



Republic of the Philippines
Department of Environment and Natural Resources

FOREST MANAGEMENT BUREAU

Visayas Avenue, Diliman, 1100 Quezon City

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E-mail Address: fmb@denr.gov.ph

Website: <https://www.forestry.denr.gov.ph>

AUG 31 2021

ATTY. NOEL K. FELONGCO

Secretary/Lead Convenor

National Anti-Poverty Commission

Office of the President of the Philippines

Water Supply Training Center, MWSS-LWUA Complex

Katipunan Avenue, Quezon City



Dear Sir:

This pertains to your letter dated 19 July 2021 to Secretary Roy A. Cimatu forwarding the letter dated 16 June 2021 of PESANTE-Palawan and PESANTE-Pilipinas, which were addressed to your Office, the Chairperson of Commission on Human Rights – Atty. Chito Gascon, and the Chairperson of Presidential Commission for the Urban Poor – Hon. Alvin Feliciano regarding the various issues concerning the Yulo King Ranch (YKR) or the Busuanga Pasture Reserve (BPR) in Busuanga Island, Palawan.

A copy of the said letter was referred by the Office of the DENR Secretary to the Forest Management Bureau (FMB) for appropriate action. Upon review of the said document, hereunder are the comments/position of this Office on the issues raised by the PESANTE group, to wit:

I. Legal Basis of exemption of Busuanga Pasture Reserve (BPR) lands to government owned lands subject to disposition pursuant to Executive Order No. 75, Series of 2019

1. This Office is of the considered view that EO 75 is not applicable to the Busuanga Pasture Reserve (BPR). PP 1387 carries the same weight as that of a Republic Act or a law. From 1973 to 1978, the power of the Executive and the Legislative was vested on the President. With the force and effect of a law, PP 1387 specifically prohibits the sale, settlement, disposition, exploration and exploitation of BPR and reserves the same for pasture purposes.

Likewise, Section 1 of EO 75, subjected the acquisition of government-owned agricultural lands to limitation and conditions provided under applicable laws, rules and issuances, and we quote:

Section 1. Acquisition of Government-Owned Agricultural Lands.-
Subject to the limitations and conditions provided under applicable laws, rules and issuances, the DAR shall acquire all lands devoted to or suitable for agriculture, which are owned by the departments, bureaus, offices and instrumentalities of the Government, and which are no longer

actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired, for the purpose of eventual distribution to qualified beneficiaries.

In addition, Section 10 of RA 6657 explicitly provides that all lands with eighteen percent (18%) slope and over, except those already developed, shall be exempt from CARP coverage. The said provision states that:

SECTION 10. Exemptions and Exclusions. — Lands actually, directly and exclusively used and found to be necessary for parks, wildlife, forest reserves, reforestation, fish sanctuaries and breeding grounds, watersheds, and mangroves, national defense, school sites and campuses including experimental farm stations operated by public or private schools for educational purposes, seeds and seedlings research and pilot production centers, church sites and convents appurtenant thereto, mosque sites and Islamic centers appurtenant thereto, communal burial grounds and cemeteries, penal colonies and penal farms actually worked by the inmates, government and private research and quarantine centers and **all lands with eighteen percent (18%) slope and over, except those already developed shall be exempt from the coverage of this Act.**

2. Presidential Proclamation No. 1387, Series of 1987 does not discriminate whether the area is classified as alienable and disposable or forest land based on the previous Land Classification map. It only allows for the recognition of private rights vested prior to the issuance of PP 1387. It should be mentioned that there is a Protest Action filed by the DENR-FMB regarding the cancellation of Notice to Proceed Acquisition dated 17 February 2020 pursuant to EO 75, Series of 2019.
3. Further, it bears stressing that when President Ferdinand Marcos issued PP 1387 s. 1975 for the establishment of a pasture reserve in Busuanga, Palawan, the whole BPR was withdrawn from “sale, settlement or any other form of disposition, exploration or exploitation and reserve as a pasture reserve”. Hence, the whole 40,000 hectares of BPR area was reclassified into forestland, including the areas which were formerly classified as agricultural Alienable and Disposable (A&D) land¹.

It must also be emphasized that PP 1387 was issued during the effectivity of the 1973 Constitution, when the legal classification of lands still includes “grazing lands”. Section 10 of Article XIV of the 1973 Constitution². The said land classification was removed in the 1987 Constitution. Grazing or pasture land as a classification was consolidated into forest or timber land³.

