UNITING FOR LAND RIGHTS IN
PHILIPPINES

HOW OUR MEMBERS ARE CONTRIBUTING TO CHANGE

NLC PHILIPPINES works towards the realisation of the following ILC commitments for People-Centred Land Governance:

Commitment 2 Strong small-scale farming systems
Commitment 8 Transparent and accessible information
Commitment 9 Effective actions against land grabbing
Commitment 10 Protection for land rights defenders
EXECUTIVE SUMMARY

This report highlights the efforts of the International Land Coalition (ILC), specifically the NATIONAL LAND COALITION (NLC) and its members1 and partners2, in promoting people-centred land governance (PCLG) in the Philippines. Despite challenges such as land fragmentation, the criminalisation of Land and Environmental Defenders (LEDs), conflicting land claims, and competing land use priorities, the NLC Platform has made notable progress towards its three strategic objectives, namely

» advocating for reforms and safeguarding the gains of asset reform policies;
» addressing cross-sectoral land concerns; and
» enhancing capacities to assert rights to land and other natural resources.

Since its establishment in 2012, and through its collaborative efforts with key actors and partners, including the Department of Agriculture (DA), Department of Agrarian Reform, International Fund for Agricultural Development (IFAD), and the World Bank, the NLC has successfully influenced numerous long-term strategic processes and policies, including:

» Integration of inputs from Civil Society Organisations into important national documents, particularly the Philippine Action Plan for Family Farming 2019-2028 that emphasises the need to enhance land tenure and governance. Similarly, the NLC contributed inputs to the Environmental and Social Management Framework component of the Support to Parcelization towards Individual Titling (SPLIT) project, aimed at stabilising the property rights of agrarian reform beneficiaries.

» Facilitation of land rights claims by 11,000 farmers in Leyte and the Negros Island Region, thanks to the revocation of a problematic Administrative Order, and the formulation of its replacement.

» Expansion of sustained land advocacy networks and the collective formulation of key recommendations for improving key legal frameworks, including the Bills on National Land Use (NLUA), Indigenous Communities’ Conserved Areas (ICCA), Notices of Coverage (NOC), Agribusiness Venture Arrangements (AVA), and Automatic Crop Insurance, among others.

» Assistance to 97 displaced Talaandig Indigenous families affected by land grabbing in the context of a private agricultural investment, enabled through the ILC’s Land and Environmental defenders (LED) Emergency Fund.

These notable advancements towards PCLG were catalysed by sustained collective efforts, including mass mobilisations and dialogues involving civil society organisations, farmer groups, indigenous peoples, agrarian reform beneficiaries, and collaborations with the Department of Agrarian Reform (DAR)—a key government ally of the NLC platform.

1 The NLC is made up of nine ILC members, of which three are People’s Organisations (POs): namely the Cordillera People’s Alliance (CPA), National Federation of Peasant Organisations (PAKISAMA), the People’s Campaign for Agrarian Reform Network (AR Now!), and Task Force Mapalad (TFM). On the other hand, the Philippine Association for Inter-Cultural Development (PAFID), Centre for Agrarian Reform and Rural Development (CARRD), and the academic organisation Xavier Science Foundation (XSF) are national CSOs that collaborate closely with POs to develop their policy agendas in response to NLC initiatives.

2 Previously referred to as National Engagement Strategies (NES).
THE STATE OF LAND IN THE PHILIPPINES

LEGISLATIVE FRAMEWORK ON LAND AND AGRARIAN REFORM

The agrarian structure in the Philippines has been characterised by significant imbalances since Spanish colonialism in the 16th century, resulting in widespread land-related conflicts. In the 1960s, land reform legislation began to be enacted, including the distribution of rice and cornfields, and the implementation of the Agricultural Land Reform Code of 1963 that aimed to replace the feudal tenancy system.

However, it was in the 1980s, particularly after the People Power movement of 1986, that the country witnessed one of the most progressive resource tenure reforms in Asia, largely thanks to the advocacy efforts of disadvantaged groups and civil society organisations. Key progressive asset reform laws were subsequently introduced, such as the 1987 Constitution, which established a comprehensive policy connecting land ownership and use with equitable wealth distribution. The Comprehensive Agrarian Reform Law (CARL), the Indigenous Peoples Rights Act (IPRA), the National Integrated Protected Areas System (NIPAS), the Fisheries Code, as well as the Local Government Code and the Agriculture and Fisheries Modernization Act (AFMA) are among other notable legislations enacted during this period. Collectively, these policies laid the foundation for an enabling environment for asset reform, serving as a crucial component of the government’s anti-poverty agenda, and facilitating the redistribution of resources to marginalised sectors.

Despite these significant advancements, the completion of asset reform programs continues to face notable challenges, including the emergence of second-generation issues. Addressing these challenges remains a priority in order to ensure the effective implementation and consolidation of asset reform efforts in the country.

MARGINALISATION OF VOICES

LANDLESS FARMERS, AGRARIAN WORKERS, INDIGENOUS PEOPLES

The Philippines currently lacks a comprehensive survey of traditional territories eligible for the recognition of Indigenous Peoples’ land rights, estimated to encompass around 7-8 million hectares. Nevertheless, several laws have been enacted to ensure the provision of land to the tiller, and the recognition of Indigenous Peoples’ native titles. These laws include the Comprehensive Agrarian Reform Law of 1988, the Indigenous Peoples’ Rights Act of 1997, and the recent Supreme Court Ruling in 2021 affirming the recognition of native title and sustainable traditional resource rights (STRR).

