

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

FOURTEENTH CONGRESS  
First Regular Session

House Bill No. 1257

Introduced by AKBAYAN Party-List Representative  
Ana Theresia Hontiveros-Baraquel

**EXPLANATORY NOTE**

Hailed as a centerpiece program for development, the Comprehensive Agrarian Reform Program (CARP) remains a potent and powerful promise that however, is yet to be completely fulfilled in the Philippine democratic system.

The CARP was supposed to pave the way for the country's aspirations for sustainable economic development and industrialization by infusing fresh capital, infrastructure and lasting peace into agricultural areas. No less than the Supreme Court, in defending constitutionality of the Comprehensive Agrarian Reform Law, envisioned that through agrarian reform, the farmer at last "will be released not only from want but also from the exploitation and disdain of the past and from feelings of inadequacy and helplessness; the farm will be his/her portion of Mother Earth that will give not only the staff of life but also the joy of living". Hence, the CARP is unique in that it seeks to both correct centuries of social injustices and at the same time usher in genuine economic development. The relationship between agricultural and countryside development as brought about by efficient agrarian reform and the modernization and industrialization of a nation cannot be gainsaid and has been proven many times over by the experiences of many countries.

Twenty years after it was first enacted into law, the Program once again is facing an impending end to its funding allocation in the national budget in 2008, despite the fact that CARP is far from complete. According to the Department of Agrarian Reform (DAR), 1.3 Million hectares of the most productive private agricultural lands still have not been covered by the program as of 2006. Major policy reversals on agrarian reform threaten the program's future and undermine many of its gains. The roots of the problem can be traced to the government's failure to put the required institutional, fiscal and infrastructural support; compounded by DAR's inefficiency and corruption.

The CARP, as a Constitutional mandate, cannot end with the lapse of the implementing law<sup>2</sup>. Ending the implementation of the CARP without completing the acquisition and distribution of lands covered by the program will result in the anomalous situation where persons still own big landholdings in excess of what the Constitution deems equitable. Furthermore, as a necessary consequence to the Constitutional mandate for agrarian reform, a continuous appropriation for support services and agrarian justice delivery must be in place even after the land acquisition and

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<sup>1</sup> Association of Small Landowners in the Philippines, Inc. vs. Secretary of Agrarian Reform, 175 SCRA 343.

<sup>2</sup> As early as 1997, a year before the end of the ten-year period stated in R.A. No. 6657, the Department of Justice (DOJ) released DOJ Opinion No. 009, series of 1997, stating that this ten-year implementation period should be regarded as directory and not mandatory. Hence, while the original ten-year period stated in R.A. No. 6657, and subsequently, the ten-year period stated in R.A. No. 8532, were the desired target dates for completion of the program, the expiration of such periods shall in no way mean the end of the implementation of the program, especially since a large area remains to be covered by the program.



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AN ACT

ACCELERATING THE COMPLETION OF THE LAND ACQUISITION AND DISTRIBUTION COMPONENT OF THE COMPREHENSIVE AGRARIAN REFORM PROGRAM (CARP), BY PROVIDING AUTOMATIC APPROPRIATION THEREOF, AND ADDRESSING MAJOR IMPLEMENTATION PROBLEMS OF THE PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6657, AS AMENDED, OTHERWISE KNOWN AS "THE CARP LAW OF 1988" AND EXECUTIVE ORDER 129, AS AMENDED.

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*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

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I. STATE POLICY

SECTION 1. Section 2 of Republic Act 6657, otherwise known as the Comprehensive Agrarian Reform Law, is hereby amended to read as follows:

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"SECTION 2. *Declaration of Principles and Policies* . -- It is the policy of the State to pursue a Comprehensive Agrarian Reform Program (CARP) through its inherent powers of eminent domain, police power and taxation. The welfare of the landless men and women farmers, farm workers, and all other qualified farmer-beneficiaries as provided under Section 22 of RA 6657 will receive the highest consideration to promote social justice and to move the nation toward sound rural development and industrialization, and the establishment of owner cultivatorship of economic-sized farms as the basis of Philippine agriculture.

"To this end, a more equitable distribution and ownership of land, with due regard to the rights of landowners to just compensation and to the ecological needs of the nation, shall be undertaken to provide men and women farmers, farm workers, and all other qualified beneficiaries with the opportunity to enhance their dignity and improve the quality of their lives through greater productivity of agricultural lands. The State shall discourage agricultural lands remain idle and unproductive.

"The agrarian reform program is founded on the right of men and women farmers, farmworkers, and all other qualified beneficiaries, who are landless, to own directly or collectively the lands they till or, in the case of other farm workers, to receive a share of