

From Loss of Land to Loss of Life

2020 Philippines Land Conflict Monitoring Report

Michele Robin E. Salcedo, ANGO

Background

*L*and rights are human rights, noting the deep interrelatedness of land with other human rights (livelihood, shelter, culture, identity, property, among others). Land and natural resources are indispensable components for most human activities, thus these usually play a role when a conflict ensues. Growing populations and the increasing demand for food, minerals, and fuel add more pressure to the world's limited and depleting resources. In Asia, the ensuing conflicts may be traced to enduring historical injustices, inequitable access to land and resources, faulty and weak implementation of past land and resource reforms, emergent clashes between statutory and customary tenure systems, misappropriation of State domains, and the lack of regard for human rights of the disadvantaged and vulnerable sectors (Quizon, 2019). With varying social status of stakeholders, fighting for the right to have access and ownership of land and resources has not been so peaceful.

Land conflicts throughout time have resulted in violence, loss of life, and deterioration of livelihood. In recent years, civil society organizations and activists have observed an increase in the number and intensity of such conflicts across Asia and the world. In 2019 alone, Global Witness (2020) recorded 26 murders related to agribusiness in the Philippines, that is 90 percent of all agribusiness-related attacks in Asia, and the highest share of agribusiness-related killings globally. It was also found that mining was the sector with the highest incidence of deaths worldwide and the Philippines had the most mining-related killings with 16 deaths.

In 2020, the world was brought to a standstill by a pandemic. In the Philippines, a nationwide lockdown was implemented in an attempt to contain the spread of the novel coronavirus disease (COVID-19). According to land rights activists who have been keeping an eye on the growing number of conflicts, restrictions on movement have made farmers

and indigenous peoples more vulnerable to losing their land (Chandran, 2020). As farmers were unable to work in their fields and indigenous peoples were barred from forests, encroachment became easier for illegal loggers and other businesses. The Netherlands Land Academy (LANDac), listed four main concerns about the impacts of the pandemic on land governance. First was the “loss of assets and land access for poor people, and growing inequality” (paragraph 11) in both urban and rural areas. In urban areas, population density and the heightened risk of COVID infection may be used as justification for forced evictions, resulting in pressures on rural lands also as de-urbanization persists. Second was the “lack of due diligence in land-based investments” (paragraph 27). In an attempt to recover from a looming financial crisis, governments may be enticed into inequitable investments. Third was the “reduced quality of land governance services” (paragraph 31). Lastly, was the prolonged suspension of civic space brought about by State-declared emergencies and lockdowns. LANDac (2020) fears these could result in or exacerbate widespread grabbing of land, water, and forests.

As it happens, infrastructure projects under the current administration’s “Build, Build, Build” program are expected to aid in boosting the Philippines’ economic recovery after the 16.5 percent contraction in the gross domestic product (GDP) for the second quarter of 2020 brought by the pandemic (Crismundo, 2020a). There are eight large dams under this flagship infrastructure program that pose threats to communities such as displacement and flooding (IBON Foundation, 2018). In addition to this, copper mining was among the five key sectors identified by the government to attract foreign investors along with the aerospace, automotive, information technology and business process management, and electronics sectors (Crismundo, 2020b).

This report has been prepared to contribute to the discourse on land and resource conflicts, in order to better understand the trends and the conflicts’ drivers, and thus develop adequate recommendations to address both the root and immediate causes of such conflicts.

This report is part of the *Defending Land Rights and Human Rights Defenders* regional initiative by the Land Watch Asia Working Group on Land Rights as Human Rights (LWA WG LRHR), involving six countries in Asia: Bangladesh, Cambodia, India, Indonesia, Nepal, and the Philippines.

Similar land conflict monitoring reports on land conflicts and violations against rural stakeholders were produced by ANGOC and its partners in Asia in 2018.¹ This initiative thus sustains the efforts of the LWA WG LRHR to refine, systematize, and standardize the methodologies used for monitoring land conflicts and violations against land rights across the region.

¹ These reports may be accessed at: <https://angoc.org/portal/in-defense-of-land-rights-a-monitoring-report-on-land-conflicts-in-six-asian-countries/>

Objectives of this report

This study aims to gather evidence that will characterize the land and resource conflict landscape in the Philippines and serve as a point of engagement with critical duty bearers. Specifically, the objectives of the study are to:

- describe the *prevalence and types* of land and natural resource conflicts;
- examine the *nature and causes* of land and resource conflicts;
- discuss the *impacts and outcomes* of land and natural resource conflicts on communities, as well as on land rights defenders; and,
- draw up *recommendations* based on the study findings and consultations.

Definition of concepts used in the study

Following the 2018 study on *Land Conflicts and Rights Defenders in the Philippines* (Salomon, 2018; Salomon, 2019), **conflict** is defined as “a situation wherein two or more stakeholders compete for control over land and/or resources, including decision-making and truth’ (pp. 19). This study investigated three facets of land and resource conflicts namely: a) case, b) relationships, and c) incidents.

The **case** details the storyline of the conflict. It describes the location, duration, size of land or resource in conflict, and the types of land and resource involved based on the actual use of communities. In this study, the types of land and resource in conflicts were summarized in five categories as follows:

- *Agricultural lands* used for growing crops, raising livestock, and other agricultural land activities in the lowlands.
- *Ancestral domains* or “areas generally belonging to indigenous cultural communities/indigenous peoples (ICCs/IPs) comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs, by themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals/corporations, and which are necessary to ensure their economic, social and cultural welfare” (RA 8371, 1997).
- *Resources used in fishing, aquaculture, and use of fishponds and coasts* or resources used/accessed for activities related to breeding, rearing, and harvesting of fishes and other aquatic resources utilized as food.
- *Housing* such as spaces or areas used for shelter or settlements. This includes informal settlements.
- *Agroforestry, people-based plantations/community plantations* and other agricultural activities in forests/uplands. This includes forests, natural parks, and conservation areas.