Significant progress has likewise been made in the implementation of these laws; as of 2020, approximately 16% of the country’s territory has been distributed to over 2,902,440 agrarian reform beneficiaries. Moreover, between 1997 and 2020, 221 Certificates of Ancestral Domain Titles (CADTs) covering more than 5.4 million hectares, or 18% of the total land area.
While these achievements demonstrate notable progress, several challenges continue to hinder the full realisation of land rights for landless farmers, agrarian workers, and Indigenous Peoples in the Philippines. These include persistent administrative issues in registering CADTs6, coupled by a lack of tenure security due to extractive activities such as mining and logging, overlapping land claims, and fraudulent “free prior informed consents” (FPICs). Furthermore, large infrastructure projects in foreshore lands and coastal areas, often owned by the state, have resulted in the forced sale of occupancy rights and the eviction of communities from their claimed territories, leading to a major loss of livelihoods.

**WOMEN’S LAND RIGHTS**

several progressive policies and laws aimed at ensuring gender parity have been approved, including equal land and property rights for both women and men. The Magna Carta for Women (MCW) of 2009 is a prime example of a comprehensive law that seeks to protect and empower women and ensure equal rights and opportunities, particularly to those from marginalised sectors. The government agencies responsible for land-related matters were among the early implementers of policies and guidelines to prevent discrimination against women. However, despite policy issuances, only 28% of the 2.5 million agrarian reform beneficiaries were women as of 2019. Cultural norms are believed to discourage women from securing their land rights, with many married women preferring legal recognition to be provided to their husbands instead of jointly or individually.

Moreover, despite the Indigenous Peoples’ Rights Act of 1997 (IPRA) recognising the equal rights of Indigenous women to claim ownership and utilise communal lands, land tenure instruments for Indigenous Peoples (IPs) are issued communally and attributed to IP organisations rather than individuals—meaning that data on land titles cannot be disaggregated. However, IP women leaders are among the Certificate of Ancestral Domain Title (CADT) holders due to the traditional leadership roles they hold within their IP organisations; although men still make up the majority of these titleholders.7

**LAND AND ENVIRONMENTAL DEFENDERS**

The Philippines is among the most dangerous countries for land and environment defenders (LED), as well as lawyers and journalists, according to Global Witness (2020). ILC’s Global Land Governance Index (LandEx), reveals that the Philippine State lacks adequate protective measures and accountability mechanisms to safeguard the rights of LEDs from reprisals, despite the legal obligation of public authorities to do so.

Furthermore, the criminalisation of dissent has been institutionalised through the Anti-Terrorism Act of 2022 that contains ambiguous provisions on the definition of terrorism, granting discretionary power to executive bodies to arbitrarily define terrorist activities. Red-tagging, the practice labelling individuals as members of the New People’s Army, is widespread and often targets LEDs. A Land Watch Asia study found that 70% of LEDs killed in the Philippines were red-tagged, and highlights that 65% of documented human rights violations in land and resource conflicts occur in the context of private and public-private investment projects (LWA, 2022).

**CLIMATE AND ENVIRONMENTAL CRISES**

The Philippines is a biodiversity hotspot with rich terrestrial and marine ecosystems, yet also remains highly vulnerable to the adverse impacts of climate change. Severe weather events, including typhoons, droughts and their associated consequences such as flooding, landslides, water scarcity, and crop failures are becoming increasingly frequent. In addition, the country has witnessed significant decline in forest cover due to extensive resource extraction activities, leading to the reduction of forested areas from an estimated 21 million hectares in 1900 to only 5.4 million by 1988 (Philippine Environment Monitor, 2004).

Coastal lands and marine resources likewise face challenges in their protection, including the low compliance of Local Government Units (LGUs) in legally demarcating municipal waters. However, there is growing public recognition of the interconnections between land tenure, natural resource management, food security and climate change. In particular, the conservation efforts of Indigenous Peoples and local communities (IPLCs) have been increasingly acknowledged by the Government as well as the public for their central role in natural resource management. IPLC efforts have also gained recognition both nationally and internationally, such as through the registration of Indigenous Community Conserved Areas (ICCA) and Locally Conserved Areas (LCAs) in global registries and policy acknowledgements7.

**INEQUALITY**

Poverty remains a pressing issue in the Philippines, impacting over 26% of the total population (NSCB, 2009). Fisherfolk and farmers are particularly affected, and face poverty rates of 50% and 44%, respectively.

Private commercial interests are a major impediment to securing access to land and ensuring tenure security. The rapid economic growth and limited land availability in the Philippines have moreover made ancestral domains increasingly attractive to business interests, including special economic zones, agricultural investments, mining, and tourism. As a consequence, indigenous communities face increasing obstacles in preserving their land rights, with a growing number of instances of community members selling land without the consent of their tribal leaders or communities.

**FOOD SYSTEMS**

The Philippines stands out as one of the few countries with a National Action Plan aligned with the UN Decade of Family Farming. However, numerous factors continue to hinder progress in its effective implementation, from Government programmes failing to meet the needs of family farmers, increases in trade liberalisation in the agricultural sector, and the growing vulnerabilities of Family Farmers to climate change, among other factors.

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6 As some land tenure instruments issued in other land regimes prevent registration to the Land Registration Authority (LRA) pending resolution of overlaps, most CADTs already issued are hampered from full recognition.

7 In the Expanded National Integrated Protected Areas System (ENIPAS), community-led conservation efforts by IPLCs are legally recognised. Protected Areas are required to have up to three IP representatives when Protected Areas share areas with Ancestral domains. Likewise, farmers and fisher folk organizations are recommended citizen representatives in the same body. The ENIPAS mandates that Ancestral Domain Sustainable Development and Protection Plans (ADSDPPs) of IPs must be adopted and harmonized with Protected Area Management Plans. This effectively decentralizes the Sustainable and Traditional Resource Rights (STRR) of IPs within IPAs, which was further affirmed by the Supreme Court Decision on the same.
Enhanced Land Sector Development Framework (LSDF) launched in February through ANGOC in partnership with DENR and GIZ.

Land Monitor report shared with the National Statistical Office to better inform official data on land tenure.

