already in place to uphold land rights as well as through policy clarifications and reforms needed to address blockages.

The most gratifying for PCICC is the widening space for people's exercise of their role in peacebuilding. Among the many gains of BBP, the following are seen by stakeholders as among the most important in continuing the work in the years ahead:

- **Unity of key stakeholders in addressing root problems of conflict in project areas by upholding rule of law and social justice legislation.**

Rights-holders and duty-holders in the project areas sustain dialogues and action planning in

Bondoc Peninsula in Quezon and Mt. Balatukan in Misamis Oriental by embracing the imperatives of human rights and upholding international humanitarian law and social justice legislation to address land-based conflicts.

Communities in the conflict areas and other stakeholders used the BBP experience as a platform to have a voice in the national discourse on peace processes. A highlight in 2011 was the May 25 declaration of Lantad calling for a truce. This was supported by civil society and the Provincial Peace and Order Councils of Misamis Oriental and Agusan del Norte. (PCICC-BBPP ran a communications project on BBP in Agusan del Norte in 2010.) The Lantad Declaration was relayed officially to the government peace panel through Fr.

Albert Alejo, a consultant of the panel, with the request to submit the document to the Joint Monitoring Committee of the GPH-CPP/NDF/NPA talks.

- **Structures working on specific commitments made with and among key partners** from people's organizations, non-governmental organizations and government agencies. Notably, the BBP agenda was adopted by the Provincial Peace and Order Council (PPOC) of Misamis Oriental in 2009. The PPOC took the challenge one step further with the formation of a Conflict Management Cluster. For Bondoc Peninsula, an Inter-Agency Task Force led by the Department of Agrarian Reform (DAR) was formed and worked with stakeholders in creating a template for land



reform implementation in Bondoc Peninsula. The Task Force also met to discuss problematic land reform areas.

- **Conflict transformation is pursued through good governance.** The BBP dialogues and action planning have built the confidence of stakeholders in exercising their role in good governance and upholding rule of law to address land-based conflicts. The multi-stakeholder dialogues would not work if there were no recognition of the important role played by each one represented in the dialogues and the need to find creative solutions to old barriers to implementing social legislation – specifically the Comprehensive Agrarian Reform Program with Extension and Reforms and the Indigenous Peoples’ Rights Act – on land rights.

A promising development is noted in the substantial engagement with the security sector on matters of human rights, human security and peacebuilding with more frequent interactions in open dialogues through BBP activities and other venues. The security sector, particularly the members of the Armed Forces of the Philippines, helped in information campaign for agrarian reform implementation in several conflict sites. The local police office particularly in San Francisco, Bondoc Peninsula enforced agrarian reform law by arresting persons caught in acts of transgressions against the law.

Furthermore, BBP stakeholders see the potential of a transformative engagement with the

security sector. This was first seen in 2010 when the Armed Forces of the Philippines opened its strategic planning to civil society to be able to hear their inputs. In 2011, the dialogues continued and BBP further deepened discussions on addressing conflict with a “Consultation-Workshop on Upholding IHL: Monitoring and Compliance Mechanisms” in August 2011.

On November 29, 2011, PCICC was among the civil society groups that launched the Bantay Bayanihan, a civil society oversight mechanism of the AFP’s Internal Peace and Security Plan that articulates a whole of nation approach to security and zero tolerance for human rights and international humanitarian law violations as strategic imperatives.

Making headway in any peace process is a challenge. The stronger role of communities is a kind of red line through the BBP process that keeps all stakeholders moving forward. The future is in the hands of those who take up the challenge, give open and constructive dialogue a chance, and uphold human rights in finding solutions to conflict.

Another passage from the Lantad Declaration puts it thus: “We, people of Lantad, possess the fate of our place. We now recognize that we have the power to build local development with the cooperation of other agencies of government and other private groups. We are now in the stage to recognize our own problems and possess the needed experience and skills to recognize appropriate solutions.”

Manifesto of the Bantay Bayanihan

We are members of civil society organizations who are engaged in security sector reform efforts;

We believe that a professional, accountable, and HR-IHL-Rule of Law bound Armed Forces of the Philippines (AFP) directly contributes to violent conflict prevention, as well as creates a positive atmosphere for peace-talks, peace-building, and democratization;

We recognize that there are institutional flaws and challenges confronting the Armed Forces of the Philippines, but we also recognize the reform efforts of the institution to rectify past mistakes;

We acknowledge that one way to help move forward the reform agenda of the AFP is to initiate more constructive engagement efforts;

We believe that constructive engagement will further strengthen the principle of democratic governance and civilian supremacy over the armed forces.

Finally, we recognize that the 2011 IPSP*-Bayanihan of the AFP offers a strong platform on HR-IHL-rule of law, accountability, and civilian engagement.

Now, therefore

We resolve to create the “Bantay Bayanihan” (BB) network.

The Bantay Bayanihan network hopes to institutionalize the active engagement of civil society groups and other security stakeholders as an oversight body in the implementation of the IPSP-Bayanihan;

The BB is envisioned to be a dialogue space that brings together civil society organizations, the academe, civilian government units, the PNP, and the AFP to discuss the IPSP-Bayanihan and other related peace and security concerns in the respective area of operations;

The Bantay Bayanihan will conduct periodic evaluation and/or validate evaluation studies as regards the implementation of the IPSP, with special emphasis on human rights-IHL-rule of law, accountability, and civilian engagement;

The Bantay Bayanihan will generate concise policy recommendations as regards the IPSP implementation, peace and conflict dynamics, as well as security sector reforms, to be submitted to the AFP Chief of Staff and/or relevant Commanding Generals; as well as to local-national government units, bringing critical security and development issues into open public debate and to the attention of policy makers;

Bantay Bayanihan will be convened in the national and local levels, to dialogue with Unified Commands, Infantry Divisions, Brigades, and Battalions; and

The Bantay Bayanihan will pursue more efforts to further strengthen the principle of democratic governance and civilian supremacy over the armed forces.

Bantay Bayanihan was launched on 29 November 2011 at the Richmond Hotel in Libis, Quezon City with the following founding organizations:

- Ateneo de Manila University - Department of Political Science - Working Group on Security Sector Reform
- Balay Mindanaw Foundation Inc. (BMFI)
- Balay Rehabilitation Center, Inc. (BRC)
- International Center for Innovation, Transformation and Excellence in Governance (INCITEGov)
- Lawyers League for Liberty (LIBERTAS)
- Philippine Center for Islam and Democracy (PCID)
- Philippine Coalition for the International Criminal Court (PCICC)

**Internal Peace and Security Plan*



Then Armed Forces chief Gen. Eduardo Oban Jr. welcomes the Bantay Bayanihan during BB's launch on 29 November 2011.



BONDOC PENINSULA, QUEZON

Plowing the way to agrarian reform completion and peace

by Danny T. Carranza, BBP Project Officer, Quezon

Agrarian reform is an imperative to fight rural poverty and end conflicts emanating from the chasm between the elite landholding class and the millions of tenant-farmers in the Philippines. The official target of the government agrarian reform program from 1988 to 2008 encompassed 7.9 million hectares nationwide. Of the total, 82 percent was reported distributed. The rest, some 1.4 million hectares, are lands that have proven to be more difficult to reform such as haciendas where landlords have kept the status quo through force and technical means.