Relationships are sets of competitive interactions between two or more stakeholders involved in a conflict. In this facet, the study explores the actors in conflict, the type of conflict, and the actors' response to conflict. The key stakeholders in conflict were categorized into rights holders and duty bearers.

Rights holders refer to the individuals or communities whose rights to land under contestation are held under law, tenure reform/s or custom, and whose relationship to land is inherent to their survival and identity. This includes smallholder farmers/producers, landless farmers, tenants, indigenous peoples (IPs), fisherfolk, and forest users, dwellers and protectors. Rights holders also include individuals or communities who are physically occupying the land albeit lacking legal ownership or tenure rights such as informal settlers.

Duty bearers are entities *identified by the rights holders* as competitors and enablers with more power and whose claim over land under contestation is not inherent to their survival and identity. This includes private companies/corporations, powerful individuals, government, State-owned enterprises, the military, as well as other rights holders.

Conflicts were categorized into six types which are enumerated and defined in Table 1.

Table 1. Definition of types of land and resource conflict in the Philippines

Type of Conflict	Definition
Private investments	Conflicts between communities and privately-owned corporations
Government projects	Conflicts involving government-led infrastructure projects, demolitions or clearing operations, and military actions
Clashing tenure systems	Conflicts brought by inconsistencies in laws/policies, or clashes between laws and customs
Resource conflicts	Conflicts involving the use of resources designated for communal use, which include conservation areas and national parks, protected forests, forest use, and fisheries
Resistance to land reform	Conflicts involving landlords against landless or tenant farmers including resistance to land distribution, and prevention of land installation within the context of land and resource tenure reforms as legally-mandated by the State
Public-private partnerships	Includes economic zones/land concessions, projects on generating or harnessing power/electricity, and tourism, wherein the government and the private sector jointly implement an economic venture

To further describe the relationship of stakeholders involved in the conflict, the study looked into their responses to conflict which were categorized into the following:

- *Withdrawal/Escape*: leaving the conditions of conflict, often leading to abandoning or surrendering their rights to obtain conditions of non-violence;
- *Retaliation*: returning an attack or violence;

- *Peaceful demonstration and other non-violent acts*: non-violent conflict management and/or resolution strategies which may include, among others, dialogues, facilitation, mediation, and submission of petition letters; and,
- *Conflict Management*: a range of actions which includes:
 - *Negotiation* - direct parties in conflict engage in dialogue to arrive at a workable solution;
 - *Court, NHRI, Legal remedy* - conflict management approach which uses the legal system to facilitate the solution to conflicts and to seek justice - usually through courts, National Human Rights Institutions or counsel, among others.
 - *Administrative mechanism* - parties approach administrative offices such as grievance desks of companies, local government units, and government agencies, in an attempt to resolve the conflicts; and,
 - *Customary mechanism* - using customary/traditional rules and laws in solving conflicts.

Incidents refer to events or a string of events that indicate an ongoing conflict. This facet describes the manifestations of a conflict such as the number of individual and/or community human rights violations (HRVs), number of victims, type of violation, sector of victims, alleged perpetrators, as well as responses to incidents of HRVs. Specifically, the study describes HRVs committed against the rights holders such as the following:

- **Physical violations** such as killing, injury, disappearance, detainment, eviction;
- **Psychological violations** such as grave threat, the threat of displacement, harassment/intimidation, persecution trauma, including threats of physical violations (of killing, injury, detention);
- **Political violations** such as criminalization, dispossession, forcible entry, trespassing or encroachment, tagging/coloring/labelling (“red-tagging”)²;
- **Economic violations** such as destruction of property, termination of jobs/employment, unfair contracts, denial of benefits; and,
- **Ecological violations** such as contamination of resources, pollution, deforestation, destruction of biodiversity, depletion of forest/wildlife/ecosystem, depletion of productivity, increased climate vulnerability.

The study also looked into incidents of human rights violations committed against an individual or community considered as land and resource rights defenders. This was based on Global Witness’ definition of land and environmental defenders who are:

“People who take a stand and carry out peaceful action against the unjust, discriminatory, corrupt or damaging exploitation of natural resources or the environment. This covers a broad range of people. Defenders often live in communities whose land, health and livelihoods are threatened by the operations of mining, logging, agribusiness companies or other industries. Others will be defending our biodiverse environment. Others will

² In the Philippine context, “red-tagging” is the term often used when activists, individuals, or groups are alleged by State institutions to be members or supporters of the Communist Party of the Philippines, the National Democratic Front, and/or the New Peoples’ Army.

be supporting such efforts through their work – as human rights or environmental lawyers, politicians, park rangers, journalists, or members of campaigns or civil society organisations, for instance.” (p. 40)

Perpetrators are actors identified by rights holders who committed violence against rights holders as well as land and resource rights defenders.

Methodology

■ **Data gathering**

This **descriptive study** focused on reported land and resource conflicts from 1 January to 31 December 2020. The **secondary** data used for this study were sourced from publicly accessible online reports of violations, as well as reports from civil society organizations and their partner-communities. Most of the information included below is from online sources. Broken down further, 51 percent of the sources are online mainstream media reports, followed by reports from civil society organizations (CSOs) (18.8 percent), social media platforms (12.9 percent), and academic institutions (11.9 percent). The rest of the sources are from government and Commission on Human Rights (CHR) reports (5.4 percent).

- Publicly available information found online were verified, summarized, and collated to describe the land and resource conflict landscape in the Philippines as well as HRVs committed against rights holders and their defenders. Cases and incidents were included only if:
- they came from credible online sources such as mainstream media and people’s organization (PO)/CSO platforms; the details such as names, dates, locations, size of land or resource contested, rights holders and duty bearers involved could be validated with two or more other online sources.³

In several instances, case studies and case reports from CSOs were included in the database. Kaisahan (Solidarity Towards Agrarian Reform and Rural Development) also provided a database of status of cases involving their partner-agrarian reform beneficiary communities.