Platform adopts thematic foci and greater responsiveness to ground level needs and localized advocacy.

Integration of CSO inputs in the Philippine Action Plan for Family Farming 2019-2028 (PAP4FF), including an overt mention to land tenure and governance.

Over 145 paralegal volunteers and farmers benefit from the NLC’s paralegal trainings.

National Land Use Act (NLUA) passed the House of Representatives, but was hindered by the Senate to pass it into Law.

Suspension of the Administrative Order No. 4 to address burdensome clauses in agricultural venture agreements deemed unfair to farmers and tribespeople.

NLC formulated key research advocacy products, including a study on the Status of tenure reform in public lands under the CARP Program, a manual for paralegals, and a resource book on Participatory Geographic Information Systems.

Engagements with the Department of Agriculture (DA), National Commission on Indigenous Peoples (NCIP), Department of Environment and Natural Resources (DENR), in lobbying for the passage of the NLUA, ICCA and NOC bills, and in monitoring the implementation of asset reforms (CARP, IPRA).

Consolidated and expanded constituencies and advocacy for the National Land Use Act, Notices of Coverage, and ICCA bills.

Strengthened linkages with IGO-members of ILC in the Philippines.

Establishment of the National Land Coalition in the Philippines (previously known as the National Engagement Strategy).

Support to an 18-day march of family farmers in a campaign against a 13,000 hectare land grab displacing 3,000 farmer families in favour of an economic zone in the Aurora province that contributed to rendering it inoperable.

Land Sector Development Framework (LSDF) engaged by NLUC/LC member ANGOC in partnership with FAO, DENR and Department of Finance (DOF).

Established linkages with networks of agrarian reform advocates beyond the ILC’s network to call for the passage of the Land Acquisition and Distribution Completion Bill to cover lands eligible for distribution under the Comprehensive Agrarian Reform Program.
ALIGNMENT WITH ILC’S THEORY OF CHANGE

ILC’s 2022-2030 Strategy encompasses three strategic objectives that guide the work of ILC’s membership and network in securing land rights for and with people. These objectives include (i) National Land Coalitions that advance people-centred land governance (PCLG); (ii) the generation and use of people’s data for accountability; and (iii) regional and global advocacy to build commitment to PCLG. These objectives serve ILC’s overarching goal to secure land rights that respond to the needs and protect the rights of those who live on and from the land, with a particular emphasis on prioritising women, whose leadership brings the greatest change.

Guided by our ethos of a systems-change approach, activities within each of the strategic objectives work alongside and in support of one another at various levels. The following section provides an overview of the work related to each Strategic Objective in the context of the NLC in the Philippines.

STRATEGIC OBJECTIVE 1

NATIONAL LAND COALITIONS ADVANCE PEOPLE-CENTRED LAND GOVERNANCE

Key to ILC’s work and Theory of Change are its National Land Coalitions (NLCs) that encompass multi-stakeholder processes set in motion by ILC members to promote people-centred land governance. These coalitions are led by national actors, including ILC members and non-members, and bring together various land actors such as Peoples’ Organisations, civil society, intergovernmental organisations, research centres and government entities. Through collaborative efforts, NLCs develop country strategies and multi-year action plans to address land-related needs and priorities. To date, ILC has supported the establishment and strengthening of NLCs in 30 countries, where they play a key role in accelerating the recognition, defence and protection of land rights.

In the Philippines, the NLC platform is made up of nine ILC members, of which three are People’s Organisations (POs) – namely the Cordillera People’s Alliance (CPA), National Federation of Peasant Organisations (PAKISAMA), and Task Force Mapalad (TFM). On the other hand, the Philippine Association for Inter-Cultural Development (PAFID), the People’s Campaign for Agrarian Reform Network (ARNow), Centre for Agrarian Reform and Rural Development (CARRD), and the academic organisation Xavier Science Foundation (XSF) are national CSOs that collaborate closely with POs to develop policy agendas in response to NLC initiatives.

The Philippine NLC platform employs various intervention mechanisms to drive its work, including: (i) foundational interventions – which encompass activities such as the capacity building of platform members, research initiatives, and network strengthening; (ii) catalytic interventions – which involve the capacity building specifically for People’s Organisations, promoting popular education, and facilitating reflections sessions; (iii) influencing interventions – which entail engaging in dialogue with national and local governments, lobbying for legislative changes, fostering dialogue with the private sector, and providing micro-grants to partner Peoples’ Organisations; and (iv) risk mitigation interventions – including legal support.

At the local level, NLC interventions seek to: (i) support rural men and women, local communities, beneficiaries of agrarian reform and other vulnerable communities as engaged citizens in land governance; (ii) build the capacity of local administration and provide consistent support; (iii) establish local dialogue frameworks and target local traditional authorities to promote behavioural change; (iv) investigate and address emblematic cases for influencing central policies; (v) pilot innovative solutions for scaling up and informing legal texts and procedures.

Furthermore, considering the sectoral nature within the Philippine land sector, where distinct legal and policy frameworks are established for smallholder farmers, Indigenous Peoples, fisher folk, rural women, rural youth, and others - the NLC has adopted sector-specific approaches to address these legal and policy frameworks concurrently. Aligned with this approach, work towards the NLC’s strategic foci aim to address:

- Capacity gaps among marginalised sectors, including agrarian reform beneficiaries (ARBs), Indigenous Peoples (IPs), rural women, and rural youth.
- Limited awareness among government and the private sector regarding key land and resource rights issues, as well as their willingness to implement solutions to address them.
- Deficiencies in national and local policy frameworks, particularly in relation to inter-sectoral issues.
- Emerging crises faced by land and environmental defenders (LEDs).

ILC’S LAND COLLABORATIVE (LC) INITIATIVE

The ILC’s Land Collaborative (LC) initiative works to strengthen multi-stakeholder platforms on land governance by building a Global Community of Practice. It connects land governance change makers; promotes innovation; and equips practitioners with tools for real system change.

