

Facing Goliath: A municipality takes on the race for land in Quezon, Bukidnon

Xavier Science Foundation (XSF)

Quezon is a landlocked municipality in Bukidnon, Northern Mindanao, spanning 71,128 ha and with a population of 91,119. It was earlier inhabited by the Manobos, Bukidnon and Talaandig tribes. Mountain ranges, lush farmlands, natural spring waters and a relatively mild climate make Quezon a sleepy yet prospering tourist town.¹

Nicknamed “Sugarland” owing to its first major investor, the Bukidnon Sugar Milling Co., Inc. (BUSCO), sugar has been the main produce of Quezon. For over three decades, sugarcane farming has dominated Quezon as the only major investment. BUSCO is credited for propelling Quezon to the status of a first class municipality. The corporation generated employment, residence, and further investments.

After years of being the main industry in Quezon, sugarcane is now taking a backseat. This is due to an emerging mass produce with a growing export market – pineapples.

Recently, Quezon has become a magnet for large-scale pineapple growers. Coveted lands are mostly those that have been primed for planting, cutting production costs for the investors. With less costs required, pineapple-exporting companies are flooding Quezon, bringing in new investments and the promise of development for the community.

The first large-scale pineapple investment arrived in Merangeren, Quezon in 2007. Davao Ventures

Corporation (DAVCO), which had already been operating on an 800-ha piece of land in the neighboring municipality of Don Carlos, rented 700 ha from tribal claimants to plant pineapples on what were originally corn and sugarcane fields. A year after, Nature’s Fresh Pineapple Inc. (NFPI) expressed interest to plant pineapples in Quezon, eyeing the barangays (villages) of Merangeran and Butong. NFPI’s intention to expand operations would later be challenged by protests from the local community.

Close ties

Provincial Order 9305, which encouraged non-pollutant industries to invest in Bukidnon, set in motion the entry of new pineapple investments in Quezon. Certain requirements precede the approval of any multinational investment. However, a transparent and official process for registration of agricultural investments that is separate from other business entities is nonexistent.

According to Joseph Durotan, a municipal councilor, there is an ideal and appropriate process or Standard Operating Procedure, which investors must follow.

However, interviews with people close to the projects reveal that the investments were upon the invitation of the former provincial governor. By simply having the endorsement of a bureaucratic higher-up, investments were approved acquiescently.

Sangguniang Bayan (Municipal Council) Secretary Elisea Galbo admitted that DAVCO started operating

¹ Facts and figures are from the Municipal Profile of Quezon dated 2007



Diagram: Process for approval/disapproval of investment proposal



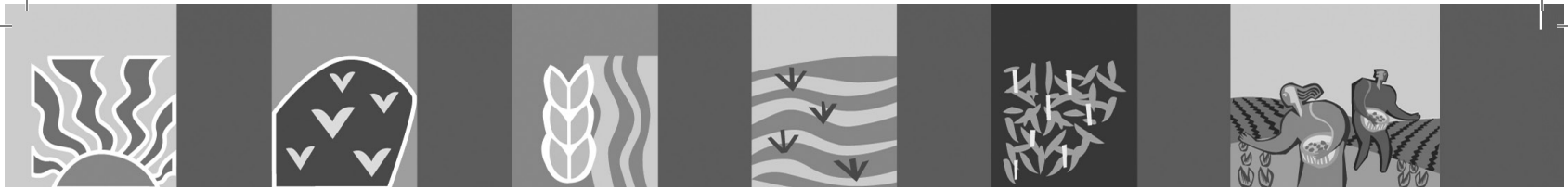
in Merangeran, Quezon without completing its registration with the local government unit. Del Monte Philippines, Inc. (DMPI) already surveyed and prepared the proposed site for its pineapple plantation and packing house in Sitio Kiantig, San Jose, even before acquiring official rights to operate. Currently, DMPI operates on a 900-ha pasture land converted into an agro-industrial zone by the Department of Environment and Natural Resources (DENR) on the condition that part of the land must be put under forest conservation. True enough, only 500 ha are used by DMPI for its pineapple production, while the remaining 400 ha are being utilized as a forest and wildlife reserve.