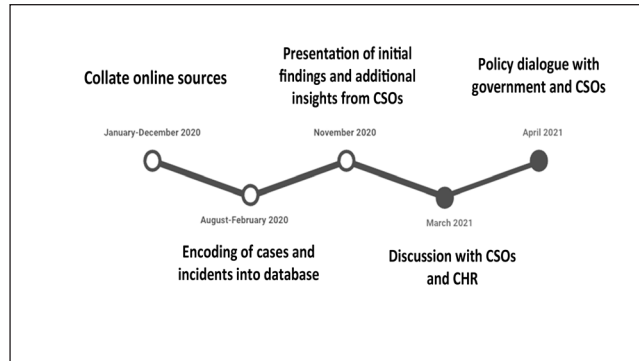
Incidents of HRVs that are not tied to any case of conflict were included if there is a clear and documented connection between victims and land or resource issues.

Information gathered was encoded into a database. Through the *Defending Land Rights and Human Rights Defenders* initiative, a regional database was developed by ANGOC and Land Watch Asia, a regional CSO campaign involving six Asian countries. The regional database was then adjusted to fit the Philippine context and was employed in this study.

³ There are a few instances wherein a case or incident was included in the database despite coming from only one source, because of the completeness of information found in the source material and the deemed reliability of the report.

■ Research Process

From January 2020 to January 2021, ANGO gathered, verified, and collated secondary data used in the study. To gather additional insights and recommendations, the initial findings were presented to CSOs working with the rural sector in November 2020. These findings were then presented in a validation workshop in March



2021 where the Commission on Human Rights and other CSOs provided their feedback. Finally, the findings of the study were presented in a multi-stakeholder policy dialogue on 22 April 2021, participated in by 67 participants (34 males, 33 females) from government line agencies, executive branch offices, legislative branch offices, human rights offices, civil society and faith-based organizations, international and intergovernmental organizations, and basic sector representatives. During the dialogue, the relevance of this topic and the analyses forwarded in this report were affirmed. Participants also provided additional recommendations which were then included in this report.

■ Scope and limitations of the study

The study documented cases of conflict with manifestations of violence, as well as latent cases where the community and other rights defenders perceive an ongoing imminent threat to ownership of or access to land and resources. It also included incidents of violence against land rights defenders that were not tied to one specific conflict. Affected family and friends of rights holders/defenders were also included in reports as collateral victims of an HRV incident.

Excluded in the study were individuals and community members who were labelled as part of rebel groups without documented refutation from multiple sources. As the study aims to broaden the discourse on the experiences of communities in conflict, it was framed from the perspective of the communities as well as the CSOs and defenders who support them. Duty bearers in conflicts as well as the perpetrators of HRVs were identified according to whom the victims and their communities recognize as their offenders. Given time and resource constraints, the study did not further investigate into the accuracy and probable legal basis of actions of the identified perpetrators reported in the secondary materials used in the study. There were also cases and incidents that did not meet the set of criteria of the study because of limited or incomplete information.

Given the limitations of mobility and face-to-face gathering brought about by the COVID-19 pandemic, the study heavily relies on reported and publicly available materials online. As such, the figures in this report do not claim to be representative of the *full extent* of the state of land and resource conflict across the Philippines. At the same time, it should be

noted that there are many cases of conflict and incidents of HRVs that remain unreported or undocumented.

While there was conscious effort to include conflicts involving urban lands and fisheries resources, the data-gathering team was only able to capture a few such cases.

Thus, ANGOC and the LWA WG LRHR continue to improve on methods in monitoring and reporting land and resource conflicts as well as incidents of HRVs, with the aim of greater visibility and stronger actions to address these issues.

Brief Overview of the Country Context and Legal Framework

Legal framework and policies on addressing land and resource conflicts and promoting human rights⁴

Human rights in the legal framework

The Philippines is a signatory to the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), and other human rights conventions and treaties. State policies to implement these instruments and to fulfill human rights of its citizens are enshrined in the 1987 Constitution. Article II, Section 11 of the Constitution declares value for dignity of every human and full respect for human rights as State policies.

Article III of the Philippine Constitution (Bill of Rights) enumerates civil and political rights of persons, or protections against abuse by the State. Included under this article are the right to due process, right to privacy, right to free speech, right to religion, right to political beliefs, right to association, among others.

Meanwhile, Article XIII (Social Justice and Human Rights) delves into the economic, social, and cultural rights of Filipinos, or entitlements that shall allow for a life of dignity. Under Article XIII, the Congress is mandated to enact measures that promote social, economic, and political equality through equitable distribution of wealth and power. The State shall thus regulate the acquisition, ownership, use, and disposition of property. The same Article outlines State policies on agrarian and natural resource reforms for the benefit of small farmers, fisherfolk, indigenous peoples, as well as urban land reform and affordable housing for rural and urban dwellers.

Various tenure and asset reform laws have since been enacted, pursuant to Article XIII of the Constitution. Among such legislations are the Comprehensive Agrarian Reform Law/CARL (1988, amended in 2008), Indigenous Peoples' Rights Act/IPRA (1997), and

⁴ For further information on the legal framework on land rights in the Philippines, please refer to Quizon, et al. (2018): <https://angoc.org/portal/state-of-land-and-resource-tenure-reform-in-the-philippines-2018/>

Philippine Fisheries Code/PFC (1998, amended in 2015).⁵ A 2018 review of rural asset reform implementation reveals that, although significant improvements may be noted in providing individuals and communities with ownership and control over resources, asset reform in the country remains largely unfinished (Quizon et al., 2018). Beyond issues related to these programs' coverage, slow or loose implementation, resource reforms in the country have also been hindered by the conflicting laws and overlapping jurisdictions of agencies. In many cases, corporate activities encouraged by the State to foster economic growth also impinge on the land and human rights of communities. A discussion on how these grievances and conflicts related to land and resources are being addressed, and an assessment of the effectiveness of such mechanisms, are included in the following section.

Human rights bodies in the Philippines

Article XIII of the Constitution also provides for the creation of the Commission on Human Rights (CHR). The CHR is a body independent from the rest of the government, mandated to conduct investigations on violations of civil and political rights of vulnerable groups in society. Beyond investigation, the Constitution grants it authority to provide legal measures to protect the human rights of persons within the country and Filipinos abroad; to provide legal aid to underprivileged persons whose rights have been violated; to monitor the Philippine Government's compliance with international human rights treaty obligations, and to recommend to Congress measures to promote human rights.