Through collaboration, practitioners learn from successful practices within the International Land Coalition network and beyond.

In the case of the Philippines, the LC has fostered collaboration with the FAO, IFAD and World Bank country programs. In 2022, this collaboration resulted in the NLC’s involvement in the review and validation of the SPLIT project’s Environmental and Social Safeguards (ESS). This allowed the NLC to address unresolved policy issues related to overlapping claims on ancestral domains, land taxation, land sales and pawning risks, and the establishment of grievance redress mechanisms at the national and local levels. The participation of CSOs was also ensured in the implementation processes, including the selection and validation of landholdings and beneficiaries, social preparation, and the parcelization survey.

8) The strategic focus of the NLC on agrarian reform and Indigenous Peoples’ territorial rights is particularly crucial to address the needs of historically marginalised sectors and promote social equity. These approaches also aim to mitigate inter-sectoral conflicts that have enabled the elite and ruling class to dominate both public and private domains, while depriving the majority of decision-making power and essential resources. Thus, the NLC also adopts a holistic approach, engaging multiple stakeholders at various levels to foster a harmonised understanding of inter-sectoral issues.
PEOPLE-GENERATED DATA IS PRODUCED AND USED TO HOLD GOVERNMENTS AND BUSINESS ACCOUNTABLE

ILC facilitates the collection, management, and use of people’s data on land rights – especially by people’s organisations – in order to raise awareness of structural inequalities and to build collective advocacy actions. ILC members receive training and support to utilise this data to advocate for promoting transparency, demand accountability, and to monitor progress towards sustainable development across all levels.

In the Philippines, the NLC leverages locally-generated people’s data to engage in evidence-based dialogues with public institutions and to hold governments accountable on land-related Sustainable Development Goal (SDG) indicators. To this end, the NLC collaborated with ILC’s Land Governance Index (LandEx), a global data platform that puts people at the centre of land data and democratises land monitoring efforts. In addition to national advocacy efforts, LandEx is also utilised by the ILC and IFAD-led LandMonitor project. The project adopts a comprehensive approach to collecting and reporting on land tenure data—incorporating data from the governments’ land administration offices, LANDex, and other partner programmes to ensure the inclusion of rural women and indigenous people’s perspectives. The data are utilised in the formulation of SDG shadow reports, and the development of inclusive land policy guidelines. The NLC also participates in other data initiatives, including the Land Matrix. This independent land monitoring initiative promotes transparency and accountability in large-scale land acquisitions, and has been instrumental in engaging with land agencies regarding land claims and advocacy on policy inputs regarding land and resource governance.

The NLC’s data component also focuses on Voluntary National Reviews and SDGs. This work is led by ILC/NLC member ANGOC, which serves as a member of the National Economic and Development Authority’s (NEDA) SDG Stakeholder Chamber to facilitate SDG partnerships. ANGOC also works to influence the Philippine Government’s SDG reporting, specifically on indicator 1.4.2 relate to land tenure10 with the aim to ensure that land security is defined and measured in its multiple dimensions, such as in its connection to ancestral domains, cultural rights, self-governance, livelihoods, and other resources like coastal waters. Furthermore, the NLC’s data processes have been strengthened through its participation in ILC’s Regional Initiatives—particularly, Land Watch Asia (convened by ANGOC), expanded upon in the following section on strategic objective 3.

REGIONAL AND GLOBAL ADVOCACY BUILDS POLITICAL COMMITMENT TO PEOPLE-CENTRED LAND GOVERNANCE

ILC’s 2030 strategy acknowledges the influential role of its thematic regional and global platforms in convening and advocating for people-centred land governance. These member-led platforms serve as a means to amplify the voices of ILC members – particularly women and youth – and create enabling environments while fostering political commitment at the global and regional levels on key themes, including tenure security, small-scale food systems, diverse tenure systems, women’s land rights, Indigenous Peoples and Local Communities, locally-managed ecosystems, inclusive decision-making, transparent and accessible information, land rights and environmental defenders, and land grabbing.

The impact of the NLC Philippines is thus further amplified by its members and partners (especially People’s Organisations) supporting ILC’s thematic regional and global platforms, and facilitating peer-to-peer learning. These collaborative efforts contribute to the creation of an enabling environment to further political will for PCLG and to move towards the recognition of land as a human right.

The NLC in the Philippines collaborates with the following thematic regional/global platforms:

- Family Farming in Asia (FF)
  Formulated in 2018, the ILC-supported FF initiative in Asia involves 20 ILC members across seven countries, including the Philippines. The platform aims to promote resilient small-scale farming, equitable land distribution, and public investments in support of family farmers. The platform also focuses on strengthening National Committees on Family Farming (NCFPs), and on creating a conducive policy environment for land tenure and sustainable agriculture.

The Philippines is among the 12 countries that have an approved National Action Plan for Family Farming. Known as the Philippine Action for Family Farming (PAP4FF), the document notably highlights the need to improve secure land tenure and governance, thanks in part to the advocacy efforts of NLC members. The NLC played a significant role in the development of the plan, and worked to formalise a partnership with the Department of Agriculture’s Agricultural Training Institute (DA-ATI) to support the process. The resulting collaboration catalysed the NLC’s integration in the National Technical Working Group on Family Farming (NTWGF-FF) – a multi-stakeholder policy-making body responsible for coordinating and developing the PAP4FF and its implementation. As part of the process, CSO inputs were incorporated in a baseline study to gain a better understanding of the state of family farmers in the country and to ensure that it is responsive to their needs. As a result, the PAP4FF plan document incorporated the seven pillars of the UNFF11, with the participation of NLC members playing a key role in building consensus throughout the consultation process. However, despite the notable progress, concrete operational mechanisms to implement the PAP4FF are yet to be established.

