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# Philippines:

## Land Conflicts and Land Rights Defenders in the Philippines<sup>1</sup>

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### BACKGROUND AND OBJECTIVES OF THE STUDY

Land and natural resources have always been sources of conflict. At the heart of the matter is the inequitable distribution of rights over resources, wherein the rural poor try to survive on the meagre land and natural resources afforded them by the State. In contrast, businesses and influential families are allowed to amass vast expanses of land, their ruinous exploitation of natural resources largely left unchecked. The rural poor are thus forced to contend with large businesses, influential families, and against each other for land and resource rights.

Aggression against land and environment rights defenders, as well as rural poor communities has been on the rise in connection with land and resource conflicts. The Philippines is considered as Asia's deadliest country, and second deadliest country in the world, for land and environment defenders (The Guardian, 2018). Violations range from killings, disappearances, detention, injuries and grave threats against land and

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<sup>1</sup> This is an abridged version of the paper prepared by Timothy Salomon of ANGOC, with inputs from Antonio Quizon, Nathaniel Don Marquez, Dave de Vera, Maricel Almojuela-Tolentino, Marianne Jane Naungayan, Denise Hyacinth Joy Musni, Michele Robin Esplana, Danilova Molintas, James Alim, Maria Liza Almojuela, and Antonio Samaniego. This document also summarizes the major issues and recommendations emanating from a multi-stakeholder forum jointly organized by ANGOC and the Commission of Human Rights of the Philippines (CHRP) to discuss the study. For more details, contact [angoc@angoc.org](mailto:angoc@angoc.org).

#### Citation:

Salomon, T. (2018). Land Conflicts and Rights Defenders in the Philippines. In ANGOC (Ed.) *In defense of land rights: A monitoring report on land conflicts in six Asian countries* (pp. 106-123). Quezon City: ANGOC.

environment defenders. Rural poor communities experience forced evictions from their homes, displacement, damages to their livelihoods and property, even severe hunger and poverty. They are also exposed to geophysical and health hazards and risks, which are further complicated by natural disasters and climate change. In some cases, long-standing community relations are fractured or polarized, further weakening their capacity to adapt to land and resource conflicts.

To serve as a point of engagement with critical duty-bearers in land and resource conflicts, the ANGOC, through the regional initiative *“Defending Land Rights and Human Rights Defenders”* has embarked on a study. The purpose is to gather evidence to substantiate and flesh out the realities that characterize and shape land and resource conflicts in the Philippines. Through this study, ANGOC wishes to contribute towards a better understanding of land and resource conflicts in the country, and to highlight human rights issues in the context of these conflicts.

Specifically, the objectives of this study are to:

- discuss the nature and prevalence of land and resource conflicts, including the violation of the rights of land and environment defenders, and rural poor communities;
- identify the nature, causes and impacts of land and resource conflicts, and land-human rights violations;
- assess the effectiveness of available conflict prevention, response, and resolution mechanisms; and,
- recommend actions towards the prevention and resolution of such conflicts.

### **Scope and approach**

This study focuses on land and resource conflicts that occurred from January 2017 to June 2018. Case monitoring was used as the primary approach of the study, in conjunction with policy monitoring and events-based monitoring. Institutional analysis was also conducted to assess the effectiveness of mechanisms employed to manage violence, de-escalate conflict, and address the substantive issues that lead to sustained conflict.

Cases, policy and institutional documents were gathered from six National Government Agencies, 10 Civil Society Organizations (CSOs), and 14 online/media sources using the purposive sampling method. Some 352 land and resource conflict cases were studied and analyzed, with 59 percent (208) of the documented cases taking place in Mindanao, 23 percent (82) occurring in Luzon, and 18 percent (62) transpiring in the Visayas region.

## Conceptual framework

**Conflict** in this study is defined as “a situation wherein two or more stakeholders compete for control over resources, decision-making and truth.” More specifically, this study looks into **land and resource conflicts**, which is defined as a “situation where two or more stakeholders compete for control over the use, decision-making, and transfer of land and resource rights.” Land and resource conflicts threaten the enjoyment of tenure rights of stakeholders particularly those with less power, such as rural poor communities. Some land conflicts hinder the transfer of land rights, others deny the full range all land rights, while still others reduce rights to lower levels of enjoyment.