Making copra in Barangay Villa Reyes

Bondoc Peninsula, in the Third District of Quezon, has a big share of the very productive but problematic big landholdings, defined as being 24 hectares and above. Landlords have been able to counter reforms and hinder land redistribution through such means as land conversion and the criminalization of agrarian reform assertions of farmers. Haciendas that should have been covered by earlier agrarian reform programs and the Comprehensive Agrarian Reform Program Extension with Reforms (CARPER) in place from 2009 to 2014, include the Reyes properties, estimated to be over 5,000 hectares; the Matias properties, about 2,000 ha.; and the Uy properties, among others.

“Nakakapagod na makipag-usap sa gobyerno, wala rin namang nangyayari (It is wearying to talk to the government, nothing happens anyway),” was how one farmer-leader summed up the situation in Bondoc Peninsula when the Building Bridges for Peace Project started in 2009. The frustration felt by landless peasants who have petitioned for agrarian reform years ago was aggravated by years of agrarian reform paralysis and human rights abuses that placed many landless tenants on the brink of surrendering their claims or following the recourse of some to insurgency.

Philippine agrarian reform laws, however, were not self-executing. Farmers faced enormous obstacles to agrarian reform implementation. The first is landlord resistance. Landlords are prepared to do anything to maintain control of the land. A most convenient ploy was to file criminal

cases such as theft or trespassing against tenants when the tenants begin to assert their land claims. Second is the armed movement’s resistance to state-sponsored agrarian reform. The armed movement dangerously interprets the government’s agrarian reform program as a reformist tool that weakens the growth of the armed revolution. Third is institutional weaknesses of the government. For many years, the government has been unable to match anti-agrarian reform resistance because its agencies or branches do not function as one entity. In some cases, agencies, wittingly or unwittingly, act with prejudice against land rights claimants. The hundreds of harassment cases filed against petitioning farmers, for example, could not have progressed if the cases had been more carefully evaluated.

Left to fend for themselves, the rural poor in the project site found themselves in a no-win situation against very powerful anti-reform actors. The government’s failure to protect, fulfil and respect their most fundamental rights, such as the right to life and livelihood, encouraged an atmosphere of impunity. At least for a decade, from 1998 to 2008, organized farmers had to endure the murder of five leaders and attempts on the life of several others; displacement of many families; and, hundreds of trumped up criminal cases and the imprisonment of more than 200 farmers. There were also the distorted operations of the New People’s Army, historically a peasant army, to negate non-radical reforms. Those who violated the laws and abused the rights of farmers were hardly ever penalized.

2009-2010: Rekindling hope and laying the ground for peaceful change

The BBP made its way into the troubled land in 2009, just before CARPER was passed into law. BBP's ground-level peace initiative was anchored on respect for human rights and international humanitarian law, democratization of governance and effective enforcement of social legislation. The implementation of agrarian reform and, later, specifically CARPER were the major challenges identified in multi-stakeholder dialogues. The so-called Reyes properties, Matias properties, Uy properties, and others were placed under renewed scrutiny.

Supported land rights claim. Since 2009, BBP multi-stakeholder dialogues and action has supported the land rights claim of landless peasants in the area as the central theme towards peaceful social change. The extension of the

Comprehensive Agrarian Reform Program in mid-2009 laid a favourable environment that gave hope that landless peasants would be able to pursue their land rights through peaceful and legal means.

Contributed to agrarian justice policy improvement. Building from the reforms under CARPER, BBP lobbied for the issuance of Implementing Rules and Regulations of the referral system for trumped up criminal cases filed by landlords against agrarian reform beneficiaries to foil their land claims. This led to the issuances on referral from the Supreme Court, the Department of Agrarian Reform (DAR) and the Department of Justice (DOJ). These issuances were eventually mainstreamed through discussions among agrarian reform lawyers. The lawyers of Bondoc Peninsula successfully used the referral system for the dismissal of criminal cases against farmers.

Supported reform of the local bureaucracy. BBP also supported farmers' demand for a change in the leadership of the DAR at the local level. The appointment of a new Provincial Agrarian Reform Officer (PARO) in 2010 proved crucial in breaking the impasse of agrarian reform and re-establishing a healthier and more dynamic relationship between conflict-affected communities and the DAR.

Engaged the security sector for more effective law enforcement. The active support of men in uniform was a crucial element in the more



Looking into hacienda farms at a Legal Clinic

peaceful implementation of agrarian reform in the project site. The security sector stabilized the implementation of agrarian reform law despite threats and direct obstruction from anti-reform actors. With the support of the Philippine National Police and the Armed Forces of the Philippines, a survey of the main Matias properties was peacefully conducted despite continuing resistance from the employees of the landowner, evicted tenants were installed or re-installed, and the DAR has been able to conduct other activities such as interviews of tenants and field investigations.

Creating a Template for peaceful land reform. BBP focused on pace-setting areas for effective agrarian law enforcement. The focused interventions, while limited in scope, gives important lessons on how to more effectively resolve land conflicts in other areas. A template was formulated and eventually applied in the 1,716 hectare Hacienda Matias by a group composed of various agencies and led by the DAR. In addition, leasehold reform was also pursued, while contentious public lands were documented. The initial test case of the template was the installation of nine farmers who were ejected in 2005.

2011: Sustaining the breakthroughs

BBP sustained the breakthroughs and momentum of a more peaceful land reform implementation in 2010. Activities for the year include the following:

- (a) Multi-stakeholders dialogue;
- (b) Sustained bilateral dialogues between farmers and agencies like the DAR and the



At the launching of the Primer on the Leasehold System

Department of Environment and Natural Resources (DENR) to monitor developments and to plan ways forward;

- (c) Action planning and local community interactions to provide important updates and allow greater participation of community members in the process;
- (d) Joint legal strategizing in coordination with non-government organizations, farmers and their lawyers;
- (e) Farm planning that oriented the farmers on how to make their land more productive through sustainable agriculture;
- (f) Cooperative orientation to push cooperatives as a form of economic organization and a means of stronger solidarity among farmers;
- (g) Culture of peace seminars that strengthened peace as a way of life, and reinforced peaceful solutions to poverty and oppression; and
- (h) Several DAR-anchored local inter-agency continuing dialogue to strategize the peaceful assertion of state law over hacienda law.

2011 Peace building milestones

- Structures working on specific commitments made with and among key partners:
 - A local inter-agency task force anchored by the DAR regularly convened to discuss issues and strategize on agrarian reform implementation in private lands.
 - A proposed Bondoc Desk at DENR Regional Office was being set up (but not yet functioning, as of this writing).
 - The Office of the Presidential Adviser on the Peace Process (OPAPP) will start the Payapa at Masaganang Pamayanan or PAMANA project in 2012. It is a project that aims to develop the resiliency of conflict-affected communities through livelihood support. OPAPP is tapping civil society organizations and the church as monitoring arm in the PAMANA Project implementation.
- Substantial engagement with the security sector:
 - Active participation of the sector in the multi-stakeholders dialogue and local level inter-agency meetings.
 - Assistance on information campaign in several conflict sites for agrarian reform implementation.
 - Apprehension of persons caught in acts of transgression against agrarian reform law.
- De-criminalization of agrarian struggles
 - Sixty-one (61) criminal cases involving 102 farmers have been dismissed after referral was made by the DAR that the cases were not fit for trial. The two main cases finally dismissed in 2011 were qualified theft cases filed against 68 tenants of Matias, and two qualified theft faces filed against two tenants in San Francisco.
- Advances in private land reform sustained
 - Less hearings and expenses related to court processes.
 - Zero criminal case filed against tenants for 2011.
- Advances in private land reform sustained
 - The year 2011 is a great leap in advancing the government's land reform on the coverage of the 1,716-hectare Matias property:
 - a. Title No. 23906, with an area of 379.303 hectares: with approved survey plan from the Land Management Section (LMS) of DENR and with land valuation and certificate of cash deposit by the Land Bank of the Philippines (LBP).
 - b. Title No. 59393, with an area of 159.8437 hectares: with approved survey plan by the LMS of DENR and with land valuation and certificate of cash deposit by the LBP.
 - c. Title No. 123692, with an area of 101.0887 hectares: with approved survey plan by the LMS of DENR and with land valuation and certificate of cash deposit by the LBP.
 - d. Title No. 114407, with an area of 157.00 hectares: for finalization of survey plan and claimfolder documentation

