

MODULE 3

Harmonizing Community and Local Development Plans¹

Presentation material web link:

https://angoc.org/wp-content/uploads/2019/09/Module-1_Harmonizing-community-plans-and-agenda-and-local-development-plans-English-version.pdf


INTRODUCTION

While the scope of IP sector's traditional practices on resource utilization, protection, and conservation follows the extent of natural geographic features – an approach similar to “Land Governance” – in reality, the system of resource-use planning in the Philippine Government is based on political boundaries.

Since IP territories are still part of a locality, a municipality for instance, it is crucial for their plans and concerns be mainstreamed in local development plans such the Comprehensive Land Use Plan (CLUP) and Comprehensive Development Plan (CDP). These plans would not only provide policies on proper uses of resources, they may also serve as instruments to strengthen the claim and rights of IPs over their lands through provision of due protection over these areas against unregulated activities, exploitation, and degradation.

Another challenge faced by the IP sector on governance is the presence of overlapping or common areas and conflicting claims within their territories. This is where harmonization of plans between or among stakeholders of a common resource becomes imperative.

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The following discussions aim to show ways and actual experiences how IPs will be able to harmonize their plans and agenda with other sectoral plans, and mainstream them in local development plans.

LEARNING OBJECTIVES

Specifically, the discussion aims to:

- ❑ understand land use planning in the Philippines and its importance in promoting tenure security;
- ❑ understand the importance of harmonization of local community and development plans;
- ❑ show the similarities and overlaps of forest use plans (ADSDPP and FLUP) and local development plans (CLUP and CDP); and,
- ❑ present and suggest ways to harmonize these plans

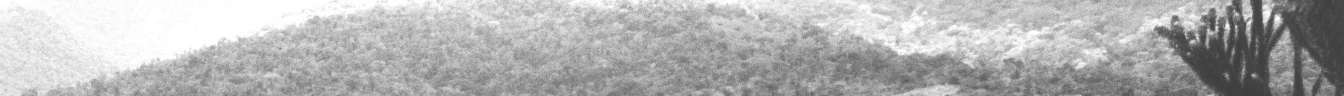
CONCEPTS AND RELATIONSHIP OF LAND USE PLANNING AND TENURE SECURITY

Concept of land use planning

Land use is “the manner of utilizing the land, including its allocation, development and management” (PSA, 2019).” On the other hand, planning, in a common sense, is a way of thinking oriented towards the future that anticipates change and designs solutions to address expected difficulties and thereby improve the quality of decision-making. In academic sense, planning is the allocation of scarce resources, particularly land and other resources, in such a manner as to obtain the maximum practicable efficiency and benefit, for individuals and for society as a whole, while respecting the needs of nature and the requirements of sustainable future.

According to the Urban Development and Housing Act (UDHA), land use planning is a rational allocation of available resources as equitably as possible among competing use groups and for different functions.

Further, Ernesto Serote, one of the first academicians who published a book about land use planning in the Philippines, indicates that land use planning means “proper management of land resources” or the use of land in a manner consistent with its natural qualities so that it does not lose its productivity while it is continually made to produce for the benefit of man and other life forms that depend on it.



However, in a common knowledge, man does not always use land properly. Hence, land use planning should involve other people's intervention to promote public interest and general welfare. In other words, proper land use planning entails "participation" of people.

Land use planning also entails regulation and control by the State to ensure equitable access to land and optimum benefits for its use. As it is a responsibility of the State, land use planning can be placed within the overall context of public policy-making (Serote, 2004). These statements also correspond to the Global Land Tool Network (GLTN) of the UN-Habitat's report that land use planning has influence to policies on land and "can be an instrument to improve tenure security" (GLTN, 2016).

Relationship of land use planning and tenure security

Land tenure refers to the relationship of man to land or natural resource. It may be legal or customary. Land tenure security are land rights with legally-recognized documentation and perceived security over tenure.

Tenure Responsive Land Use Planning (TRLUP)

Recognizing that land use planning is "often carried out in developing countries with insufficient connection to tenure security" (GLTN – UN-Habitat, 2016), the guide on Tenure Responsive Land Use Planning was developed by the GLTN in 2016. It serves as a "starting point for developing practical knowledge on how to improve tenure security" through land use planning (GLTN, 2016).

