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KAI SAHAN

# Linking Land Tenure and Climate Change: The Case of Haiyan in Eastern Samar, Philippines





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Founded in 1979, ANGOC is a regional association of national and regional networks of non-government organizations (NGOs) in Asia actively engaged in food security, agrarian reform, sustainable agriculture, participatory governance, and rural development. ANGOC network members and partners work in 14 Asian countries with an effective reach of some 3,000 NGOs and community-based organizations (CBOs). ANGOC actively engages in joint field programs and policy debates with national governments, intergovernmental organizations (IGOs), and international financial institutions (IFIs).

ANGOC is the convener of the Land Watch Asia (LWA) campaign. ANGOC is also a member of the International Land Coalition (ILC) and the Global Land Tool Network (GLTN).

Kaisahan is a social development organization promoting a sustainable and humane society through the empowerment of marginalized groups in rural areas, especially among farmers and farmworkers, to undertake their own development, participate fully in democratic processes and demand their rightful share in the stewardship of the land and the fruits of their labor.

Kaisahan is committed to help accelerate the agrarian reform program's implementation and facilitate beneficiaries' participation in all aspects and stages of agrarian reform and rural development including democratic participation in governance.

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# Linking Tenure and Climate Change: The Case of Haiyan in Eastern Samar, Philippines<sup>1,2</sup>

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The views presented in this document do not necessarily reflect those of FAO.

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## Acronyms

<b>AO</b>	Administrative Order
<b>ARBs</b>	agrarian reform beneficiaries
<b>BFAR</b>	Bureau of Fisheries and Aquatic Resources
<b>CARP</b>	Comprehensive Agrarian Reform Program
<b>CLOA</b>	Certificate of Land Ownership Award
<b>CLUP</b>	Comprehensive Land Use Plan
<b>CSA</b>	Core Shelter Assistance
<b>DA</b>	Department of Agriculture
<b>DAR</b>	Department Agrarian Reform
<b>DENR</b>	Department of Environment and Natural Resources
<b>DSWD</b>	Department of Social Welfare and Development
<b>FAO</b>	Food and Agriculture Organization of the United Nations
<b>FGD</b>	focus group discussion
<b>FLA</b>	Foreshore Lease Agreement
<b>KII</b>	key informant interview
<b>LGU</b>	local government unit
<b>MSA</b>	Modified Shelter Assistance
<b>NHA</b>	National Housing Authority
<b>NLUA</b>	National Land Use and Management Act
<b>PARC</b>	Presidential Agrarian Reform Council
<b>RA</b>	Republic Act
<b>VGGT</b>	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security



# Linking Tenure and Climate Change: The Case of Haiyan in Eastern Samar, Philippines

## Introduction and Background

Land tenure systems provide the basis for members of society to access land and natural resources (FAO, 2003). Land tenure and its linkages to issues of climate change are multiple, complex, and indirect. Although no direct link has been established between climate change and land tenure, direct impacts of climate change are felt through changes in natural ecosystems, land capability, and land use systems. As a result, extreme pressure on land prevails whether it is intended for human settlement or productive use (Quan and Dyer, 2008). Pressure on land coupled with the onslaught of disasters directly affects the marginalized sectors. The State should address the issues of land tenure and climate change by providing mitigation and adaptation measures where improvements in and strengthening of land tenure management, disaster risk reduction, and access to land and water resources are included and prioritized.

The direct impacts of climate change on human land use systems and land occupation could potentially have a range of impacts on land access and tenure, with both direct and indirect negative repercussions on human livelihoods, welfare, and prosperity. Yet despite the wide publicity given to climate change, there is still very limited understanding of the relationships between the impacts

of climate change, social and policy responses, and land tenure (Quan and Dyer, 2008). There is a need to conduct scoping studies to partially address this knowledge gap and thereby build a basis for sound policy making.