9 The Land Monitor report was shared in May 2023 with the National Statistical Office to better inform official data on land tenure.

10 SDG 1.4.2: Proportion of total adult population with secure tenure rights to land, with legally recognized documentation and who perceive their rights to land as secure, by sex and by type of tenure.

11 These include an enabling policy environment; capability strengthening of family farmer organisations and the establishment of functional multi-stakeholder partnerships.
Land Watch Asia (LWA)

Land Watch Asia (LWA) is a regional campaign operating in seven countries with the aim of prioritising land access, agrarian reform, and sustainable development for the rural poor in national and regional development agendas. The campaign focuses on assessing significant changes in land policies, engaging in strategic national and regional advocacy on land access, developing joint approaches and tools, and promoting coalition-building on land rights.

One of the major achievements of LWA is the successful mainstreaming of the right to land as a human right. The NLC supported the process through inputs to six national studies encompassing various themes, including land grabbing, the integration of land rights in business and human rights, as well as land conflict monitoring. Additionally, the NLC platform contributed to the preparation of a CSO Land Monitoring Report to assess the status of land rights and governance, as well as a CSO Report on the status of SDG 1.4.2 reporting that evaluates the readiness of National Statistics Offices to track relevant progress. The LWA campaign has also facilitated engagements with key National Human Rights Institutions (NHRIs) that have expanded engagements on land rights advocacy to other key actors.

Land and Environmental Defenders (LED)

Emergency Fund

Given the challenging situation faced by Land and Environmental Defenders (LEDs) in the Philippines, the NLC actively expresses solidarity by issuing statements and engaging relevant actors at national, regional, and global levels. The NLC was also able to engage ILC’s LED Emergency Fund to secure assistance for the NLC/ILC member XSF to assist 97 displaced Talaandig Indigenous families affected by land grabbing by private individuals in the context of an agricultural investment in 2021-2022. The assistance provided also included emergency food support, and facilitated dialogue initiatives with local government and law enforcement agencies.

12 Namely Bangladesh, Cambodia, India, Indonesia, Nepal, Pakistan, and the Philippines.
NOTABLE OUTCOMES

CONTRIBUTIONS TO ADVANCING PEOPLE-CENTRED LAND GOVERNANCE IN THE PHILIPPINES

IMPACTS ON THE GROUND

ENVIRONMENT AND SOCIAL MANAGEMENT FRAMEWORK AND GUIDELINES FOR SUPPORT TO PARCELIZATION TOWARDS INDIVIDUAL TITLING (SPLIT) PROJECT

The NLC has actively contributed to the Department of Agrarian Reform’s (DAR) Support to Parcization towards Individual Titling (SPLIT) project, which aims to improve land tenure security and stabilise the property rights of agrarian reform beneficiaries (ARBs). The project, financed by the World Bank, involves the subdivision of some 1.38 million hectares of collective land titles\(^{13}\) into individual land titles as part of the Comprehensive Agrarian Reform Program (CARP). The transition to individual titles intends to provide ARBs with improved access to support services, and to enhance their quality of life as well as agricultural productivity. To date, some 522,000 hectares of collective titles have been validated by the DAR.

NLC members have played a crucial role in raising awareness among agrarian reform beneficiaries (ARBs) about the potential risks and benefits associated with parcelization, and in successfully integrating their inputs into the project’s guidelines and frameworks. Notably, the NLC was also incorporated in the project’s Technical Working Group, through which it has managed to further secure CSO participation in the relevant processes.

In 2021-2022, NLC members and partners led numerous consultations with ARBs, Indigenous Peoples, and other stakeholders that were integrated in the SPLIT’s Environmental and Social Management Framework (ESMF). The ESMF outlines the internal processes, procedures and requirements for addressing the project’s environmental and social risks and impacts. Likewise, inputs provided by NLC members were incorporated in the SPLIT’s overall guidelines (the drafting of which is still ongoing), as well as those regarding the project’s Environmental and Social Assessment (ESA) activities and its Grievance Redress Mechanism (GRM).

In July 2021, the NLC platform and the DAR jointly proposed a formal mechanism through a Memorandum of Agreement to facilitate CSO participation in the implementation of the SPLIT project and the broader CARP implementation process. However, the agreement is still pending finalisation due to reservations\(^{14}\) from NLC members on certain restrictions imposed by the DAR under the previous Administration. NLC members also actively collaborated with DAR offices at the regional, provincial, and municipal/city levels, playing a significant role in mobilising agrarian reform beneficiaries and finalising the list of SPLIT beneficiaries and target landholdings. At the local level, the NLC members AR, Nowi, CARRD, and TFM are actively participating in the project’s implementation. The participation of NLC members, partners, and other like-minded actors in the consultation activities organised by the DAR and World Bank played a crucial role in achieving these milestones.

POLICY & LEGISLATIVE REFORMS

11,000 FARMERS SUCCESSFULLY CLAIM THEIR LAND RIGHTS: REVOCATION OF ADMINISTRATIVE ORDER (AO) NO. 6 & ISSUANCE OF AO NO. 3

Thanks to the collective efforts of farmers, civil society organisations, NLC members and partners, significant progress was achieved in securing land rights for 11,000 farmers in the Negros Island Region and Leyte. Through mass mobilisations, dialogues, and sustained policy advocacy, the Department of Agricultural Reform was pressured to address incorrect Notices of Coverage (NOCs), and replace the problematic Administrative Order (AO) No. 6 with Order No. 3 in March 2018.

The AO 3 was a crucial development as it closed legal loopholes that landowners exploited to resist coverage of their land under the Comprehensive Agrarian Reform Program (CARP). Under the AO 3, the government gained the authority to cancel a landowner’s title and allocate the land for distribution to Agricultural Reform Beneficiaries, irrespective of the landowner’s resistance to CARP coverage. This means that even if landowners resist, the government could still acquire the land and transfer it to ARBs, who would have the right to occupy and utilise the land under usufructuary rights. NLC members and partners played a vital role in developing and disseminating a paralegal manual for ARBs to maximise the benefits of AO 3, and in the relevant legislative and executive lobbying processes. Other relevant efforts included local capacity building and mobilisations with agrarian reform advocates, as well as provincial dialogues with regional DAR actors and other stakeholders.