Figure 1 shows the steps of TRLUP. It follows the general procedure of land use planning:

- organization of planning team;
- visioning and setting the objectives;
- data collection;
- assessment and analysis of data;
- writing the plan;
- endorsing the plan;
- public presentation; and,
- monitoring and evaluation.

In TRLUP, implementing the tenure-responsive strategy is seen from the beginning of the procedure where a designated Tenure Security Team specific

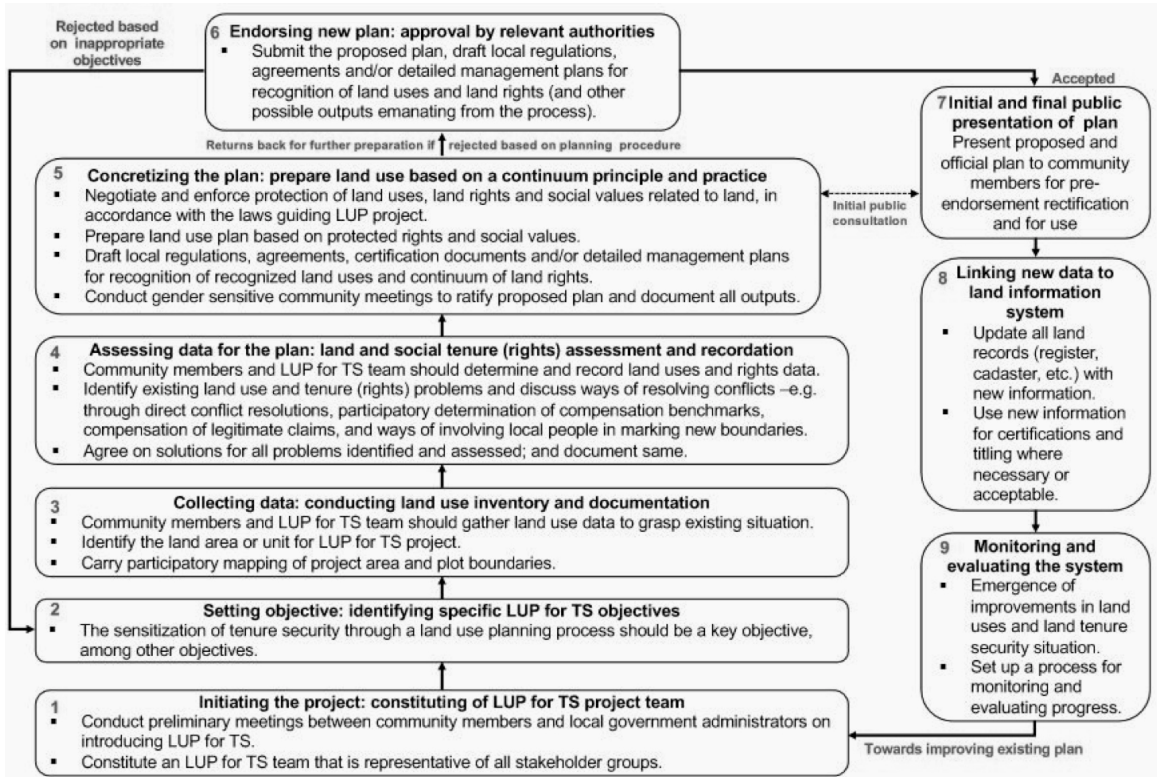


Figure 1. Tenure Responsive Land Use Planning process developed by GLTN, as facilitated by UN-Habitat.

for the topic and concerns on tenure security will be established. It also suggests gathering of land use data and identifying existing land use and tenure rights signifying the focus to tenure security.

PLANNING PROCESS IN THE PHILIPPINES

Legal mandates of land use planning in the Philippines

Sustainable management and development of all the country's resources, particularly land, is mandated by the 1987 Constitution which serves as the primary reference for the crafting of many other laws related to land and resource use management and governance. Further, Republic Act 7160 or the Local Government Code provides the mandate of local government units (LGUs) on local planning, legislation, implementation, including budgeting and monitoring through the preparation of Comprehensive Land Use Plans (CLUPs), Comprehensive Development Plans (CDPs), and public investment programs.