An international instrument, *the Voluntary Guidelines on Responsible Governance of Tenure (VGGT)* principles mentioned the linkage of tenurial rights to climate change and natural disasters. A scoping legislation paper of Philippine laws in the context of VGGT framework on climate change and disaster highlights the gaps in policies pertaining to tenure and climate change in the Philippine setting.<sup>4</sup>

In the Philippines, the government has passed and implement laws governing tenurial rights as well as managing disaster risk reduction and climate change. Some of these laws are intended to cater to the different marginalized sectors and supposedly prevent and solve issues of the changing climate and disasters:

- ❖ Comprehensive Agrarian Reform Program
- ❖ Philippine Fisheries Code
- ❖ Local Government Code
- ❖ Revised Forestry Code
- ❖ Urban Development Housing Act
- ❖ Climate Change Act
- ❖ Philippine Risk Reduction and Management Act

Tenurial security is important not only because it provides the right to access land and natural resources for livelihood opportunities, it also serves as a mechanism to conserve land and natural resources as well as sound investment on agricultural productivity (FAO, 2003). Thus, tenurial security is important factor in attaining food security especially in an agricultural country like the Philippines. Unfortunately, marginalized farmers who belong to the poorest of the poor and who continuously work on agriculture have a lack of or limited access to tenurial security instruments available in the country. This is also the case for artisanal fisherfolk who also contribute to the food security goals of the country and are also among the poorest sectors in the Philippines. Ironically, the lack of secure access to land is closely linked to poverty, especially in the rural areas.

The Philippines is vulnerable to climate change and disasters, being located in the Pacific Ring of Fire. In 8 November 2013, the effect of the changing climate was experienced first-hand by the marginalized sectors who lack security of tenure when Typhoon Haiyan (local name Yolanda) wreaked havoc in the Philippines. Typhoon Haiyan, the most destructive of all typhoons that ever hit the Philippines, not only claimed lives and destroyed properties, it subsequently demolished the livelihoods of communities, especially of the marginalized poor. The Visayas Region was the center of the onslaught, and the Eastern Samar Province suffered the most from the impacts of Haiyan.

The aftermath of calamities and disasters often create opportunities for land

speculation and land grabbing due to the displacement of communities and relocation programs. These opportunities can either go positively or negatively depending on State's disaster response and policy interventions. Proper land use planning is crucial after calamities and disasters, for it not only provides for new safe settlements and land opportunity access, but it also reduces the risk of future displacement of vulnerable communities.

With the country's vulnerability to climate change and disasters and the lessons learned from Typhoon Haiyan, the State should prioritize the passing of legislations improving measures to combat the effect of climate change and to secure tenure. It must also adapt a framework which links land tenure security and disasters, to ensure the protection of tenurial rights in the face of natural and man-made hazards.

This case study focuses on the experiences of vulnerable sectors and communities directly affected by Typhoon Haiyan in Eastern Samar, highlighting the communities' tenurial statuses before and after Haiyan. This case study will summarize key areas of concerns and provide recommendations for future policy reforms and program implementation, with the intention of increasing the protection of the tenurial security of vulnerable communities and improving disaster preparedness.

## Objectives of the Study

- To determine and highlight the linkages between tenure rights, climate change,

and disasters by looking into the experiences of communities affected by Typhoon Haiyan in Eastern Samar; and,

- To provide recommendations on how tenurial rights can be strengthened and incorporated in the local, provincial, and regional plans in light of the changing climate and occurrence of natural disasters.

## Methodology

The general approach of the research was divided into three stages namely, the preparation, actual data collection, and the data processing and reporting.

The study used qualitative data from primary sources composed of local government units (LGUs) represented by respective Municipal Planning and Development Officers (MPDOs) and Municipal Disaster Risk Reduction and Management Officers (MDRRMOs) of the Guiuan and Quinapondan municipalities in Eastern Samar; executive agencies—the Department of Agrarian Reform (DAR), Department of Environment and Natural Resources (DENR), Office of the Civil Defense (OCD), Bureau of Fisheries and Aquatic Resources (BFAR), Philippine Atmospheric Geophysical Astronomical Services Administration (PAGASA); civil society organizations (CSOs); and peoples' organizations (POs) from municipalities of Guiuan and Quinapondan.