¹ *Reserving and Establishing as a Pasture Reserve a certain parcel of land of the Public Domain situated in the Island of Busuanga, Province of Palawan. Presidential Proclamation No. 1387, series of 1975*

² Section 10. Lands of the public domain are classified into agricultural, industrial or commercial, residential, resettlement, mineral, timber or forest, and grazing lands and such other classes as may be provided by law.

³ Section 3. Lands of the public domain are classified into agricultural, forest or timber, mineral lands and national parks. Agricultural lands of the public domain may be further classified by law according to the uses which they may be devoted. Alienable lands of the public domain shall be limited to agricultural lands.

II. Memorandum of Agreement (MOA) between the DENR and DA authorizing the latter through Bureau of Animal Industry- National Beef Cattle Research Development Center (BAI-NBCRDC) to use 2,217 hectares of land within BPR

1. The MOA between the DENR and DA through BAI has been signed on 01 June 2018. The operation of BAI in BPR is in line with the objectives of PP 1387 reserving the area for pasture purposes. Thus, the MOA between DENR and DA is in order.
2. The MOA signed by and between the DENR and DA is a mutual covenant set forth by the parties deserving respect. The Court rendered judgement in favor of the plaintiffs (BAI) and ordered the defendants to vacate the property subject of the case and peacefully turn over the possession to the plaintiff in the decision dated 21 June 2013 issued by the Municipal Circuit Trial Court (MTC) Honorable Judge Lovelle Moana R. Hitosis. Accordingly, the Court issued a Writ of Demolition on 11 January 2017 addressed to the Sheriff RTC Branch 49, Palawan to implement and enforce the Order of the Court in ejecting the identified occupant defendant-appellants enumerated in the complaints. *Hence, intervening with the filed and decided cases over the area may appear to interfere with a final and executory Decision of a Court of Law and encroaching into the domain of BAI based on the signed MOA.*

Relative to the shooting incident resulting to the death of PESANTE member Arnel Figueroa, records show that a case was already filed and being heard in the Regional Trial Court of Palawan for murder against the accused with Criminal Case No. 34272.

3. It is noteworthy to mention that there is a pending protest with DAR on the issuance of Notice to Proceed Acquisition (NTPA). DAR Adjudication Board (DARAB) has yet to issue a resolution on the protest filed by DENR-FMB.

III. Implementation of Forest Land Grazing Management Agreement (FLGMA)

1. During a meeting with DA on 26 October 2020 pertaining to the cases of Coron farmers occupying land covered by MOA within Busuanga Pasture Reserve (BPR), FLGMA was mentioned as one of the possible options which may be looked into for qualified farmer applicants within BPR. Based on DAO 1999-36, FLGMA is a production sharing agreement between a qualified person, association and/or corporation and the government to develop, manage and utilize grazing lands.
2. Please be informed that relative to the request of Climate Change Congress of the Philippines, Inc. for a Zoom workshop to be educated on the nature and specifics of FLGMA in its letter dated 10 November 2020, this Office has already extended its assistance to the PESANTE group by conducting an online learning event through Zoom entitled "Learning Event on the Guidelines pertaining to the Application and Issuance of Forest Land Grazing Management Agreement (FLGMA)" which was held on 14 January 2021. In attendance were ninety-eight (98) members of the Climate Change Congress of the Philippines and PESANTE-Pilipinas, two (2) representatives from CENRO Calamianes Islands and (1) representative from DENR Legal Affairs Service.

3. Implementation cannot be facilitated without the application initiated by the PESANTE group. Once submitted, it will undergo the process of review and evaluation for approval, if found in order by the concerned DENR Office.

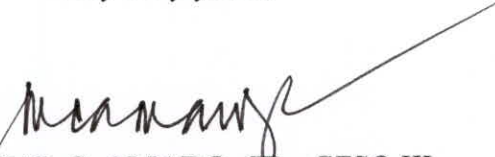
Please be apprised that our comments on the issues are only limited to the mandates of FMB as the administrator of the BPR. Other issues such as alleged human rights abuses and violations, while these are not supported and highly discouraged (if any), interventions to these are beyond the jurisdiction and authority of the Bureau.