- e. Title No. 30563 with 440.5118 hectares: for finalization of survey plan and claimfolder documentation
 - f. Title No. 239207 with an area of 238.6489 hectares and Title No. 30564 with an area of 239.5871: for continuation of survey on February 2012 as survey has been suspended due to the repeated obstruction of agrarian reform implementation committed by the landowner and overseers.
 - g. Funds allocated for the purpose were properly expended and supported inter-agency activities in support of agrarian reform implementation.
- Leasehold implementation sustained. New leasehold areas realized, effectively transforming exploitative tenancy system into a system of agricultural production where farmers have greater control over how to make the land more productive. For 2011, a total of 243 hectares of the Tan properties were subjected to leasehold, benefiting 78 families of farmers. In San Narciso, a total of 60 hectares with 24 family-beneficiaries were covered.
 - Promotion of Law Enforcement
 - For 2011, in support of effective land reform implementation:
 - a. the police, in coordination with the DAR, apprehended several persons who were resisting the survey of the Matias properties in violation of land reform law;
 - b. for several months, the police and military personnel supported survey activities in Hacienda Matias which led to the successful survey (without violence) of five lots.



IDEALS lawyer distributes books on agrarian laws.

Issues and concerns

- Uneven response to land conflict resolution. Comparative analysis of DAR and DENR responses to land conflict reflects government's weakness in making the resolution of land conflict a consolidated peace agenda.

- Public land reform is in a state of near-paralysis. There is little movement in land conflict resolution in public lands to show that the government is taking the resolution of public land conflicts seriously. Lack of movement is blamed on lack of manpower and budget. But even “doable” targets such as the re-plotting of Uy-claimed properties, or processing of pending Community Based Forest Management Program (CBFMP) claims were not fully acted upon by DENR. Mechanisms for interaction, such as the Bondoc Desk and the promised bi-monthly consultations never significantly took off. A CBFMP Orientation attended by farmers was not followed-up with activities to pursue the program.
- Referral system used in reverse. Legitimate cases against violators of agrarian reform laws are dismissed. This has encouraged impunity of landlords and their agents.
- Support to comprehensive economic empowerment of conflict affected communities has yet to be systematically implemented. Development is needed to transform conflict areas into peaceful communities.
- Isolated areas continue to be vulnerable to harassment.
- Policy reform should be made in the referral system to plug the current loopholes.
- Comprehensive economic empowerment should be initiated in conflict sites. Build from the BBP gains in the conflict sites as a starting point.
- PAMANA should include land conflict resolution in its agenda. A broader inter-agency land conflict resolution mechanism should be initiated to resolve contentious public lands.
- DAR should further clarify the leasehold process to speed up implementation.

Recommendations

- Resolution of land conflicts, especially in insurgency areas, should be made part of the peace agenda of the government.



DAR Quezon’s Atty. Jean Bonifacio provides updates on claims.

SUMMARY OF BBP-ASSISTED LAND CLAIMS OF THE KILUSANG MAGBUBUKID NG BONDOC PENINSULA

Private land distribution

Landholding	Location	Area (in hectares)	Number of Potential Farmer- Beneficiaries	Status
1. Matias properties	4 barangays, San Francisco	1,873	710	More than 1,200 hectares covering 5 titles have been surveyed. Three of the surveyed titles with a combined area of 639 hectares have approved land valuation by the Land Bank of the Philippines. Titles are being generated for eventual distribution to farmer-beneficiaries. DAR committed to continue the survey of the remaining lots of about 500 hectares in March 2012.
2. Reyes properties	6 barangays, in 3 municipalities	1,423	400	Survey of 334 hectares in the Buenavista municipality has started. Survey of the main hacienda, located in the boundary of San Narciso and San Andres, is targeted for March 2012.
3. Other landholdings	Spread out in 5 municipalities	750	200	For survey
TOTAL		4,046	1,310 families	

Leasehold Areas

Landholding	Location	Area (in hectares)	Number of Potential FBs	Status
1. Bienvenido Tan, et al	2 barangays, San Francisco	300	63	130 hectares have been subjected to leasehold with 43 beneficiaries
2. Matias (portions)	1 barangay, San Francisco	100	27	Farmers discontinued their petition for leasehold and decided to focus on pursuing land redistribution.
3. Reyes properties	1 barangay, San Narciso	200	43	60 hectares have been subjected to leasehold with 23 beneficiaries. 60 hectares more have been documented but implementation has not commenced due to landowner's protest
4. Vicente Uy	1 barangay, San Andres	300	50	New target
5. Hilarion Tan	1 barangay, San Andres	200	35	New target
TOTAL		1,100	218	

Public land reform areas (CBFMP)

Landholding	Location	Area	Number of Potential FBs	Status
1. Lot 1114 (PSU 223084)	Camflora and Tala, San Andres	1,402	300	Validation of occupants completed; DAR and DENR need to confer on jurisdiction of process in the redistribution of alienable and disposable lands and timberlands since these have been delineated
2. Socialized Industrial Forest Management Agreement (SIFMA) Area	Camflora, San Andres	1,240	250	Validation of actual occupants have been conducted; occupants were determined to be within timberlands. The grantee has been notified by the DENR on the petition for SIFMA cancellation.
3. Usufruct Area (DENR employees)	Camflora, San Andres	300	100	For CBFMP implementation
4. Lot 2424	Vigo Central and Villa Reyes, San Narciso	1,000	100	For CBFMP process continuation
5. Lot 2808 and 2881	Vigo Central and Villa Reyes, San Narciso	1,000	100	For nullification of pending applications; DAR-DENR to meet to settle legal issues. One lot with five farmer-occupants has been cancelled. Farmers were told to apply for title subject to the requirements in awarding of alienable and disposable lands.
6. Untitled land (PSU 119807, Lot 2576)	San Vicente, San Narciso	133	27	For plotting of overlap. A survey team has been formed by the DENR to conduct ground survey to delineate the titled portion from the untitled portion; once done, titled portion will be covered for DAR redistribution and untitled portion to be redistributed by the DENR. Survey is scheduled in the first quarter of 2012.
7. Untitled land	Boundary of San Vicente and San Juan, San Narciso	186	60	For documentation. Will be included in the investigation of the 133-hectare untitled lot.
8. Untitled land	San Vicente, San Narciso	40	15	For processing of Homestead or Free Patent (H/F)
9. Titled timberland	Cambuga, Mulanay	291	50	For filing of reversion proceedings
TOTAL		5,592	1,002	

Summary of Land Reform Areas with On-going Conflicts

Type of Land Tenure Improvement	Area <i>(in hectares)</i>	Number of Farmer-Beneficiaries
A. Private Land Reform (DAR)	5,146	1,520
1) Land Distribution	4,046	1,310
2) Leasehold Implementation	1,100	210
B. Public Land Reform (DENR)	5,592	1,000
1) Community-Based Forest Management Program (CBFMP)	4,592 (est.)	700
2) Homestead/Free Patent	1,000 (est.)	300
TOTAL	10,738 hectares	2,520 families

PAMANA & Land Conflict Resolution

(Excerpts from an intervention in a BBP assessment session.)