### Data Collection

The data collection process focused on the four key activities: review of related

literature and case documentation, a focus group discussion (FGD), key informant interviews (KIIs), and the provincial consultation.

For this study, post-Haiyan case documentations were examined for fact checking, information verification, and data updating purposes. Key informants were personally interviewed to provide information on the situation of Eastern Samar communities post-Haiyan, as well as on the interventions conducted by the State, the LGUs, and the communities.

The KIIs highlight post-Haiyan issues and concerns experienced by the respondents. For the FGD, selected representatives of farmers and fisherfolk POs were invited to discuss their experiences during and after Haiyan; their tenurial security rights before and after the typhoon; relief or rehabilitation programs and projects which they are beneficiaries of; their issues and concerns, and recommendations on how the tenurial security of farmers and fisherfolks in communities vulnerable to disasters may be improved.

Data collection tools were designed for each activity to guide conduct of the case study.

### Participants and Sampling

Purposive sampling was used to collect qualitative data from primary sources. All of the respondents and participants were identified during the planning and preparatory works of the Kaisahan staff. The target respondents were those found to be living in areas that were either directly affected by Typhoon Haiyan or direct



recipients of post-disaster interventions. Respondents of this case study are as follows:

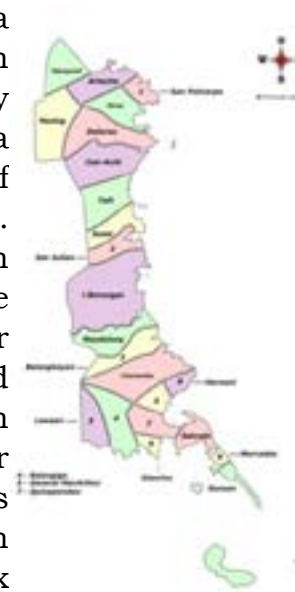
- Quinapondan Farmers and Fisherfolk Development Association
- San Pedro Irrigators' Services Association
- Tinago Farmers Association
- Converse Seaweed Farmers Association
- Barbo Farmers and Fisheries Association
- Taytay Abante Kababaen-han Association
- Barbo Agri Producers Association
- Barbo Farmers Fishermen Association
- Hook and Line Fisherfolks Association
- Multi-sectoral Environmental Law Enforcement Task Force
- Oxfam Philippines

In total, there are eleven (11) POs and CSOs organizations and seven (7) different government agencies were involved and participated in the preparation of the case study.

## Focus Area of Study

Situated in the Eastern Visayas Region (Region VIII), Eastern Samar Province is comprised of 22 municipalities and one city, with 597 barangays, and with a total population of 428,877. It has a total land area of 466,047 square kilometers, with population density of 92 people per square kilometer (International Organization for Migration, 2014). In 2012 poverty incidence report, Eastern Samar recorded 63.79 percent poverty incidence in its 12 municipalities (NEDA, 2014).

Eastern Samar is a climate hotspot area in terms of vulnerability to disasters and sea level rise as a result of the changing climate. Evidently, Typhoon Haiyan, one of the strongest storms ever recorded with a wind speed of more than 300 kilometers per hour and storm surges over four meters high made its first of six landfalls in Guiuan, Eastern Samar on 8 November 2013 (National Economic and Development Authority, 2013). Eastern Samar even registered the highest predicted storm surge and tide height at 5.3 meters for Matarinao Bay which covers several towns of Eastern Samar, particularly the towns of Salcedo, Quinapondan, General MacArthur, and Hernani (Lagmay, et. al., 2014).



Eastern Samar has an exposed coast characterized by large fetch and steep offshore bathymetry. Because of this, municipalities in Eastern Samar during Haiyan experienced the typhoon's maximum wind speed with highest model predicted waves of up to 19 meters, fortunately with limited wind-driven surge (May, et. al., 2015).