In the executive department, pursuant to Administrative Order No. 163 of 2006, the Presidential Human Rights Committee (PHRC) is tasked to assess and monitor the human rights situation in the country, and to formulate the National Human Rights Action Plan (NHRAP) to guide the executive's measures to protect and fulfill human rights. This body, chaired by the Executive Secretary, is also tasked to assist victims of human rights violations, ensure compliance with international human rights obligations, and to regularly convene with the President.

Lastly, within the two legislative chambers of the Philippines, there are also specialized committees that initiate the formulation and review of laws related to human rights – the House of Representatives Human Rights Committee and the Senate Committee on Justice and Human Rights.

Protection of land rights defenders

Although there are proposals filed in Congress, there is presently no law on protecting and promoting land and human rights defenders. The justice system provides for the legal protection of land rights defenders involved in legal battles. However, in recent years, there have been increased reported incidents of alleged State attacks against rights defenders.

⁵ The Urban Development and Housing Act/UDHA (1992) was also enacted to address concerns of urban dwellers and informal settlers.

This leads to concerns on who should provide protection in instances when the State itself perpetrates rights violations.

Availability and effectiveness of existing land conflict prevention and resolution mechanisms⁶

To prevent conflicts over land and resources, safeguard processes, community participation mechanisms in decision-making bodies, and transparency mechanisms have been included in the country's legal framework (Salomon, 2018; Salomon, 2019).

■ Procedural Safeguards

Procedural safeguards refer to mechanisms and certifications that individuals, government bodies, or corporations must comply with when dealing with interests on land and resources. These safeguards include permits and licenses from government agencies that regulate businesses, land use, and the environment and the practice of securing free, prior, and informed consent (FPIC) for dealings involving indigenous peoples.

However, there have been numerous reports about the non- or faulty implementation of these safeguards.

For example, indigenous peoples have reported that corporations or government agencies circumvent or dilute the FPIC process by, among other means, ignoring the need to seek permission from communities before initiating exploratory activities for a project, by seeking the permission of "leaders" who do not represent the communities, by misleading communities and capitalizing on their lack of ability to understand contracts in English during consultation processes.

On another note, there are also heavy limits on the conversion of agricultural lands. However, agricultural land conversion remains rampant and to the detriment of small farmers. According to available data on land conversion, around 1.7 million hectares of ricelands have already been converted from 1980 to 2012 (PSA, 2012). Further, of the 1,887,986 hectares of irrigated areas in the Philippines, about eight percent (150,686.40 hectares) have been converted and considered permanently non-restorable as of 2017 (NIA, 2017). This reveals that existing protections and limits as enshrined in the Comprehensive Agrarian Reform Law (CARL), Comprehensive Agrarian Reform Program with Extensions and Reforms (CARPER), and the Agriculture and Fisheries Modernization Act of 1997 (AFMA) on the conversion of agricultural lands, particularly irrigated and irrigable lands, have been ineffective in protecting the security of tenure of farmers.

■ Representation and Participation Mechanisms in Decision-Making Bodies

If and when properly utilized, representation and participation mechanisms can provide rural communities an effective avenue to register their concerns in governance processes

⁶ This section is heavily drawn from the 2018 LWA Land Conflict Monitoring Report in the Philippines. Please refer to Salomon (2019) and Quizon et al. (2018) for more information on the availability and effectiveness of measures to address conflicts in the Philippines.

thereby allowing them to prevent and even address issues that cause and sustain land and resource conflicts (Quizon, 2018).

One of the participation mechanisms for the indigenous peoples is through the Indigenous Peoples Mandatory Representation (IPMR). IPMRs are selected to represent their respective indigenous communities in various local legislative bodies at the municipal and village levels.

Criticisms have been raised, however, regarding the full utilization of this representation and participation mechanism – to wit: a) the selection of representatives is vested with the government, and b) there are no formal mechanisms for these representatives to report back to the sectors/communities they represent. This therefore increases the likelihood or risk that the accountabilities of representatives who participate in governance bodies will tend to favor the government, particularly the officials who have selected and maintain them in their position, rather than the sectors they supposedly represent – as has been reported by some indigenous communities in the Philippines.

■ **Transparency and Access to Data**

The Philippines has implemented Executive Order No. 2, series of 2016, which states that all executive departments of government are mandated to uphold citizen constitutional rights to information and articulates the State's policies on full public disclosure and transparency in public service. If implemented properly, transparency mechanisms can offer and facilitate informed decisions to prevent land and resource conflicts or to protect their land and resource rights from potential threats.

While the different land agencies make some of their data public, there are still some challenges in terms of the types of data available, the data quality, and accessibility. Table 2 presents some of these challenges.

While there are executive-level efforts to mainstream Executive Order No. 2, more meaningful reforms on Freedom of Information (FOI) will be achieved if the country enacts a law on FOI.

Table 2. Some remarks on the data availability, quality, and accessibility provided by land agencies

Land Agencies	Remarks on data provided, the quality, and accessibility of land tenure data
Department of Agrarian Reform, Land Registration Authority	<ul style="list-style-type: none"> • Do not make data on land tenure publicly available • Certain data requests require fees to allow access to information • Delays in compliance of both agencies are expected when requests are made
National Commission on Indigenous Peoples	<ul style="list-style-type: none"> • Provides information free of charge for ICCs/IPs • Requests made by citizens who are not ICCs/IPs (requesting for copies of data on ancestral domains) are requested for resources at cost of production

Department of Environment and Natural Resources ⁷	<ul style="list-style-type: none"> • Publicly releases summaries of land tenure, and natural resource utilization and management instruments they issue annually • Except for one of its attached agencies, the National Mapping and Resource Information Agency (NAMRIA), official requests for data can be made, and the bureaus will offer information for free • Delays can be expected, though, for the fulfillment of data requests
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Conflict Resolution

During instances of grievances or conflicts between various parties where land or a resource is involved, affected communities or individuals may seek recourse through several means. Conflict resolution mechanisms are categorized into courts, quasi-judicial bodies in government agencies, administrative channels/solutions, local and customary practices of mediation, and various forms of dialogue. Among the simplest forms of conflict resolution is through convening dialogues with the parties involved, while perhaps the most effective way to resolve a conflict with finality is by going through the judicial system.