*Use rights* enable a rights holder to have access to land, extract resources from the land, and exploit resources for economic purposes. *Decision-making rights* empower a rights holder to plan the future uses of land and to control the entry of people into the land. Finally, *transfer rights* enable a rights holder to relinquish and pass the rights on said land and natural resources through lease/rental, bequeathment and/or sale. These land rights are not absolute, and are inter-related in a continuum.

In the Philippines, there are a number of tenure instruments issued by the government. The table on page 109 shows various Philippine tenure instruments relevant to this study, plotted against the continuum of land rights.

## THE NATURE OF CONFLICT

The interaction of stakeholders determines how a conflict situation unfolds through time. All conflicts start as **latent conflict** – “a situation wherein stakeholders are unaware or are aware, but not taking action on how their aspirations, goals and interests are competing over resources, decision-making and/or truth.” When stakeholders become aware of a conflict situation, they can choose from a wide range of responses. Inaction and withdrawal make the conflict stay latent, while the pursuit of integrative solutions and compromise provides space for issues to be addressed peacefully. One form of peaceful response that facilitates an integrative solution or compromise is the use of a **third party facilitator** or “an individual, group or entity that has authority and is respected by stakeholders in a conflict situation, tasked to facilitate the de-escalation of the conflict situation and to seek an integrative solution or compromise.”

When third party facilitators are unavailable, or when stakeholders are not able to secure acceptable outcomes from engaging with each other or with third party facilitators, stakeholders may be pushed to engage in **violence** or

**Table 1: Philippine tenure instruments in the continuum of land rights**

Issued by	Tenure instrument	Description	Period of tenure	BUNDLE of RIGHTS						
				Access	Harvest	Use	Exclude	Inherit	Lease	Sell
DAR	EP	Land transfer certificate in agricultural lands for ARBs	Subject to amortization	✓	✓	✓	✓	✓	After 10 years	
	CLT			✓	✓	✓	✓	✓		
	CLOA			✓	✓	✓	✓	✓		
Private parties	Agri Leasehold	Lease contract	Based on agreement	✓	✓	✓	✓	✓		
DENR	IFMA	Individual/ Corporate Lease management for public lands	25 years, renewable	✓	✓	✓	✓			
	CBFMA	Collective Lease management for public lands	25 years, renewable	✓	✓	✓	✓			
NCIP	CADC	Recognized claim for ICCs/IPs	Perpetuity	✓	✓	✓	✓	✓		
	CADT	Collective title for ICCs/ IPs	Perpetuity	✓	✓	✓	✓	✓	✓	
	CALT	Individual title for ICCs/ IPs	Perpetuity	✓	✓	✓	✓	✓	✓	Only among CADT holders

Source: Quizon, 2018.

“a show of force, an imposition of will on another to achieve control through destructive means.” The most extreme form of violence is physical violence such as killing, maiming, torture, detainment and displacement. It can also come in the form of psychological violence (e.g. grave threats, harassment, defamation, etc.), economic violence (e.g. denial of access to resources, services and opportunities, or subjecting stakeholders to exploitative arrangements), or political violence (e.g. denial of the right to self-determination and the denial of access to decision-making processes).

Amidst violence, conflicts escalate and may lead to situations where violence may recur. Only when peaceful means are pursued and the issues that caused the conflict are substantively addressed, will conflict situations reach settlement.

## SUMMARY OF FINDINGS

### Prevalence and duration of conflicts

Land and resource conflicts are prevalent in the Philippines. Three hundred fifty-two (352) cases of conflicts documented in this study are concentrated in four percent of the total territory of the Philippines (30,291,561 hectares). Nearly half (48 percent) of this number were conflicts between communities and business establishments. A significant percentage (36 percent) occurred between and among community members, while the remaining percentage (16 percent) is comprised of conflicts between community members and the government. The duration of conflict ranges from less than a year to sixty eight years, with a mean of 14 years.

### Human rights violations in land and resource conflicts

Some 431 instances of human rights violations (HRV) were found in 233 of the conflict cases studied. Majority of these HRV incidents (272 incidents or 63 percent of total HRVs) occurred in Mindanao. Violations came in the form of killings, disappearances, injuries, detention, displacement, damage to property, unfair contracts and labor practices, intrusion into territories without FPIC, and criminalization. There were 61 killings perpetrated during the period January 2017 to June 2018. More than 90 percent of those killed were affiliated with civil society organizations (CSOs) and social movements. Furthermore, 66 percent of the killings were committed by the military in the guise of anti-insurgency campaigns that subsequently emboldened landowners to resist CARP coverage, or facilitated investments in ancestral domains. These investments were owned by influential families, particularly cronies of the late dictator Ferdinand Marcos, and/or prominent legislators and local chief executives. Other perpetrators of killings were guns for hire, private armed groups, rebel groups and paramilitary groups employed by businesses, and community members in cases of ownership conflicts.