In its quest for land, NFPI, another company closely linked with high officials, found a 412-ha parcel of ancestral domain awarded to the Quezon Manobo Tribal Association (QUEMTRASS). The land up for grabs is managed by the Samahang Kabuhayan ng Manobo Pulanguihon (SAKAMPU) under a

Community Based Forest Management Agreement (CBFMA), and is currently planted to sugarcane and other crops. Since the land belonged to QUEMTRASS, it can be leased only by a legitimate member of the holder clans, such as Bae Kayang, a tribal chieftain of the Manobo Pulanguihon tribal community.

Presented with rents amounting to millions of pesos, Bae Kayang allegedly held exclusive negotiations with NFPI. Since the CBFMA allowed indigenous peoples (IP) control of the land for only 25 years, Bae Kayang sought the conversion of the land into a Certificate of Ancestral Domain Title (CADT)²,

² A Certificate of Ancestral Domain Claim (CADC) is the land tenure instrument issued by the Department of Environment and Natural Resources, which recognizes the claim of indigenous cultural communities to land, resources, and rights within a defined territory. A Certificate of Ancestral Domain Title (CADT), on the other hand, is a title formally recognizing the rights of possession and ownership of indigenous peoples over their ancestral domains that have been identified and delineated in accordance with the Indigenous Peoples Rights Act (IPRA).



which ensures the lifetime tenure of IPs over the land. The NFPI deal was sealed in September 2008 with a Memorandum of Agreement between NFPI and Bae Kayang under the guidance of the Provincial National Commission on Indigenous Peoples (NCIP), prior to formal negotiations with the local government unit (LGU).

Mad crowd

In December 2008, a faction of SAKAMPU raised a manifesto of opposition against the conversion of their land from CBFMA to CADT citing that Bae Kayang had been long excluded from the group after committing “gross violations for the rampant subleasing and selling of lands.” The petition also indicated that the field activities done by the Provincial NCIP personnel in their area “had been conducted without our consent.”

Two months earlier, the Sangguniang Barangays (Village Councils) of Poblacion, San Jose, Libertad, Merangeran and Minsalirac passed a joint resolution supported by the Liga ng mga Barangay (league of villages) of Quezon, vehemently objecting to the establishment of multinational companies involved in banana and pineapple production in the QUEMTRASS areas in Barangays Merangeren, Butong and Poblacion.

According to the Resolution, Barangay Butong served as the source of groundwater for the nearby villages, and a runoff of chemical fertilizers associated with commercial plantations could contaminate the ground water source, risking the health of the communities.

This is not the first time the community has kept a vigilant eye on their natural resources. Earlier, Merangeren and its neighboring villages filed a petition requesting the LGU to assess the possible risk of DAVCO’s pineapple plantation to the

environment and the people. Since the plantation is located on a slope farther away from the potable water source, the LGU decided to allow DAVCO to complete its land lease process.

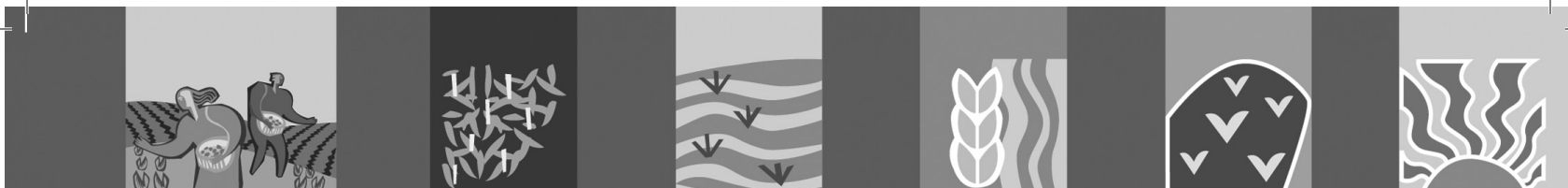
In the case of the NFPI investment, however, the community believes firmly that their water supply comes from the groundwater directly beneath the area of the proposed plantation. Such fact derives primarily from community knowledge, which is backed by scientific study.