While these mechanisms, in theory are set up to support and uphold the rights of various stakeholders, challenges within the different systems of conflict resolution may, in fact, further the suffering of the victims – particularly in the context of defending the right to a particular piece of land or a resource by rural communities.

The table below presents the summary of the different land conflict resolution mechanisms and some remarks on their effectiveness in terms of pursuing final solutions to land and resource conflicts, based on existing studies and reports and community experiences.

Table 3. Remarks on the effectiveness and/or efficiency of the different conflict resolution mechanisms in resolving land and resource conflicts

Conflict resolution mechanism	Remarks on the mechanisms' efficiency and/or effectiveness in resolving land and resource conflicts
Courts	Decisions take three to 17 years
Quasi-judicial bodies	More efficient avenues than courts; however, available data cannot indicate the extent of effectiveness
Administrative channels	Cannot properly perform their functions as there are hindrances in the implementation of asset reform laws
Local dispute resolution mechanisms	Relatively effective
Multi-sectoral dialogues	Results differ based on the willingness of the stakeholders to subject themselves to the process of mediation

Courts

Courts are often used as a last resort when all other forms of conflict resolution have been exhausted. Courts adjudicate cases of various disputes and conflicts, including those related to land and resources. Apart from courts being already congested with pending

⁷ In terms of public land deals, DENR data are often publicly disclosed, but often at the stage when the projects have already been approved and up for procurement.

cases in their dockets, delays in settling land and resource conflict cases are caused by, among others, unfamiliarity of some judges and lawyers with laws on agrarian reform ICCs/IPs and the environment. Legal court battles, therefore, take from three to 17 years to arrive at a final decision for land and resource conflicts (ALG, 2017).

■ **Quasi-judicial bodies**

Some government agencies, particularly those with mandates on asset reform, have quasi-judicial powers/functions to settle land and resource disputes under their jurisdiction.

For cases involving private lands covered by the Comprehensive Agrarian Reform Program (CARP), the Department of Agrarian Reform (DAR) has the DAR Adjudication Board (DARAB) for the national level, the Provincial Agrarian Reform Adjudicator (PARAD) for the provincial level, and the Regional Agrarian Reform Adjudicator (RARAD) for the regional level. Disputes and conflicts involving public domain land, on the other hand, are decided by the Alternative Dispute Resolution (ADR) Board of the DENR at the regional level. Finally, the National Commission on Indigenous Peoples (NCIP) has the power to adjudicate disputes and conflicts involving ancestral domains.

The DAR keeps records of the cases filed with and resolved under them. However, available data from the said agency do not indicate whether the decisions made were in favor of the agrarian reform beneficiaries or the landowners. As for the NCIP, it is still finalizing its guidelines on operationalizing its quasi-judicial functions.

Nonetheless, available data shows that quasi-judicial bodies are more efficient avenues of conflict resolution than courts.

■ **Administrative channels**

Land and resource conflicts may also be resolved through administrative remedies crafted by the government agencies through the implementation of existing policies and guidelines.

However, the expiration of an agrarian reform mandate and issuances of certain policies hinder the implementation of asset reforms in private agricultural lands, forestlands, and ancestral domains, therefore limiting or immobilizing the administrative channels to provide solutions to land and resource conflicts.

In terms of cases involving private agricultural lands, the expiration of the land acquisition and distribution component of the CARP in 2014 has provided the opportunity for landowners to question the Notices of Coverage (NOCs) issued after 2014 or NOCs that are erroneous and were not corrected before 2014 (Quizon, 2018). Further, DAR Administrative Order No. 6, series of 2017 puts on hold an existing policy that provides the mandate to the DAR to assist in the installation of Agrarian Reform Beneficiaries (ARBs) in their landholdings even if there are cases filed in court. This policy, therefore, prevents the

processes of land awarding and installation of CARP to proceed when there is a pending case filed involving the ARB and his/her landholding.

For the CARP implementation in public lands, the DENR has completed the implementation of asset reform in public lands covering 1,335,999 hectares; hence, they are no longer processing applications for the CARP in the DENR (Quizon, 2018).

For ancestral domains, Joint Administrative Order #1 of 2012 (JAO 1) – established to resolve overlapping claims within ancestral domains – has instead caused hindrances to the issuance and registration of Certificates of Ancestral Domain/Land Title (CADTs/CALTs). When an overlapping claim is found within an ancestral domain, the NCIP is obliged to seek a Certificate of Non-Overlap (CNO) from the DAR, DENR, and Land Registration Authority (LRA). This requirement however, was not mandated to the DAR, DENR and LRA when overlaps are found within landholdings under their jurisdictions – thereby effectively delaying the issuance and registration of CADTs/CALTs, while other land tenure instruments and resource use and management agreements were allowed to proceed.

■ Local Dispute Resolution Mechanism

Local dispute resolution mechanisms come in the form of officially recognized bodies under the local government units (LGUs), as well as mechanisms operated by non-government bodies such as Indigenous Political Systems and CSOs.

One important local dispute resolution mechanism is the *Katarungang Pambarangay* or Barangay Justice System. It is a community conflict resolution structure at the village level, administered by the Chief Executive (*Punong Barangay*) that utilizes a *Lupong Tagapamayapa* or a board of village peacekeepers to de-escalate and resolve conflicts of all types. Anecdotal sources on the implementation of this government-administered mechanism have revealed a relatively effective system for de-escalating violence, although it may be limited in resolving issues relating to the use, control, and/or transfer of land and natural resources.

Indigenous peoples may also resolve disputes among themselves through traditional justice systems. This may also extend to disputes between indigenous and non-indigenous persons if the latter agree to go through the traditional mechanism.