On top of the killings, there were six individuals that disappeared; eight individuals maimed and 17 individuals illegally detained. All these, except one case of maiming, were committed by the military.

### Impacts on rural communities

Rural communities bear the brunt of the impacts of land and resource conflicts. HRVs committed at the community level involved displacement, damage to livelihood, unfair/exploitative economic arrangements, criminalization of actions of community leaders and members, forcible entry without FPIC,

and denial of participation in decision-making processes affecting land and resource rights.

A sizeable number of households have experienced displacement as a result of land and resource conflicts. There were 99 cases involving displacement and 29 cases with threats of displacement. Cases of displacement included the eviction of 17,000 households from their residence, and damages to livelihood or displacement from their sources of livelihood for nearly 75,000 households. Business investments, particularly in mining and forestry indirectly caused more than 47,000 livelihoods to be damaged by pollution, or caused land and natural resources used for livelihood to become vulnerable to natural disasters.

Threats of displacement were also documented. More than 47,000 households experienced threat of eviction from their residence and close to 44,000 households experienced threat of displacement from or damage to their sources of livelihood.

Economic violence in land and resource conflicts was observed to have also been committed against rural communities, with 56 incidents documented. A majority (89 percent) of the incidents of economic violence found in the study involved businesses manipulating farmers to enter into unfair Agribusiness Venture Arrangements (AVAs). Such arrangements deprive the farmers of land rights and/or bury them in debt. Other forms of economic violence are labor issues in *haciendas*/plantations and the refusal to pay royalties by mining operations in ancestral domains.

Data analysis also showed one hundred twenty six (126) incidents of forcible entry into ancestral domains without FPIC. A majority (78 percent) of these incidents occurred in Mindanao. These violations were committed by businesses or migrants wanting to claim ownership and/or use of land for purposes not properly discussed with the existing Indigenous Political Structure (IPS) in the area. Other forms of political violence documented were criminalization of activities of community leaders and members, and the denial of access to decision-making processes affecting land and resource rights.

### **Impact on the environment**

Damage to the environment is considered a pronounced yet indirect effect of land and resource conflicts arising from investments. Some investments have major impacts on public health such as contamination of bodies of water, while others are felt by communities by way of damage to biodiversity. The clearing of forests makes communities vulnerable to natural disasters and

climate change, resulting in hundreds of deaths. Mining operations weaken the integrity of soil, leading to siltation and landslides.

## Causes and trends of land conflicts

There were three main causes of land and resource conflicts identified: (1) resistance to agrarian reform; (2) overlapping claims; and (3) land investments. The table below provides a summary of the causes of conflict, descriptions of each, including the process involved and the impact on land and resource rights.

**Table 2: Analysis of land and resource conflicts**

Cause	Stakeholders	Description	Process	Impact on Land and Resource Rights
Resistance to agrarian reform	DAR Landowner ARB/ARBO	Agrarian Reform is mandated by the 1987 Constitution and launched as a program to institute <b>social justice</b> . It aims to <b>redistribute productive agricultural land to tillers</b> to provide secure tenure and livelihood to otherwise landless rural workers. There are also provisions for just compensation for landowners whose lands will be taken away.	<b>Coverage:</b> landholding is covered under the CARP  <b>Acquisition and Distribution:</b> DAR acquires land and transfers legal ownership to ARB/ARBO  <b>Installation:</b> ARB/ARBO physically occupies landholding	The CARP aims to transfer ownership of land rights from landowners to ARBs/ARBOs. When landowners resist coverage under the program, they <b>prevent the transfer of ownership</b> guaranteed by the Constitution and by law.
Overlapping claims	<ul style="list-style-type: none"> <li>Community vs Community</li> <li>Government Agency vs Government Agency</li> </ul>	There are <b>overlapping and conflicting laws and policies</b> on land and natural resources in the Philippines. Different programs of government compete for the same parcels of land, resulting in overlapping claims and/or titles between different claimants/landowners.	<b>Delineation:</b> claimants lay boundaries of claims  <b>Mapping:</b> claims are given to the government for conciliation  <b>Awarding/ Segregation:</b> land is awarded to the owner or partitioned among claimants	Claimants compete for control over ownership or use of land and natural resources. Often, this ends in which of the claimants are more relentless in the <b>expulsion of their opponent</b> or in litigation, which claimant is registered.

