

Comparison Between the Genuine Agrarian Reform Bill (GARB) and the Comprehensive Agrarian Reform Program (CARP)

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Principles and Objectives

- To break up the monopoly of a few landowners and foreign control of our lands.
- To implement genuine agrarian reform in order to finally end the feudal and semi-feudal exploitation of our farmers.
- To increase the income of farmer-beneficiaries and raise their living standard through the promotion of cooperatives and other forms of mutual aids as the main vehicle for improving their productivity.
- Adheres to the empowerment of rural women and respects the rights to ancestral domain and self-determination of indigenous peoples.
- To launch the thorough going development of our agricultural sector and lay the foundation for national industrialization.

Scope

Genuine Agrarian Reform Bill (GARB)	Comprehensive Agrarian Reform Program (CARP)
<p>All agricultural lands. It has no exemption and exclusion. It doesn't depend on the legal name but on the actual use of public and private land.</p> <p>a. Private Agricultural Lands TNC plantations/ local agro-corporations (Commercial farms) Haciendas/ livestock and cattle Aquaculture/pasture including those which are presently under various schemes considered as alternative to land transfer idle lands</p> <p>b. Public Agricultural Lands</p> <ul style="list-style-type: none"> • all lands that have been declared by various Presidential Decrees, Presidential Proclamations, other laws and issuances as part of reserved or devoted areas for tourism development, military reservations, human settlements projects, special economic development authorities, export 	<p>exemption and exclusion (original: land of State Colleges and Universities, military reservations, experimental farms and others; also the human settlements, DOJ Opinion No. 44, livestock and aquaculture, lands under Presidential Proclamations for eco-tourisms, special economic development authorities, regional industrial centers, special economic zones, reclassifications, LUC)</p> <p>alternative to land transfer (SDO)</p> <p>deferment</p> <p>different schemes to maintain the monopoly of land (leaseback, joint venture, corporative scheme, lease, farm management contract)</p>

<p>processing zones, regional industrial centers, or special economic zones</p> <ul style="list-style-type: none"> • all lands that have been reclassified as commercial, industrial or residential (CIR) lands by local government units and other government line departments • all agricultural lands with approved land use conversion authority • all lands that are part of the reservations of state colleges • all timber and mineral lands • all government-owned lands • all private and public lands that have remained idle 	
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Definition of terms

TNC plantations – plantations owned by transnational corporations such as the Dole Philippines and Del Monte Philippines

LUC – land-use conversion

SDO – stock distribution option, such as in Hacienda Luisita in Tarlac. Instead of physical distribution of land, farmers and farm workers are provided stocks.

Time Frame and Priorities

Genuine Agrarian Reform Bill (GARB)	Comprehensive Agrarian Reform Program (CARP)
<p>Time frame – within a period of five (5) years from the effectivity of this Act. The Department of Agrarian Reform (the Department) is hereby mandated to complete the land distribution of this Act within the specified time frame.</p> <p>Mandatory</p> <p>Prioritization within simultaneous distribution – The Department shall exert all efforts to simultaneously distribute the lands covered by this Act.</p>	<p>The scope is getting smaller, the longer it takes, it lacks land to distribute.</p> <p>Needs additional 10 years of implementation. The original 10 years according to the law went 20 years and planning to make it 30 years.</p>

Retention Limits

Genuine Agrarian Reform Bill (GARB)	Comprehensive Agrarian Reform Program (CARP)
<p>NO RETENTION LIMIT.</p> <p>But it has different approaches and implementations:</p> <p>-enlightened/small landlords (option to sell)</p>	<p>5 hectares for landlords and 3 hectares for the landlords’ children</p> <p>7 hectares (under the PD 27)</p>

- lands lower than 5 hectares
(encouraged to sell)

Free Land Distribution

Genuine Agrarian Reform Bill (GARB)	Comprehensive Agrarian Reform Program (CARP)
<p>Free land distribution – distributed at no cost to farmer beneficiaries.</p> <p>The amortization schedule or any balance thereof of lands already distributed under P. D. 27 and R.A. 6657 are hereby declared by this Act as written off. The farmer-beneficiaries of such lands shall be deemed their full owners upon the effectivity of this Act.</p> <p>Restoration to farmer-beneficiaries of lands under cancelled CLOAs, CLTs and EPs or with pending cancellation proceedings due to non-payment</p> <p>Issuance of Title of Full Emancipation – All lands distributed to farmer-beneficiaries under this Act shall be issued, at no cost, a Title of Full Emancipation.</p> <p>With 5 years tax holiday</p>	<p>Payment for 30 years</p> <p>Farmers paid for amortization and land rent to landlords</p>

Definition of terms:

P.D. 27 – Presidential Decree 27 issued by then President Ferdinand Marcos in 1972. The tenant pays the cost of the land, including six percent interest per annum, for 15 years in equal annual amortization.

