

[DAR ADMINISTRATIVE ORDER NO. 14, August 03, 1990]

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 worker 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 bases.

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.

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

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

- 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:

- Coordinate the delivery of support services to beneficiaries; and
- 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 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 sections:

- landless farmworkers (whether regular, seasonal, or other farmworkers)

- share tenant
- lessee (to include ISF beneficiaries)
- amortizing owner (EP/CLT holder, etc.)

2. Representatives 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 landowner (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 organizational (NGO)
(These are NGOs based on the municipal or provincial level)

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.