Cause	Stakeholders	Description	Process	Impact on Land and Resource Rights
Land investments	<ul style="list-style-type: none"> <li>• Community</li> <li>• Business</li> <li>• Government</li> </ul>	Land investments undergo a <b>permitting/contracting process</b> between a business and landowner. Such process should undergo sufficient <b>consultation following standards of FPIC</b> with affected communities, and should be under the <b>supervision of the appropriate government agency.</b>	<p><b>Negotiation:</b> an investor applies to use land for an investment</p> <p><b>Development:</b> investor removes exiting structures and changes the use of the land</p> <p><b>Closure:</b> turnover of land to the government or its owner</p>	Land investments <b>deprive communities of prior rights</b> to the use of land and natural resources. In some instances, damage to the environment during and/or after the investment <b>expose communities to hazards and risks.</b>

Of all causes of land and resource conflicts, *resistance to agrarian reform* was the most violent in terms of killings. Resistance occurs in 62 percent of agrarian reform conflicts, mostly during the latter stages of installation (the third and last stage of the land distribution process). It is in this stage that landowners pursue desperate means to thwart the redistribution of land to Agrarian Reform Beneficiaries (ARBs). Apart from depriving ARBs of land to till, landowner resistance results in HRVs such as killings, injuries, detention, grave threats, and criminalization.

*Overlapping claims*, the second cause of land conflict, are symptoms of the fundamental problem of overlapping land laws and programs of the government. A majority of land conflict caused by overlapping claims relate to ancestral domains. The key issue is the poor security of tenure afforded by the State to ICCs/IPs over their traditional territories. Tremendous delays occur in the issuance of Certificates of Ancestral Domain Titles (CADTs) and Certificates of Land Titles (CALTs), and their registration with the Land Registration Authority (LRA). On the other hand, government programs for land titling, distribution, and investments are unhampered. As a result, the encroachment of property claimants within ancestral domains is legitimized. More than 7,000 households have been evicted from their residence due to overlapping claims, the most number in all causes of land and resource conflicts in this study.

*Land investments* as a source of conflict account for 55 percent of the 352 cases of conflict analyzed in this study. Most of these cases are conflicts between businesses and communities, and some are between government and communities. In terms of type of investment, conflicts arose most frequently in plantations (101 cases of conflict), mining (44), infrastructure (40), and forestry (7).



Plantation investments involve the use of land for agricultural production. There were three (3) modes through which plantation investments were undertaken: (1) engagement in Agribusiness Venture Agreements (AVAs); (2) land grabbing by a company from a community; and, (3) engagement with tenant farmers as hired labor. Data revealed 101 conflicts associated with plantation investments. Of these cases, 99 were for cash crops such as oil palm (47), banana (36), pineapple (8), and, others (9). More than 118,000 hectares of land are being contested under this conflict category.

The impacts of AVAs were felt by farmers who entered into unfair contracts with agribusiness companies. The nine cases of land grabs in agribusiness investments were all in ancestral domains – all of which involved the military. These cases of land grabbing resulted in the killing of 16 IPs, the disappearance of six, and the detainment of one. Further, four cases of land grabs resulted in the displacement of an estimated 4,800 families. Two of the plantations have current proposals for expansion, threatening the displacement of an additional 400 families.

Mining or extraction investments involve earth-moving activities to gather raw materials. There are 44 cases covering 450,470 hectares of land. Of the 44 cases, 29 are extraction investments for metals, seven for coal, five for sand/gravel, and one for natural gas. Extraction investments are among the most violent, with 15 conflict cases resulting in fatalities. An estimated 16,000 farming and fishing livelihoods were also compromised, exacerbating poverty and food insecurity in rural communities. It must be noted, though, that since the suspensions of mining activities ordered by the former Environment and Natural Resources Secretary Gina Lopez, violence has declined.

As for infrastructure investments, 40 cases have been found, covering 188,791 hectares of contested area. Eighteen of the conflict cases involved private infrastructure investments and twenty two were public or government infrastructure investments. Private investments account for 26,794 hectares of land, while public investment constitutes 161,997 hectares of contested land. Of the 18 private infrastructure investments, seven are in power generation, seven in real estate, three in tourism and one in industry. For the public infrastructure investments, five are for water systems; three for economic zones; two each for power, residential and government buildings; and one each for road, school, landfill, and tourism. Infrastructure investments often lead to land use changes that are irreversible. Such changes become the precursors for further land use changes in adjacent areas often brought about by industrialization and urbanization.