The National Peace Agenda of the current administration is reflected in the Philippine Development Plan which has a chapter on peace and security. Chapter 9 speaks of two tracks in the peace process – peace talks with armed rebel groups and addressing the root causes of the armed conflict. The resolution of land conflicts is definitely part of the peace agenda as landlessness among peasants is among the primary root causes of armed conflict in the country.

There are two recommendations from the Building Bridges for Peace (BBP) Project areas in Quezon Province that are very relevant to

the peace process, particularly to PAMANA – that comprehensive economic empowerment be initiated in the target areas and land conflict resolution. PAMANA, which stands for PAYapa at MASaganang PamayaNan (PAMANA), is the administration's primary intervention for transforming conflict-affected areas into peaceful and resilient communities. PAMANA is currently implemented by the Department of Interior and Local Government (DILG), Department of Social Welfare and Development (DSWD), and Department of Agrarian Reform (DAR). OPAPP, on the other hand, supervises and oversees the program.

Quezon is one of the few provinces selected for PAMANA projects in 2012.

Addressing policy issues, such as land issues, is one of the three pillars of PAMANA. During the PAMANA road mapping session held in Quezon in November 2011, the full implementation of CARPER was identified as a priority intervention. Capacity building was also proposed by those in the CARPER body (composed of representatives from DAR, DENR, LBP, etc.).

We at the OPAPP are pleased to hear that the BBP consider PAMANA as an important development in peace efforts. The assessment of BBP is much appreciated and will inform our plan particularly for the province of Quezon. The participation and cooperation of stakeholders at various levels is crucial in the achievement of the PAMANA goals of reducing poverty, improving local governance and empowering communities.

Thank you.

Mr. Romulo Halabaso
*Assistant Secretary
Office of the Presidential Adviser
on the Peace Process*



Political will, the bridge for peaceful change Pampulitakang kagustuhan, tulay sa mapayapang pagbabago (Translated from Filipino.)

Sa aming lugar, kahit 1988 pa ang CARP. hindi namin alam ang batas na iyon. Kaya di kami agad sumama sa petisyon noong 2003. Ang mga tao kasi, kagaya ko noon, naghihin-tay muna ng pruweba bago sumama.

In Hacienda Matias, we did not know of the Comprehensive Agrarian reform Program (CARP) even though it became law in 1988. We did not join when some farmers petitioned for CARP in 2003. Many, including me, first wanted proof that it would work.

The petitioners asked us to join them to see the on-going preparations. We went to have a look. We saw the surveyors but they could not do their work because the landlord sent men to block the way. It seemed promising but I wondered why government was allowing the landlord to have his way? Still my awareness on CARP begun.

In March 2005, farmers who had won a leasehold order invited us to accompany them in their first harvest in their land. Almost a hundred of us joined them. Among us were DAR officials and policemen who came to keep the peace.

I went to help harvest coconuts and see what the leasehold order meant. We were met by the loyalists of the hacienda landlord. They tried to stop us. Things came to a head when we started to harvest coconuts. Even those who were only there to help were attacked. In the end, 68 farmers, myself included, were charged with qualified theft. Two officials of DAR in San Francisco were also named respondents in the case.

The incident taught me the extent of the resistance of landlords to CARP. But I also learned that there is a law that says we

have a right to the land. I soon joined those petitioning for land to be distributed to us farmers.

Those who joined the petition endured many struggles. The landlord who was once benevolent to me, began to treat me badly. He summoned me and asked me to withdraw the petition. I said all I wanted was what was due to me under the law. He said I was stubborn, hardly the same person he knew. He said he only wanted me to withdraw the petition so that harmony can be restored in the hacienda. But I knew our life would not change under a system where we serve a master. I stayed with the petitioners. Probably because my fellow farmers saw that I would not abandon our cause, they later voted me president of our group in one sitio in Matias.

Many among us almost gave up in the miserable years between 2005 and 2008. Goons working for our landlord kept harassing us. Some farmers had to go in hiding. Some were kicked out of the lands they were tilling. Some suffered grave injuries. We were dismayed that government was not able to protect us.

But we did not abandon our claim. The year 2009 brought many changes. CARP which was implemented from 1988-2009 was extended with reforms. Organized farmers made the extension happen. Our group joined in the campaign for CARP extension and allied with those supporting it in Congress to push for its extension.

The Building Bridges for Peace project launched in 2009 signaled another breakthrough. BBP activities paved the way for dialogues and negotiations between us



and government agencies. We celebrated together when cases of criminalization against farmers were dropped through the referral system, when the security sector joined dialogues and understood our struggle, and when concrete plans were made with government to implement land reform in the once untouchable haciendas of Bondoc Peninsula.

The key to peace in our place is the recognition of our right to a decent life and to land. The political will of farmers, peace-builders and government can complete the task of agrarian reform. The period between 2009 and 2011 has been a turning point for us. We have seen five of seven lots divided, something that we once taught almost impossible. As of now, we are waiting for the valuation by the Land Bank of the Philippines on three remaining lots. Government can take over once a cash deposit is made and we farmers will be more protected.

In 2012, we look forward to the start of distribution of lands in Hacienda Matias to us. We hope there will be no more violence in our place. We can make this happen if we hold firm and if our society stands for the rule of law.

Maribel Luzara
*President, Peasant Movement
of Bondoc Peninsula (KMBP)*

Honest & capable officials are key to proper implementation of the agrarian law Tapat at may kakayahang opisyal ang susi sa maayos na pagpapatupad ng batas agraryo (Translated from Filipino.)

Mahalaga ang mga repormistang elemento sa loob ng pamahalaan para sa pagpapatupad ng repormang agraryo sa bansa. Ang pinag-uusapan sa agrarian reform ay laban sa interes ng mga makapangyarihan. Patuloy na mangibabaw ang kapangyarihan ng mga may-ari ng lupa kung hindi sisiriyosohin ang reporma.

Reformist elements in government can make the difference in realizing agrarian reform in the country. Agrarian reform goes against the interests of the powerful. The powerful will continue to prevail if reforms are not fully pursued.



In Bondoc Peninsula, there was marked progress in agrarian reform in 2011 because the newly assigned Provincial Agrarian Reform Officer (PARO) was accessible, listened to farmers, not easily angered during dialogues and made good on the promises he made. Having a new Department of Agrarian Reform PARO II in Quezon was among the recommendations forwarded by farmers in Building Bridges for Peace multi-stakeholder dialogues. The appointment of Atty. Sam Solomero as PARO was a welcome response from government itself.

Of course, it would have been difficult even for such a PARO if he had no support within and outside government. DAR became more eager and quick in responding to the requests of farmers. QUARDDS continued organizing and mobilizing the peasants to keep their assertion of agrarian reform. Others, including the church, gave their support.

Aside from taking part in BBP multi-stakeholders dialogues, PARO Solomero fostered a consolidated government approach by regularly

convening a local inter-agency team that discussed concrete steps for the steady implementation of the agrarian reform.

Municipal level officials were similarly determined to carry out activities. In 2011, for example, leasehold implementation was facilitated in three landholdings in the town of San Francisco because of the dedication of Municipal Agrarian Reform Officer Milo Dizon. Around 200 hectares were subjected to leasehold, benefiting more than 60 farmers.