Historical records show that Eastern Samar has been heavily impacted by severe typhoons, with coastal north areas less frequently affected. While other typhoons similar to Haiyan occurred on 12-13 October 1897, 24-25 November 1912,

and 4 November 1984 (Typhoon Undang/ Agnes), Typhoon Haiyan is believed to be the strongest (May, et. al., 2015). Although experts project that another typhoon with Haiyan-like intensity may only come again after a century, communities in the municipalities of Guiuan and Quinapondan are still vulnerable to future calamities.

Reports of the National Disaster Risk Reduction and Management Council (NDRRMC) in 2014 highlighted the extent of population displacement caused by Haiyan. Eastern Visayas recorded that 850,080 families and more than 4.2 million persons affected (NEDA, 2014). Subsequent reports by the United Nations Office for the Coordination of Humanitarian Affairs in 2014 showed that in Eastern Samar, out of the 448 affected barangays, 312,553 individuals were affected by Typhoon Haiyan. The estimated damage to agriculture (main livelihood) reached Php 2,055,728,850.

## Summary and Discussion of Results

### Security of land tenure

Security of land tenure became a more pressing issue after Typhoon Haiyan wreaked havoc and destroyed farmer's agricultural produce and livelihood in the area. Prior to Haiyan, agriculture and fishing are the two main livelihood activities in Eastern Samar. Farmers' main produce are coconut, rice, and other cash crops such as cassava. Many of the

farmers are also artisanal fisherfolks who spend a few days in the sea to catch few kilos of marine produce. Farmers in Quinapondan are *mananahon* or lessees on coconut plantations, most of which have only verbal lease arrangements with landowners.

Fisherfolk on the other hand, live near foreshore areas with no formal tenurial arrangements nor any formal land titles. Others without land titles possesses tax declaration as proof of ownership of lands. The aftermath of Haiyan brought many issues and concerns on land tenure security in Eastern Samar. The following cases are identified by the respondents during consultations:

***Eviction of farmer-tenants after Haiyan.*** Tenants were evicted by landowners for the reasons that they were unable to pay their shares of lease rentals after Haiyan, as the produce harvested were damaged by the typhoon. Many of the eviction cases happened in coconut plantations.

***Selling produce without informing the tenants.*** Some landlords harvested fallen coconut trees and sold them as lumber without giving the tenants a share of the proceeds. Farmers were unable to demand their rights because they did not know their rights as *mananahon* in the first place.

***Sale of lands without the knowledge of tenants.*** Prior to Haiyan, the Department of Agrarian Reform (DAR) issued Administrative Order No. 2, series of 2006 (DAR AO 2-2006), Revised Rules and Procedures Governing Leasehold Implementation in Tenanted Agricultural

Lands. This AO specifies the rights and obligations of landowners and tenants under leasehold arrangements. However, some farmers are still unaware of the provisions of this existing agrarian policy relevant to the protection of their tenure rights in the events mentioned above. For examples, DAR AO 2-06 VI-A paragraphs 8 and 9 provide the tenant “preferential right to buy the agricultural landholding under reasonable terms and conditions in case the agricultural lessor decides to sell” and the “right to redeem landholdings at a reasonable price and consideration in case the agricultural lessor sold the same to a third person without the agricultural lessee’s knowledge pursuant to Section 12 of RA 3844.”

In response to other eviction cases that arose after Haiyan, DAR issued AO No. 2, series of 2014 (DAR AO 2-2014), Rules and Regulations on Leasehold Operations in Tenanted Coconut Lands Affected by Fortuitous Events, Natural Disasters or Calamities. DAR AO 2-2014 Section 3-A explicitly states that “no tenant-lessee shall be ejected, dispossessed or removed from his/her farm holding due to non-payment of lease rentals as a result of a fortuitous event.” In addition, Section 3-B of DARAO 2-2014 allows the re-negotiation of new leasehold arrangements.