Considering the foregoing, this Office maintains its position that the BPR is withdrawn from "sale, settlement or any other form of disposition, exploration or exploitation and reserve as a pasture reserve" pursuant to Presidential Proclamation No. 1387, s. 1975. Hence, the land classification of the entire BPR is forestland.

This Office will continue to discharge its duties of enforcing environmental laws, rules and regulations related to the management of Busuanga Pasture Reserve.

Thank you.

Very truly yours,



MARCIAL C. AMARO, JR., CESO III
Assistant Secretary for Policy, Planning and
Foreign-Assisted and Special Projects and
Director, in concurrent capacity

cc: Chairperson, Commission on Human Rights
Chairperson, Presidential Commission for the Urban Poor
Head Executive Assistant, DENR Secretary
DENR Undersecretary for Legal, Administration, Human Resources and Legislative Affairs
DENR Undersecretary for Field Operations and Environment
DENR Undersecretary for Enforcement, Mining & Muslims Affairs and Supervising Undersecretary for Forest Management Bureau
Regional Executive Director, DENR MIMAROPA
PESANTE Pilipinas

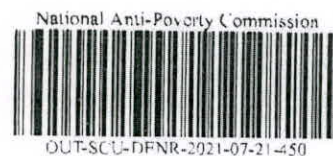
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Office of the President of the Philippines
NATIONAL ANTI-POVERTY COMMISSION
 Water Supply Training Center, MWSS-LWUA Complex, Katipunan Avenue, Quezon City

19 July 2021

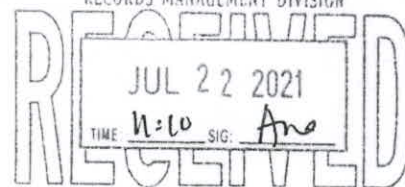


ROY A. CIMATU

Secretary

Department of Environment and Natural Resources (DENR)
 Visayas Avenue, Diliman Quezon City 1100

DEPT. OF ENVIRONMENT AND NATURAL RESOURCES
 RECORDS MANAGEMENT DIVISION



Dear Secretary Cimatú:

Greetings!

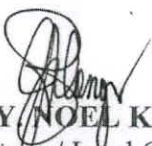
This has reference to the letter from Ms. Evangeline Silva, President of Pesante Pilipinas requesting assistance on the alleged unwarranted and unjust actions by the Department of Agriculture - Bureau of Animal Industry against poor farmers in the Yulo King Ranch in Coron Palawan.

Attached, for your reference, are pertinent documents for your reference.

For further details or clarification, you may contact the NAPC Special Concerns Unit at 0917 631 8114 and napc.actioncenter@gmail.com.

We would appreciate receiving an update on the action taken on this request.

Sincerely yours,


ATTY. NOEL K. FELONGCO
 Secretary / Lead Convenor

cc: Evangeline Silva
 0950 338 2846 / evangelinesilvapasantenew@gmail.com
 Yulo King Ranch, Coron, Palawan

2147749695



NAPC Action Center <napc.actioncenter@gmail.com>

Fwd: Pesante Pilipinas Urgent letter to the NAPC

1 message

Belinda Formanes <belinda.formanes@gmail.com>

Tue, Jul 13, 2021 at 2:36 PM

To: napc.actioncenter@gmail.com

Dear sir:

Resending letter of Pesante Pilipinas re yulo king ranch, coron, palawan issues.

kindly intervene. maraming salamat po.

Sincerely,

Belinda L. Formanes
Climate Change Congress of the Philippines

----- Forwarded message -----

From: **Belinda Formanes** <belinda.formanes@gmail.com>

Date: Wed, 16 Jun 2021, 11:52 AM

Subject: Pesante Pilipinas Urgent letter to the PCUP, CHR, NAPC

To: Noel Felongco <napc.osc2018@gmail.com>, <chairman@pcup.gov.ph>.

<chairgascon.chr@gmail.com>

Cc: Comm. Gwen P. Gana Office <gpgchroffice@gmail.com>, Daniel Javellana

<secretariat@nfhfi.org>, <labroelias.pcup@gmail.com>, Pesante New Vangie Silva

<evangelinesilvapesantenew@gmail.com>, <dessfrancisco1@gmail.com>

dear Sirs:


Warmest greetings!

Please find attached the letter of Pesante-Pilipinas pertaining to the situation of farmers in the Yulo King Ranch, Coron, Palawan.

