



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM

24
DEPARTMENT ADMINISTRATIVE ORDER NO. 14
Series of 1990

SUBJECT : REVISED IMPLEMENTING GUIDELINES IN THE FORMATION,
ORGANIZATION AND OPERATION OF THE BARANGAY
AGRARIAN REFORM COMMITTEE (BARC)

I. RATIONALE

In our Constitution, the agrarian reform program is founded on the "right of the farmers and regular landless workers to own, directly or collectively, the lands they till, or in the case of other farmworkers, to receive a just share of the fruits thereof." (Art. XIII, Sec. 4). Otherwise known as the principle of "land to the tiller", this provision represents the state's commitment to social justice.

In the same article, the Constitution expressly provides that the state shall recognize the right of the farmers, farmworkers, and landowners, as well as cooperatives and other independent farmers organizations to participate in the planning, organization and management of the (agrarian reform) program... (Art. XIII, Sec. 5). The provision embodies the goal of "people's empowerment" as an indispensable element in broadening the base of our democracy.

To this end, the government promulgated E.O. 229 and affirmed its commitment to building a community-based implementing and coordinating mechanism for CARP by providing for the establishment of the Barangay Agrarian Reform Council. In line with the policy of encouraging people's initiative and self-reliance, the law provided that the BARC shall operate on a self-help basis.

Subsequent legislation through R.A. 6657 restated the government's adherence to participatory development and vested the BARC with additional functions such as among others, identification of beneficiaries, land valuation, attesting to the accuracy of parcellary maps etc. The CARL likewise changed the nomenclature of the BARC from "council" to "committee".

II. PURPOSE AND FUNCTIONS

The Barangay Agrarian Reform Committee (BARC) shall effect and facilitate the land transfer program in the community. It shall establish questions of fact, e.g. identification of lands to be covered and distributed, identification, screening and qualification of beneficiaries, identification of landowners, land valuation, perimeter surveys, information dissemination, etc.

pe

department of agrarian reform

This focus is emphasized in the enumeration of BARC functions contained in Sec. 47 of R.A. 6657 as follows:

- o Assist in the identification of qualified beneficiaries and landowners in the barangay;
- o Attest to the accuracy of the initial parcellary mapping of the beneficiary's tillage;
- o Assist in the initial determination of the value of the land;

Corollary to the land transfer program is the matter of *mediating local agrarian disputes among farmers and landowners alike*. The BARC shall endeavor to *resolve these disputes as far as practicable, within the confines of the community and avoid passing responsibility to outside entities*. When necessary, the BARC shall *closely coordinate and establish linkages with local conflict resolution bodies* such as the Lupong Tagapayapa on issues which shall expedite CARP implementation and avoid delays brought about by tedious courtroom procedures. This function is contained in Sec. 47 of R.A. 6657 as follows:

- o Mediate and conciliate between parties involved in an agrarian dispute including matters related to tenurial and financial arrangements;

Further, the BARC shall *identify possible opportunities for the provision of specific support services based on felt needs*. Hence, as provided by Sec. 47, R.A. 6657, the BARC shall :

- o Coordinate the delivery of support services to beneficiaries; and
- o Assist qualified beneficiaries in obtaining credit from lending institutions

A related purpose shall be that of providing the community a *forum for ventilating agrarian reform issues* whereupon local farmers organizations shall be given the opportunity to directly propose and advocate policies.

III. COMPOSITION

The composition of the BARC shall be in accordance with *proportionate sectoral representation on the basis of the land-to-the-tiller principle*. Hence, *bigger sectors shall have bigger representation in the BARC*.

The membership of the BARC shall be in accord with the basic requirements of E.O. 229 and shall have *regular voting members and ex-officio non-voting members*. Regular members shall be *limited to residents of the barangay*. On the other hand, the ex-officio members shall comprise representatives of government agencies and the barangay council. With the predominance of

pe

department of agrarian reform

barangay residents in its membership, the regular functioning of the BARC shall be ensured.

A. Regular voting members (7)

1. Representatives of farmer/farmworker beneficiaries shall be composed of 4 representatives of the following sectors:

- landless farmworkers (whether regular, seasonal, or other farmworkers)
- share tenant
- lessee (to include ISF beneficiaries)
- amortizing owner (EP/CLT holder, etc.)

2. Representative of farmer/farmworker non-beneficiaries (1)

This sector shall be represented by small owner-cultivators i.e., *those who own not more than 5 hectares of agricultural land and are actually tilling the land* either by himself or with the help of family labor and/or hired farmworkers.

3. Representative of agricultural cooperatives/ farmers organization (1)

This sector shall be represented from a *functional and barangay-based* farmers organization or a cooperative. The cooperative should have a *majority of tillers* in its membership.