In cases where a landowner sold the damaged coconut trees without informing the tenant, DAR AO 2-2014 Section 3 specifies that “net proceeds of the cut coconut trees, after deducting the cost of cutting and hauling, which shall be reimbursed to the party who shoulders the expenses, shall likewise be divided between the tenant-lessee and the

landowner-lessor in a manner agreed by them, provided that in no case may the share of the tenant-lessee be less than seventy five percent (75%) of the net proceeds.”

### **Displacement of Fisherfolk Communities.**

As mentioned, fisherfolk communities do not have formal land titles even before Typhoon Haiyan, thus, fisherfolk communities living near coastal areas became the most vulnerable to displacement and relocation. With the absence of a land ownership title, they were taken advantage of when they were temporarily relocated. Other people claimed the land they previously occupied and subsequently applied for a Foreshore Lease Agreement (FLA) under the Department of Environment and Natural Resources (DENR).

Artisanal fisherfolk and their families need to maintain living near the coastal areas because these are their sources of livelihood. Fisherfolk are entitled not just access to fishing grounds, they are also entitled to be provided with settlements near fishing areas, pursuant to Republic Act 8550 (RA 8850) or the Philippine Fisheries Code of 1988.

### **Limited Safe Lands for Relocation**

Until now, resettlement and relocation is still ongoing in affected municipalities in Eastern Samar since there are limited available public lands. Moreover, in Quinapondan, Eastern Samar, the LGU cannot afford or is in need of funding to acquire private lands for relocation programs. During the consultation, it

was also reported that there was a case filed by DAR against the National Housing Authority (NHA) for illegally converting lands covered by the Comprehensive Agrarian Reform Program (CARP) into residential lands for resettlement purposes.

DAR also issued AO 9 series of 2014, Special Rules on Application for Land Use Conversion Necessary for the Construction of Resettlement Areas for those Affected by Typhoon Yolanda. DAR AO 9-2014 aims to expedite the process of housing and resettlement by streamlining the process of application for land use conversion. DAR issued an extension to AO 9-2014 by issuing AO, 2 series of 2017. However, territorial application shall only apply in Regions VII and VIII.

In Guiuan, Eastern Samar, the communities questioned the database and target beneficiaries of the LGU's resettlement program. Communities claimed that beneficiaries of housing projects were not original residents of their municipalities, but rather, were residents of Surigao, Mindanao, who were displaced to Guiuan after Haiyan. Currently, according to the LGU, the one housing project with 1,000 units has been occupied. As of this moment, there are still ongoing construction and relocation activities in Guiuan.

In Quinapondan, the communities claimed that the location of the resettlement project by the government is too far from their livelihood and work places and that the project lacks basic social services such as water supply, electricity, road access, etc. Communities also questioned whether

housing units were built in accordance with engineering standards to be able to withstand another super typhoon like Haiyan.

Another issue raised regarding relocation was that some of the beneficiaries of housing projects returned to their original residence, rebuilt their houses, and leased out their housing units to other occupants.

As part of post-Haiyan recovery and rehabilitation effort, the Department of Social Welfare and Development (DSWD) issued the Omnibus Guidelines on Shelter Assistance, complementing the Core Shelter Assistance (CSA) and Modified Shelter Assistance (MSA) programs. The Guidelines established the eligibility criteria of potential beneficiaries based on social status. Concerns were raised regarding the Guidelines' potential to exclude informal settlers and lessees, since one criteria for being a shelter assistance beneficiary is a guarantee of land ownership or long-term land occupation of at least 10 years. In effect, only a few have qualified for this particular program.

This highlights the importance of establishing land tenure security arrangements before disaster events and the inclusion of a tenure framework in post-disaster shelter programs and policies.

### **No Build Zone Policy**

Unclear and changing guidelines and pronouncements over 'no build zones' have

left unsolved questions and confusion not only among members of communities, but also among LGUs and implementing agencies. The extent of the ‘no-build zone’ is still unclear, and the requirements for implementation of the ‘no-build zones’ or ‘no-dwelling zones’ do not always apply especially in Eastern Samar where municipalities are categorized as ‘coastal’ in nature.