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\(^{13}\) Collective Certificates of Land Ownership Awards, CCLOA.

\(^{14}\) A significant bottleneck in the formulation of a survey policy for the re-documentation process was that it was not subjected to ARB nor CSO consultation. To address this, direct engagements with the DAR were undertaken by NLC members in order to provide ARBs and CSOs the opportunity to provide inputs and to establish an explicit mechanism for CSO participation in SPLIT policy reviews. In addition, there exists a major concern regarding the overlapping title claims of ARBs with forestlands and Indigenous Peoples’ traditional territories that are still to be fully addressed due to inter-agency policy formulation being under protracted negotiation.
Additionally, the DAR Secretary suspended the implementation of Administrative Order No. 4 of 2016 in order to examine and address unfair clauses in agribusiness venture arrangements (AVAs) that burdened farmers and tribespeople, thanks in part to the relevant advocacy processes.

ADVANCING SUPPORT FOR THE INDIGENOUS COMMUNITIES CONSERVED AREAS (ICCA) BILL

The NLC has been actively working towards the passage of the Indigenous Communities Conserved Areas (ICCA) Bill for numerous years. The Bill aims to strengthen the Indigenous Peoples Rights Act (IPRA) of 1997 by addressing gaps in the protection of ecologically important areas within ancestral domains. Since 2019, four filings of the Bill have been put on hold at the Senate Committee on Cultural Communities and the House Committee on Indigenous Cultural Communities and Indigenous Peoples. Despite facing several delays, notable progress was achieved during the 18th Congress, where the Bill reached the 1st and 2nd readings in both the Senate and the House of Representatives. In the 19th Congress, it was further filed by the Chair of the Committee on Indigenous Peoples in the House of Representatives, however no counterpart has been filed in the Senate as of yet.

To advocate for the uptake of the Bill, the NLC provided technical support to its lead authors from the Lower and Upper Houses of Parliament. The NLC, alongside its partners and other CSOs, actively participated in the relevant legislative hearings, public consultations, and Committee meetings. These efforts aimed to generate broader support for the immediate passage of the Bill, and engaged various municipal and local government units, agency offices, departments and committees - such as the Regional Land Use Committee 10; Nueva Vizcaya’s Provincial Department of Environment and Natural Resources; and the National Economic Development Authority, among others.

In addition, efforts were made to monitor forest cover in ancestral domains. The findings from the exercise highlighted the positive contribution of legitimate ancestral domain titling to local resource conservation efforts, and further noted the importance of policy guidelines in defending and strengthening ICCAs.

The results were presented to the Regional Land Use Committee (RLUC) of the National Economic and Development Authority (NEDA) Region 10, and other government representatives of Indigenous communities. These representatives were then asked to provide statements of support, which were delivered to the office of a key supporter of the bill - Rep. Baguilat - to further the advocacy efforts.

ADVANCING SUPPORT FOR THE PASSAGE OF THE NATIONAL LAND USE ACT (NLUA) BILL

NLC members and partners have likewise been actively working to advance support for the passage of the National Land Use Act (NLUA) Bill. In coordination with NLC members PAFID, CLUP NOW!, the Head of the Special Committee on Land Use, and the Chairperson of the Committee on Agrarian Reform- the platform engaged in various advocacy efforts to lobby legislators and promote the Bill, such as the development of advocacy maps and materials, together with mass mobilisations by CSOs.

Although the Bill passed in the Lower House in May 2017, it has since been pending in the Senate Committee on Environment and Natural Resources. The failure to pass the Bill in the Senate has led to public backlash from civil society organisations, who recognise the interconnections between land tenure, natural resource management, food security, and climate change. Over the last years, the Philippines has experienced severe weather events which have heightened awareness of the need to protect forests, watersheds, agricultural lands, and other vital natural resources, as encapsulated in the NLUA.

Despite challenges, these efforts have contributed to sustained advances in citizen engagement in a context marked by uncoordinated and imbalanced civil society advocacy, and a decline in national NGOs calling for secure tenure and access to land. NLC members and partners have utilised online media platforms to further awareness raising about land use issues and advocate for the Bill's passage. Notably, CLUP NOW!'s Facebook page, jointly operated by the NLC Secretariat, has amassed a following of 14,000 users. A breakout post on the page called on the Chairperson of the Senate’s Committee on Environment and Agriculture to hear the NLUA Act. The post reached an estimated 2,000,000 netizens, and received substantial engagement with 83,558 reactions, 9,881 comments, and over 105,455 shares.

Advocates for the NLUA include over 19 government offices, 25 People’s Organisations from the farming and fishing sectors, as well as numerous Indigenous Peoples’ groups. Nonetheless, a stranglehold of real estate and mining interests in legislative processes continues to block the Act’s passage.

15 The (1) municipal office of Sta. Fe, Nueva Vizcaya; (2) Sta. Fe, Nueva Vizcaya Municipal Planning and Development Office; (3) Sta. Fe, Nueva Vizcaya Department of Environment and Natural Resources - Community Environment and Natural Resources Office; (4) Sta. Fe, Nueva Vizcaya’s NCP Office; (5) Advisory Committee on Peace Panel; (6) Region 10 National Economic and Development Authority Office; (7) Region 10 Department of Interior and Local Government; (8) Region 10 NEDA-Regional Land Use Committee; (9) Region 10 NEDA-Regional Development Committee Chairperson.
This proclamation grants the President broad discretion to convert forest lands and territories under ancestral domains into agricultural and resettlement areas. Such laws conflict with the principles of social justice and pose significant challenges to land governance and the rights of affected communities.