Infrastructure investments pose the greatest threat of displacement. These accounted for 64 percent of total households threatened with eviction and displacement/damage to livelihoods (28,010 households). Such potentially ruinous infrastructures consist of the construction of dams intended to provide hydro-electric power and water supply to cities in exchange for displacement of rural communities, mostly consisting of ICCs/IPs living adjacent to urban centers.

Forestry investments involve the use of forest resources that are considered public lands under Philippine law. There were seven cases that cover 115,100 hectares, all of which involved encroachment on ancestral domains.

### **Stakeholder responses to land conflicts**

Responses to conflict can be categorized into four: (1) yielding; (2) violence; (3) peaceful claim-making; and, (4) conflict resolution. Yielding involves stakeholders surrendering their claims and allowing their opponent's goals and interests to prevail. It was found that many rural poor communities were forced to yield to the interests of investors and migrants because of their poor adaptive capacity to situations of conflict and sheer fear in the midst of the vast resources available to their opponents. Of the 14 cases wherein rural poor communities yielded to the demands of investors, five cases resulted in the community members seeking employment in the enterprise that displaced them due to extreme poverty.

For the rural poor under threat, the risks involved in claim-making often outweigh the potential benefits. In many instances, they are forced to yield initially to the interest of their opponents. Later, they pursue other courses of action when opportunities to assert their claims become available. Investors only yielded to rural poor communities in four cases when the government enforced decisions in favor of the communities.

One particularly maladaptive form of response to conflict is engaging in acts of violence. Violence is often caused by poor access to justice, when stakeholders (particularly the rural poor), do not have the means to pursue their claims through peaceful means. When a conflict turns violent, damage to lives, health, livelihood, and people's sense of security and normalcy are sustained by both direct and indirect stakeholders. However, the brunt of the damage is usually borne by those who have the least capacity to engage in violence. Violent responses can come in the form of acts of revenge, the installation of barriers to prevent access to land/resources under contention; and the mobilization of armed groups. Violence only further escalates conflict and breeds a vicious cycle of retaliation.

In many cases, stakeholders eventually realize the need to assert their claim over their land and resource rights through peaceful means. This is often conducted with the aid of support groups such as CSOs and social movements, and sometimes, with the aid of the government. Peaceful claim-making builds the confidence of rural poor communities and allows them to build alliances and consolidate their resources towards asserting their land and resource rights. Initiatives such as dialogues and mediation fall under this type of response. This response is the only approach capable of achieving settlement of the issues that caused and sustained the conflict. Arriving at settlement is protracted (if successful at all) because conflict resolution processes are encumbered by legal and policy issues that are impervious to change.

### Conflict management mechanisms

In the bigger picture, the Philippines is internationally recognized for progressive legislations such as the CARL and the IPRA, which were won by the concerted efforts of community leaders, CSOs and their allies in Congress. These laws though, are implemented at a sluggish pace, with the CARL reaching its 30<sup>th</sup> year of implementation and the IPRA its 21<sup>st</sup>. The DAR and the NCIP, respective agencies imbued with the mandate to implement land and resource reform have been unable to exercise the full power provided them under law. As such, the socio-economic and political structures these progressive laws aim to change generally remain unchallenged. Government remains dominated by the landed elite and corporate interests, while the basic sectors and their allies through time have begun to be fragmented by ideological and political differences. As a result, gains achieved in the past have become vulnerable to reversal.

Amidst the slow implementation of land and resource reform programs, the government has been pursuing initiatives to streamline land investments in energy, agribusiness, and infrastructure. Currently, investments in forestry and to a certain extent, mining are strictly monitored by the government.

**Table 3: Streamlining initiatives for land investments**

Agency	Business	Threat
Department of Energy (DOE)	Mining and Infrastructure	Given the shortage and expensive cost of energy in the Philippines, the DOE has released EO 30 that expedites extraction of energy resources and the construction of infrastructures for energy production and distribution (DOE, 2018). In fact, the Bangko Sentral ng Pilipinas (BSP) has released a report that for 2017, there is a 1,000 percent increase in foreign direct investments on energy from 2016.