## Land Use Planning

LGUs in Eastern Samar have outdated Comprehensive Land Use Plans (CLUPs) which need to be updated following *the ridge to reef approach* and ensuring the security of land tenure of vulnerable communities. A national land use policy is also needed to guide the LGUs in updating their CLUPs, with agencies and basic sectors participating in land use planning activities. Provisions of the pending National Land Use and Management Act (NLUA) in Congress will ensure coherence and complementarity among land use plans of adjacent local governments, and will integrate disaster risk reduction measures in long-term local land use, while making subsequent investment and development plans risk-sensitive.

Land use planning reduces the risk of future displacement or evictions of vulnerable communities. The relationship between land use change and climate change had been examined almost twenty years ago in a study published by the Ecological Society of America. Dale (1997) corroborated that land use and land use changes affect climate change, while the

latter manifests its effects on the former. Specifically she wrote, *“As a causal factor, land use influences the flux of mass and energy, and as land-cover patterns change, these fluxes are altered. Projected climate alterations will produce changes in land-cover patterns at a variety of temporal and spatial scales, although human uses of the land are expected to override many effects.”*

Moreover, effective land use planning which recognizes and protects land tenure security provides for a mechanism against eviction, displacement, and land grabbing.

Experiences and issues arising from Typhoon Haiyan indicated a strong linkage between climate change and tenure security. Experiences and lessons learned from extreme climate change events such as Haiyan can be a mechanism and tool for the State in passing or amending legislations improving tenure security amid climate change, updating land use planning framework, program and projects creations, and disaster response in the context of future extreme climate events in the Philippines.

## Recommendations

### For the Department of Agrarian Reform

- Issue a memorandum order requiring all Municipal Agrarian Reform Offices (MAROs) to re-post in every barangay under their jurisdiction the list of Certificates of Land Ownership Awards (CLOAs) generated by their



office, together with the names of their respective beneficiaries.

- Include in the Key Result Areas (KRAs) of MAROs/Provincial Agrarian Reform Offices (PAROs) not only the generation of CLOAs but also the distribution of said CLOAs and the installation of agrarian reform beneficiaries (ARBs) in the awarded lands.
- Conduct or institutionalize Presidential Agrarian Reform Council (PARC)-initiated audits of MAROs and PAROs to verify if CLOAs have been distributed to the agrarian reform beneficiaries.
- Conduct continuous information drives on agrarian reform laws, and to educate ARBs and tenants regarding their lawful rights, especially those specified by recent administrative orders.
- Include leasehold among those to be audited by the above proposed PARC-initiated audits.
- Prioritize leasehold implementation by declaring it as one of its KRAs and by declaring annual targets for landholdings to be covered under leasehold arrangements/contracts.
- Prioritize the establishment and maintenance of the “annually updated crop-based inventory of all tenanted landholdings” mandated under Section IX of DARAO No. 2-2006. This will allow for the national and local DAR offices to systematically target landholdings for leasehold coverage. This should also include the mandatory registration of

leasehold contracts with the Municipal Treasurer as provided under Section VII-B, paragraph 1.3 of DAR AO No. 2-2006.

- To address the capability of tenants to purchase the lands they till, Congress or the DAR should enact laws or programs that would provide tenants with financial support (i.e., special funds, low interest loans, etc.) to enable them to purchase the lands they are tilling.

## For Local Government Units

- Resettlement of vulnerable sectors such as the fisherfolk into safe lands should be consistent with measures improving security of land tenure.
- Resettlement and housing projects of the government should include not just building housing units, but providing for basic social services, and should be near the communities’ livelihood and work places. LGUs, in coordination with NHA, or any other supporting partners, should ensure that housing units are built following structurally sound standards that can withstand the adverse impacts of disasters and calamities.
- Update CLUPs following the framework of the National Land Use and Management Act pending in Congress.
- Involve basic sectors in land use planning activities.

