

List of Acronyms used

ADB	Asian Development Bank
ADSDPP	Ancestral Domain Sustainable Development and Protection Plan
ANGOC	Asian NGO Coalition for Agrarian Reform and Rural Development
ARB	Agrarian reform beneficiaries
ARCs	Agrarian reform communities
BFAR	Bureau of Fisheries and Aquatic Resources
CADC	Certificate of Ancestral Domain Claim
CADT	Certificate of Ancestral Domain Title
CARP	Comprehensive Agrarian Reform Program
CLOA	Certificate of Land Ownership Award
CSOs	civil society organizations
DA	Department of Agriculture
DAR	Department of Agrarian Reform
DENR	Department of Environment and Natural Resources
FARMCs	Fisheries and Aquatic Resource Management Councils
FPIC	free, prior and informed consent
FLA	Fishpond Lease Agreement
ILC	International Land Coalition
IPs	Indigenous Peoples
IPRA	Indigenous Peoples Rights Act
LAD	Land acquisition and distribution
LGU	local government unit
MOA	Memorandum of Agreement
NAMRIA	National Mapping and Resource Information Authority
NCIP	National Commission on Indigenous Peoples
NCSB	National Statistical Coordination Board
PARRC	Philippine Agrarian Reform Research Council
PhilDHRRA	Philippine Partnership for the Development of Human Resources in Rural Areas

Summary

The Philippines has developed and pilot-tested a number of monitoring indicators based on the Land Country Monitoring Framework. The indicators focus on three asset reform beneficiaries: the agrarian reform beneficiaries, fishing communities, and indigenous peoples (IPs). The critical issues that keep these sectors in a poverty bind are grouped into three: i) the lack of tenurial security and threats to it, ii) the insufficient provision for support services, and iii) low participation of civil society in resource management councils.

Around these three issues or themes, seven monitoring indicators were developed to monitor activities at the national and local levels. For this initial report, however, only data at the national level was available. Monitoring and data gathering for the regional, provincial, and municipal levels are works in progress.

The monitoring indicators are:

- Distribution of tenurial instruments (CLOA, local ordinance on municipal waters delineation, CADT);

An abridged version of the paper, "Systematic Access to Land Monitoring in the Philippines", prepared by the Philippine Partnership for the Development of Human Resources in Rural Areas (PhilDHRRA).

- Number of beneficiaries;
- Number of cases of overlapping claims;
- Presence of resource use conflicts in extractive activities;
- Participation of civil society organizations (CSOs) in resource management councils;
- Support services provided to beneficiaries; and
- Link between access to land assets and poverty incidence.

Data are summarized in the succeeding pages. The following observations were made based on the findings and analyses:

- The continuing delays ('backlogs') block the issuance of tenurial instruments for many farmers, fishers and indigenous peoples.
- Threats to tenurial security likewise persist across sectors, aggravated by weak monitoring mechanisms or processes within the implementing agencies, unclear guidelines, and overlapping policies.
- Support services provided by the government need to be strengthened.
- Data gathering processes pose a serious challenge to implementation, monitoring, and evaluation. No official data where the government does not generate them substantially. Recourses are alternative sources of data, such as studies by CSOs.
- Consequently, capacity building among CSOs becomes a pressing need for gathering and managing data to be used for land monitoring.

The recommendations highlight the urgency to act on the identified issues of tenurial security, lack of support services for beneficiaries, and

the weakness of committed participation and effective management of services involving local governments and civil society. There are policy and program recommendations, as follows:

- The distribution of tenurial instruments must be expedited to meet the goals for tenurial security. Clear implementing guidelines on tenurial security processes and harmonizing policies on land and water use are needed.
- Threats to security of tenure can be addressed by strengthening the monitoring and regulating mechanisms to ensure that the gains on asset reform are not reversed (national and local). Laws regulating extractive activities should be implemented strictly, with enforcement of penalties, sanctions, and disincentives to violators.
- Support services for beneficiaries entail the improvement of their productivity through investment promotions in infrastructure, credit, and social capital. As programs and projects are planned and implemented, the focus on delivery of outputs should be tied with the achievement of long-term outcomes (poverty alleviation, security of tenure, economically sustainable beneficiaries, accessibility of basic services, etc.). To ensure that scarce resources are distributed optimally, an efficient mechanism in program development should target beneficiaries. CSOs must be enjoined through increasing partnerships for their capabilities and expertise in delivering support services.
- Promote transparency, accountability, and participation of CSOs in the asset

reform process (planning, budgeting, implementation, monitoring and evaluation). With government agencies and local government units (LGUs), established forms of cooperation and coordination must be nurtured and sustained.

