

The Ghost Reforestation Project in Maligcong, Mt. Province

by William Todcor

Maligcong Reforestation Project was implemented in Year 2000-2004, a component project of the Department of Agriculture – Cordillera Highland Agricultural Resource Management Project (CHARMP). In coordination with the Project Support Office (PSO) – CHARMP, the lead implementing agency for this component project is the Department of Environment and Natural Resources (DENR) – CAR Regional Office and the PENRO/CENRO concerned, in partnership with the Maligcong Regreeners Development Association (MRDA), Inc. as direct implementer/beneficiary. The area of the reforestation site is 296 hectares.

Funding for the reforestation project is released to the DENR-CHARMP Regional Office, which in turn disburses the fund to the People’s Organization partner as per accomplishments.

The project follows the concept of community-based mode of implementation. The direct beneficiaries are to play a key role in implementing, maintaining and sustaining the project. A People’s Organization (PO) is organized for an agreement with DENR-CHARMP in the implementation and sustenance of the project. In this case, the Maligcong Regreeners Development Association (MRDA), Inc.

The project cost is P5.6 million. The funding comes from the International Fund for Agricultural Development (IFAD) as loan proceed with the corresponding counterpart fund from the Government of the Philippines.

Following a letter of complaint addressed to Rev. Fr. Valentin Dimoc, director of the Social Action Development Center (SADC) of the Prelature of Bontoc-Lagawe, on the perceived anomalous implementation of the reforestation project, a composite monitoring team was formed to look into the veracity of the complaint and to enforce transparency and accountability. SADC included in its composite team the complainants (Jeffrey Pursen, William Todcor, Thomas Sadcopen, Kagawad Agustin Choykawen – a representative of barangay-LGU) and the Concerned Citizens of Abra for Good Government (CCAGG), an experienced NGO deputized by the Regional Project Monitoring and Evaluation System (RPMES) in the Cordillera Administrative Region.

The Findings and Observations of the composite team highlighted the following:

On the People’s Organization

The People’s Organization that implemented the reforestation project in Maligcong is the Maligcong Regreeners Development Association (MRDA), Inc. with Barangay Captain Herman Farnican as its President. The community members whose names are listed in the MRDA List of Members did not know how they became members. Two

members of the Barangay Council and the Community Mobilization Officer (CMO) assigned to the area by the NGO-SUCCESS CHARMP certified that the organization of the PO (MRDA) was not properly processed. Barangay Captain Farnican single-handedly formed the association. When the reforestation project came in for implementation, Farnican decided that MRDA should be the People's Organization to contract the project.

On the Nursery Establishment

There are four (4) nurseries established by the project that are located in Fanat, Cabarattong, Magutok and Pudlac. These nurseries are strategically located to shorten the distance in transferring the potted seedlings to the plantation sites.

One bunkhouse was found in Cabarattong site with an approximate area of 2.5m x 3m. Structural frames are made up of wood, roof is made up of G.I. sheet, and lateral cover/sidings are cogon grass. Further, it has an elevated but incomplete wooden flooring.

Potted soils with no trace of having harbored seedlings were found on the seedbeds. This gave the impression that there were really no seedlings propagated.

As per interview with the community in Maligcong, there were two other contractors that produced seedlings for citrus and Benguet Pines: Mr. Thomas Sadcopen and Mrs. Cynthia Mabaew. Mr. Sadcopen produced and delivered 4,000 citrus seedlings while Mrs. Mabaew delivered less than 3,000 seedlings of Benguet Pines. The contracting cost was agreed upon through internal arrangement.

Also, there were no coffee seedlings produced at the nursery and elsewhere for plantation at the agro-forestry area, according to community members that were interviewed. Bare root coffee seedlings were planted.

On the plantation establishment

Five plantation establishments were supposed to be put up in the following sites: C-Blue, Ammoy, Cabarattong-Pukipok, Angtongfao-Aliwos, and Pudlac-Lukotan.

The C-Blue site is supposed to be planted with 18,000 coffee seedlings in a targeted land area of 15 hectares. It was found out that there were only about 15 coffee seedlings planted with average height of 40 centimeters that could be seen in the whole agro-forestry area. According to one of members of the barangay council, only around a hundred bare roots coffee seedlings were actually planted in the area.

The Ammoy site is supposed to have Benguet Pines in 70-hectare area. Approximately two hectares were seen to have the Benguet Pines specie. Nonetheless, out of these approximated 2 hectares, there were naturally growing plants of the same species interspersed, which MRDA claimed to form part of their accomplishment.