Department of Agrarian Reform (DAR) and the Department of Agriculture (DA)	Agribusiness	The DAR and DA are currently encouraging agribusinesses to invest in Filipino farmers. This is being conducted in the absence of a legally-binding framework for the assessment of AVAs (FAO, 2016).
	Private Infrastructure	Despite legal mandates to protect and limit conversion of irrigated and irrigable lands, agricultural lands are still being converted to other uses, particularly for real estate (ILC-NES, 2017).
Department of Public Works and Highways (DPWH)	Public Infrastructure	The current administration has embarked on the Build-Build-Build program, a massive program on infrastructure projects as preparation for the integration with Association of Southeast Asian Nations (ASEAN) mostly financed by bilateral loans (PAKISAMA, 2018).

When parties pursue conflict resolution, legal battles are generally time-consuming and resource-draining with litigation lasting from 3-17 years. Legal battles are especially costly for the rural poor. Quasi-judicial bodies and local dispute resolution mechanisms are available and deliver quicker resolution of conflicts, but there is no available data on whether the decisions made through these mechanisms are favorable to rural poor communities or to landowners/investors.

Conflict-prevention mechanisms are also embedded in land and resource governance. Procedural safeguards such as permits, licenses and other government requirements can sometimes prevent land and resource conflicts. Representation and participation mechanisms, when utilized properly, allow poor sectors and communities to register their concerns to decision-making processes in governance. However, in certain instances, these only serve as rubber stamps for land investments. There are cases wherein representatives to governance bodies are beholden to the government officials who appointed them and are not necessarily held accountable by the sectors/communities they supposedly represent. Freedom of information (FOI) policies are in place, but do not necessarily translate to public access to data on land.

Given all this, recourse is often fleeting if not totally absent. The government is often caught in fundamental conflicts of interest, which comes in two forms. First, various agencies imbued with their respective mandates and programs compete for jurisdiction over the same parcels of land and natural resources. In the absence of clear harmonization of overlapping laws, land and resource conflicts often turn violent and persist unresolved. This renders the tenure of land and natural resource stakeholders, particularly rural poor communities, insecure and perennially contested. Consequently, their lives are beset with danger.

The second form of conflict of interest can be seen in the deliberate policies of government to expedite investments in the name of “ease of doing

business” and “readiness for integration.” In many cases of land investments, the government is a facilitator or even a direct partner. Thus, the government often fails to perform its mandate to regulate business, particularly when the rights of people and communities are being trampled upon.

Finally, there is a dearth of responsive mechanisms to address land and resource conflicts. Only with aggressive and sustained lobbying and advocacy can these conflicts be addressed and prevented. One way to interpret this is that this is a result of bureaucratic inefficiency or a lack of political will to address legal, administrative, and judicial hindrances towards the completion of land and resource reforms, and the harmonization of agency jurisdictions. However, another way to interpret this is that the multitude of loopholes and bottlenecks have been deliberately installed to enable the reversal of gains in land and resource reform, and to facilitate the entry of corporate interests in land and resource governance. After all, impunity has characterized the rule of law in Philippine society in recent times. It is in these times that the barrel of the gun has been pointed at the very people in need of the most protection.

## RECOMMENDATIONS

Based on the findings and analysis during the joint ANGOC-CHR forum, the following recommendations are put forward:

### For Government:

- Address the root causes of land and resource conflicts: complete land and resource reform programs and ensure tenure security for the rural poor.
- Institute an effective and efficient mechanism to resolve overlapping claims on land.
- Ensure the integrity of safeguard mechanisms that regulate land investments by integrating the UN Guiding Principles on Business and Human Rights (UNGP BHR) in land and resource governance.
- Enhance the awareness of government on land rights as human rights especially the military.

### For Businesses:

- Comply with government regulations to ensure the sustainability of their investments.
- Engage business on discussions related to the UNGP on BHR.

### For CSOs and social movements:

- Unite under a common goal and program of responding to the needs of rural poor communities.
- Organize and empower the rural poor to enable them to effectively defend their rights.
- Improve on existing reporting and protection mechanisms, and widely disseminate these so that they and the rural poor can utilize these in cases of violations of their rights.
- Sustain and strengthen non-violent struggle to hold rights violators accountable for their actions. ○