If government officials performed well and collaborated with those working to realize the rule of law, there are no impediments to agrarian reform that cannot be breached. Conflicts arising from landlessness and the resulting poverty can become a thing of the past. This will build the confidence of the people in government and the practice of good governance.

Jansept Geronimo

*Community Organizer Supervisor,
Quezon Association for Rural
Development and Democratization
Services (QUARDDS)*



MT. BALATUKAN, MISAMIS ORIENTAL Keeping sight of ancestral domain in the forward horizon

by Ving O. Dilla & Bae Rose Undag, BBP team in Misamis Oriental

BBP director, Rebecca Lozada, presents the Mt. Balatukan experience in a joint session of the Misamis Oriental and Agusan del Norte Provincial Peace and Order Councils, 25 May 2011.



There are times when you have to go back to the beginning to get to where you want to be.

On the third year of Building Bridges for Peace Project (BBPP) in Mt. Balatukan, Misamis Oriental, Higaonon communities seeking the final processing of their ancestral domain claims on 57,870 hectares in Mt. Balatukan asked their elders to recall the stories of their ancestors.



Elders and Leaders' Conference, 17-20 June 2011

The extraordinary Elders' and Leaders' Conference, on June 17-20, 2011, was held in Lantad, Kibanban, Balingasag, Misamis Oriental with tribal elders, members of PDT/CDT (Provincial Delineation Team/Community Delineation Team representatives of

the provincial government, leaders of the Tribal Council of Balatukan, and BBP staff. Together they completed a record of the history of Balatukan and the identification of gaps and boundaries of their areas to make the case for their unified claim of ancestral domain.



All necessary documents were completed – genealogy, testimony of elders, metes and bounds, traditional boundaries and perimeter boundary resolution, and current census. Higaonon leaders also presented sketch maps of their communities, specially the metes and bounds, as reference for staff of the National Commission on Indigenous Peoples (NCIP) who will complete the research and final survey report of the area.

Reviewing traditional boundary markers

The Higaonon Tribe of Balatukan started the assertion of their right to ancestral domain in 1987. Through the years, the claim has gone through what was then the Office of Southern Cultural Communities (filed 1987), the Department of Environment and Natural Resources (filed for processing 1993-1994), and then endorsed to the NCIP when it was created in 1998 with the passage of the Indigenous Peoples Rights Act (IPRA) of 1997.

The guidelines on ancestral domain claims came out in 2002. On the following year, a Provincial Delineation Consultation was conducted by the

NCIP. A representative from each claim was invited to discuss the priorities. Datu Bruno Lindahay represented the Balatukan Claim. The NCIP said they can only release appropriations for one Certificate of Ancestral Domain Title (CADT) claim each year. It was decided by those present that Samay in Balingasag, Minalwang in Claveria, Lubilan in Naawan, the municipalities of Sagay, Mambajao, Guinsiliban & Catarman in Camiguin and Baligihan in Gingoog City will be prioritized. Out of the five claims in the priority list, only two, Samay and Minalwang, have been awarded CADT. Man-ibay, Mat-i, Cibuleg, Languyod (MAMCILA) will soon be



Launch of a toolkit on human rights and pursuing CADT claims written in Higaonon language

Peoples Declaration of the Residents of Lantad, Kibanban, Municipality of Balingasag, Misamis Oriental, Relative to the Peace and Development of the Area

I. INITIAL OBJECTIVE:

Primary objective of this declaration is to inform the two Panels in the Peace Process, namely: Government of the Philippines (GPH) and National Democratic Front (NDF), in Oslo, Norway, relative to our own perspective and struggles for peace and that this will be recognized as part in the whole context of the peace process.

II. PRESENT SITUATION OF LANTAD:

The Sitio of Lantad is a part of Barangay Kibanban, Municipality of Balingasag, Misamis Oriental. Many people are settling in this place because of the fertile land resources. In the past 10-20 years, the situation is difficult primarily because of the absence of viable road for us to use and this place was turned into a rich area that generated the formation of armed rebel group and the cause was easily espoused upon by the people because the government is far-off from the hearts of the people. In fact, the history is a living witness of the neglect that we experience in the past administrations.

Since the place Lantad was then the center of the revolutionary movement in

the northern Mindanao, the place then was a subject of a special campaign of the Armed Forces of the Philippines (AFP) and the purpose of which is to defeat the forces of the rebels.

The hardships and difficulties that we experienced as people of Lantad were unimaginable. The ferocious nature of the war blew our lives as a people, and we were just like birds of prey and in diaspora.

At present, in order to complete the peace that we experienced after the war, we cooperated with the administration of Gov. Oscar S. Moreno, who is trying his best to give a priority by granting aid to Lantad and the establishment of the viable all weather access road. He is the first Governor who ascended unto Lantad with the primordial intention of granting funds and other aids in convergence with different agencies of government and private sectors. This is an indicator on the achievement of his administration on the program of bringing the government closer to the people through the delivery of basic services.

We people of Lantad possess the fate of our place. We now recognize that we have the power to build local development with the cooperation of other

agencies of government and other private groups. We are now in the stage to recognize our own problems and possessing the needed experience and skills to recognize appropriate solutions.

In other words, we passed the stage of local political reforms and we are now in the middle of crafting pro-people economic and cultural reforms.

Some indicators of the reforms shall be the following:

1. Our solar dryer was already established to attend the farm yields
2. We have already established houses complete with toilets
3. Almost all family residences have electric power sourced from solar panels
4. The Cooperative of Lantad is growing bigger
5. The elementary school is now streamlined
6. We have now a big a Peanut Processing Plant
7. The yield of abaca improved as well as other agricultural yield
8. We have Dream Cable Television to provide us information and entertainment of the people
9. The process of settling disputes through indigenous ways was made more efficient

10. There is a good working relation with the personalities of the military detachment/CAFGU with us residents
11. We have now farm service vehicle to cater the transportation needs of our products to reach the Municipality of Balingasag, being a Special Agrarian Reform Community, courtesy of the Department of Agrarian Reform

Lantad is now improving compared to the past.

All these are fruition to our struggles as a people who strive to live in peace and in unity with equality and meaningful development.

We recognize that this is a basic human right as articulated under Number 1 and 2 of Article 2, Part III – RESPECT FOR HUMAN RIGHTS in CARHRIHL, thus:

- “1. The right to self-determination of the Filipino nation by virtue of which the people should fully and freely determine their political status, pursue their economic, social and cultural development, and dispose of their natural wealth and resources for their own welfare and benefit towards genuine national independence, democracy, social justice and development.
- “2. The inherent and inalienable right of the people to establish a just, democratic and peaceful society, to adopt effective safeguards against, and to oppose oppression

and tyranny similar to that of the past dictatorial regime.”

III. HARASSMENT LAST APRIL 15, 2011:

The detachment of the Armed Forces of the Philippines (AFP) where our brothers in the CAFGU took a duty last April 15, 2011 were harassed by armed group believed to be members of the New Peoples Army. The detachment was strafed and lobbed with an M203 and a number of CAFGU men were wounded. Well, we were not terrified but the incident was certainly a disturbance on our peace experience.

In our view, the aforementioned is not in accordance with the spirit of CARHRIHL, especially on the two cited



Headline of Newline Mindanao

principles. Our struggle to possess the needed Social and Economic Reforms at the ground level ought to be recognized while the Peace Process is taking its due course in Oslo, Norway.

Hence, it is not proper to disturb our peace experience at the community level since we have had all agreed on CARHRIHL. We, therefore, hope that peace be given a chance in Lantad.

Let's give peace a chance in Lantad!