RA 6657 – also known as the Comprehensive Agrarian Reform Law of 1988

CLOAs – certificate of land ownership awards

CLTs – certificate of land titles

EPs - emancipation patents

Modes of Acquisition

Genuine Agrarian reform Bill (GARB)	Comprehensive Agrarian Reform Program (CARP)
<p>SELECTIVE ACQUISITION</p> <p>Nationalization of lands and agribusiness enterprises operated by TNCs</p> <p>Expropriation of lands of commercial farms, agricultural estates, cattle and</p>	<p>The land distribution is considered business.</p>

livestock farms, aquaculture and pasture owned and operated by Filipino landowners or corporations
 On the non-land assets in commercial farms and agricultural estates and the Right of First Refusal of agricultural workers
 Confiscation of sullied landholdings
 Small landowners option to sell
 No expropriation of landholdings below five (5) hectares and lands owned by higher-income and middle-income farmers

Beneficiaries

Genuine Agrarian reform Bill (GARB)	Comprehensive Agrarian Reform Program (CARP)
<p>a.) all landless farmers</p> <p>b.) farmers, who became beneficiaries of P.D. 27 and R. A. 6657</p> <p>c.) agricultural workers informally employed in the farm units of small landowners</p> <p>d.) fishers occupying foreshore lands;</p> <p>e.) settlers and tillers in alienable and disposable lands of the public domain and settlement areas; and</p> <p>f.) in all other lands, the present farmer-occupants and other landless farmers in nearby barrios or municipalities.</p>	<p>The farmers need to apply and it has screening.</p> <p>Not all farmers are beneficiaries. Because of the retention, many peasants are still tenant or leaseholders.</p>

Provisions for the Protection of the Lands of Beneficiaries

Genuine Agrarian Reform Bill (GARB)	Comprehensive Agrarian Reform Program (CARP)
<p>Prohibition against sale, mortgage, transfer or any conveyance or disposition</p> <p>Prohibition against land reclassification and land use conversion</p>	<p>Exemption and retention</p> <p>It can be classified in Land Use Conversion (LUC)</p> <p>The CLOA, CLT or EP can be</p>

Immunity of covered lands from levy on unpaid taxes and writing off of tax arrears and delinquencies	questioned or cancelled anytime even if it's paid or not.
Indefeasibility of the land	
Land Reform Zones as protected areas	

Support Services and Improving the Productivity and Working Conditions of the Beneficiaries

Genuine Agrarian Reform Bill (GARB)	Comprehensive Agrarian Reform Program (CARP)
<p>The allocated budget is P50 B, it is called LAND REFORM SUPPORT SERVICES FUND. To ensure the support services of land distribution in 5 years.</p> <p>consist of credit facilities, production support, post-harvest, market access and market, price guarantees and such other services necessary to making their production viable and increase their income</p> <p>continuous services in 5 years</p>	<p>the land used as collateral to have support services (credits) to the farmers</p> <p>No support services</p> <p>According to the original law, the government allocated P50 B as Agrarian reform Fund to pay the landlords. It became P100 B and added P50 B last 1998.</p>

How to Improve the Lives of Agricultural Workers

Genuine Agrarian Reform Bill (GARB)	Comprehensive Agrarian Reform Program (CARP)
<p>Agricultural workers operating the farms or plantations in nationalized lands all the indispensable and necessary support, incentives, and privileges to make their enterprise viable.</p> <p>Regularization of security of tenure The wages and benefits of agricultural workers in nationalized agribusiness enterprise and in joint corporate relations shall not be diminished from the level they received prior to land distribution additional income and non-wage benefits to their agricultural workers Production sharing on commercial farms and haciendas</p>	<p>One of the examples is the scheme (SDO) used in Hacienda Luisita in Tarlac City</p> <p>Agricultural workers can work if the landlords would want them to work, in some cases, the agricultural workers worked for 3 days in 1 month.</p>

Improving the working conditions of agricultural workers employed by higher income and middle-income farmers	
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Role of Farmers

<p>They are not passive beneficiaries of land distribution. They are also active participants of People's Coordinating Council for Agrarian Reform (PCCAR) which coordinates the participation of the peasants. They would help in surveying, making lists of despotic landlords, planning for land distribution, helping in the controversies of distribution, building cooperatives and delivering support services to the farmer's beneficiaries.</p>
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