## For National Government Agencies

- For the national agencies to adapt the VGGT principles in policy formulation that addresses tenure rights of vulnerable communities affected by climate change. Reviews of policies on risk reduction prevention measures, disaster responses, and recovery and rebuilding efforts for communities affected by Typhoon Haiyan are urgently sought. Lesson from Haiyan highlights the need for updating and creation of policies that are holistic and pre-emptive, ensuring security of tenure for people and communities in – i.e., building resiliency to climate change, reducing risks, responding when disaster events occur, and ensuring recovery and rebuilding efforts.
- Mainstream the VGGT within the various agencies.
- Include tenure issues in the crafting and updating of national plans including the National Framework Strategy and Program on Climate Change, the National Climate Change Action Plan, Philippine Development Plans (PDP), and the National Framework for Physical Planning (NFPP).■

## Endnotes

- <sup>1</sup> Alvarez, K. (2017). *Linking Tenure and Climate Change: The Case of Haiyan in Eastern Samar, Philippines*. Quezon City: Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC).
- <sup>2</sup> This case was validated and finalized based on discussions during the multi-stakeholder provincial consultation held in Tacloban, Eastern Samar on 28 September 2017. Inputs for preparing the draft were generated during focus group discussions (FGDs) conducted in Guiuan, Eastern Samar on 14 June 2017.
- <sup>3</sup> The views presented in this document do not necessarily reflect those of FAO.
- <sup>4</sup> See *Scoping of Legislations on Climate Change and Natural Disasters vis-à-vis Tenure Quezon* (La Viña and Tan, 2017)

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# Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)

The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) promote secure tenure rights and equitable access to land, fisheries and forests as a means of eradicating hunger and poverty, supporting sustainable development and enhancing the environment. This work builds on and supports the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Voluntary Guidelines on the Right to Food), which were adopted by the FAO Council at its 127<sup>th</sup> Session in November 2004, and the 2006 International Conference on Agrarian Reform and Rural Development (ICARRD).

The VGGT were endorsed by the Committee on World Food Security (CFS) in May 2012. The Guidelines were developed through a broad global partnership of international, regional and national organizations of different types that work together to achieve global changes in governance of tenure. The development followed an inclusive process involving a series of consultations and negotiations.

The VGGT provide a framework that States can use when developing their own strategies, policies, legislation, programs and activities. They allow governments, civil society, the private sector and citizens to judge whether their proposed actions and the actions of others constitute acceptable practices.

The VGGT have 169 provisions, covering 23 topics encompassing five major themes: (1) General Matters (Principles); (2) Legal Recognition and Allocation of Tenure Rights; (3) Transfers and Changes to Tenure; (4) Administration of Tenure; and, (5) Responses to Climate Change and Disasters.

The VGGT is one of the very few international documents that directly addresses the protection of tenurial rights in the event of climate change and disasters. It urges States to consider tenure aspects of land, fisheries and forests in preventing, preparing for, and responding to disasters, as well as in reconstructing and rehabilitating after the occurrence of disasters. The directly relevant provisions are Section 23 on *Responses to Climate Change*, and Section 24 on *Responses to Natural Disasters*. In addition, Sections 7 to 10 provide for the *legal recognition and allocation of tenure rights and duties*. Section 10 on *informal tenure* is also particularly important, as those without legally-recognized tenure are often most at risk on the impacts of climate change.

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**T**his study documents the experiences of small-scale farmers and fisherfolk in Eastern Samar in the aftermath of Typhoon Haiyan (Yolanda), thus contextualizing the linkages between land tenure and climate change. Agriculture and fishing were the two main livelihood sources in Eastern Samar before the super-typhoon destroyed agricultural produce, and displaced farmers and fisherfolk from their land. This case illustrates that insecurity of tenure cripples people’s capacity to adapt to climate change and to quickly recover from the impacts of natural disasters.

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