In the heat of the controversy, peoples’ groups assumed the support of the parish and put up a streamer that read “No to Pineapples” at the church gate. But the church distanced itself from the issue. Rev. Fr. Herminigildo Alinas, the parish priest, claimed the church does not take any sides but favors whatever will be best for both the community and the investors. The conflict led the Basic Ecclesiastic Community to run a signature campaign opposing the projects.

As the issue grew more intense, some religious groups and people’s organizations approached then former Mayor Gregorio Gue, asked him to appeal to the governor. Gue, being an advocate of the environment, consulted with experts from Xavier University.

The meaning of political will

The deluge of resentment forced a reaction from the province widely believed to have prodded these contentious investments. To defuse the tension, the Provincial Government of Bukidnon commissioned the Provincial Environment and Natural Resources Office (PENRO) to assess NFPI’s proposed location. The PENRO conducted an ocular inspection of the 412.17-ha proposed project site and recommended the exclusion of only 85 ha, which constituted part of the Luan-Luan Spring sub watershed. It also



recommended that NFPI submit an environmental impact statement of its project.

Residents of the affected communities were not convinced by the PENRO assessment. To them, an exemption of 85 ha is grossly inadequate to protect their major source of water from hazardous chemicals used in commercial pineapple growing.

In a show of support for the predicament of the community, the Sangguniang Bayan (SB) of Quezon unanimously approved a resolution strongly supporting the joint resolution earlier passed by the five Sangguniang Barangays. The SB also “most humbly appeal[ed] to the Honorable Governor to extend utmost support on the matter.”

A month after passing the resolution, the SB decided to hire private experts to conduct an investigation on the proposed pineapple plantation site. Since the PENRO study was tainted with controversy, as there were testimonies of pressure by the provincial government on PENRO personnel to turn in favorable results, the SB chose an institution that was to its members free from the tentacles of the province’s bureaucracy.

The College of Agriculture of Xavier University carried out an impact study. Consistent with the indigenous knowledge of locals for whom the spring’s features are instilled, results of the impact assessment showed that an 85-ha exemption cannot fully satisfy the preservation of the connecting watershed. At least 1,500 ha should be spared from the pineapple project to protect the cool and clear waters of the Luan-Luan Spring, the report said.

During the presentation of the results of the Xavier University study, NFPI reciprocated with a desire to conduct its own research. The Provincial Government reacted by commissioning the Bukidnon Environment and Natural Resources

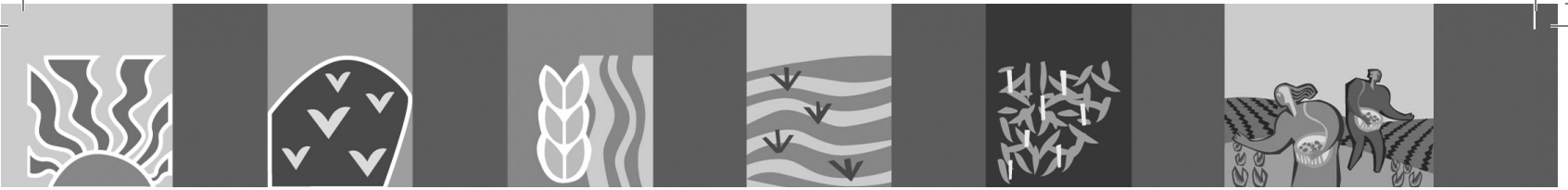
“In the heat of the controversy, peoples’ groups assumed the support of the parish and put up a streamer that read “No to Pineapples” at the church gate.”

