MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 75

DIRECTING ALL DEPARTMENTS, BUREAUS, OFFICES AND INSTRUMENTALITIES OF THE GOVERNMENT TO IDENTIFY LANDS OWNED BY THE GOVERNMENT DEVOTED TO OR SUITABLE FOR AGRICULTURE FOR DISTRIBUTION TO QUALIFIED BENEFICIARIES

WHEREAS, Section 1, Article XIII of the 1987 Constitution advances the duty of the State to enact measures that protect and enhance the right of all people to human dignity, reduce social, economic and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good;

WHEREAS, Section 4, Article XIII of the 1987 Constitution declares it a policy of the State to undertake the just distribution of all agricultural lands, subject to such priorities and reasonable retention limits as the Congress may prescribe, taking into account ecological, developmental, or equity considerations, and subject to the payment of just compensation;

WHEREAS, Republic Act (RA) No. 3844 institutes policies in order to provide a vigorous and systematic land acquisition, resettlement and distribution program, and Presidential Decree No. 27 (s. 1972) orders the emancipation of all tenant farmers of private agricultural lands primarily devoted to rice and corn under a system of sharecrop or lease-tenancy;

WHEREAS, RA No. 6657, or the "Comprehensive Agrarian Reform Law of 1988," as amended, which was enacted on 10 June 1988, implemented the agrarian reform provisions of the Constitution by instituting the Comprehensive Agrarian Reform Program (CARP) and providing mechanisms for its implementation;

WHEREAS, pursuant to Sections 4 and 7 of RA No. 6657, as amended, lands owned by the Government devoted to or suitable for agriculture are covered under the CARP and are to be planned and programmed for acquisition and distribution by the Department of Agrarian Reform (DAR), in coordination with the Presidential Agrarian Reform Council (PARC), to the qualified beneficiaries thereunder;

WHEREAS, Executive Order (EO) No. 292, or the "Administrative Code of 1987," vests in the DAR the following mandates:

(i) Provide central direction and coordination to the national agrarian reform program, extended to transform farm lessees and farm tenants into owner-cultivators of economic family-size farms to improve their living conditions;

(ii) Formulate and implement policies, plans and programs for the distribution and cultivation of all agricultural lands, including sugar and coconut lands, with the participation of farmers, farmworkers, landowners, cooperatives, and other independent farmers' organizations; and

(iii) Provide leadership in developing support services to tenant-owners, farm managers, and other cultivators and render adequate assistance in finance, marketing, production and other aspects of farm management;

WHEREAS, EO No. 129-A (s. 1987) or the "Reorganization Act of the Department of Agrarian Reform," further vests in the DAR the power to acquire, administer, distribute, and develop agricultural lands for agrarian reform purposes;

WHEREAS, EO No. 292 vests in the Department of Justice (DOJ) the mandate to act as the principal agency to administratively settle and adjudicate all disputes, claims and controversies solely between or among the agencies of the National Government, including government-owned or -controlled corporations;

WHEREAS, EO No. 292 mandates the Department of Environment and Natural Resources (DENR) to carry out the State's constitutional mandate to control and supervise the judicious disposition, utilization, management and conservation of the country's natural resources;

WHEREAS, EO No. 292 mandates the Department of Agriculture (DA), through its Bureau of Soils and Water Management, to render assistance on matters relative to the utilization and management of soil as vital agricultural resources and formulate measures and guidelines for effective soil, land, and water resource utilization, as well as soil conservation in croplands and other agricultural areas;

WHEREAS, Section 17, Article VII of the 1987 Constitution provides that the President shall have control of all executive departments, bureaus and offices and shall ensure the faithful execution of laws;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

Section 1. ***Acquisition of Government-Owned Agricultural Lands.*** Subject to the limitations and conditions provided under applicable laws, rules and issuances, the DAR shall acquire all lands devoted to or suitable for agriculture, which are owned by the departments, bureaus, offices and instrumentalities of the Government, and which are no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired, for the purpose of eventual distribution to qualified beneficiaries.

Section 2. ***Identification of Government-Owned Agricultural Lands***. Within thirty (30) days from the effectivity of this Order, all departments, bureaus, offices and instrumentalities of the Government shall identify their lands devoted to or suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired, and

thereafter submit a list thereof to the DAR, indicating the location and area of the said lands, actual use and legal basis of ownership.

The submission shall include certified true copies of all pertinent documents in their custody relative to the identified lands, including certificates of title or other proofs of authority to utilize the same. In case of lands which are subject of actions pending before judicial or quasi-judicial tribunals, the submission must include a report on the status of the pending action.

The DAR, in coordination with the DENR, shall cause the preparation of an inventory of government-owned lands devoted to or suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired. Agencies whose lands are covered by such inventory shall be furnished a copy thereof.

The foregoing notwithstanding, the lands owned by the agencies as indicated in their submitted lists and those included in the inventory prepared by the DAR shall be subjected to validation under the succeeding Section.

Section 3. ***Validation and Segregation.*** The DAR, in coordination with the DA and the DENR, shall undertake the validation of lands identified pursuant to Section 2 hereof, taking into consideration their suitability for agricultural use, limitations on their use under existing laws and issuances, their respective metes and bounds, and such other relevant criteria that may be provided under the implementing rules and regulations of this Order.

Section 4. ***Transfer and Distribution.*** Subject to restrictions under applicable laws, rules and issuances, the DAR shall acquire the identified lands of concerned agencies for eventual distribution thereof to qualified beneficiaries, for cultivation or agricultural use.

Section 5. ***Implementing Rules and Regulations (IRR).*** Within sixty (60) days from the effectivity of this Order, the DAR and the DOJ shall jointly formulate the IRR regarding the validation, segregation, transfer and distribution of government-owned lands identified pursuant to Section 2 hereof, including the criteria for the validation of such lands, identification of qualified beneficiaries, and mechanisms and procedures in case of related protests or appeals.

For this purpose, the DAR and DOJ shall require the participation of the following agencies: DENR, DA, Department of National Defense, Department of Budget and Management, Department of the Interior and Local Government, Department of Public Works and Highways, Department of Trade and Industry, Department of Finance, Department of Labor and Employment, National Economic and Development Authority, National Irrigation Administration, Land Bank of the Philippines, Commission on Higher Education and the National Commission on Indigenous Peoples.

The DAR and the DOJ shall provide for an expeditious procedure for the resolution of protests involving the validation and segregation of government-owned lands identified pursuant to Section 2 hereof.

Section 6. ***Agency Support.*** All other government offices and agencies are directed to render such prompt and necessary assistance, subject to applicable laws, rules and regulations, to fully implement the provisions of this Order.

Section 7. ***Funding.*** The amount necessary for the initial implementation of this Order shall be charged against sources to be identified by Department of Budget and Management. Thereafter, the funding requirements for the implementation of this Order shall be included in the annual budget of the concerned agencies.

Section 8. ***Repeal.*** In the event that any provision of this Order or any part hereof is declared invalid, illegal, or unconstitutional, the provisions not thereby affected shall remain in full force and effect.

Section 9. ***Separability.*** All other issuances or parts thereof that are inconsistent with the provisions of this Order are hereby repealed or modified accordingly.

Section 10. ***Effectivity.*** This Order shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

DONE in the City of Manila this 15th day of February in the year of Our Lord, Two Thousand and Nineteen.

By the President:

SALVADOR C. MEDIALDEA
Executive Secretary

REPUBLIC OF THE PHILIPPINES
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