Process of land use planning in the Philippines

A common concern often raised by local planners is how to keep the long-term plan from being thrown away with every change in administration. The answer to this concern lies precisely in having a separate CLUP from a CDP (DILG, 2017).

Land use planning in the municipal level starts with the preparation of a Comprehensive Land Use Plan (CLUP). This is a nine-year physical plan on the management of local territories which will determine the areas that are allowed for or restricted from economic expansion. These local territories are categorized under four main policy areas: production, protection, infrastructure, and settlements. The identified land uses in the CLUP are legalized and implemented by the Zoning Ordinance.

Based from the CLUP, specific programs/projects/activities are identified across the territorial areas in sectoral basis – social, economic, environmental, physical, environmental, and institutional – through the six-year Comprehensive Development Plan (CDP). These programs/projects/activities are budgeted and implemented through the three-year Local Development Investment Plan (LDIP). LDIP includes an Annual Investment Plan for a shorter-term plan of activities for implementation with corresponding budget. The three-year Executive Legislative Agenda formulated by the executive and legislative departments of the LGU indicates the projects that will be adopted or prioritized by the local elective officials. The order of the formulation of LDIP and ELA may be interchanged (see Figure 2).

Both the CLUP and CDP are “comprehensive” as they consider all the significant sectors in the formulation of the plans (e.g., social, environmental, economic, infrastructure, among others). At present, there are 33 mandated and other thematic plans crafted for specific sectoral uses and concerns (see Figure 3).

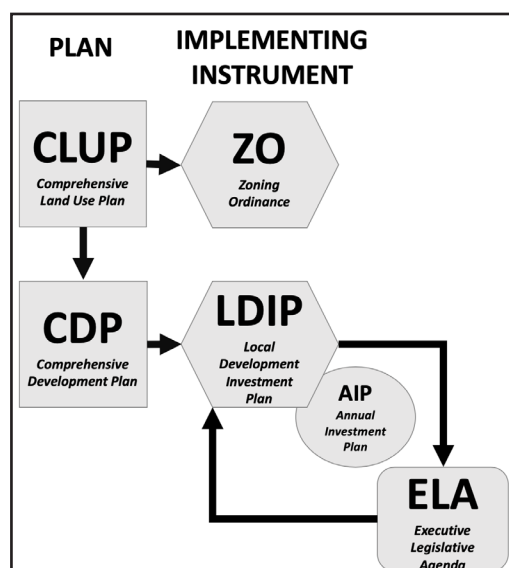


Figure 2. Simplified local (municipal) land use planning.

National Government Agency-mandated plans	Other sectoral/thematic plans
1. Action Plan for the Protection of Children	1. Nutrition Action Plan
2. Aquatics and Fisheries Management Plan	2. ICT Plan
3. Annual Culture and the Arts Plan	3. Local Shelter Plan
4. Anti-Poverty Reduction Plan	4. Plan for the Elderly
5. Local Coconut Development Plan	5. Plan for Health and Family Planning
6. LDRRMP	6. Coastal Management Plan
7. Food Security Plan	7. Information Strategic and Management Plan
8. Forest Management Plan	8. People's Plan
9. Gender and Development Plan	9. Business Plan/Strategy
10. Integrated Area Community Public Safety Plan	10. Capacity Development Agenda/HRMD Plan
11. Local Entrepreneurship Development Plan	11. Transportation Management Plan
12. Sustainable Area Development Plan	
13. Local Tourism Plan	
14. Small and Medium Enterprise Development Plan	
15. SAFDZ Plan	
16. Solid Waste Management Plan	
17. Watershed Management Plan	
18. ADSDPP	
19. Plan for PWDs	
20. Forest Land Use Plan	
21. Local Climate Change Action Plan (LCCAP)	
22. Peace and Order Public Safety Plan (POPS Plan)	

Figure 3. List of national government agency-mandated and other thematic plans (DILG, 2017).