### ACKNOWLEDGEMENTS

ANGOC expresses its gratitude to the CHR, particularly Commissioner Roberto Cadiz, Jesus Torres and the Economic-Social-Cultural Rights Center (ESCRC) for their openness to engage civil society organizations (CSOs) and their willingness to support CSO actions towards mainstreaming land rights as human rights. We also express our gratitude to the national government agencies who have provided information that formed part of this study: the Department of Interior and Local Government (DILG), the Department of Agrarian Reform (DAR), the Department of Environment and Natural Resources (DENR), the National Irrigation Administration (NIA), and the National Commission on Indigenous Peoples (NCIP). We also thank CSOs who contributed to the data and the analysis of this study: Alternative Law Groups (ALG), Alyansa Tigil Mina (ATM), Center for Agrarian Reform and Rural Development (CARRD), Haribon Foundation, Kaisahan tungo sa Kaunlaran ng Kanayunan at Repormang Agraryo (Kaisahan), Land Matrix Initiative (LMI), Legal Rights and Natural Resources Center/Kasama sa Kalikasan/Friends of the Earth-Philippines (LRC/KsK/FOE-P), Mediator's Network for Sustainable Peace (MedNet), Non-Timber Forest Products- Exchange Programme (NTFP-EP), the Oblates of Notre Dame Hesus Foundation, Pambansang Kilusan ng mga Samahang Magsasaka (PAKISAMA), Plan International, Serve the Children and Older Persons Foundation, Tebtebba Foundation, Unbound, and Xavier Science Foundation (XSF).

Special thanks to the community leaders who shared their stories during the *Multi-Stakeholder Forum on Land Conflicts and Rights Defenders* conducted last 30 October 2018: Sabang-Poocan Farmers and Fishermen Association, Inc. (SAPOFFA) from Caluya Island, Antique, and the Dumagat-Remontado Indigenous Peoples Organizations: *Kolo Ka Koloy* and *Sukatan Lupang Ninuno* from Montalban and Tanay, Rizal.

## LIST OF ACRONYMS

ANGOC	Asian NGO Coalition for Agrarian Reform and Rural Development
ARB	agrarian reform beneficiary
ARBO	agrarian reform beneficiary organization
ASEAN	Association of Southeast Asian Nations
AVA	agribusiness venture arrangement
BSP	Bangko Sentral ng Pilipinas (Central Bank of the Philippines)
CADC	Certificate of Ancestral Domain Claim
CADT	Certificate of Ancestral Domain Title
CALT	Certificate of Ancestral Land Title
CARL	Comprehensive Agrarian Reform Law
CARP	Comprehensive Agrarian Reform Program
CHR	Commission on Human Rights
CLOA	Certificate of Land Ownership Award
CSO	civil society organization
DA	Department of Agriculture
DAR	Department of Agrarian Reform
DENR	Department of Environment and Natural Resources
DICT	Department of Information and Communications Technology
DILG	Department of Interior and Local Government
DOE	Department of Energy
DOF	Department of Finance
DOJ	Department of Justice
DPWH	Department of Public Works and Highways
DTI	Department of Trade and Industry
ESCRC	Economic-Social-Cultural Rights Center
FMB	Forest Management Bureau
FOI	Freedom of Information
FPIC	free and prior informed consent
HRD	human rights defender
HRV	human rights violation
ICC	indigenous cultural community
IFMA	Integrated Forestry Management Agreement
ILC	International Land Coalition
IPs	indigenous peoples
Kaisahan	<i>Kaisahan tungo sa Kaunlaran ng Kanayunan at Repormang Pansakahan</i> (Solidarity towards the Development of Rural Areas and Agrarian Reform)
LAO	Legal Affairs Office (DAR)

LGU	Local Government Unit
LMB	Land Management Bureau (DENR)
LMI	Land Matrix Initiative
LRA	Land Registration Authority
LRC/KsK/FOE-P	Legal Rights and Natural Resource Center/Kasama sa Kalikasan/Friends of the Earth-Philippines
MGB	Mines and Geosciences Bureau (DENR)
NCIP	National Commission on Indigenous Peoples
NTFP-EP	Non-Timber Forest Products-Exchange Programme
PAKISAMA	<i>Pambansang Kilusan ng mga Samahang Magsasaka</i> (National Federation of Farmers' Organizations)
UNGP BHR	United Nations Guiding Principles on Business and Human Rights
XSF	Xavier Science Foundation