4. Representative of landowners (1)

The sector shall include small (w/ 5 hectares or less) but non-cultivating landowners.

B. Ex-Officio non-voting Members (6)

One (1) representative each from the following :

1. Department of Agrarian Reform
(DAR Agrarian Reform Technologist assigned to the area who shall act as the Secretary)
2. Department of Agriculture
3. Department of Environment and Natural Resources
4. Land Bank of the Philippines
5. Barangay Council
6. *Locally based* non-government organization (NGO)
(These are NGOs based on the municipal or provincial level)

pe

department of agrarian reform

IV. OFFICERS AND COMMITTEES

The elected sectoral representatives shall elect among themselves a Chairman, a Vice Chairman, and an Assistant Secretary. All elected BARC officers shall be residents of the barangay.

The BARC (consisting of both the voting and non-voting members) shall form different committees based on need and priority activities. The BARC representatives shall likewise select the committee heads as appropriate.

V. ORGANIZING PROCESS

The Department shall facilitate the formation of BARCs in barangays which have expressed needs for one and primarily in , but not limited to, priority areas and municipalities falling within the Strategic Operating Provinces (SOPs).

The process of organizing shall reflect to the fullest extent, the intention of the law to allow meaningful participation of all concerned sectors.

To be effective, established farmers base groups shall play an active role in the formation, formal organization and operation of the BARC.

Hence, prior to actual convening, the BARC shall undergo a pre-organization phase wherein the focus of activities shall be on identifying established farmers base groups, the sectors concerned and disseminating information on the BARCs to as wide an audience as possible.

A. PRE-ORGANIZATION STAGE

1. The Municipal Agrarian Reform Office (MARO) shall prepare a list of functional farmers organizations in the municipality.
2. The MARO shall link up with the FO and/or NGO operating in the area and brief them about the BARC.
3. MARO with FO and/or NGO shall jointly identify specific barangays where BARCs will be formed consistent with the priority areas for land transfer.
4. MARO and the FO and/or NGO identify their respective responsibilities:
 - MARO to link up with the Bgy. council, landowners affected and other gov't agencies
 - o identify lands/landowners for coverage
 - o disseminate information and initiate dialogues

pe

department of agrarian reform

- o convene the landowners affected and request for a representative
- o coordinate w/ the bgy. council and formally ask them to nominate BARC rep
- o establish contacts w/ DENR, DA, LBP as the need arises
- the FO and /or NGO shall be responsible for the base group
 - o identify potential ARBs within the area and from their own FO
 - o identify core leaders among the potential beneficiaries
 - o identify need for a base group and identify and/or validate list of lands to be covered
 - o listing and recruitment of potential members of each base group
 - o election of base group leaders and sectoral representatives
 - o convene base group leaders on the need to organize a BARC
- In areas where there are no FO/NGO, the DAR (MARO) shall take a more active role in the formation of the base group.

B. BARC ORGANIZATION

When the sectors are fully aware of the need to organize a BARC, the MARO together with the FO and /or NGO shall facilitate the conduct of the following:

1. Convene the representatives of the sectors to discuss among others, CARL, functions of the BARC as defined by law, schedule of the first meeting, schedule of the election of officers.
2. The election proper of the BARC officers
3. Planning workshop

C. BARC OPERATION AND MANAGEMENT

After the BARC has been formally organized, it shall plan and operationalize mechanisms for the implementation of its mandated functions.

D. ALLIANCE BUILDING

The last phase shall cover the sustained linking activities of the BARC with other entities within or outside the immediate community for its identified needs.

pe

department of agrarian reform

VI. TENURE OF ELECTED REPRESENTATIVES AND BARC OFFICERS

Elected representatives shall serve a ~~maximum~~ of two (2) years. Any elected BARC representative who fails to fulfill his duties and responsibilities or fails to live up to the expectations of the sector he represents may be removed before the expiration of his term by majority vote of the members of the sectoral group.

Officers of the BARC shall serve at the pleasure of the committee and may be removed by simple majority vote or upon serving the maximum period of two (2) years.

VII. BARC STRENGTHENING/REORGANIZATION

Since most of the existing BARCs have been formed during the last two years and based on the tenure of office of the elected officers which may end this year, reorganization and strengthening of these BARCs shall be based on the recommended organizing processes stipulated in this guidelines.

VIII. EFFECTIVITY

This Administrative Order shall take effect ten (10) days after its publication in two (2) newspapers of general circulation pursuant to Sec. 49 of R.A. 6657. This order amends Administrative Order No. 5 Series of 1989 and all other orders, circulars, rules and regulations which are inconsistent herewith.

Quezon City, 3 August 1990


BENJAMIN T. LEONG
SECRETARY