Context: status of land reform

The Philippines reported on a number of gains made in agrarian reform and other land issues. In 2009, a major hurdle was overcome with the approval of the extension of the Comprehensive Agrarian Reform Program (CARPER) up to June 2014. The additional funding of Php150 billion as well as other program provisions would greatly accelerate ongoing efforts in asset reform.

This report focuses on progress in the key areas of land acquisition and distribution, security of tenure, and provision of support services for three critically impoverished sectors of the country—farmers, fishing communities, and indigenous peoples. After decades of implementing reforms, there is much to be done to improve their situation. More than 600,000 agrarian reform beneficiaries are still awaiting the distribution of almost 1 million ha of land. Fishers residing in 94% of coastal municipalities are not protected by established local ordinances in delineating their waters. Indigenous peoples are still waiting to be granted titles to about 55% of ancestral domains.

Without clear ownership of their lands, these sectors continue to become victims of land grabbing, illegal encroachment of commercial

fishers, overlapping land claims by those in extractive activities, and agrarian disputes and conflicts in resource-use, resulting in human rights violations. Without strong support services from concerned government bodies and CSOs, these sectors have limited capabilities to benefit from the infrastructure support, marketing assistance, alternative livelihoods, and basic social services programs.

Conceptual Framework

In principle, asset reform redistributes resource endowments to designated marginalized sectors. This is undertaken through a process that awards a tenurial instrument to target beneficiaries, providing them ownership and security of tenure over the asset. In the context of indigenous peoples, it is the recognition of their rights over ancestral domain.

To implement asset reform effectively, enabling policies, sufficient budget, and a capable bureaucracy are imperative. Access to land and security of tenure will contribute to poverty reduction through increased income. On the other hand, failures or shortcomings in asset reform will result in landlessness and conflict among target sectors, making them more vulnerable to increased poverty.

The monitoring indicators below are arranged by theme, as presented in the previous table (See Table 1). The same indicators may also be classified based on the level in which monitoring is possible or the location of available data (from the national, regional, and local levels). The determining factor is the availability of data at various levels.

Table 1. Monitoring Indicators per Theme

No.	Theme	Agrarian lands	Municipal waters	Ancestral domain
1	Targeted area for reform	<ul style="list-style-type: none"> Area of lands covered by CARP Number of target ARBs Number of collective CLOAs for subdivision Number of ARBs to be installed 	<ul style="list-style-type: none"> Number of coastal municipalities Number of coastal municipalities mapped Number of FLAs issued 	<ul style="list-style-type: none"> Target area of ancestral domain to be surveyed Target number and area of CADTs to be issued Number of CADCs issued
2	Actual accomplishments (Security of tenure)	<ul style="list-style-type: none"> Area of lands distributed Number of ARBs Number of collective CLOAs subdivided Number of ARBs installed 	<ul style="list-style-type: none"> Number of coastal municipalities that issued ordinance on delineation/ Community Property Rights Number of FLAs issued for fishers' organizations 	<ul style="list-style-type: none"> Area of ancestral domain surveyed Number and area of CADTs issued Number of CADCs converted to CADT
3	Threats to security of tenure	<ul style="list-style-type: none"> Number of cases of disputes between ARBs and landowners Number of cases of overlapping claims 	<ul style="list-style-type: none"> Number of cases of overlapping claims Number of cases of encroachment and apprehensions of commercial fishing vessels Number of cases filed against apprehended encroachers Number of cancelled FLAs 	<ul style="list-style-type: none"> Number of cases of overlapping claims Number of cases of extractive activities operating in ancestral domain (logging, mining) without FPIC
4	Others (Participation and management, Support services)	<ul style="list-style-type: none"> Support services provided 	<ul style="list-style-type: none"> Number of organized FARMCs Number of functional FARMCs Support services provided 	<ul style="list-style-type: none"> Number of Certification Precondition issued Number of FPIC Certification/MOA endorsed to the NCIP by the ICC Number of formulated ADSDPP Support services provided