Several civil society organizations also facilitate the resolution of conflicts through mediation. A CSO initiative (by MedNet) on facilitating conflict resolutions at the local level have been attested to as effective in resolving conflicts when parties in conflict are willing to subject themselves to the process of mediation.

■ Multi-sectoral Dialogues

The effectiveness of multi-sectoral dialogues organized by CSOs is usually dependent on the willingness of the perpetrators or conspirators to collaborate in conflict resolution and policy reform initiatives. Hence, such dialogues may not generally yield consistent results.

Prevalence of Land and Resource Conflicts in the Country

Conflicts involving land and resources in the Philippines remain prevalent, and disputes over the right to own and/or access land and resources continues to be violent. This study was able to document a total of 223 ongoing cases of conflict taking place within 5.55 percent (1,665,399 hectares) of the total territory of the Philippines, an additional 1.55 percent from the four percent found during the 2018 study. These conflicts affect roughly 507,884 households and 68,001 individuals. The duration of conflict ranges from less than a year to 73 years. The most frequent documented cases have been enduring for more than 21 years (22.2 percent). The cases that have just started in 2019 and 2020 are mostly conflicts involving resources used for housing (62.5 percent). For cases of conflict that have been persevering for 21 years and more, the majority involves agricultural lands (58 percent) where three-fifths of the conflicts are caused by private investments on plantations. This is followed by conflicts involving ancestral domains (24 percent) where half of the conflicts are caused by private investments in mining activities. Table 4 provides the breakdown of duration of ongoing cases of land and resource conflicts.

Table 4. Duration of land and resource conflicts

Duration of conflict	Percentage Among Cases
Less than 1 year to 1 year	4.0%
2 to 5 years	12.9%
6 to 10 years	15.1%
11 to 15 years	21.8%
16 to 20 years	10.2%
21 years and above	22.2%
No data	13.8%
TOTAL	100.0%

For the year 2020, data gathered indicated that **CARAGA and Davao remain to be the regions with the highest number of cases of conflict** with 50 cases (21.1 percent) and 36 cases (15.2 percent), respectively. In the 2018 study, it was found that the majority of the documented cases of conflict were located in Region 13 [CARAGA] (21 percent) and followed by Region 11 [Davao Region] (18 percent). In terms of size of resource in conflict, Region 2 (Cagayan Valley) has the largest coverage with 396,892 hectares (23.83 percent of the total area in study) and followed by Region 3 (Central Luzon) with 251,151 hectares (15.081 percent).

Compared to the 2018 study, the region with the largest coverage in conflict was Region 10 (Northern Mindanao) with 318,371 hectares (25 percent of total area affected), followed by Region 4-B (MIMAROPA) with 315,714 hectares (24 percent) and Region 13 (CARAGA) with 208,293 hectares (16 percent). Table 5 presents the breakdown of the number of cases and size of resource conflict per region for the year 2020.

Table 5. Distribution of cases and size of resource conflict per region

Name of Region/Province	Frequency	Percentage	Size in ha	Percentage
National Capital Region (NCR)	6	2.52	33	0.002
Cordillera Administrative Region (CAR)	3	1.3	11,687	0.702
1- Ilocos Region	4	1.7	87,082	5.229
2- Cagayan Valley	5	2.1	396,892	23.832
3- Central Luzon	16	6.8	251,151	15.081
4A- CALABARZON	12	5.1	36,150	2.171
4B- MIMAROPA	21	8.9	239,498	14.381
5- Bicol Region	2	0.8	4,567	0.274
6- Western Visayas	15	6.3	160,853	9.659
7- Central Visayas	5	2.1	5,676	0.341
8- Eastern Visayas	17	7.2	38,974	2.34
9- Zamboanga Peninsula	No data	No data	No data	No data
10- Northern Mindanao	24	10.1	225,555	13.544
11- Davao Region	36	15.2	56,474	3.391
12- SOCCSKSARGEN	19	8	45,194	2.714
13- CARAGA	50	21.1	105,613	6.342
Bangsamoro Autonomous Region in Muslim Mindanao (BARMM)	2	0.8	No data	No data
TOTAL	237	100	1,665,399	100

It can be gleaned from Table 5 that the total number of cases documented by the study is not equal to the total number of cases according to the distribution by region. This is because there were cases of conflict which covered more than one region.

In terms of the type of land or resource involved in conflict, the study was able to account for a total of 229. Majority of the cases involved only one type of land or resource (89.5 percent). Other cases involved two, three, and four types of land or resource (7.9 percent, 2.2 percent and 0.4 percent, respectively). **For cases of conflict involving only one type, the most frequent was among agricultural lands (53.9 percent). In terms of size, conflicts are most prevalent in ancestral domains (724,629.70 hectares or 52.06 percent) and agroforestry areas (517,099 hectares or 37.15 percent).** Majority of the type of conflict occurring in agricultural lands arise from private investments (73.6 percent) and resistance to land reform (14.5 percent) where the size of land contested averaged 42 hectares. Conflicts occurring in ancestral domains also largely involve private investments (41.2 percent) as well as clashing tenure systems (21.6 percent); while the size of ancestral domains contested averaged 9,000 hectares. Table 6 below presents the distribution of conflicts involving only one type of land or resource according to frequency and size.

Table 6. Distribution of conflicts involving only one type of land or resource according to frequency and size

Type of Resource Use	Frequency distribution (%)	Size (ha)	Size (%)
Ancestral domains	25.2	724,629.70	52.06
Agroforestry and people-based plantations	3.4	517,099.00	37.15
Agriculture	53.9	75,872.40	5.45
Fishing, aquaculture, and use of fishponds and coasts	6.8	67,308.90	4.84
Housing	10.7	6,980.20	0.5
TOTAL	100.0	1,391,890.20	100.00

Conflicts involving agroforestry and people-based plantations have the second largest coverage because these involve protected areas undergoing illegal forest activities. Among these is the largest protected natural park in the Philippines located in Region 2 (Cagayan Valley). Covering a total of 359,486 hectares, the Northern Sierra Madre National Park (NSMNP) is home to around 25,000 people, 1,800 of whom belong to the indigenous group of Agtas (EJ Atlas, 2015). Illegal logging in the NSMNP operated by commercial logging firms as well as small logging groups has caused massive deforestation, irreversible biodiversity loss, and soil erosion weakening the Sierra Madre's capacity to protect against flooding during typhoons.