Office (BENRO) to conduct another risk assessment. The results of the BENRO pegged 116 ha to be exempted from the pineapple plantation.

Amid blatant support for investor groups from the Provincial Government, the Municipal Government of Quezon put its foot down. On 05 November 2009, the SB adopted “by a unanimous accord and for the greatest benefit of the constituents of the municipality of Quezon, Bukidnon” the results of the report submitted by Xavier University discouraging pineapple plantations in the indicated areas. The situation remains volatile and the SB can still reverse its decision if another study can disprove the findings of Xavier University. Until then, no pineapple plantation can come into fruition in the QUEMTRASS areas.

As of writing, NFPI has given up on its pineapple plantation and is now considering planting hybrid corn or sugarcane, then leasing the remaining land. Just a year after the community expressed resistance, the Municipal Government of Quezon has proven that it can enforce fundamental change quickly.

Bukidnon has one of the highest poverty incidences in the region at 44% (NSCB, 2006). Had the pineapple investment pushed through, unemployment rate would have increased. As Mayor Gue calculates, only a farmer or two is employed for every hectare of pineapple plantation, while eight to 10 farmers are needed to tend to the same area for sugarcane.



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Also, compared to sugarcane, pineapple poses greater environmental risks as it requires more chemicals to thrive.

When policy meets science

The NFPI case may someday be regarded as a textbook example of the importance of research in supporting decision-making processes. It is worth noting how the local government of Quezon, particularly the SB, which approves ordinances and passes resolutions, put science at the center of its policymaking.

It was the GIS-aided impact assessment report that convinced the Municipal Government that what Quezon needs is not a monoculture pineapple plantation in the upstream area of Luan-Luan Spring, but more trees and a long-term conservation program to sustain the quality of their prime water source.

However, government-conducted researches are often perceived to “justify” instead of determine policy. There were rumors that studies commissioned by the Provincial Government were biased towards the interests of the investors.

True or otherwise, this highlights the importance of collaborating with agencies independent from the influence of government bureaucracy. The move of the SB to hire Xavier University in Cagayan de Oro to do the impact assessment over equally capable research institutions within Bukidnon was a carefully

calculated decision that showed the willingness, even fearlessness, of the legislators to generate a report that is as objective as possible.

However, academic and research institutions can only go as far as making recommendations. It is clear that policy and planning remain the central concern of our local leaders. At the end of the day, it is still the government who has the obligation to make a decision.

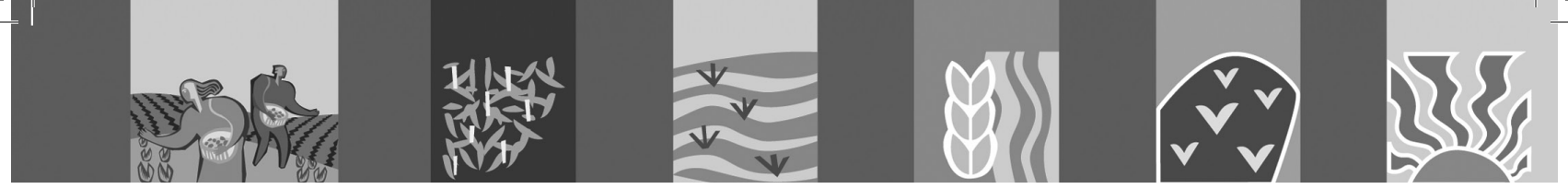
What (more) can be done

There are many the local government should do. It should be impartial to investors and promote good for the majority. It should ensure the efficient delivery of basic services and facilities. It should maximize the use of resources and revenues for development programs that will contribute to the achievement of national development goals. All these are what local governments are expected to do, but we are accustomed to politically savvy leaders, while patronage politics has been entrenched in our system. Procedural lapses in the entry of investments in Quezon point to an imbalance in authority. Investors may come and go as they wish without having to adhere to policies, while those in higher power enjoy personal gains.