Kindly intervene. Maraming salamat po.

Sincerely,

BELINDA L. FORMANES
CCCP

 june 2021 letter to pcup, chr and napc.pdf
540K



PESANTE Inc.

Barangay Imok, Calauan, Laguna
SEC Reg. No.: CN 2009 15977; COM. TIN 007-421-939
Email Add: pesante-philippines@yahoo.com

June 16, 2021

ATTY. CHITO GASCON

Chairperson

Commission on Human Rights

ATTY. NOEL FELONGCO

Secretary/ Lead Convenor

National Anti-Poverty Commission

HON. ALVIN FELICIANO

CEO/ Chairperson

Presidential Commission for the Urban Poor (PCUP)

Dear Sirs:

Warmest Greetings!

We are poor farmers, fisherfolks, peasant women and indigenous people members of PESANTE – Palawan. We are writing to you again to raise our voice and signify our protest over the unwarranted and unjust actions by the DA- BAI against poor farmer tillers within the Yulo King Ranch, Coron, Palawan and our immediate and long-term calls to the DAR.

A. Backgrounder on the Yulo King Ranch (YKR)¹

The Yulo King Ranch (YKR) covers around 40,000 hectares within the municipalities of Busuanga and Coron in Palawan province and was owned allegedly by Marcos cronies Peter Sabido and Luis Yulo. In 1975, then President Ferdinand Marcos issued Proclamation No. 1387 declaring YKR as a pasture reserve.

In 1986, YKR was among the properties sequestered by the Presidential Commission on Good Government (PCGG) on allegations that YKR is part of the Marcos ill-gotten wealth. The administration of the YKR was transferred to the Bureau of Animal Industry (BAI) which converted the property to the Busuanga Breeding and Experimental Stations.

¹ Lifted from the article, "What Went Before: Marcos issued decree giving land to cronies", Philippine Daily Inquirer / September 03, 2013

In March 2010, the Supreme Court ordered the government to lift the sequestration of the YKR citing mismanagement of the property. The Court noted that when the BAI took over the YKR management in 1986, the ranch had 75,477 cattles and 115 horses. By 2005, there were only 2,565 cattles and 76 horses left on the ranch.

President Gloria Macapagal Arroyo issued Presidential Proclamation No. 2057 on May 7, 2010 authorizing the Philippine Forest Corporation (Philforest) to administer the development of the idle lands covered by the Pasture Reserve indicated in PP No, 1387. PP 2057 directed the PCGG, BAI and government agencies to turn over assets, rights and other interests to the Philforest. This was never given due course by the agencies.

On October 14, 2013. Presidential Proclamation No. 663 series of 2013 was signed by President Benigno S. Aquino Jr. declaring the repeal of Proclamation No. 2057 and the transfer of the administration of the Busuanga Pasture Reserve to the Forest Management Bureau (FMB) of the DENR.

It is important to note that actual management of the BBES remained with the DA-BAI even after the transfer of the management of the entire YKR to the FMB.

B. Legal Bases for the Distribution of Agricultural Lands within the Busuanga Pasture Reserve (BPR).

1. That approximately 12,000 hectares of lands were classified as Alienable and Disposable based on the Land Classification Map of 1939. It remains Alienable and Disposable Lands up to the present.
2. The 1987 Philippine Constitution mandates that all Lands of the public domain....are owned by the State. With the exception of **agricultural lands**, all other natural resources shall not be alienated. It also indicated that **Alienable lands of public domain shall be limited to Agricultural Lands**.
3. Executive Order Number 448 signed by President Corazon Aquino on February 14, 1991 **amended EO 407** and declared that all lands or portions thereof of government, including government owned or controlled corporations suitable for agriculture and no longer actually, directly, and exclusively used or necessary for the purposes for which they have been reserved as determined by DAR in coordination in whose favor the reservations was established, shall be segregated from the reservation and transferred to the DAR for distribution to qualified beneficiaries under CARP. The EO further mandates that **"ALL PROCLAMATIONS ESTABLISHING SUCH RESERVATIONS AND FALLING WITHIN THE COVERAGE OF THIS EXECUTIVE ORDER ARE HEREBY REVOKED, AMENDED, OR MODIFIED ACCORDINGLY."**
4. RA Number 6657 or the Comprehensive Agrarian Reform Law of 1988, is the Act instituting a comprehensive agrarian reform program to promote social justice

and industrialization, providing the mechanism for its implementation, and for other purposes;