## REFERENCES

- Alternative Law Groups. (2017). *Monitoring research findings in the Environmental Defense Program*. [Presentation during a forum on Lawyering for the Environment in Quezon City].
- Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC). (2017). *Farmers and indigenous peoples defend their right to land: stories from the field*. Quezon City: ANGOC and Joint Action for Land Rights.
- Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC). (2018). *From the farmland to the table: exploring links between tenure and food security*. Quezon City: ANGOC and Global Land Tool Network.
- Bangko Sentral ng Pilipinas. (2017). *Foreign direct investments dashboard*. Quezon City: BSP.
- Republic of the Philippines. (2009). *Comprehensive Agrarian Reform Program with Extension and Reforms of 2009*. Republic Act 9700.
- Department of Agrarian Reform. (2018). *Annual Report 2017*. Quezon City: DAR.
- Department of Energy. (2018). *DOE presents EO 30 streamlining energy projects processing*. Manila City: DOE.
- Department of Interior and Local Government. (2018). *Data on barangay dispute resolution mechanisms*. Quezon City: DILG.
- De Vera, D. (2017). *The Joint Administrative Order No. 1 series of 2012: a policy review*. Quezon City: ANGOC.
- Environmental Justice Atlas. (2018). [Website]. Retrieved from <https://ejatlas.org/>



- Food and Agriculture Organization (FAO). (2012). *Voluntary guidelines on the responsible governance of tenure of land, fisheries and forests in the context of national food security*. Rome: FAO.
- Food and Agriculture Organization (FAO). (2016). *Multi-sectoral study on the agribusiness ventures arrangement policy and implementation under the Comprehensive Agrarian Reform Program*. Rome: FAO.
- Republic of the Philippines. (1997). *Indigenous Peoples Rights Act*. Republic Act 6757.
- International Land Coalition National Engagement Strategy (ILC-NES) in the Philippines (2017). *TIPANAN: official publication of the ILC-NES Philippines*. Quezon City: ILC-NES.
- Republic of the Philippines. (2012). *Joint DAR-DENR-LRA-NCIP Administrative Order 1, Series of 2012*.
- Mediator's Network for Sustainable Peace (MedNet). (2017). *Annual Report for 2017*. Quezon City: MedNet.
- Montiel, C., Rodil, R., & de Guzman, J. (2012). The Moro struggle and the challenge to peace-building in Mindanao, Southern Philippines in D. Landis & R. Albert (Eds). *Handbook of ethnic conflict: International Perspectives* (pp. 71-92).
- National Commission on Indigenous Peoples (NCIP). (2018). *Annual Report for 2017*. Quezon City: NCIP.
- National Economic Development Agency (NEDA). (2017). *Philippine Development Plan 2017-2022*. Pasig City: NEDA.
- National Irrigation Administration (NIA). (2018). *Status of irrigation development*. Quezon City: NIA.
- Office of the President of the Philippines. (2016). *Executive Order No. 02, Series of 2016: Operationalizing in the Executive Branch the people's Constitutional right to information and the state policies to full public disclosure and transparency in the public service and providing guidelines thereof*. Manila: Official Gazette.
- Pambansang Kilusan ng mga Samahang Magsasaka (PAKISAMA). (2018). *Stop the Centennial Dam: a case brief*. Quezon City: PAKISAMA.
- Philippine Statistics Authority. (2015). *Special report – highlights of the 2012 Census of Agriculture and Fisheries*. Retrieved from <http://psa.gov.ph/content/special-report-highlights-2012-census-agriculture-2012-ca>
- Salcedo, R. G. (November 2016). The Palawan Oil Palm: The Aborlan Coco Farmers- Agumil Case. Xavier Science Foundation-Institute of Land Governance. [Unpublished case brief].
- Salomon, T. (2018). *Land data and its governance: a scoping study on the Philippine Statistical System in the context of SDG indicator 1.4.2*. Quezon City: ANGOC.

- The Guardian. (2018). *At what cost? Irresponsible business and the murder of land and environmental defenders in 2017*. Retrieved from <https://www.globalwitness.org/en/campaigns/environmental-activists/at-what-cost/>
- Quizon, A. (2018). *State of Land and Resource Tenure Reform in the Philippines*. ANGO and ILC-NES. [Manuscript copy].
- Quizon, A. & Pagsanghan, J.I. (2014). *Review of selected land laws and the governance of tenure in the Philippines: discussion paper in the context of the Voluntary Guidelines on the Governance of Tenure (VGGT)*. Quezon City: Philippine Development Forum - Working Group on Sustainable Rural Development.
- United Nations High Commissioner on Human Rights. (2018). *Mindanao Displacement Dashboard*. Retrieved from <http://www.unhcr.org/ph/protection-cluster/mindanao-displacement-dashboards>