Local leaders who practice participatory and pro-people politics should be lauded and supported. The public does not only stand to criticize but also to acknowledge the achievements of its government. We don’t always have to focus on the woes. The resolution passed by Quezon’s SB discouraging pineapple plantations in QUEMTRASS areas is a small victory worth celebrating.

1. Focus on Good Governance

The value of scientific research surfaced greatly in assessing the impacts of large-scale land investments, but it should not be limited to that. Research needs



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to be structured in a manner accessible to the local communities. At this point, academic and research institutions come in. Since resource-poor farmers can not pay for the conduct of research, the government should provide for this need through collaboration or outsourcing as part of its duty to enhance the livelihood of the poor.

National government agencies like the Department of Agrarian Reform (DAR), Department of Agriculture (DA), and the Department of Environment and Natural Resources (DENR) with the LGU can also institute similar efforts. Collaborations between them and the academe, civil society, and nongovernment organizations present greater opportunities to mobilize resources, create support groups, and monitor transparency of land deals while guiding farmer-beneficiaries throughout the development process.

These decisions have to be made official and publicly known by the LGU, thus the need to improve information dissemination and communication strategies. Readily available and localized materials should be dispersed throughout the entire municipality explaining the various situations of the community.

2. Improve land use planning

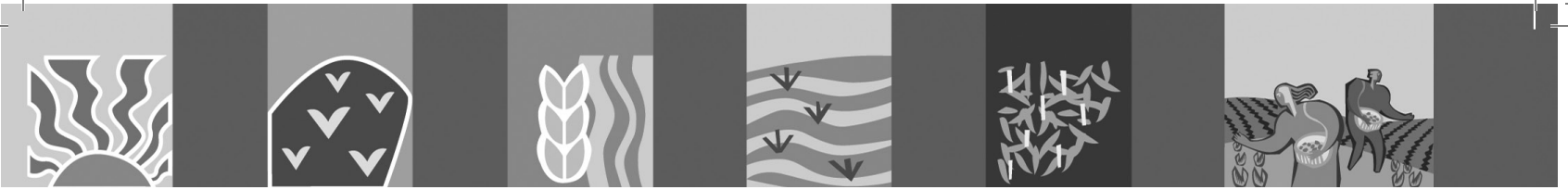
The LGU should have a clear and effective land use plan. This important document can bar legislators with private business interests from suddenly

coming up with ordinances reappropriating vast agricultural lands for non-agricultural purposes, putting farmers at risk of being displaced and losing their livelihood.

3. Shift to a localized orientation of food industries

What has gone unnoticed in this scheme is the rationale behind these investments. Land leasing, in general, has been allowed to address the alarming food insecurity. Clearly, the operations of these large-scale investors do not respond to that concern, as they are more drawn to the increasing export market. With the situation of those in the grassroots going from medial to worse, how can communities ever attain development? LGUs could shift to programs geared toward capacitating and enhancing the skills of the local people for market and resource sufficiency. Only then can these leases be justified.

In sum, the LGU of Quezon could take to heart three lessons, which are reinforced by related cases around the world: (a) safeguarding the welfare of those in the grassroots entails dynamic communication; (b) the basis for decision-making generally revolves around studying all aspects of the community, i.e., economic, social and environmental; and (c) systems and processes should not be taken lightly as they can result in complications. Transparency, technicality and principle in all transactions should not be treated as mere recommendations, but serious obligations.



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The Xavier Science Foundation (XSF) supports the various educational, social and scientific pursuits of the College of Agriculture of Xavier University (XUCA). It aims to operationalize the social apostolate of XUCA, providing extension services to community and development leaders, small farmers and poor households with focus on Northern and Central Mindanao provinces in southern Philippines.

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