Section 4 of RA 6657 of 1988, Scope of acquisition and distribution: "(a) indicated the lands covered by the CARP: All alienable and disposable lands of the public domain devoted to or suitable for agriculture; (c). All other lands owned by government devoted to or suitable for agriculture;"

Section 7 of RA 6657 indicated the Priorities of acquisition and distribution: "The DAR in coordination with the Presidential Agrarian Reform Council (PARC) shall plan and program the acquisition and distribution of all agricultural lands through a period of ten (10) years from the effectivity of this Act. Lands shall be acquired and distributed as follows:

Phase One: Rice and corn lands under Presidential Decree No. 27..... all lands acquired by the Presidential Commission on Good Government (PCGG); and all other lands owned by the government devoted to or suitable for agriculture, which shall be acquired and distributed immediately upon the effectivity of this Act, with the implementation to be completed within a period of not more than four (4) years;"

5. Republic Act 9700 is an Act Strengthening the CARP, extending the acquisition and distribution of all agricultural lands, instituting necessary reforms. Amending for the purpose of RA 6657, otherwise known as CARL of 1988, as amended, and appropriating funds therefor.

Section 4 of RA 9700, Scope: The CARL of 1988 shall cover, regardless of tenurial arrangement and commodity produced, all private and public agricultural lands as provided in Proclamation 131 and Executive Order No, 229, including other lands of the public domain suitable for agriculture.....

More specifically, the following lands shall be covered by the CARP:

(a). All alienable and disposable lands of the public domain devoted to or suitable to agriculture....

(c). All other lands owned by the government devoted to or suitable for agriculture;

6. Executive Order Number 75, series of 2019, signed by President Rodrigo Roa Duterte on February 2019 which declare that the **DAR shall acquire all lands devoted to or suitable for agriculture which are owned by the departments, bureaus, offices and instrumentalities of the Government, and which are no**

longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired, for the purpose of eventual distribution to qualified beneficiaries.

7. On the matter of agrarian-related cases, Section 50-A of Republic Act No. 6657, as amended, provided for the exclusive jurisdiction of the DAR on agrarian disputes/ It indicated that No court or prosecutor's office shall take cognizance of cases pertaining to the implementation of the CARP except those provided under Section 57 of Republic Act No. 6657, as amended. If there is an allegation from any of the parties that the case is agrarian in nature and one of the parties is a farmer, farmworker, or tenant, the case shall be automatically referred by the judge or the
8. **DOJ Circular No. 40** also states: "When a complaint for a felony or a criminal offense is filed before the Office of the City or Provincial Prosecutor, the investigating prosecutor shall refer the case to the Provincial Agrarian Reform Officer (PARO) who has jurisdiction over the place of the incident
9. **OCA Circular No. 62-2010**, directs all courts and judges concerned to "refer all cases before it alleged to involve an agrarian dispute to the DAR".
10. In the interest of expeditious administration of justice in agrarian reform cases, **DOJ Circular NO. 040-10** was issued which provided Guidelines on the Investigation and Referral of Cases to Department of Agrarian Reform pursuant to Section 19 of Republic Act No. 9700.
11. Moreover, contrary to the allegation of DA and the DENR that the Marcos Presidential Proclamation 1387 can only be rescinded by legislation, the 1987 Constitution states:
"All existing laws, decrees, executive orders, proclamations, letters of instructions and other executive issuances not inconsistent with this Constitution shall remain until amended, repealed or revoked."

C. The Pesante Farmers' Struggle for Land.

Hunger, poverty and landlessness drove Pesante farmers to cultivate the middle portion of the declared 12,000 hectares of Alienable and Disposable lands within the YKR/ BPR. This was within the private title PACECO landholding which spans 886 hectares of agricultural lands that was also occupied by the Bureau of Animal Industry (BAI)- Busuanga Breeding and Experimental Station.

In 2012, the DA-BAI filed before the Municipal Trial Court a " Forcible Entry" case against 60 farmers belonging to the PESANTE Palawan. Despite the DAR certification that the PACECO landholding was a private landholding with two titles undergoing coverage under the

Comprehensive Agrarian Reform Program (CARP), the DA-BAI persisted in the Forcible Entry case.