Findings and Analysis

A. Pilot Monitoring of Access to Agrarian Lands

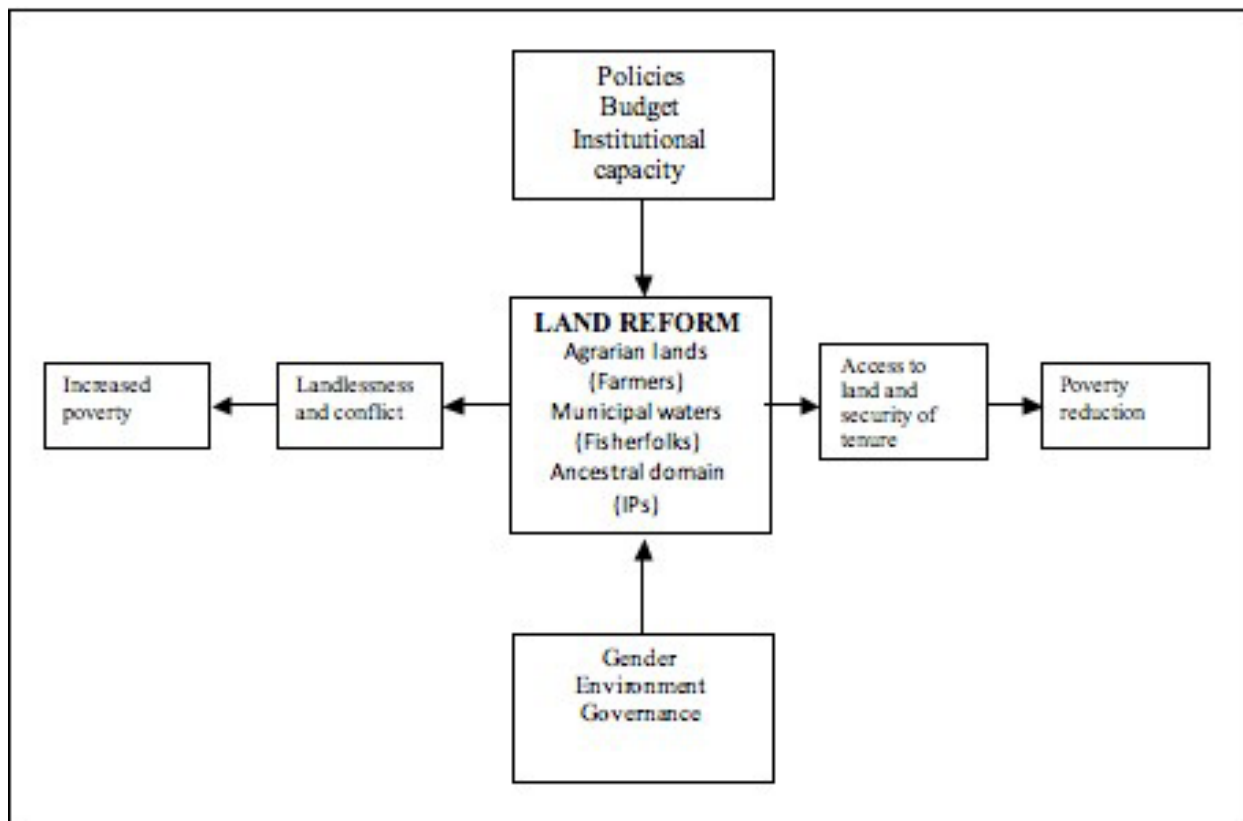
Tenurial Security: Targets and Accomplishments

In 2009, the Philippine Congress approved Republic Act 9700, extending the land acquisition and distribution component (LAD) of the Comprehensive Agrarian Reform Program (CARP) for another five years. The strengthening of CARP meant Php150 billion in additional funds and reform provisions will be in place to accelerate agrarian reform. LAD would be implemented in three phases to hasten the distribution

of lands according to set priorities. The first phase would include private agricultural lands under compulsory acquisition, which comprised 1 million ha or one-third of the scope of CARPER. Accomplishment rate for these lands was at a low of 19%, as of June 2010 (DAR, 2010).

The Department of Agrarian Reform (DAR) also cited an 83% accomplishment rate for the total scope of LAD, or in absolute terms, 4.2 million ha with 2.4 million beneficiaries. But the figure of 83% is pegged lower by CSOs. The rate of accomplishment is pushed by excess in the distribution of non-private agricultural lands, with 134% accomplishment rate and under the Voluntary Land Transfer (VLT) scheme at 247% accomplishment. If

Figure 1. Access to Land Monitoring Framework



accomplishment is recomputed, reflecting “over accomplished” modes as 100%, then total LAD accomplishment is only at 70%.

The Philippines has been identified as a “lease hotspot”, a target of foreign countries seeking agricultural land (12

Table 2. Accomplishment per mode of acquisition, as of June 2010

<i>Type of land/Mode of acquisition</i>	<i>Scope (hectares)*</i>	<i>Share from total scope</i>	<i>Accom. (hectares)</i>	<i>% accom.</i>	<i>Share from total accom.</i>	<i>Recomputed % accom.</i>
Private Agricultural Lands	3,093,251	70%	2,336,127	76%	57%	57%
Operation Land Transfer	616,233	14%	571,989	93%	14%	93%
Government Financing Institutions	243,434	5%	165,399	68%	4%	68%
Voluntary Offer to Sell	437,970	10%	601,817	137%	15%	100%
Compulsory Acquisition	1,507,122	34%	285,100	19%	7%	19%
Voluntary Land Transfer	288,492	7%	711,822	247%	17%	100%
Non-Private Agricultural Lands	1,335,106	30%	1,783,074	134%	43%	100%
Settlements	604,113	14%	746,977	124%	18%	100%
Landed Estates	70,173	2%	81,045	115%	2%	100%
Government Owned Lands	660,817	15%	955,052	145%	23%	100%
Total	4,428,357	100%	4,119,201	93%	100%	70%

As of March 2011, more than a million hectares of land were still for distribution, 62% of which were private agricultural lands that would be acquired through compulsory acquisition. Notably, the locations of these lands are fraught with problems of landholding inequality. About 640,955 agrarian reform beneficiaries have awaited the distribution of these lands.