In the 51-hectare target plantation site in Cabarattong-Pukipok for Benguet Pines, all are naturally growing species, there was no evidence of a plantation activity. There was no ring weeding; unlike Ammoy where there was evidence of maintenance.

The Antongfao-Aliwos site is supposed to have Benguet Pines seedlings planted. Like the Cabarattong-Pukipok site, seen here are naturally growing species of Benguet Pines. Magutok nursery was supposed to supply seedlings for this area.

For the Pudlac-Lukotan site, Benguet Pines specie is supposed to be planted here. Mrs. Cynthia Mabaew supplied 3,000 seedlings for this site, however, these could only cover 2 hectares with 2m x 3m spacing. According to Mrs. Mabaew, students from Guinaang National High School and Mt. Province State Polytechnic College planted the seedlings during their school tree planting activity.

The citrus seedlings from Mr. Thomas Sadcopen were distributed to individuals who were willing to plant, manage and sustain. They were planted in backyards.

A non-government organization, SOLIBAO, was contracted by the DENR-CHARMP Regional Office to conduct the final validation of the project. The final report reflected a low 62% accomplishment, which is a failure since the standard passing rate set forth by DENR for its project is 80%.

But despite SOLIBAO's findings of a 62% accomplishment, the DENR still paid in full MRDA including the 10% retention fee. According to procurement guidelines, the 10% retention fee should not be released when work accomplishment is unsatisfactory, much more a failure.

In an interview with Barangay Captain of Maligcong and MRDA President Herman Farnican, he received in April 2005 the retention fee amounting to P400,000.00 which he claimed he used for the maintenance of the project and has already been spent in full. He used this for paying 3 Forest Rangers for P250.00 per day for undisclosed number of months, and for the establishment of fire line at Lukotan site. Such fire line could not be seen elsewhere in the site during the visit of the composite team. When asked about the components of the maintenance plan of MRDA, Mr. Farnican said there was none. He also admitted that he never saw the plantation sites since the project started.

Bringing the case at the Sangguniang Bayan of Bontoc

Some concerned citizens brought the case to the Sangguniang Bayan of Bontoc for investigation but it was dismissed. The Municipal Council decided to support their colleague. Barangay Captain Herman Fernican being the ABC (Association of Barangay Captains) President sits at the Council.

Not contented, the complainants brought the case to the Office of the Ombudsman.

Complaint filed at the Office of Ombudsman

The complaint was filed on April 2006 for gross violation of the Anti-Graft Law (OMB-L-A-06-0378-E, Office of the Ombudsman, Manila), for misappropriating P5 million, a part of a multi-million loan-grant by the Asian Development Bank for reforestation project in Maligcong, Bontoc, Mountain Province. The complaint was signed by seven concerned citizens: Jeffrey Pursen, Thomas Sadcopen, William Todcor, Agustin Choykawen, Rosita Cobsilen, Brigitt Imperial, and Elisa Carlos.

The complainants made twelve trips to Manila from 2006 to 2009 to follow-up the case at the Office of the Ombudsman. They were assisted by the National College of Public Administration and Governance (NCPAG) of the University of the Philippines and De La Salle Institute of Governance of De La Salle University. It was a classic case of "justice delayed is justice denied." No concrete action was made on the case.

Filing of case at COA

The fraud complaint was filed on June 28, 2007 at the Commission on Audit bearing complaint no. 2007-56. The subject of allegation is a ghost project by the DENR headed by Nicanor Sapla and Barangay Captain Herman Farnican of Maligcong funded by the ADB and implemented by CHARMP-DENR. This was referred to the COA National Government Sector (NGS) for feedback through a Memorandum dated June 29, 2007. Since then, nothing is heard about the case.

Bringing the case at the DENR

Not losing hope yet, the complainants decided to report the case to the DENR. They asked the assistance of the Northern Luzon Coalition for Good Governance (NLCCG) which provided the technical group (the Social Action and Development Center) and a surveyor to help the complainants determine the extent of corruption in the reforestation projects.

During the ocular inspection of the sites, contrary to the claim of the barangay captain and his cohorts, including the DENR, the following were discovered and confirmed:

- 1) That areas planted were too small compared to the actual areas developed and planted - In Sitio Pokipok alone, one area out of eight project sites surveyed by Mr. John Escher (an engineer Swiss volunteer), more or less 5 hectares were planted. The DENR and the Barangay Captain declared the project area as more than 50 hectares. This is also true to the other six plantation sites - Angtungfaw, Pudlak, Lidchan, Matu-un, Filig, Chatar, and Locutan.