For the purpose of the discussion, the following sections will focus on community plans in the forest sector, particularly the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) and Forest Land Use Plan (FLUP).

Similarities and overlaps of CLUP/CDP, ADSDPP, and FLUP

This section is presented to provide context to the next discussions (on harmonization) that community plans (ADSDPP and FLUP) and local development plans (CLUP and CDP) all aim towards sustainable development. They have similar objectives, importance, and even salient processes. Hence, harmonization of these plans is possible to achieve.

1. Similarities

a. In terms of objectives

A common objective across the four plans is the protection of the resources and environment. Another is that these plans consider and harmonize activities both in the uplands and in the lowlands (see Table 1).

b. *In terms of importance*

The formulation of these plans are important in mitigating and/or reducing the effects of climate change and disasters, maintaining biodiversity, and conservation of resources (see Table 2).

Table 1. Similarities of CLUP/CDP, ADSDPP, and FLUP in terms of objectives.

CLUP	CDP	ADSDPP	FLUP
For the management of land and resources through the formulation of guides and programs/projects for the development of these resources within the municipality.		For the governance and management of ancestral land and resources within it.	For the managements of development and protection of forests and forestlands (FFL)
Identifies areas for protection, production infrastructure, and settlements within the municipality.	Formulates plans on the implementation of programs and projects across the four policy areas of the CLUP.	Formulates and implements programs and projects that strengthen the governance of IPs, poverty alleviation, environmental protection , preserves culture, and maintain the peace and order within the ICCs.	Identifies main areas for production, protection , and other uses within the FFL.
Uses the ridge-to-reef framework in the planning to ensure the linkage of forests, lowlands, and waters.		Consolidates plans of ICCs/IPs within the ancestral domain – which play a significant part/role of a locality or municipality.	Consolidates activities in the forests and lowlands.


Table 2. Similarities of CLUP/CDP, ADSDPP, and FLUP in terms of importance.

CLUP	CDP	ADSDPP	FLUP
For the interfacing of various plans on the use of critical resources in the forests, waters, ancestral domains, biodiversity areas, heritage areas, and urban greening areas. Local plans are also for the purpose of disaster risk reduction and management and climate change mitigation.		The key roles of IPs in biodiversity conservation and protection of natural resources.	Proper management of FFL is important in the development of LGUs and in promoting and ensuring food security, biodiversity conservation, and reduction of the adverse effects of climate change.

c. *In terms of the process*

The main processes of CLUP, ADSDPP, and FLUP formulation are in general similar to each other. Primarily, the salient processes common among the plans are (i) data and information collection, and (ii) situational analysis. In these specific processes, all information of all sectors are gathered. Issues and concerns and potential future needs are identified. Various analyses (such as map overlay map analysis, ecosystem analysis, sectoral and special studies, among others) are also conducted in this process to determine the land uses and potential development of specific areas (see Figure 4).

Figure 4. Overall processes of CLUP, ADSDPP, and FLUP. Figure adapted and edited from HLURB, 2017.

Enhanced CLUP Guidelines 2013	ADSDPP Guidelines 2004	FLUP Guidelines 2012
Organize	Pre-planning consultations Organization of the working group/planning team Preparation of the work and financial plan (WFP)	Preparing for FLUP
Identify stakeholders		Engaging LGUs for FLUP
Set the Vision	IP/AD development framework formulation	
		
Analyze the Situation	Data gathering and assessment	Community profiling and mapping Situational Analysis
Set the Goals and Objectives		
Establish Development thrusts and spatial strategies	Interface of IP/AD development framework with existing government policies/plans/programs/projects, rules and regulations	
Preparing the land use plan	Program/project identification and prioritization Formulation of the ADSDPP implementation strategies and management plan	Planning the allocation of FFLs and prioritizing sub-watersheds
Draft the Zoning Ordinance		
Conduct Public Hearing	Presentation, Validation and Approval of Draft ADSDPP with IC/IP Community Members	
Review, adopt and approved the CLUP and ZO	Submission of ADSDPP to NCIP	Drafting, legitimization and approval of FLUP
Implement the CLUP and ZO	Incorporation of the ADSDPP into Local Government Plans	
Monitor and evaluation the CLUP and ZO		

2. Overlaps

While the plans presented above have similar objectives, significance, and processes, the identified uses to a common resource may become different or overlapped. One of the primary reasons for this is the differing perspectives of various sectors over that same resource. Table 3 shows the differences on how IPs and LGUs view a common resource in terms of its coverage, governance, and land use.