For cases involving multiple types of land and resources, conflicts are most frequent and prevalent among the compounds of agricultural lands and ancestral domains covering 42.03 percent (127,568.711 hectares). Table 7 illustrates the various cases of conflicts involving multiple types of land and resources.

Among the conflicts involving agricultural lands and ancestral domains is that involving the Tampakan Project located along the boundaries of Regions 11 (Davao) and Region 12 (SOCCSKSARGEN). With a total area of 23,571 hectares, it is the largest undeveloped copper-gold site in Southeast Asia and the Western Pacific (Chavez, 2020). Once extraction begins, it will become the largest copper mine in the Philippines. The holder of the 25-year mining permit, Sagittarius Mines, Inc. (SMI), estimates that it will take 70 years to excavate all deposits in the area. As it lies within the ancestral domains of *B'laans*, around 4,000 of them are estimated to be facing displacement once excavation begins (Chavez, 2020). The project is also feared to pose a pollution threat to the nearby watersheds of the Catisah Allah, Marbel, and Padada rivers. The targeted area for the mine's waste will also be located near Mal River, one of the largest river systems in Mindanao. Key biodiversity wetlands, such as Buluan and Liguasan Marsh, are also seen to be at risk from the project's mine tailings. According to the South Cotabato Irrigators Agricultural Farmers' Federation Inc., around 4,293 hectares of farmlands depend on these watersheds involving 1,873 farmers (Estabillo, 2012). Because of the project's open-pit method, it is estimated to clear 3,935 hectares of forests and arable lands (Chavez, 2020). Despite massive opposition from various groups, the Tampakan Project seems to be gearing up for extraction after the extension of SMI's Financial or Technical Assistance Agreement (FTAA) for another 12

years in an order dated 8 June 2016 — but was only made known to the public in January 2020.

Table 7. Distribution of conflicts involving multiple types of land or resources according to frequency and size

Number of type of resources involved	Type of Resource Use	Frequency distribution (%)	Size (ha)	Size (%)
2	Agriculture; and ancestral domains	25	127,568.711	42.03
2	Ancestral domains; agroforestry and people-based plantations	8.33	75,671.000	24.93
2	Fishing, aquaculture, and use of fishponds and coasts; and housing	8.33	30,029.000	9.89
2	Ancestral domains; housing	12.5	7,987.230	2.63
2	Agriculture; and fishing, aquaculture, and use of fishponds and coasts	16.67	6,732.000	2.22
2	Agriculture; and housing	4.17	248.000	0.08
3	Ancestral domains; fishing, aquaculture, and use of fishponds and coasts; and, housing	4.17	24,520.000	8.08
3	Agriculture; fishing, aquaculture, and use of fishponds and coasts; and, housing	16.67	17,828.000	5.87
3	Agriculture; ancestral domain; fishing, aquaculture, and use of fishponds and coasts; and, housing	4.17	12,923.000	4.26
TOTAL		100.00	303,506.941	100.00

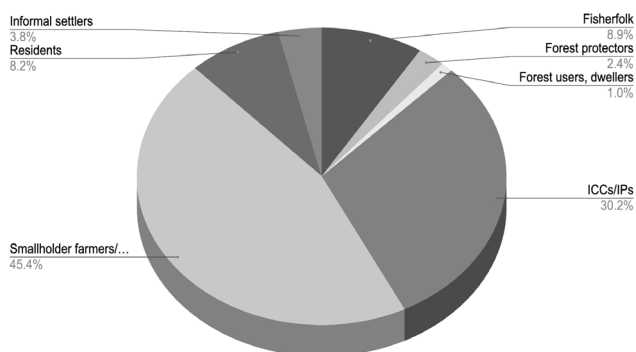
Nature and Causes of Land Conflict

To determine the nature of conflict, the study looked at the relationships formed between stakeholders in conflict. Although the majority of the recorded cases had a one to one ratio of rights holders against their adversaries (79.91 percent), there were cases where one group of rights holders was facing multiple groups of duty bearers (8.93 percent). Likewise, there were cases where multiple groups of rights holders faced against only one duty bearer (8.04 percent).

Figure 1 illustrates the distribution of the types of rights holders documented by the study. **Majority of the rights holders in conflict consist of smallholder farmers/producers (45.4 percent) and ICCs/IPs (30.2 percent).**

On the other hand, Figure 2 shows the number of duty bearers involved in conflict. A

Figure 1. Distribution of types of rights holders involved in conflict



huge group of duty bearers are private companies/corporations (64.3 percent) followed by the government with (15.1 percent). The third most frequent duty bearers are other rights holders (6.5 percent).

Figure 2. Number of duty bearers identified by rights holders in conflict

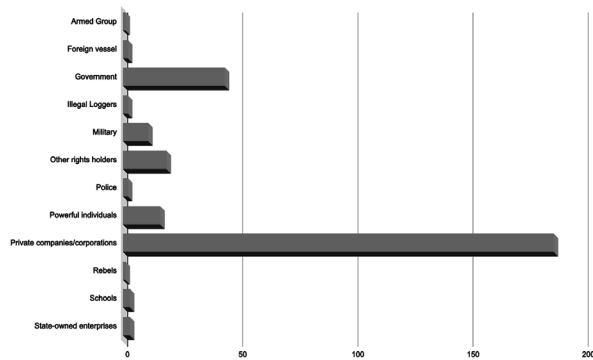
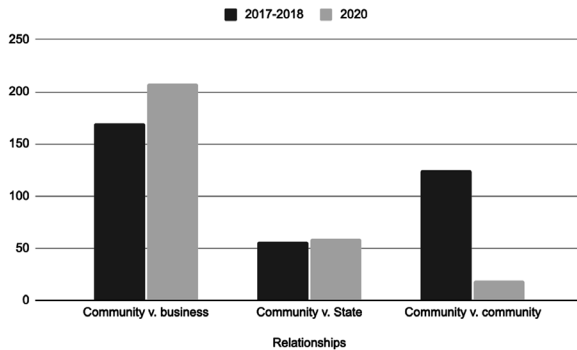