- 2) Coffee seedlings planted at Sitio Lakipan and Amfomotngor are nonexistent contrary to what the barangay captain and the DENR were saying.
- 3) Nine nurseries visited have thousands of withered and stunted pine seedlings.
- 4) Bunkhouses and guardhouses were only makeshift shanties, not according to project specification.
- 5) Already existing trails used since time immemorial by residents were declared as the 1m. x 7 km. pathway established connecting the different project sights.
- 6) The naturally growing pine trees were declared as planted by the group of Barangay Captain Herman Farnican.
- 7) The livelihood component of the project, citrus-growing, was not successful as most of the seedlings were not distributed and were just left to die. The beneficiaries were never trained technically to take care of the plants considering that these are introduced species in the locality. Thomas Sadcopen, the caretaker of the citrus nursery, was never paid in full. Because of this, he filed an administrative case against the Barangay Captain. No payment was made yet and no administrative sanction was promulgated.

On November 28, 2007, a legal officer and a forester from the DENR Central Office interviewed the complainants. The DENR was tasked by the Ombudsman to investigate the complaint.

During the last phase of the project, two representatives of the Asian Development Bank went to Maligcong to inspect the reforestation project, but it was already late when they arrived so that it was impossible for them to make a practical and independent evaluation. The complainants met the ADB representatives and told them that the project was nonexistent but the evaluators believed what the barangay captain and the DENR told them earlier, that the project exists. Masahuri Osaki, a Japanese national, tried to help by informing ADB of the graft and corruption incident but there was no result.

Analysis

Generally, the Maligcong Reforestation Project implemented by the MRDA was a failure. Absence or lack of participation and involvement of the direct beneficiaries and the self-serving interest of the Barangay Captain were mostly the reasons why it failed. Interventions from assisting agencies and other outside groups were minimal.

The payments disbursed were way above the equivalent amount of work fulfilled in the field. They received payment in the nursery establishment when in fact they did not produce the required number of seedlings evidenced by the potted soils that were found in the seedbeds in all the nursery sites. The association, through its president, claimed payment for the plantation establishment when in fact there were not enough seedlings produced for this activity. Then the association received the retention fee despite the low percentage of accomplishment. Unless the DENR has different guidelines on this, connivance could well be established as the reason why the 10% retention was released. As far as the composite monitoring team's knowledge of DENR's standard for this project is concerned, at least 80% of the total survival rate should have been evident to account for the release of the retention money. Retention should have been withheld pending the contractor's measure that will increase value of accomplishment to that required level under existing project guidelines on the rate of survival.

The MRDA, the contracted people's organization, did not comply with the necessary requirements stipulated in their contract of agreement with the DENR. There was no sense of ownership of the project by the PO (MRDA). The participation of the beneficiaries was nil in all stages as the people claimed that there was no proper information and dissemination about the project.

The identity of the Maligcong Regreeners Development Association (MRDA) as a people's organization is questionable since the members claim that they are not aware of their membership to MRDA. It can be deduced therefore that MRDA was only formed to advance the vested interest of the Barangay Captain. This has denied the concept of the Cordillera Highland Agricultural Resource Management Project (CHARMP) as a whole, i.e. participatory approach in all levels and stages of the development activity or cycle.

On the other hand, the Department of Environment and Natural Resources (DENR) based in Sabangan, Mt. Province should be held liable since it missed to deliver its responsibility. As the lead implementing agency, it failed to supervise/oversee the implementation of the project. Project documents can be manipulated to make it appear that MRDA's accomplishment was alright when in fact it was way below the standards. Project accomplishments were paid accordingly upon endorsement of the DENR validating team. According to Mr. Herman Farnican, the documents forwarded by the validation team were sometimes changed at the DENR regional office.

The Regional Director of the DENR-CHARMP and the Department of Agriculture-Project Support Office-CHARMP should also be held liable for their failure to ensure

integrity in the use of funds and to monitor the efficiency and effectiveness of its operations.

REFERENCES

1. Joint Monitoring Report on the Maligcong Reforestation Project, Bontoc conducted by the composite team of SADC, CCAGG, representative from the Barangay Council, and some concerned community members, October 19-20, 2005
2. Interview with Ms. Pura Sumangil, President of NLCGG
3. Interview with Fr. Val Dimoc, Director, Social Action and Development Center, Vicariate of Bontoc-Lagawe
4. Documents from UP-NCPAG
5. Documents from De La Salle Institute of Good Governance
6. Emails to and from COA dated Sept. 11, 2007; Sept. 19, 2007; Oct. 25 and 26, 2007
7. Emails to and from DENR dated Nov. 28, 2007
8. Articles published in the internet

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