IV. DATE AND PLACE OF SIGNING THIS DOCUMENT:

Signed by the people of Lantad, Kibanban, Balingasag, Misamis Oriental, this 25th day of May, 2011.



*(Above) At a training on paralegal work and environmental law
(Bottom) Media interview on intensified rebel activities in Misamis Oriental*

awarded their CADT. In 2012, the Higaonons of Mt. Balatukan will mark their 25th year in claiming their right to ancestral domain. It may prove to be the year the Philippine government makes good on the law recognizing the ancestral domain of their people.

There is much hope but the scars of the past remain. Years of marginalization of the Higaonon have radicalised the tribal members who legitimately

question the need for a process on lands that are known to be sacred to them and were nurtured by their ancestors.

Balatukan was known to be a “no-man’s land” in the 1970s. The government was barely visible. The Communist Party of the Philippines-New Peoples Army-National Democratic Front Northern Mindanao Revolutionary Committee made Sitio Lantad in Mt. Balatukan their Regional Headquarters in the mid 1970s. It was in Lantad, some 800 feet above sea level, that the First Municipal Revolutionary Government of the North Central Revolutionary Committee was established. At that time, Northern Mindanao (Region X) still included what is now the CARAGA Region.

The elders of the Higaonon communities lament that the conflict has torn their communities. It is Higaonon youth who make up the bulk of the recruits of the NPA. They in turn fight fellow Higaonon youth recruited into the armed forces or the CAFGUs.

Balatukan is no longer the “nerve center” of the regional armed rebellion but rebels still make their presence felt. The NCIP has completed 80 percent of the perimeter survey needed as a prerequisite to CADT processing but the survey on the last 20 percent of the claimed area has been stalled. Some communities do not allow the survey to be conducted because they fear that the NPA who is against the process will create trouble. The Higaonon communities are discussing how best to proceed with the survey.

Making new tracks

Datus and Baes say that they will find a way to proceed with all the CADT processes needed. Lantad is no longer the “no man’s land” it was known to be. Provincial Governor Oscar Moreno first visited Lantad on a religious procession through the dirt roads of the highlands on the Holy Week of 2005. He and his team soon started projects such as paving roads, building a market and providing electricity in the center to support the community.

In 2009, BBP launched its program in the area and was quickly supported by the local government and Higaonon communities looking for ways to develop the Higaonon areas. Consensus was reached in a consultation with Higaonon leaders followed by an initial multi-stakeholder dialogue on 29-31 May 2009 in Carl Goms, Balingasag that the BBP should focus on the demand of the Higaonon for recognition of their ancestral domain in Mt. Balatukan.

Teddy Sabuga-a, the executive director of the Provincial Peace and Order Council, says the timing couldn’t have been better as they were trying to find ways to make a real difference in the area. “The BBP activities became a venue for all stakeholders to sit together and finally make changes in terms of the land rights of the Higaonon – the key to their identity,” he says.

Multi-stakeholder dialogues; bilateral meetings and lobby with line agencies particularly with the NCIP and DENR; and community consultations and training were held in close coordination with Misamis Oriental PPOC. The last three years of work have

resulted in unity in identifying what has to be done, on the need to know the whole process of CADT processing, the harmonization of laws needed for the integrity of the protected area, among others. Where there was confusion, straight answers were given. Where there was no end in sight, definite steps and targets were made.



Paralegal training facilitated by Balaod Mindanao

Misamis Oriental repeats as Galing Pook Awardee

By Misamis Oriental Provincial Press Office

Misamis Oriental garnered another Galing Pook Award for the second straight year with its local peace building initiative project “The Lantad Peace-Building Experience: Turning Red to Green in Misamis Oriental” (From a ‘No Man’s Land’ to a Land of Hope/Strategic Innovations in Upgrading Misamis Oriental’s Provincial Peace and Order Council).

The good news was relayed December 5 to Gov. Oscar S. Moreno by officials of the Galing Pook Foundation in Quezon City following the presentation by the 18 finalists at the Galing Pook offices in Quezon City last November 29.

“Winning the Galing Pook Award for the second consecutive year is awesomely inspiring,” said Gov. Moreno. “This brings to Misamis Oriental and our people more dignity and respectability.”

“I am honored and privileged to have led our team in gathering more recognition. I thank the men and women of the team whom I call the Lantad Changers for the splendid work!”

Under the program, Misamis Oriental selected Sitio Lantad in Barangay Kibanban, Balingasag Municipality, Misamis Oriental as a showcase for its paradigm shift in addressing the insurgency in the province by focusing on peace building instead of war and brute force to win the hearts and minds of the people by subduing the real enemies of peace: poverty and ignorance. This, at a time when the administration of former president Gloria Arroyo was vowing to wipe out the communist insurgency in a year

“This is a teamwork I hope will be replicated in other areas of the province; a partnership that can become a showcase for others to follow,” Gov. Moreno said. “It is difficult to attain peace through peaceful means, but it is more rewarding.”

Gov. Moreno said the Lantad Changers included the Core Group, Department of Agrarian Reform, Department of Environment and Natural Resources, Department of Agriculture, Department of Interior and Local Government, Commission on Human Rights, National Commission of Indigenous Peoples,

Philippine National Police, Armed Forces of the Philippines, Municipal Government of Balingasag, Barangay Government of Kibanban, Archdiocesan Center for Concern Empowerment and Services, Interfaith (Roman Catholic Church; Iglesia Filipina Independiente; Muslim; United Methodist), Balay Mindanaw, Balaod Mindanaw, German Doctors, Gising Barangay Movement, Philippine Coalition for International Criminal Court-Building Bridges for Peace and the media.

The Galing Pook Awards was launched in 1993 to identify and recognize innovative practices of local government units. The finalists with outstanding initiatives are carefully selected and the Top 10 winners recognized in a prestigious awards ceremony conferred by the President.

The Galing Pook Awardees are chosen from a national search of local governance programs, evaluated through a multilevel rigorous screening process based on positive results and impact, promotion of people’s participation and empowerment,



Governor Oscar Moreno visits Lantad

innovation, transferability and sustainability, and efficiency of program service delivery.

The Galing Pook Foundation promotes innovative and excellent local governance programs that successfully address urgent social and economic problems. It continues to broaden

its network of partners to build a wider constituency for the recognition and documentation of best local governance practices. It has excellent working relationship with 81 provinces, 110 cities and 1,505 municipalities in the country which is crucial to the adoption of best practices by local governments in the advocacy for

good governance. (Misamis Oriental Provincial Press Office)

Downloaded 7 December 2011 from <http://www.kagay-an.com/articles.php?key=1657>

Awarding will be done on the third or fourth week of January 2012 in Malacañang with Pres. Benigno S. Aquino III leading the awarding rites.

Highlights in working with the Higaonon people

- BBP's peace agenda was adopted by the Higaonon communities after elders and leaders held a caucus in which the objectives of the project was discussed and a ritual was conducted with BBP and other stakeholders.

BBP was also adopted by the Misamis Oriental Provincial Peace and Order Council; and a Conflict Management Cluster was established to address peace and conflict issues.

The PPOC chose Lantad as the showcase for its revised peacebuilding initiatives and as one of the pilot areas for the Philippine Coalition for International Criminal Court-BBP Project.

- Formulation of Memorandum of Understanding of Harmonizing the IPRA and National Integrated Protected Areas Systems (NIPAS) especially in the Balatukan National Park as a protected area entitled "To Pursue Higaonon People's Ancestral Domain Claim"
- In 2011, an Addendum to the Memorandum of Understanding in Harmonizing the IPRA and NIPAS was prepared to corroborate common areas/concerns for implementation by stakeholders.