Threats to security of tenure

Even farmers awarded with land titles have another worry: security of tenure. Farmland grabbing is a present threat, based on growing documentation. It is defined as the act undertaken by local and foreign entities of leasing farmlands for food security investment. The World Bank has a report on this “global land rush.”¹

cases surfaced from a news search). Local entities as well have been involved in the practice of leasing (and eventually owning) lands from agrarian reform beneficiaries.

Despite the legal mechanisms in settling agrarian disputes, human rights violations continue to be committed against farmers. There have been at least 2,377 cases according to selected studies by five CSOs. Consolidated and official data are not available to validate the numbers but nonetheless, the Commission on Human Rights (CHR) emphasizes more vigilance.

The five CSOs with research findings on the 2,377 cases are: Asian Human Rights Commission, Task Force Detainees of the Philippines, Task Force Mapalad, Partnership for Agrarian Reform and Rural Development Services (PARRDS),

¹ World Bank’s “The Global Land Rush: Can it yield sustainable and equitable benefits?”

Table 3. Human rights violation cases related to agrarian reform dispute/conflict (2005-Sept 2010)

Region	Killing (No. of Cases)	No. of People Detained	Harassed (No. of Cases)
CAR	0	0	1
I – Ilocos Region	0	0	1
II - Cagayan Valley	1	0	3
III - Central Luzon	1	*	1
IV – CALABARZON, MIMAROPA	*	*	*
V - Bicol Region	1	0	1
VI - Western Visayas	8	0	7
VII - Central Visayas	*	*	*
VIII - Eastern Visayas	1	1	18
IX - Zamboanga Peninsula	0	0	0
X - Northern Mindanao	2	0	5
XI - Davao Region	1	0	1
XII – SOCCSKSARGEN	1	*	*
XIII – Caraga	0	0	1
TOTAL	16	1	39

* no report

and FIAN International (Food First Information and Action Network).

There are 283 documented cases of harassment due to land conflicts (PARRC, 2008). Of these cases, 41%

had been committed by other farmers out of boundary disputes, conflicts of ownership, and overlapping land titles as an effect of inaccurate subdivisions. About 35% were in conflict with former landowners who resisted surrendering

Table 4. Number of agrarian-related violence, by type

No.	Type	Number of Persons Affected
1	Killing	20
2	Attempted killing/physical injury	107
3	Arrest/detention	131
4	Destruction of property/demolition of home/eviction	638
5	Others (accusations of stealing, violent dispersal, delay in installation)	677
6	Human rights violation not classified	804
	Total	2,377

their lands. A number of farmers were harassed by government officials, rebel groups or insurgents, and the military.

Disputes resolution

There are two mechanisms for dispute resolution, both handled by the Department of Agrarian Reform (DAR):

- The Agrarian Law Implementation (ALI) receives an average of 46,000 cases (94% resolved cases on average)
- The DAR Adjudication Board (DARAB) receives 14,000 cases (96% resolved cases)

From 2000 onwards, the mounting DARAB cases filed can generally be due to the shift in focus of land acquisition to private lands. The percentage of resolved cases is high as is the absolute number of cases. More data is needed to ascertain in whose favor the cases are resolved and why the cases are pending for years. For ALI, judicial and quasi judicial cases, some 7,889 cases are still pending.

Provision of support services

Agrarian reform beneficiaries (ARBs) have become integrated into agrarian reform communities (ARCs), which had grown to

6,317 organizations as of December 2010. ARBs comprise 58% of the total members in ARCs. These ARCs have received meager support for agri- and non-agri enterprises, with only less than 15% of ARB organizations reporting having received benefits (PARRC, 2008).

Positive developments included the formation of marketing linkages among 6,070 organizations for the farmers' products. In addition, farmers benefited from the provision of post-harvest facilities, infrastructure, extension services, and production inputs from the government and donors. But less than one-third of ARBs reported having access to these services (PARRC, 2008). The gap between the accomplishment and reported actual receipt of support services according to ARBs could imply weak targeting of beneficiaries.