Due to poverty and lack of resources, the farmers lost the MTC case and the decision was upheld by the Regional Trial Court. This was despite the fact that the DA-BAI holds no legal instrument over the said landholding.

In 2015, the DAR completed CARP coverage of the PACECO landholding including the land of the 60 farmers subject of the case by the DA-BAI. They were awarded with Certificates of Land Ownership Award (CLOAs), which legitimized their ownership over the said land

But due again to lack of resources to engage an able counsel, the farmers again lost the case in the Regional Trial Court. The MTC decision carries with it the order to eject **ALL farmers in the entire 40,000 hectares of the YKR.**

In 2014, we brought the matter to the Office of the President, as presented by Ka Arnel Figueroa, president of PESANTE-Palawan, together with the Climate Change Congress of the Philippines (CCCCP) and the Catholic Bishops' Conference of the Philippines (CBCP). We called for the immediate coverage under the CARP of the Alienable and Disposable lands within the BPR.

President Benigno S. Aquino III ordered the DAR and the DENR to study the distribution of the land as farmers sought and to conduct a study towards the formulation of Coron-Busuanga Development Masterplan.

While there were on-going dialogs between the farmers, DAR, DENR, the farmers experienced continued violence from the elements of the Philippine National Police (PNP), Philippine Marines, BAI guards and goons of personalities in the areas seeking control of the lands. The BAI used the courts to imprison farmers to frustrate their struggle. There were confiscations by the BAI of tractors, plows and equipments or BAI cattle being driven to ruin farmers' crops even of CLOA holders.

On September 20, 2016, Ka Arnel Figueroa, president of Pesante- Palawan was murdered by security guards of the Bureau of Animal Industry (BAI) together with elements of Philippine Marines and employees of the Forest Management Bureau (FMB).

The three DA-BAI security guards were arrested and faced trial for murder in Puerto Princesa Jail. Nelson Mayo, the guard who shot Ka Arnel Figueroa is still in prison. The other BAI security guards, Ronald Paguntalan and Salvador Manlabao were able to file bail and reinstated in their posts at BAI. A warrant of arrest was issued against **Dr. Edwin Eusebio, the BAI Station Manager, the alleged mastermind in the murder, but he remains at large.** According to local police at that time, Eusebio was "na-timbrehan yata" and managed to escape from being served the warrant of arrest.

The DA-BAI and the court persevered to evict the farmers. However, on September 2018, the Presidential Commission for the Urban Poor (PCUP) issued a Notice of Non-

compliance to the PNP, the Sheriff and the LGU re the massive planned eviction of farmers covering 40,000 has in the YKR.

It is important to note that the requirements for the conduct of humane and peaceful demolition and ejectment in the YKR have not been fully complied with up to this date such as the full identification and consultation with all farmers subject of ejectment and the provision of relocation sites for the rural dwellers with sufficient support services. The LGU also has to be fully consulted on the full requirements and on the impacts of the massive and widespread ejectment of farmers to the food security and economy of the people and of YKR.

It is also important to note that the contention on EO 75 implementation in the YKR is lodged at the Office of the Secretary of the DAR. The farmers are also negotiating with the DENR for solutions on the problem.

In a zoom meeting with Pesante on July 2020, the DA was asked to look for a social justice solution to the plight of the farmers which would include a suspension of legal moves to eject the farmers during negotiations, which are now ongoing with DENR for an appropriate program for the farmers under the Forest Land Grazing Management Agreement (FLGMA). However, the DA continues to employ violence against the farmers.

Amidst the dialogues between Pesante and the DA, DENR and DAR, all were fully involved in the drafting of EO 75 of President Duterte. In other words, the Memorandum between the DA and the DENR appears to pre-empt EO 75 by showing that the land continued to be used actually, directly and exclusively for the purpose for which they have been reserved or acquired,

Under EO 75, PESANTE farmers filed petition before the DAR for coverage of the A and D area in the YKR. DAR Secretary in many dialogs with Pesante and the CCCP, was clearly for the full implementation of EO 75 in YKR,

It is important to note that the DA-DENR MOA was executed for use of 2,217 hectares despite the existence of **ONLY** less than 700 heads of cattle and despite the existence of farmers petition over the Alienable and Disposable land.

