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## In the name of the law

# Landgrabbing in Cagayan Valley

*AB's past issue tackled how widespread land use conversion and landgrabbing in different parts of the country are being systematically implemented through reactionary laws such as the Comprehensive Agrarian Reform Law (CARL) and deceptive government programs like the Agrarian Reform Communities (ARC).*

*The following article drawn from **Baringkuas** (the revolutionary mass paper in Cagayan Valley) exposes the ruling class and reactionary government's use of laws such as the Indigenous People's Rights Act (IPRA) and Mining Act of 1995. The article also exposes the manipulation of existing agrarian laws to allow the widespread grabbing of lands from settlers and minorities in the forests and mountain areas of Nueva Vizcaya, Isabela and Quirino.*



In Cagayan Valley, it is the reactionary state that serves as the most despotic landlord and the biggest grabber of land from settlers and minorities. It uses deceptive and repressive laws to seize land from the people for the benefit of foreign corporations and the local ruling class.

### **IPRA: Trampling on the rights of minorities**

The Ramos regime made into law the Indigenous People's Rights Act (IPRA) in 1997, boasting that this was proof of his government's recognition and protection of the national minorities' ancestral domain.

But for the Agta, Bungalot, Igorot and other minorities in Cagayan Valley, the IPRA means the loss of their right to the vast expanse of communal lands they had inherited from their forebears and from which they derive their livelihood.

Like the CADC (Certificate of Ancestral Domain Claim) scheme, the IPRA confines minorities to limited areas designated as "ancestral domains". Before boundaries are declared, the land is first surveyed to determine which portions are the most productive and the richest in profitable resources. The most profitable portions are excluded from the scope of the "ancestral domain" and declared as public lands that are up for grabs by foreign capitalists and the big local comprador bourgeoisie and landlords. With the land already surveyed, it becomes very easy for the state to take control over it or to buy, sell or grab the land.

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In Cagayan Valley, the pro-foreign Mining Act of 1995 obviously dovetails the IPRA and CADC. Five foreign mining companies have had their applications approved to open concessions in the entire land area of Kasibu, Nueva Vizcaya, most of which are Ilongot and settler lands. These are Climax-Arimco Mining Corp., Dalton Pacific Mining Resources, Inc., Red Earth Mining Corp., St. Patrick Mining Resources and Lasseter Mining Co.

The biggest among these is Climax-Arimco, an Australian corporation, encompassing 100,000 hectares in 32 barrios in Nueva Vizcaya and Quirino. Upon its arrival, it swiftly swooped down like a vulture to grab lands in four barrios of Kasibu and a barangay in Cabarroguis, Quirino. It also immediately forbade gold panning which the masses engage in to supplement their livelihood. To suppress any form of protest, a battalion of the PNP Recom 2 Regional Mobile Force has been deployed to the area. The PNP-Nueva Vizcaya also immediately set up CAFGU (Citizens Armed Forces Geographical Unit) units in Kasibu.

The local people's intense resistance to Arimco led them to put up on their own, an armed group led by Benjamin Buhe to fight the gigantic corporation. Buhe was killed by the PNP in 1998.

Meanwhile, the monstrous Casecnan Dam is being built to assure the mines with an uninterrupted power supply. Thirteen thousand minorities and settlers from more than 23 barrios in Dupax del Norte, Dupax del Sur, Nagtipunan and Alfonso Castañeda in Nueva Vizcaya are being forcibly evacuated to give way to the construction of the dam.

### **Homesteads: Vanishing frontier**

The state spares no one in its landgrabbing forays, not even settlers who had opened homesteads and had long been in possession of legal papers or paying real estate taxes.

The mountains and foothills of Sierra Madre used to be a vast frontier for settlers from Ilocos, Cordillera, Central Luzon, Bicol and the Visayas who built farms and orchards. Now, the settlers are gradually being evicted, their lands seized to make way for plantations, logging concessions, mines, pasturelands and other businesses owned by landlords, compradors and foreign corporations.

The government allowed homesteads of up to 24 hectares until the '50s. By the time the Marcos dictatorship was ousted in 1986, the allowable homestead had been reduced to less than 10 hectares. This was reduced by one hectare under the Aquino regime and by another two hectares under the Ramos regime.

The reactionary regime has been systematically pushing settlers to the wall these past months in the homestead areas in remote barrios of eastern Isabela: the lands are subjected to new surveys; these are divided into small parcels, with the settlers being slapped with several years' back taxes. Those who are unable to pay are stripped of their right to the land they had cleared and developed for decades.

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In a curious method of implementing "land reform," the Department of Agrarian Reform (DAR) orders other settlers to pay P40,000 per hectare for the next 30 years as amortization for the land. The Land Bank forecloses the land of those who default on their payments and sells this for P100,000 per hectare to businessmen and landlords.

This legal form of landgrabbing is widespread in the towns of Echague, Jones and San Guillermo in Isabela. Based on investigations conducted by mass work units of the New People's Army operating in the area, at least 3,600 hectares and thousands of persons have already been affected by this scheme.

### **"Reforestation": Millions looted**

"Reforestation" and awarding stewardship contracts to farmers who supposedly serve as caretakers of the forest comprise another cunning way of grabbing land from settlers and minorities in Cagayan Valley and other regions.

The stewardship scheme merely provides the state, through the Department of Environment and Natural Resources (DENR), with a means of gaining control over the settlers' farmlands.

As a supposed part of its reforestation project, the DENR obliges anyone who has entered into a stewardship contract to plant Gmelina, a fast-growing industrial tree. This, despite the fact that no other flora could survive near the Gmelina as the latter sucks in a lot of water.

A steward is not allowed to sell, pawn or pass on as inheritance the land under his "care". Neither is he allowed to cut and sell the trees without permission from the DENR, for which he must also pay a fee. He may own the land in name, but he is no longer free to decide what to do with it.

"Reforestation" became a fad in the '80s when the World Bank provided massive funds for it. Under the Aquino regime, the government also allotted P139 billion as local counterpart for the World Bank loan. Despite such huge funding for "reforestation", forests remain denuded. The money has merely been looted by government officials, logging companies and nongovernmental organizations (NGOs) pretending to be for the masses.

Among those who benefited are former Gov. Junie Cua (now Presidential Adviser for Northern Luzon) who wiped out the reforestation funds for Quirino; Gov. Faustino Dy of Isabela, a logger who set up his own "reforestation NGO" to serve as channel for funds; Rep. Heherson Alvarez, former DENR Secretary under the Aquino regime and erstwhile senator; and former San Mariano mayor Teodoro Go who pocketed, along with the former mayor of Ilagan, P2 million in 1986 and P7 million in 1997.

In Isabela, the "NGOs" Plan International and Silayan Cooperative also partook of the loot from the reforestation funds. Silayan Cooperative, which is owned by Chinese businessman Roland Lee, supplies lumber for the housing projects of Plan International, a front of the US Central Intelligence Agency masquerading as a charitable American institution.

The Philippine Rural Reconstruction Movement (PRRM), which has an office in Nueva Vizcaya, is also involved in the "reforestation" scheme (aside from pursuing intelligence activities and waging psywar against the revolutionary movement). Former PRRM director Horacio 'Boy' Morales is the current DAR Secretary.

The latter implies nothing else but that the large-scale "legal" grabbing of lands by the state from settlers and minority peoples will definitely persist under the Estrada regime.

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