B. Pilot Monitoring of Access to Municipal Waters

Tenurial Security: Targets and Accomplishments

The Fisheries Code provides the municipal or city government with jurisdiction over municipal waters. Delineating the boundaries of a municipality's 15-kilometer municipal waters is a prerequisite

Table 5. Number of Cases of Land Conflicts

Sector	Frequency	Percent (n=283)
Other farmers	116	41.0%
Former landowners	99	35.0%
Government officials	27	9.5%
Insurgents/rebel groups	16	5.7%
Others (e.g. relatives, cooperative/association members, other individuals/groups)	16	5.7%
Military	9	3.2%

for the sustainable management of fishery resources, fishery law enforcement, and granting the preferential rights of municipal fishers within the 15-kilometer zone (Section 18). Four national agencies and Local Government Units (LGUs) assist the implementation of activities for delineation, according to their respective expertise.

As of January 2011, 920 coastal municipalities and cities had been identified and mapped with technical descriptions, all of which were furnished to the LGUs for review and proper action. Only one-third of the LGUs eventually certified the technical descriptions or maps, while 69% of the LGUs requested revisions. Only 6% or 55 LGUs have issued local ordinances delineating their municipal waters.

The Fisheries Code likewise provides for the issuance of fishpond lease agreements (FLAs) for public lands that may be declared available for development on a commercial scale. Preference will be given to qualified fishers' cooperatives and small and medium enterprises (SMEs). Reforestation activities were also mandated for riverbanks, bays, streams, and the shore area fronting the dike of the fishpond. About 4,522 FLAs were issued from 1973 until 2010, covering almost 60,000 ha (BFAR, 2011). However, only a single FLA was issued to a fishing organization.

By law, unproductive fishpond developments should be sanctioned with cancellations of their FLA. As of 2010, 11% of total FLA scope (or 6,389 ha) had been cancelled; however, only 36% of the

cancelled FLAs (or 1,443 ha) was reverted back to DENR for reforestation.

Threats to Security of Tenure

The majority of the country's fishers (almost 85%) are municipal fishing peoples who contribute 46% of total fish catch using non-motorized *bancas* (small fishing boats made of wood). But these 1.3 million municipal fishers are given access rights to only 12% of Philippine waters. In an effort to protect their access area, 81 municipalities rejected issuing permits to commercial fishers. However, a considerable number of commercial fishers are not dissuaded by withheld permits, strict guidelines, and even outright prohibitions. 53.1% of the municipalities reported the ongoing conduct of operations among commercial fishers. About 56.8% of respondents claimed that commercial fishers encroached on their municipal waters, and were apprehended by the concerned LGU (PARRC, 2008).

Poaching or fishing by foreign entities in Philippine waters also threatens the security of tenure of fishing communities. Section 87 of the Fisheries Code prohibits these practices but they have persisted. As of 2010, 30 shipping vessels were apprehended (BFAR, 2011); unfortunately, only 18 of them (60%) were levied with administrative/criminal cases.

Support Services Provision

According to BFAR, municipal fisheries production has increased over time from profitable activities, mainly aquaculture,

the biggest contributor in recent years. In 2009, the fisheries sector reached a 2.4% increase in production compared to its 2008 performance. Per subsector, municipal fisheries contribute 26% of total production or 1.347 million metric tons.

In addition, some of the accomplishments cited in the 2009 Annual Report are found in Table 6. The report highlights outputs and not outcomes, for instance, increase in the income of small fisherfolks. There was also no mention of provision of fishers' settlements (as mandated in the Fisheries Code) and basic services, such as health and education services.

Reports from another government agency, the National Statistical Coordination Board (NCSB) confirm that fishing peoples remain among the very poor in the country. Poverty incidence is highest among the fishers sector at almost 50%, or almost half a million poor fishermen. Their entrapment in poverty is guaranteed by the absence of alternate livelihood and access to basic services (PARRC 2008). Only one-fourth of the total respondents in this study (26.1%) had access to only one of all the support services provided by government (i.e. post-harvest facilities, infrastructure, and extension services).

In terms of management, the Fisheries Code mandates the establishment of the Fisheries and Aquatic Resources Management Council (FARMC) at the national level and in all municipalities/cities with municipal waters (Section 69). The FARMC is a recommendatory body composed of representatives from the government, fishing communities, and

NGOs. FARMCs have been organized in 99% of coastal municipalities and cities (BFAR, 2009). In addition, 17 FARMCs were provided assistance on organizing/re-organizing while 1,995 of them have been strengthened. A FARMC monitoring and evaluation system was also developed.

C. Pilot monitoring of access to ancestral domain

Tenurial security: targets and accomplishments

The ancestral land areas of indigenous peoples amount to an estimate of 7.7 million ha, according to the National Commission on Indigenous Peoples (NCIP). As of 2010, the NCIP's Ancestral Domain Office reported 286 applications for the Certificate of Ancestral Domain Title (CADT), of which 156 had already been approved. The approved area represents only 55% of total ancestral domain.