Clearly, there are overlaps that exist on resource use and management as there are various plans prepared for every resource such as watersheds and protected areas – which are usually located inside an ancestral domain. Further, there are mechanism established to govern these areas (i.e. Protected Area Management Board, and Municipal Watershed Protection and Management Council) by the government – which limits the IP communities’ ownership over the resource.

Table 3. Possible resource-use overlaps within ancestral domains.

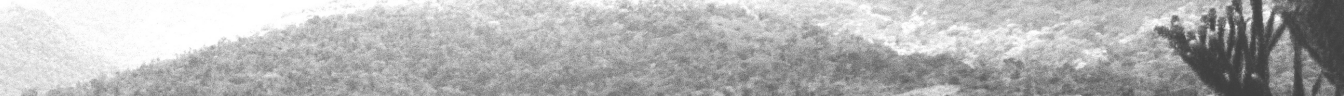
	PERSPECTIVE OF THE IPs	PERSPECTIVE OF THE LGUs AND GOVERNMENT AGENCIES
Issue on coverage	The extent of the ancestral domain (AD) territory is absolute.	Through the various plans aiming for the protection and conservation of natural resources and for food security, there will be areas within the AD that may be identified as: <ul style="list-style-type: none"> ▪ Critical Watershed ▪ Protected Area ▪ Community-based Forest Management (CBFM) Area
Governance over the common or overlapping areas	IPs govern all the areas within their AD regardless of their uses	Common or overlapping areas (identified for protection, production, etc.) with the AD will be governed by the LGU, government agency or specific non-IP stakeholders assigned. This results to limited use of resources in these areas by the IPs. <ul style="list-style-type: none"> ▪ The Municipal Watershed Protection and Management Council (MWPMC) overtakes the IP’s right/position to regulate settlements and management of natural resources within the common area

		<ul style="list-style-type: none"> ▪ Areas with Community-Based Forest Management Agreements (CBFMAs) are managed by other stakeholders (may be an IP or non-IP) ▪ The Protected Area Management Board (PAMB), where IPs have minor representations to, has the authority to award licenses, permits, and leases.
Land use	<p>In areas where there are CBFMAs within AD</p> <ul style="list-style-type: none"> ▪ It is according to the customs and practices of IPs to not use chemical pesticides in farming <p>In areas where there are critical watersheds or forest reserves within AD</p> <ul style="list-style-type: none"> ▪ They host sacred areas, hunting areas, ridges, and headwaters <p>In areas where there are Protected Areas within AD</p> <ul style="list-style-type: none"> ▪ Sacred areas, hunting areas, and many other forest reserves are protected 	<p>In areas where there are CBFMAs within AD</p> <ul style="list-style-type: none"> ▪ Plantation for the local production and economy (could also be directly or indirectly beneficial to the IPs) <p>In areas where there are critical watersheds or forest reserves within AD</p> <ul style="list-style-type: none"> ▪ The Integrated Watershed Management Plan does not allow cultivation of soil along rivers (where IPs may utilize for food production) <p>In areas where there are Protected Areas within AD</p> <ul style="list-style-type: none"> ▪ The National Integrated Protected Areas System (NIPAS) sets strict protection zone where scientific and customary activities are allowed; however, protection plans of the government and IPs differ in framework, actual activities, and implementing structure

Harmonization and mainstreaming of plans

1. *Mainstreaming of community plans to local development plans*

There are two approaches in mainstreaming a plan – (i) incorporation and (ii) institutionalization. Incorporation involves the preparation of a separate plan of the sector (i.e. ADS DPP, PAMP, etc.) before incorporating in the existing



CLUP of the local government unit. Institutionalization, on the other hand, entails using any or all of the components of the local planning system as entry points (Serote, 2014).

