



December 3, 2010

Kinabuhi, Inc.

Central Visayas People's Network for Life and Environment
2nd Floor, Kudemus Building, Lower Butalid Street
6300 Tagbilaran City, Bohol, Philippines, email: kinabuhi_cv@yahoo.com
Securities and Exchange Commission Reg. No. CN200525750

Engr. Modesto G. Membreve
Regional Manager
National Irrigation Administration, Region 7

Re: **NGO Position on Important Concerns**

Dear Engr. Membreve,

Greetings!

As suggested by the Bodies which assembled during the above-dated meetings, Mr. Carmelo Tabada provided the undersigned copies of the Minutes. Reading the Minutes, may we express our concerns and raise the following position:

1. Re: List. "...NGOs shall provide NIA the list of farmers..." (Nov. 3 meeting with only Mr. Tabada from the Inspection Committee was present)

During the visit of NIA Admin Services Chief Jose Lito Lambojon at the Women's Development Center office, last week of September, Maria Ira Pamat has clearly stated to the NIA officer that the List of Affected Farmers (if NIA is referring to this list) is sealed with Confidentiality in a Researcher-Respondents relationship and by any means, cannot be used nor automatically be understood by NIA nor the Committee as the List of Farmers who wanted to avail of the loan condonation process. After such visit, we presumed that Mr. Lambojon understood what was explained to him and feedbacked such explanation to the Committee especially the NIA Chiefs. We were dismayed to note that Mr. Lambojon failed to do so.

If NIA is referring to the "...list of farmers that needs a copy of the MOA ...", we would like to express that NIA, as its commitment to the First Multi-stakeholders' Meeting on September 1-2, 2010, SHOULD PROVIDE EVERY FARMER/LANDOWNER THE COPY OF THE MEMORANDUM OF AGREEMENT (MOA) BEING THE LAWFUL PARTY OF THE MOA. As what should be a must in any legal document especially this MOA which involve an important property which is the land, contracting parties should be provided with a copy of the document, and this is not dependent to any listing provided by NGOs. NIA, as the agency which "keeps" the MOA, should provide this copy to the contracting party and should not be selective for whatever reason.

2. Re: NIA's role in the Inspection and Evaluation Committee, and its designation of proper staffs to deliver the task (Sept. 27 meeting)

Committees are created to perform important functions. The matter of inspecting and evaluating irrigation systems, including success and failures of its components, are expertise expected of NIA as the irrigation arm and not from the office of the Municipal Agriculture Office (MAO) who chaired the committee. We have nothing against the commitment of the MAO. What we are trying to stress is, NIA should take the lead position of the Committee as the vessel of the expected expertise on irrigation (canals, elevation, distance, water current, etc.); and the command of the technical support which

the Committee needs to efficiently and effectively perform its functions. This is not to mention NIA's primary accountability to deliver the missing water and the agency that primarily commits to inspect and evaluate WHY water cannot reach to these bulldozed areas.

Another concern is the designation of a NIA Institutional Development Officer (IDO) to perform the Committee task instead of another technical person to back up Engr. Gucor. Would this tell us that NIA is more concern of its Institutional Development matters rather than resolving the water problem of the farmers once and for all? May we know the basis of NIA in designating these personnel to compose this important Committee? We join the Committee because we believe that resolving the water problem of the farmer is a serious matter NOT JUST MERE COMPLIANCE, and the designation of the right person to deliver the expected output is very crucial at this time.

Related to this, the scientific and technical methods of determining how feasible for the water to come in the area is ambiguous. As one of the basic determinant of the condonation process, the method/s should be clearly stated to establish the term of references and authenticity, and for the process to move on. This matter is very technical but is absent in the minutes of the meetings.

3. We reiterate our stand for the disclosure of the Official Result of the JICA Fact Finding Mission conducted by the JICA Consultants in order to align NIA's efforts in its problem solving.

The farmers have been with this water problem in more than a decade. The project has affected not only the immediate need for food of the affected households and communities but has created broken dreams among the next generation who failed to go farther schooling and produce malnourished children because of poverty. The project basically disturbed and destroyed farmlands which could have delivered maximum production than its capacity now. The FFM Official Result is an important basis where the missing water really goes (if there is really enough water) and the reason why there is water shortage within the irrigation system that failed to reach a vast portion of lots which were bulldozed and flattened. The result might be of good help on how the government can resolve this decade-old problem, and how we can gain back the land's maximum productivity.

On the part of NIA, broken promises which has been the way before cannot be accepted anymore this time when people are wallowing in poverty. NIA should bear in mind and heart that the delivery of the missing water is it's accountability being the concerned agency on irrigation, and this accountability cannot be passed to the office of the MAO and the NGOs. At the end of the day, it is still NIA to explain how it fared to solve the problem and not any other agency.

These are for now, and we hope these concerns will be discussed accordingly in the December 8 Second Multi-stakeholders Meeting.

(signed)
WALTER BALONGA
Kinabuhi, Inc.

(signed)
MARIA IRA PAMAT
WDC, Inc.

(signed)
CARMELO TABADA
FARDEC, Inc.

cc. Friends of the Earth-Japan
JICA-Manila

Office of the Governor of Bohol
JICA-Tokyo