The Indigenous Peoples Rights Act or IPRA outlines the procedures for the identification, delineation, and recognition of ancestral domains. The application process for a Certificate of Ancestral Domain Title (CADT) is long and rigorous. For direct applicants, the average processing time from application to approval of CADTs is 3.4 years (PARRC). The actual awarding of CADTs takes another 6.35 months on average. Holders of CADC who were in the process of converting to CADTs, had already been waiting an average of 4.45 years for their titles to be issued and awarded. For both processes, there seems to be no clear guidelines on how long a CADT approval should take.

Table 6. BFAR Accomplishments, 2009

Activities	Accomplishments	No. of beneficiaries
Fish seed production and distribution	<ul style="list-style-type: none"> • 2 million broodstocks • 206 million fingerlings 	
Distribution of fishing gears/ paraphernalia	<ul style="list-style-type: none"> • Distributed 13,666 fishing gears 	13,040 fisherfolks
Input assistance	<ul style="list-style-type: none"> • 28.3 million fingerlings • 537,000 kg of seaweeds seedlings 	3,550 fisherfolks
Establishment of seaweed nurseries and deep-sea seaweed mariculture	<ul style="list-style-type: none"> • 75 seaweed nurseries established 	13 regions
Maintenance of mariculture parks/zones	<ul style="list-style-type: none"> • 59 mariculture parks/zones established 	13 regions
Maintenance of hatcheries	<ul style="list-style-type: none"> • 30 hatcheries maintained (for bangus, tilapia, other species) 	
Conduct of research activities	<ul style="list-style-type: none"> • 86 research and development projects implemented 	
Market matching and participation to agri-aqua fairs and exhibits	<ul style="list-style-type: none"> • 90 market matching activities • 98 agri-aqua fairs and exhibits 	1,962 individuals and 79 cooperatives
Credit facilitation services	<ul style="list-style-type: none"> • Preparation of feasibility studies and project proposals 	441 individuals and 77 cooperatives
Distribution of post-harvest equipments/machineries	<ul style="list-style-type: none"> • 124 post-harvest equipments 	
Construction/improvement of regional and municipal fish ports	<ul style="list-style-type: none"> • Rehabilitated 26 fish ports 	
Extension support, education, and training services	<ul style="list-style-type: none"> • 1,578 training courses conducted • 52,091 technical assistance (TA) extended 	51,553 training participants and 92,506 TA beneficiaries
Regulatory services	<ul style="list-style-type: none"> • Assisted 498 LGUs in coastal resource management 	
Monitoring, control, and surveillance	<ul style="list-style-type: none"> • Apprehended 2 Taiwanese fishing vessels • BFAR law enforcers conducted 213 field operations/missions and 270 field evaluations • Deputized 1,043 fish wardens 	

Table 6 cont'd.

Gender and development	<ul style="list-style-type: none"> • Economic Empowerment – provision of bangus deboning projects; validation and evaluation of Women’s Organizations; conduct of seaweeds cooking contest and trainings on Aquarium fish. • Gender Responsive Governance – maintained sex-disaggregated data, e.g. beneficiaries of trainings and technical assistance for the livelihood programs conducted by the different regions • Women’s Right – participated to Women’s Month Celebration and conducted IEC campaign on the Convention on the elimination of all forms of discrimination against women. 	
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Upon the enactment of IPRA, NCIP adopted the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) as the document for IP communities. As of 2010, only 89 ADSDPPs had been formulated. This is only 57% of the total number of CADT holders, who should have formulated their ADSDPPs. Lack of funding needed for the ADSDPP formulation process is one of the identified problems.

Threats to Security of Tenure

The ancestral domains of indigenous peoples are rich in biodiversity and mineral resources, and declared protected areas by the Department of Environment and Natural Resources (DENR). Intrusions are numerous despite the protection status: 141 mining operations/ explorations, 21 dams/hydro-power plants, and 22 forest management agreements or FMAs (NCIP report). Certificates on free and prior

informed consent (FPIC) compliance have given the go signal on area development and agreements made regarding IPs’ substantial share and benefits. 312 FPIC compliance certificates have been issued, covering almost half a million hectares of ancestral domain/land.

Other cases are riddled with more conflict—extractive activities oblivious to the consent of IPs and overlapping with ancestral domains, and flawed or defective implementation of the process of FPIC. In the PARRC study, half of the respondents (50.9% or 55 respondents) affirmed that their communities are unwilling hosts to extractive activities and/or that their ancestral domains are used by other sectors for other purposes and special interests. Among 55 responses, 78.2% are identified extractive activities, majority of which are conducted without FPIC or against the IP communities’ will.