To effectively address these challenges, it is crucial to enhance political will, streamline bureaucracy, and clarify roles and responsibilities among land-related agencies. Additionally, there is a need for comprehensive and inclusive policies that prioritise social justice, environmental sustainability, and the rights of marginalised communities.

**IMPACT OF SUSTAINED CAPACITY-BUILDING IN ADVANCING LAND RIGHTS FOR FARMERS**

The NLC has recognised the importance of effective capacity-building for farmers and their organisations, and remains committed to continuing its work in this area. Through various initiatives, such as providing paralegal training courses, developing knowledge products, and offering assistance in resolving land-related conflicts, the NLC has had a tangible impact and directly benefited over 145 paralegal volunteers and farmers. Additionally, through paralegal clinic sessions, dialogues with local government units, and case hearings, the NLC assisted the land rights claiming and distribution processes for over 14,295 farmers, around 40-45% of whom are women. This support has been particularly significant in the provinces of Iloilo, Negros Occidental, Leyte, Capiz, and Batangas.

Moreover, the NLC’s agreements with 10 local government offices and agencies, including LGUs, local DENR offices, and DAR have further strengthened the farmers’ organisations by securing the commitment of local agencies to advance agrarian cases. As a result, a majority of agricultural cases in the mentioned areas have progressed towards resolution, covering more than 4,200 hectares. These achievements have expanded the network of agrarian reform proponents and solidified the NLC’s extended constituency.

**KEY CHALLENGES**

**RESOURCE MOBILISATION**

The NLC has recognised the importance of sustained and independent financial resources in carrying out its work, particularly with regards to participation in government initiatives. While the Department of Agrarian Reform had offered to allocate resources for the platform’s participation in policy formulation processes, the NLC identified that accepting these resources would come with restrictions on access to information and potential government influence. To maintain its independence and ensure unrestricted access to information, the NLC recognises it must continue to maintain financial autonomy.

**WEAK ENFORCEMENT OF LAWS AND IMPEDIMENTS TO SOCIAL JUSTICE**

The enforcement and implementation of land regulations and programs in the Philippines face significant obstacles and challenges. These include a lack of political will, insufficient funding, and ineffective bureaucracy which impede progress in land reform and sustainable land management.

One of these challenges is the overlapping roles of various land-related agencies, which often leads to backlogs and delays in implementation. When a legally authorised implementing agency is unable to fulfil its assignments, it may have to rely on another agency, often causing confusion. This lack of clear roles and responsibilities, as well as inadequate resources, exacerbates inefficiency. These issues in bureaucracy and resource constraints trickle down to the local level, and likewise affect Local Governments.

Additionally, the influence of market forces poses another obstacle to land laws and initiatives. One example is the government’s overt support of commercial mining, which can have detrimental effects on local populations, particularly Indigenous Peoples. Certain laws, such as Presidential Proclamation (PP) 2282, also raise concerns and present challenges to social justice.

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By working within broad partnerships, ILC’s impact is considerably broader than the limits of its network or budget. These collaborations contribute to changing the agendas, policies and practices of governments, traditional authorities and companies to secure land rights for and with people.

In the Philippines, the NLC platform works closely with its strategic partners, including, among others:

**Department of Agrarian Reform (DAR)**
The Department of Agrarian Reform (DAR) holds the primary responsibility for implementing the Comprehensive Agrarian Reform Program (CARP), and the NLC, along with its partners and relevant actors, has maintained a productive relationship with the DAR at both the national and local levels. This collaboration has yielded significant achievements, such as the revocation of Administrative Order (AO) 6 and the issuance of AO 3. These policy changes, coupled with paralegal trainings and local dialogues on CARP implementation, have facilitated the expedited claiming of land rights by agrarian reform beneficiaries (ARBs).

In the context of the SPLIT project, the NLC established a partnership with the DAR primarily through joint policy formulation and review, particularly in relation to the Environmental and Social Management Framework (ESMF). Additionally, negotiations are underway for a national partnership mechanism that will further enhance collaboration between the NLC and the DAR.

At the local level, NLC members also cultivated effective working relationships with their respective counterparts in the DAR for the implementation of the SPLIT project. This has led to the organisation of information dissemination sessions and collaborative efforts in validating program beneficiaries and target landholdings.

**Food and Agriculture Organisation (FAO)** and the **International Fund for Agricultural Development (IFAD)**
The NLC was highly engaged with IFAD and FAO in the development of the UNDFF National Action Plan that notably ensured the meaningful participation of family farmers. As part of the process, IFAD and FAO also strongly expressed their support for the leadership of ILC/NLC member PAKISAMA in the Agriculture and Rural Development Knowledge and Policy Platform (ARDKPP).

Other notable engagements with IFAD include the joint leading with ILC on the LandMonitor project to provide a robust approach to collecting and reporting land tenure data and to ensure the perspectives of rural women and indigenous peoples.

**World Bank (WB)**
NLC member and partner collaboration with the World Bank has been instrumental in ensuring that the platform was included in the policy review process of the SPLIT program, and in cementing the working relationship of platform members in its implementation at the local level.

The World Bank has directly supported two pilot programmes under the SPLIT Project to address the overlaps of forest, agriculture, and ancestral lands with the aim to inform procedures and to guide national-level scale-up. These pilots, funded through a PROGREEN grant, began in late 2022, while consultations on initial findings are planned for with the participation of the NLC.