Even as the negotiations are actively being held between Pesante and the DENR on a social justice solution through its Forest Land Grazing Management Agreement (FLGMA) program:

1. On July 20, 2019, Stephen Vingno. Pesante-Palawan president, and 2 other farmers were working on their farms, when DA-BAI Security guards threatened the farmers. The DA-BAI security guards pointed their shotgun to the farmers and another guard, fired a shot to frighten the farmers.
2. On June 12, 2020, Stephen Vingno, was illegally arrested and detained by the former PNP Chief of Coron, Major Starsky Timbancaya for Malicious Mischief for the burning of grasses being fed to the DA-BAI cattle;

3. Malicious Mischief cases were filed by the DA-BAI against 11 leaders and members of Pesante-Palawan which bring fear, anxiety and deeper poverty to the poor farmers amidst the terrible impacts of Covid-19 pandemic;
4. During the court hearing last October 2020, Larry Lariosa, present DA-BAI Station Manager, fearlessly **uttered direct death threats against Pesante farmers.**

He said "Mapapatay lang po namin sila kung hindi naman po sila hihinto harap harapan po sinasabi" (page 5, Stenographic Notes of Hearing on October 22, 2020, Criminal Case No. 4066 For Malicious Mischief. PP vs Desiree Francisco)

This was reminiscent of the incidents preceding the murder of Ka Arnel Figueroa by DA-BAI security guards on September 2016. DA-BAI Station Manager kept threatening ka Arnel Figueroa then.

5. DA-BAI cattle continue to roam in the YKR span which destroy the farms and produce of the farmers including farms of CLOA holders;
6. **Pesante farmers in the YKR were deprived of COVID-19 support programs. They were regarded as enemies of the DA and not illegible for COVID or program support despite the heavy toll on the lives and livelihoods of the farmers and their families.**

The farmers have no where to go and are being deprived of basic human rights and dignity, even while social justice solutions are being worked out.

We ask the DA Secretary to please instruct their people at the DA, the military and the police to suspend all moves to eject or destroy the livelihoods of the farmers while a social justice solution is being pursued. Otherwise, we will hold him equally and personally accountable to the law and to the poor farmers for any damages incurred by them and for any injuries or deaths or killings suffered by them that result from such moves.

Overall, we put forward our call: **Realize lasting peace and social justice in the Yulo King Ranch! We ask the CHR, NAPC and PCUP to:**

- a. Put on hold the implementation of demolition of farmers' homes and farms. Seek social justice solution to the agrarian problem;
- b. Facilitate implementation of EO 75 and FLGMA in the YKR and ensure that social justice is rendered to the landless and those who endeavor to farm and contribute to the food security of their families and the country. **People must have priority over cattle.**
- c. Respect the on-going government - Pesante and CCCP dialogs; refer filed cases against Pesante farmers to the DAR and desist from filing new cases against the farmers;

- d. Stop human rights abuses and violations – murder, death threats, filing of false cases, illegal arrests, imprisonments, destruction of properties and eviction of farmers. Make Pesante farmers partners of DA on food security and agricultural programs in the YKR;
- e. Help provide urgent and sufficient legal assistance to the landless and impoverished farmers;
- f. Undertake full inventory and audit of the DA-BAI research and experimental program and make sure that only the necessary size of land is allocated for the cattle program while freeing other lands for the farmers for food and agricultural development;
- g. Facilitate the provision of appropriate and sufficient agricultural and COVID-19 support services for the farmers to address poverty, COVID pandemic and food insecurity in Coron;
- h. Render justice to the senseless and ruthless murder of ka Arnel Figueroa and stop all threats coming from DA-BAI and cohorts.

Our lifelong aspiration is to till the land – for our family and for the nation.


Land is the basis of freedom, justice and equality.


Our nation will remain to be the land of the free only so long as it is the home of the brave.
(Elmer Davis)

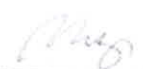
Let us all persevere to render land and justice! For further information and coordination, please contact Ms. Evangeline Silva through Mobile Number 09503382846 and email address evangelinesilvapesantenew@gmail.com Ms. Belinda L. Formanes through Mobile Number 09515801519 and email address belinda.formanes@gmail.com

Sincerely,

Sincerely,


STEPHEN VINGNO
President, Pesante-Palawan


DESIREE FRANCISCO
Secretary, Pesante-Palawan


EVANGELINE SILVA
President
Pesante- Pilipinas