Support Services Provision

Table 7. Summary Table of Findings per Sector

Themes	Agrarian lands	Municipal waters	Ancestral domain
Tenurial security: Targets and Accomplishments	<ul style="list-style-type: none"> • 83% of total scope for Land Acquisition and Distribution accomplished. • But almost 1 million ha remained for distribution to 640,955 beneficiaries 	<ul style="list-style-type: none"> • 920 coastal municipalities and cities identified and maps turned over to LGUs. • Only 6% or 55 coastal municipalities delineated their municipal waters. • 4,522 FLAs (60,000 ha) had been issued from 1973-2010; only one FLA issued to a fishing peoples' organization. 	<ul style="list-style-type: none"> • Of estimated 7.7 million ha of ancestral domain, only 55% were awarded with titles. • Only 89 ADSDPPs (2010), or 57% of the total number of CADT holders, who should have formulated their ADSDPPs.
Threats to security of tenure	<ul style="list-style-type: none"> • Farmland grab is being documented (12 news reports) in the country—a "lease hotspot." • Human rights violations: 2,377 cases of agrarian-related violence were documented. 	<ul style="list-style-type: none"> • Access rights of fishers apply to only 12% of Philippine waters. • 56.8% of survey respondents claimed that commercial fishers encroached on their municipal waters. • Of 30 shipping vessels apprehended, only 18 (60%) were filed with administrative/criminal cases. 	<ul style="list-style-type: none"> • Numerous cases of conflict caused by overlapping claims, operation of extractive activities without the IPs consent, and flawed or defective implementation of the FPIC process (141 mining operation/ explorations, 21 dams/hydro-power plants and 22 IFMAs within the ancestral domain).
Support services provision; Participation and management	<ul style="list-style-type: none"> • 6,317 organizations formed within the ARCs (834,492 membership) • Marketing assistance, rural infrastructure provided. • Only 58% of the total members in ARCs are ARBs. 	<ul style="list-style-type: none"> • Lack of settlements for fishing communities; 17 FARMCs were provided assistance • Outputs have not translated to outcomes, i.e. reduced poverty incidence and fulfilled basic services for almost 50%, or almost half a million poor fishing peoples. 	<ul style="list-style-type: none"> • Programs for education received the highest budget allocation. • In 7 out of the 20 poorest provinces, IPs comprise more than half of the population.

Development services for IPs as provided by the NCIP include: 1) social and cultural support services, 2) leadership capability and skills training services, 3) assistance for ADSDPP implementation, and 4) Certification Precondition for FBI and Certificate of Compliance for FPIC. Health projects, educational assistance, livelihood projects, and basic services are included under the first package of services, however, detailed performance indicators are lacking with regard to the specific services delivered (for instance, infrastructure, potable water system, medicine and maternal health care, etc.).

The NCIP provided a budget performance report for programs on education, culture, and health implemented in 2010. Education received the highest budget allocation.

Almost three-fourths (74.1%) of the respondents covered by the PARRC study have access to support services involving infrastructure and extension services most of which are provided by government (92.5%). However, worsening circumstances and living conditions among IPs belie the accomplishments of supposed support distributions. An increase in poverty incidence in IP regions had been reported by ADB (2002). Insufficient supply of food and potable water, alternative livelihood, and lack of medical and educational assistance are among the most urgent problems (Chauhan, 2005; ADB, 2002). In a later study (2006), it was found that IPs remained highly disadvantaged—among the top 20 poorest provinces in the country, 7 had populations comprised in the majority by IPs (more than 50%).

Based on the findings and analyses, several observations were made:

- The continuing delays (“backlogs”) block the issuance of tenurial instruments for many farmers, fishing peoples, and indigenous peoples.
- Threats to tenurial security likewise persist across sectors, aggravated by weak monitoring mechanisms or processes within the implementing agencies, unclear guidelines, and overlapping policies.
- Support services provided by government need to be strengthened and strategically distributed for efficient targeting of beneficiaries.
- Finally, data gathering processes pose a serious challenge for implementation, monitoring, and evaluation. Official data are difficult to come by, with the government not generating needed data. CSO studies enter the picture as alternative data sources. Therefore, CSOs are pressed to build capacity for gathering and managing data critical for land monitoring.

Recommendations

The identified issues of tenurial security, lack of support services for beneficiaries, and the lack of committed participation and effective management of services involving local governments and civil society demand urgent address. The following are policy and program recommendations:

- To meet the goals for tenurial security, the distribution of tenurial instruments must be expedited. Clear implementing guidelines on tenurial

security processes are needed, as well as harmonized policies on land and water use.