Some background: The National Integrated Protected Areas System (NIPAS) Act

enacted in 1992 recognizes the ancestral lands and rights over them (Section 13). In 2007, the Department of Environment and Natural Resources (DENR), NCIP and a non-governmental organization assisting in the area conducted a Strengths-Weaknesses-Opportunities-Threats or SWOT analysis. Higaonon communities registered their protest against making Mt. Balatukan a National Park. The Higaonon wanted their ancestral domain claim to prosper and feared the impact on parts of their claim being proclaimed a Natural Park. The protest was noted but on March 6, 2007, Presidential Proclamation 1249 declared the areas in the Municipalities of Claveria, Balingasag, Medina and Gingoog City which are in Mount Balatukan Range as The Mt. Balatukan Range National Park. The park covered 9,645 hectares of the CADT claim of the Higaonon Tribe of Balatukan.

On CADT claim processing

- BBP 2009 closed with funding commitment for the CADT Processing from the NCIP National Office & the Provincial Government of Misamis Oriental.
- As a result of BBP-held dialogues and bilateral meetings with line agencies, social preparation activities finally started in 2010 with the initial release of PhP310,845 from NCIP National Office and PhP300,000 from the provincial government.

- 2011 Elders Conference validated data gathered to complete the Social Preparation stage
- Perimeter and Segregation survey—the final step in CADT processing prior to awarding of Ancestral Domain title—was started in the third quarter of 2011 with the release of Php1.096M by NCIP. This is targeted to be completed by the first quarter of 2012.

On ADSDPP Formulation

- In 2011, documentation and validation of Indigenous knowledge Systems and Practices for information, education and communications (IEC) materials for the IP youth
- Formation of IP Bantay Kalasan (Bantay Kalikasan) in 13 areas of the Balatukan CADT claim through Basic Paralegal Training and Planning Workshop in coordination with Balaod Mindanaw.
- Mainstreaming the budget for Balatukan Tribal Council ADSDPP (Ancestral Domain Sustainable Development Protection Plan) in the Barangay/Municipal/Provincial Development Plan.

IP leaders representation

- Selection/election of IP leaders representatives in the barangays of Quezon, Calawag and Kibanban undertaken (December 8, 16 & 17, 2011)

Impact

- Retrieval of Valuable Cultural/Traditional Practices for future generation's use of Higaonon in Mt. Balatukan
- Realization of the Higaonon Sustainable Management of Resources
- Empowerment of the Higaonon to equally manage the National Park with the Protected Area Management Board (PAMB) in the Ancestral Domain
- Commitment of the Provincial Peace and Order Council of the Provincial Government of Misamis Oriental and the PPOC of Agusan del Norte partners and Hon. Mayor Guingona of Gingoog City to appropriate funds for the verification, profiling and social preparation of another ancestral domain claim of the Higaonon that covers areas of both Misamis Oriental and Agusan del Norte, the TATRICO ODLIBA ancestral domain claim.

Barangays and Sitios in Balatukan CADT Claim

Barangay/Sitio		Balatukan Tribal Council Representative
1.	Kibuging, Gingoog City	Datu Crispin Mandamiento
2.	Bantaawan, Gingoog City	Beberd Lindaan
3.	Pigsaluhan, Gingoog City	Datu Criselle Castillo
4.	Mananum Daan, Medina, Mis. Or.	Marcelino Sagiahon
5.	Mananum Bag-o, Medina, Mis. Or.	Algeric Sagiahon
6.	Bangbang, Medina, Mis. Or.	Datu Roberto Talon
7.	San Isidro, Medina, Mis. Or.	Datu Nelson Rautraut
8.	Pahindong, Medina, Mis. Or.	Bae Jeaneth Beltran
9.	Umagos, Lagonglong, Mis. Or.	Datu Iglesias Lutawan
10.	Banglay, Lagonglong, Mis. Or.	Datu Jimmy Hilogon
11.	Calawag, Balingasag, Mis. Or.	Datu Hermilio Guinalang
12.	Kibanban, Balingasag, Mis. Or.	Datu Carlos Buclu-ay, Jr.
13.	Quezon, Balingasag, Mis. Or.	Datu Pablo Sarmiento
14.	Sitio Lantad, Kibanban, Mis. Or.	Datu Romeo Lindahay

• MILESTONES IN 2009-2011 •

- **Unity of key stakeholders in addressing root problems of conflict** in project areas by upholding rule of law and social justice legislation. BBP multi-stakeholder dialogues have been well participated and often co-convened by major partners such as the Commission on Human Rights and local government. Rights-holders and duty-holders sustain dialogues and action planning in the project areas of Bondoc Peninsula in Quezon and Mt. Balatukan in Misamis Oriental and in the national level by embracing the imperatives of human rights (HR) and upholding international humanitarian law (IHL) and social justice legislation in addressing land-based conflicts.

The BBP experience has become a platform to assert the stakeholders' perspectives in the national discourse on peace processes. A highlight in 2011 was the May 25 Lantad Declaration calling for a truce between the government and the underground Left, and for action on needed social economic reforms. This was supported by civil society and the Provincial Peace and Order Councils (PPOCs) of Misamis Oriental and Agusan del Norte.

- **Structures working on specific commitments made** with and among key partners from people's organizations, government agencies and non-governmental organizations. Notably, the BBP agenda was adopted by the Provincial Peace and Order Council of Misamis Oriental in 2009. The PPOC took the challenge one step further with the formation of a Conflict Management Cluster. For Bondoc

Peninsula, an Inter-Agency Task Force led by the Department of Agrarian Reform (DAR) was formed and worked with stakeholders in creating a template for land reform implementation in Bondoc Peninsula.

- **Conflict transformation is pursued through good governance.** The BBP dialogues and action planning built the confidence of stakeholders in exercising their role in good governance and upholding rule of law to address land-based conflicts.

A notable advance is the substantial engagement with the security sector on matters of human rights, human security and peace-building with more frequent interactions in open dialogues through BBP activities and other venues. The security sector, particularly the members of the Armed Forces of the Philippines, supported the information campaign for agrarian reform implementation in several conflict sites. The local police office particularly in San Francisco, Bondoc Peninsula enforced agrarian reform law by arresting persons caught in acts of transgression against the law.

BBP stakeholders see the potential of a transformative engagement with the security sector. On November 29, PCICC was among the civil society groups that launched the Bantay Bayanihan, a civil society oversight mechanism of the AFP's Internal Peace and Security Plan that articulates a whole of nation approach to security and zero tolerance for HR and IHL violations as strategic imperatives.

LAND RIGHTS IN BONDOC PENINSULA

Quezon Province

- **De-criminalization of agrarian struggles**

In 2009-2010, decriminalization was advanced through the mainstreaming of a Referral System. Commitments made in 2009 on strengthening policy resulted in the Supreme Court issuing Circular No. 62-2010 on 28 April 2010, the Department of Justice issuing Department Circular No. 40 “Guidelines on the Investigation and Referral of Cases to the Department of Agrarian Reform Pursuant to Section 19 of RA 9700” on 7 June 2010; and, the DAR issuing Administrative Order No. 4, Series of 2009, entitled “Rules and Regulations Implementing Section 19 of RA 9700” on 15 October 2009.

- Many referred cases have since been dismissed with DAR ruling that they were not fit for trial. This significantly reduced the number of hearings and court related expenses.
- Zero agrarian-related criminal cases were filed in 2011. Harassment cases are no longer thwarting the land rights claims of landless peasants.