**The Convergence Group (CG)**
Established in 2020, the Convergence Group works to enhance coordination and collaboration among Inter-Governmental Organisations (such as FAO), International Finance Institutions (including IFAD and the World Bank), and national Multi-stakeholder Platforms on Land (supported by Deutsch Welthungerhilfe, FAO, and ILC programs and platforms). The CG is currently piloting work across eight countries, including in the Philippines. The group’s chairmanship and coordination was taken up by ILC in 2020, the World Bank in 2021, and FAO in 2022.
**ILC AND NLC MEMBERSHIP IN THE PHILIPPINES**

The NLC platform consists of nine ILC members and multiple civil society organisations with extensive experience collaborating with community-based organisations representing small-scale and tenant farmers, indigenous people, and rural women in the Philippines.

Within the NLC, ad hoc structures have been established for its strategic initiatives focused on agrarian reform and family farming, Indigenous Peoples’ territorial rights, business and human rights, natural resource governance, and gender justice.

ILC members involved in the NLC platform in the Philippines include:

» **Asian Farmers’ Association for Sustainable Rural Development (AFA)**
   The Asian Farmers Association for Sustainable Rural Development (AFA) is a regional alliance of 17 national federations and organisations of small-scale producers from 13 countries. AFA’s objectives include the promotion of sustainable agricultural policies and practices, as well as alternatives to economic globalisation, the promotion of youth agriculture, the furthering of food sovereignty, support on access to farm resources and rural development, and the protection of small-scale women and men farmers’ rights, among others.

   Within the NLC, AFA serves as the regional focal point for the advocacy platform on Family Farming in Asia, as well as for data advocacy on land rights through the Land Matrix Initiative.

» **Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC)**
   The Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) is a regional association of NGO networks and partners, primarily focusing on policy advocacy on land and resource rights, as well as smallholder agriculture and sustainable food systems. ANGOC also convenes the Land Watch Asia (LWA) campaign, which seeks to ensure that land rights concerns are included in the relevant national and regional agendas.

ANGOC is the NLC platform’s founding host organisation, and actively participates in all five thematic working groups. Within the NLC, ANGOC also leads in initiatives in relation to BHR, and in the monitoring of the SDG reporting processes.

» **People’s Campaign for Agrarian Reform Network (AR NOW!)**
   The People’s Campaign for Agrarian Reform (AR NOW!) is a national umbrella organisation campaigning for agrarian reform that includes CSO organisations such as the national ILC members ANGOC, CARRD, and PAKISAMA. AR NOW! also conducts policy research, analysis and advocacy, legislative lobbying, documentation of experiences on agrarian reform issues, and supports policy implementation.

   Within the NLC, AR NOW! leads engagements for legislative advocacy on agrarian reform and family reform, and also heads the Comprehensive Agrarian Reform Program Extension with Reforms (CARPER) monitoring component.

» **Centre for Agrarian Reform and Rural Development (CARRD)**
   The Center for Agrarian Reform and Rural Development (CARRD) is an NGO with a constituency of ARBs and farmers. CARRD works to improve the lives of smallholder farmers by promoting access to productive resources and enabling informed decisions about environment-friendly, non-discriminatory and sustainable livelihoods.

   Within the NLC, CARRD is the platform’s Secretariat, and participates in activities around agrarian reform, family farming, gender justice, natural resource governance, as well as business and human rights.
> **Cordillera Peoples Alliance (CPA)**
> The Cordillera People’s Alliance (CPA) is an independent federation of progressive peoples’ organisations, most of them grassroots-based organisations among indigenous communities in the Cordillera Region. CPA is committed to the promotion and defence of Indigenous Peoples’ rights, human rights, social justice, and democracy. Within the NLC, CPA is focused on work regarding indigenous people’s territorial rights.

> **Philippine Association for Intercultural Development (PAFID)**
> The Philippine Association for Intercultural Development (PAFID) is a non-profit organisation with a constituency of Indigenous Peoples working towards securing and recovering their ancestral domains. PAFID primarily provides services to government agencies and communities on mapping and conflict resolution. Within the NLC, PAFID leads the pursuit of policy reforms for IP territorial rights and natural resource governance.

> **National Confederation of Family Farmers’ Organisations (PAKISAMA)**
> The Pambansang Kilusan ng mga Samahang Magasasaka (PAKISAMA) is a national confederation of 74 member family farmer federations and cooperatives in 36 Philippine provinces. PAKISAMA is dedicated to the empowerment of family farmers and to securing their land and natural resource tenure rights. Within the NLC, PAKISAMA leads initiatives regarding agrarian reform, gender justice, family farming, and the national land observatory project with ILC and Land Matrix.

> **Task Force Mapalad (TFM)**
> The Task Force Mapalad (TFM) is a national federation of farmers and advocates working for access to land and rural development in the Philippines. In particular, the organisation works on land productivity and enterprise development, including sugar and cacao trading and processing plants. Within the NLC, TFM leads initiatives in relation to engagements with the DAR, and implements a number of activities regarding natural resource governance, gender justice, and agrarian reform.

> **Xavier Science Foundation (XSF)**
> Xavier Science Foundation (XSF) is a non-profit, non-government organisation supporting programs that address poverty alleviation and social empowerment. XSF also supports and finances programs dedicated to the pursuit of social and educational development. Within the NLC, XSF provides academic grounding for the implementation of various activities, particularly in the areas of agrarian reform, family farming, IP rights, business and human rights, as well as natural resource governance.
National Land Coalitions - often referred to as “NLCs” – are multi-stakeholder platforms set in motion by the International Land Coalition (ILC). They are led by ILC members and include both members and non-members, to realise the Coalition’s joint goal of people-centred land governance and to push forward national land reform and agendas.

NLC’s are helping to simplify and unpack land governance complexities by setting priorities and designing legitimate solutions to the most challenging land-related issues in a country.

NLCs are promoting collaboration and bridging the gap between government, the private sector, civil society including grassroots organisations, international agencies, traditional authorities and academia.

All ILC members have the opportunity to set up national platforms with the technical and financial support of the ILC.

These platforms use ILC’s 10 commitments to people-centred land governance as their compass, while promoting the Voluntary Guidelines for Land Tenure (VGGTs).