- Threats to security of tenure can be addressed by strengthening the monitoring and regulating mechanisms to ensure that the gains on asset reform are not reversed (national and local). Laws regulating extractive activities need to be strictly implemented, ensuring that penalties and sanctions for violators are served.
- Support services for beneficiaries entail the improvement of their productivity through investment promotions in infrastructure, credit, and social capital. As programs and projects are planned and implemented, the focus on delivery of outputs should be tied with the achievement of long-term outcomes (poverty alleviation, security of tenure, economically sustainable beneficiaries, accessibility of basic services, etc.). Likewise, in program development, an efficient mechanism or process for targeting of beneficiaries should be developed to ensure that scarce resources benefit more people. Given the capabilities of civil society organizations (CSOs) to deliver various support services, increasing partnerships with them should be pursued.
- Promote transparency, accountability, and participation of CSOs in the asset reform process (planning, budgeting, implementation, monitoring, and evaluation). With government agencies and LGUs, there should be established forms of cooperation and coordination.

References

- Asian NGO Coalition. Securing the Right to Land: A CSO Overview to Land in Asia. 2009.
- Balisacan, A. Agrarian Reform and Poverty Reduction in the Philippines. Southeast Asian Regional Center for Graduate Study and Research in Agriculture (SEARCA). Policy Dialogue on Agrarian Reform Issues in Rural Development and Poverty Alleviation, Traders Hotel, Manila. 2007.
- Ballesteros, M. The Cost of Redistributive Land Reform in the Philippines: Assessment of PD 27 and RA 6657 (CARL). Philippine Institute for Development Studies Discussion Paper Series No. 2010-09. 2010.
- Bending, T. Monitoring Secure Access to Land: Progress and Prospects. Land Monitoring Handbook. International Land Coalition. 2010.
- Department of Budget and Management. Book of Outputs of Departments/Agencies: Organizational Performance Indicators Framework of DAR, BFAR and NCIP. 2011
- Braun, J. and Dick, R. "Land Grabbing" by Foreign Investors in Developing Countries: Risks and Opportunities. International Food Policy Research Institute Policy Brief 13. 2009.
- Bureau of Fisheries and Aquatic Resources. Annual Report. 2009.
- Daniel, S., et al. (Mis)investment in Agriculture: The Role of the International Finance Corporation in Global Land Grabs. The Oakland Institute. 2010.
- Daniel, S., et al. The Great Land Grab: Rush for World's Farmland Threatens Food Security for the Poor. The Oakland Institute. 2009.

- Dela Cruz, J. The New Conquistadores And One Very Willing Colony: A Discussion on Global Land Grabbing and the Philippine Experience. Peoples Campaign for Agrarian Reform (AR Now!). 2010.
- Department of Agrarian Reform. Accomplishment Report. 2010.
- Department of Agrarian Reform. Rules and Procedures of DARAB and ALL. Bureau of Agrarian Reform Information and Education (BARIE) and Communications Development Division (CDD). 2008.
- International Fact-Finding Mission on Agrarian Reform Related Violations of Human Rights in the Philippines. Running amok: Landlord lawlessness and Impunity in the Philippines. 2006.
- Jha, P., et al. Land Reform Experiences: Some Lessons from Across the Globe. Ekta Parishad, India. 2007.
- Laksa, K. and El-Mikawy, N. Reflections on Land Tenure Security Indicators. Discussion Paper 11. UNDP Oslo Governance Centre. 2009.
- Land Watch Asia. Philippine Country Paper. 2008.
- Leonen, M. CARP Institutional Assessment in a Post-2008 Transition Scenario: Reforms for the Agrarian Justice System. Philippine Institute for Development Studies Discussion Paper Series No. 2008-10.2008.
- National Commission on Indigenous Peoples. Annual Report. 2009.
- National Commission on Indigenous Peoples. Indigenous Peoples Masterplan (IPMAP). 2011
- National Statistics Office. Census of Agriculture and Fisheries. 2002.
- Pangandaman, N. Philippine Agrarian Reform: Partnerships for Social Justice, Rural Growth, and Sustainable Development. Country paper presented in the International Conference on Agrarian Reform and Rural Development, Brazil. 2006.
- Philippine Alliance of Human Rights Advocates (PAHRA), et al. Land, Life and Justice: The Challenge of Agrarian Reform in the Philippines. An NGO Report on Agrarian Reform and Human Rights Situation. 2006.
- Philippine Human Rights Information Center (PhilRights). Philippine NGO Network Report on the Implementation of the International Covenant on Economic, Social, and Cultural Rights (ICESCR). 2008.
- Philippine Partnership for the Development of Human Resources in Rural Areas. Philippine Asset Reform Report Card (PARRC). 2008.
- Task Force Mapalad. Cases of Agrarian Related Violence in TFM Landholdings. 2006.
- Virola, R. 2009 Official Poverty Statistics. Presentation for the National Statistical Coordination Board. February 2011.
- World Bank. Land Reform, Rural Development, and Poverty Reduction in the Philippines: Revisiting the Agenda. 2009.
- World Organization Against Torture. Preventing Torture and other Cruel, Inhuman and Degrading Treatment in the Philippines by Acting on their Economic, Social and Cultural Root Causes: An alternative report to the Committee Against Torture. 2009.