- **Dialogues & working structures instituted.**

The local inter-agency task force anchored by the DAR regularly convened to discuss issues and strategize agrarian reform implementation in private lands. A Bondoc Desk at the Department of Environment and Natural Resources (DENR) Regional Office was set up and has convened an inter-agency mechanism to respond to issues in contentious private lands and public lands.

A welcome development for 2011 was the inclusion of the province of Quezon as one of the priority areas of the Office of the Presidential Adviser on the Peace Process (OPAPP), which conducted a peace road mapping in 2011 with

stakeholders. Stakeholders are in position to make the most of OPAPP’s PAMANA which is set to be started in 2012. OPAPP is tapping the services of civil society, including BBP partners, to monitor the implementation of PAMANA.

- **Advances in Private and Public Land Reform.**

Reform in private and public lands reflect divergent perspectives in the way land conflicts are addressed as a peace issue by various government agencies. Fund allocations were secured to survey private lands particularly of Matias properties. DAR has committed to continue surveys in 2012 to fast track securing of land rights for farmers.

- On private land reform
- State laws have prevailed over hacienda laws with the reinstatement of nine Matias tenants; Actual segregation survey of Matias properties; Start of individual survey in 2010 involving 1,706 hectares for distribution to some 600 beneficiaries; and, continuing process of coverage of lands with protest or exemption
- The year 2011 marks a great leap in terms of advancing the government’s land reform implementation, specifically on the coverage of the 1,716-hectare Matias property under the Comprehensive Agrarian Reform Program (CARP) towards eventual distribution to about 600 family-beneficiaries. Five of the seven titles have been surveyed. *(See page for details.)*

- **Implementation of leasehold system** is effectively transforming exploitative tenancy system into a system of agricultural production where farmers have greater control in making the land more productive. For 2011, a total of 153 hectares were transformed into leasehold benefiting 58 farmers in San Francisco (Juanito Tan properties), while in San Narciso, a total

of 180 hectares were covered under leasehold which benefited 70 farmers.

- **On public land reform.** While slow, some developments in public land reform can lead to major breakthroughs: a) the creation of a survey team for ground survey of problematic lots; b) the processing of Community Based Forest Management in Lot 2424 with 1,000 hectares is missing only one requirement; c) the delineation of alienable and disposable lands and timberlands in PSU 223084 with 1,400 hectares; and d) the identification of actual occupants relative to their locations (whether in A&D or timberland) in PSU 223084.
- **Promotion of Law Enforcement.** Assistance of police and military in the enforcement of agrarian reform law (such as their support in the Matias survey and reinstatement of farmers) and actual security provision in land surveys were secured. For 2011, in support of effective land reform implementation, (a) the police, in coordination with the DAR, apprehended persons who were resisting the survey of the Matias properties; (b) for several months, police and military personnel supported the survey in the Hacienda Matias which led to the successful survey (without violence) of the five lots of Matias.

ANCESTRAL DOMAIN RIGHTS IN MT. BALATUKAN Misamis Oriental

- **On CADT claim processing.** BBP 2009 closed with political and funding commitments for the CADT Processing from the NCIP National Office & the Provincial Government of Misamis Oriental. Social preparation activities started in 2010 with the initial release of PhP 310,845 from NCIP National Office and PhP 300,000 from the provincial government.
 - Formulation of a memorandum of understanding on harmonizing the application of two laws, the Indigenous People's Rights Act and the National Integrated Protected Areas System (NIPAS) Act in Mount Balatukan based on a joint resolution earlier released by the National Commission on Indigenous Peoples (NCIP) and the Department of Environment and Natural Resources (DENR) and thus clarifying perceived problems in processing the ancestral domain claim of Higaonon communities in Balatukan which includes 8,423 hectares of the protected area. (Total CADT claim is 57,870 hectares.)
- In 2011, an Addendum to the Memorandum of Understanding in harmonizing the IPRA and NIPAS was prepared to corroborate common areas/ concerns for implementation by stakeholders. Citing provisions of IPRA, it noted the process of the turnover of Areas within Ancestral Domains Managed by Other Government Agencies (The NCIP chair shall certify that the area covered is an ancestral domain. Such notification shall terminate any legal basis for the jurisdiction previously claimed by other national agencies.)
- Included in the addendum are the following:
- > the provision that Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPS) have the responsibility to maintain, develop, protect and conserve preservation or protection areas (including Protected Areas) inside the Ancestral Domain with the full and effective assistance of the government agencies;
 - > the priority rights of indigenous people in terms of access, utilization and protection of resources within the Ancestral Domain;

- > the right of ICCs /IPs to participate in all levels of decision making; and
 - > the IPs' primary responsibility over overlapped areas with the direct assistance of Government Agencies and the Protected Area Management Board (PAMB).
- In 2011 the Balatukan claim entered its final stage prior to CADT awarding. NCIP further downloaded Php 1,096,000.00 for the perimeter and segregation survey. The survey started in the third quarter of 2011 and is targeted for completion by early 2012.
 - Consultation/conference with Balatukan Council of Elders was conducted to validate and complete the Social preparation activities (Phase 1 of the CADT claim) on June 16-18, 2011. The output was submitted to NCIP central on July 14, 2011. The Social Preparation Accomplishment Report (SPAR) covered 13 areas namely Bantaawan, Pigsaluhan, Kibuguing, in Gingoog City; Mananum Daan, Mananum Bag-o, Bangbang, Pahindong, San Isidro, in Medina, Mis. Or.; Calawag, Quezon, Kibanban and Sitio Lantad, of Kibanban, in Balingasag.
 - Translations of major documents and production of materials needed to pursue ancestral domain claims in Mt. Balatukan. In 2011, documentation and validation of Indigenous Knowledge Systems and Practices for information, education and communications (IEC) materials for IP youth.
 - **On peace and security.** Institutionalization of the Conflict Management Cluster of the Provincial Peace and Order Committee of the Provincial Peace and Order Council, an offshoot of the discussions on and adoption of the BBP agenda in 2009. The Cluster has since conducted fact-finding missions on incidents of violence (including the extrajudicial killing of a datu and the burning of equipment of a power company in Plaridel, Claveria) and dialogues on issues such as "revolutionary taxes".
- Collaboration among stakeholders in the training of law enforcers and/Municipal Peace and Order Councils after the Handover of the internal security operations from the security sector to the local government in September 2010
 - Formation of IP Bantay Kalasan (Bantay Kalikasan) through Basic Paralegal Training and Planning Workshop in coordination with Balaod Mindanaw.
 - **Community assertions of human rights and IHL.** A highlight was the Lantad Declaration in May 2012 calling for a truce. This was supported by civil society and the PPOCs of Misamis Oriental and Agusan del Norte.
 - On Higaonon empowerment & representation. Selection/election of IP leaders representatives in the barangays of Quezon, Calawag and Kibanban undertaken (December 8, 16 & 17, 2011)
 - **Impact on ancestral domain claims** of other Higaonon communities in Misamis Oriental and Agusan del Norte Province. In 2010, the TATRICO & ODLIBA claims unified into one claim encompassing 30 barangays. At the request of tribal councils, BBP conducted a paralegal training for leaders and coordinative meetings with the Provincial Government of Agusan del Norte which resulted to a presentation on BBP and the TATRICO ODLIBA CADT claim at the Sangguniang Panlalawigan and Provincial Peace and Order Council. In 2011, a joint session of the Misamis Oriental & Agusan del Norte PPOCs was conducted with a presentation of the BBP activities which resulted to the commitment of both PPOCs to support the claim and to coordinate further on issues of peace and security.