One of the entry points of the latter is integration into the planning process. This entry point involves participation of the IP and/or protected area management representatives in the CLUP and CDP steps/processes both as part of the sectoral TWGs/Committees of the Planning Team and as participants of the several workshops conducted throughout the plan formulation process. Figure 5 shows the suggested planning team composition of CLUP and CDP where the IP and PA management representatives should be part of (refer to the shaded boxes). This would ensure the participation of the IP sector throughout the process of plan formulation.

Further, an IP representative may also be part of the Planning Core Group to ensure involvement of the IP sector in all the processes of the CLUP in the context that the IP sector's engagement is significant and has implication across all the sectors as they have a stake over forests – a crucial resource that would have benefits and impacts to the other sectors.

2. Harmonization of community plans: actual case of Higa-onons of Barangay Hagpa, Impasug-ong Bukidnon in the preparation of their ADSDPP

A way to harmonize various plans (Protected Area Management Plan, for instance) and ADSDPP is to create a Technical Working Group (TWG) (consisting of the representatives of IP, LGUs, and other sectors involved) that would aim to address the overlapping claims of different sectors. Among the activities that the TWG may conduct are the following:

- a. *CADT Forum* – where various plans involved in the overlap will be presented to the local government. The objective is to have a memorandum of understanding among the IPs, Barangay LGUs, and Municipal LGUs) to gather support and recognition to the initiative on harmonization.
- b. *Series of Roundtable Discussions* – for the analysis and determination of common objectives, the problems and challenges in the harmonization of the plans, and the processes to resolve the overlaps and resource-use conflicts.

CLUP PLANNING TEAM

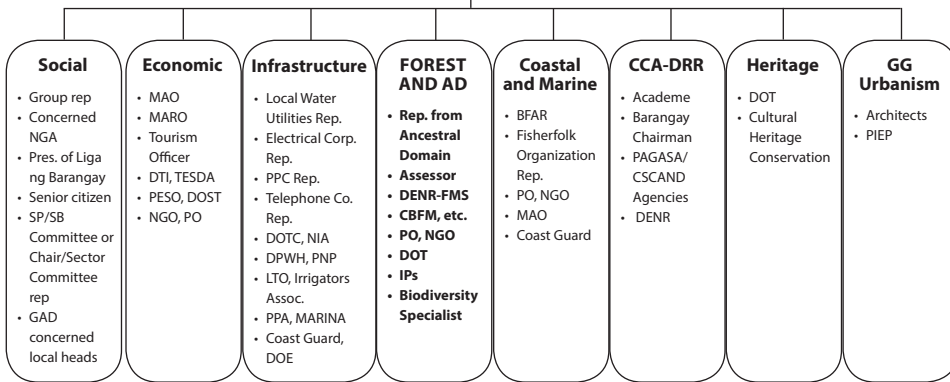
Planning Core Group

MPDC/CPDC Planning Officer Architect/Environmental/
Urban Planner/ME C/MENRO

Support Group

Encoder/Writer,
Mapper/Draftsman/
Staff/Researcher Sangguniang Bayan Representative
on Housing, DepEd/D, MHO,
MPWDO, PNP/JMBA, SK/FD As needed: Legal
Expert, Real Estate
Developers

TWG



CDP PLANNING TEAM

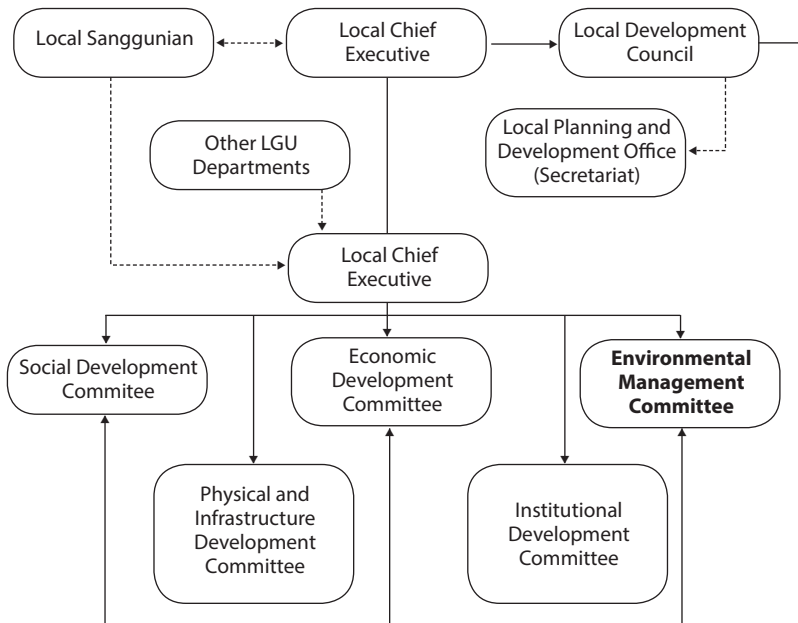


Figure 5. Suggested composition of CLUP and CDP Planning Teams where IP and/or PA management representatives should be members of. Diagram sources: HLURB, 2013; DILG, 2017.

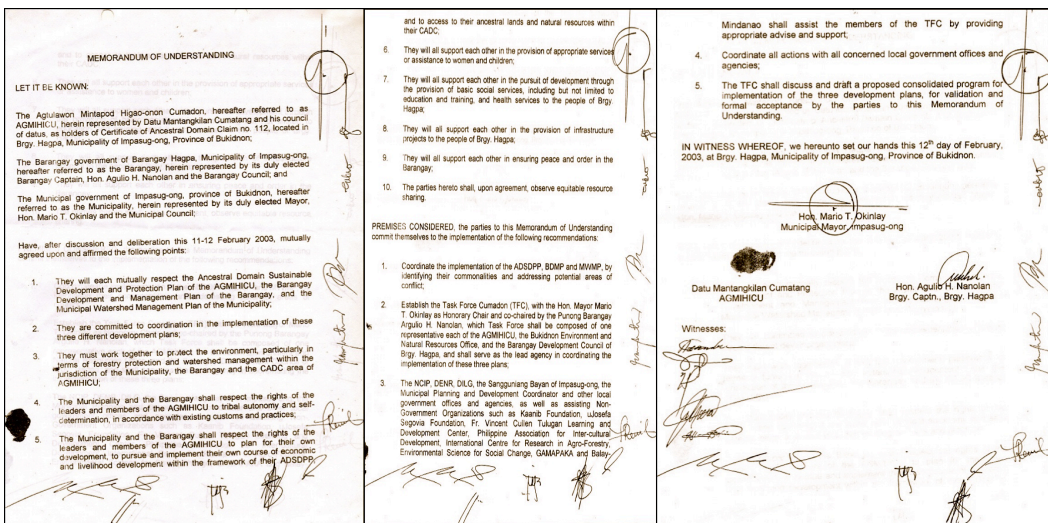


Figure 6. Sample MOU recognizing the harmonization initiative and equal sharing of resources between AGMIHICU, LGU, and other sectors involved.

- c. *Map analysis* – to identify the overlapping or common areas
- d. *Drafting of the harmonized plan*

The above strategy is an actual experience of the Agtulanon-Mintapod Higa-onon Cumadun (AGMIHICU), an association of indigenous Higa-onons, is implementing an Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) in 10,054.88 hectares of forest lands in Barangay Hagpa, Impasug-ong, Bukidnon.

Their ancestral domain is located in the planning area of a municipal watershed, a Barangay Development Plan, the Mt. Kimangkil Natural Park Protected Area, a Community-based Forest Management Agreement and the concession area of an abandoned Timber License Agreement.

AGMIHICU, with the assistance of the Philippine Association For Intercultural Development (PAFID) and International Center for Research in Agroforestry (ICRAF), was able to sign an MOU with the *barangay* local government unit (BLGU) and municipal local government unit (MLGU) in 2003 which recognized the harmonization initiative, and the equal sharing of resources among sectors involved (see Figure 6). □

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