Figure 3 illustrates the comparison of conflict relationships found by the 2018 and 2020 studies. In the former,

Figure 3. Conflict relationships found in the 2018 study in comparison with the present study



the majority of the cases that occurred in 2017 to 2018 consisted of conflicts between community members against businesses (48 percent). It also found more conflicts among community members (36 percent) than conflicts between community members and the government (16 percent) as compared with the present study that found 6.64 percent and 20.63 percent, respectively.

The difference between the information found in the two studies may be explained by the varying data-gathering methods. While the 2018 study gathered information from National Government Agencies (NGAs) in addition to CSOs and online sources, the present study only used publicly available secondary sources which do not often report on inter-community conflicts. Thus, the figures may not be taken to imply that conflicts among communities are decreasing.

It is apparent however, that despite the difference in data-gathering methods used, **since 2017, private companies/corporations remain to be the most frequently reported duty bearers in land and resource conflicts.**

The study found a total of 290 relationships grouped into 36 sets where the most frequently reported was that between *smallholder farmers/producers* against *private companies/corporations* (36.2 percent), followed by *ICCs/IPs* against *private companies/corporations* (13.1 percent), and *ICCs/IPs* against *the government* (7.96 percent). Table 8 ranks the sets of relationships between rights holders and duty bearers documented by the study. **It can**

be observed that across all types of rights holders included in the study, the most frequent duty bearers against them are private companies/corporations.

Table 8. Distribution of types of relationships formed between rights holders and duty bearers

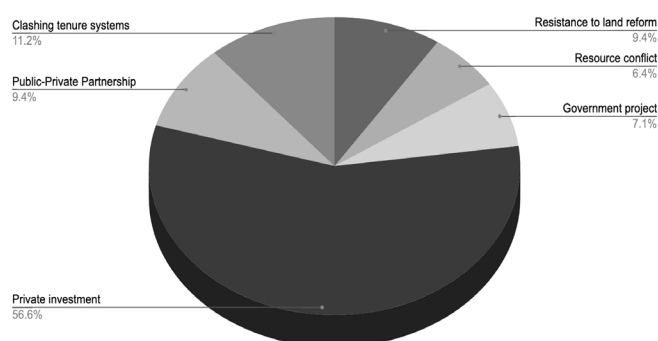
Rights holders and duty-bearers in conflict	%
<i>Smallholder farmers/ producers</i>	45.1
Private companies/corporations	36.2
Powerful individual	4.5
Government	2.4
Others (educational institutions, military, other smallholders)	2.0
<i>ICCs/IPs</i>	30.1
Private companies/corporations	13.1
Government	7.2
Military	2.8
Other rights holders-smallholder farmers/producers	2.4
Other rights holders-ICCs/IPs	1.4
Other rights holders-Forest dwellers	1.0
Others (State-owned enterprise, armed group, illegal loggers, residents, powerful individuals)	2.2
<i>Fisherfolk</i>	8.9
Private companies/corporations	6.6
Government	1.0
Foreign fishing vessels	0.7
Others (military, other fisherfolk)	0.6
<i>Residents</i>	8.3
Private companies/corporations	6.2
Government	1.4
Powerful individual	0.7
<i>Informal settlers</i>	3.7
Government	2.4
Private companies/corporations	0.7
Others (state-owned enterprise, police)	0.6
<i>Forest protectors</i>	2.3
Private companies/corporations	1.0
Other rights holders-Smallholder farmers/producers	0.7
Others (government, illegal loggers)	0.6
<i>Forest users, dwellers</i>	1.0
Private companies/corporations	0.7
Government	0.3

Conflicts wherein the government was identified as the duty bearer often involved ICCs/ IPs (52 percent), followed by informal settlers (15 percent) and smallholder farmers/producers (15 percent) as rights holders.

For conflicts among rights holders, the majority of the cases of conflict involved ICCs/IPs (79 percent). Conflict relationships between ICCs/IPs and smallholder farmers/producers were most frequent (37 percent), followed by conflicts among ICCs/IPs (21 percent).

Figure 4 illustrates the six types of conflict identified in the study. **As a large number of the duty bearers involved in conflict are private companies/corporations, the majority of the conflicts are in the context of private investments (56.6 percent).** This is followed by conflicts arising from clashing tenure systems (11.2 percent).

Figure 4. Distribution of types of land and resource conflicts



The land and resource conflicts were classified into 19 subtypes as enumerated in Table 9. Conflicts in the context of plantations were the most frequent (32.02 percent) followed by mining (16.98 percent) and overlapping claims (8.3 percent). In terms of the size of land or resources involved, conflicts pertaining to illegal forest activities have the largest coverage with 35.52 percent of the total study area. This is followed by conflicts on encroachment into ancestral domains (15.28 percent), projects on generating or harnessing power/electricity (15.08 percent) and mining (14.69 percent).

Table 9. Distribution of specific types of land and resource conflicts according to frequency and size

Specific types of conflict	% of cases out of the total	% area of contested land or resource
Plantation	32.08	5.57
Mining	16.98	14.69
Overlapping claims	8.30	8.01
Acquisition and distribution	7.17	1.07
Projects on generating or harnessing power/electricity	7.17	15.08
Encroachment into ancestral domains	4.91	15.28
Illegal forest activities	4.15	35.52
Demolitions or clearing operations (including threats)	3.40	0.002
Tourism	3.02	0.29
Infrastructure	2.64	0.15
Land conversion	2.64	0.80
Military operations	1.89	No data
Ecological damage/conflict impacts on the environment	1.51	0.48
Land grabbing	1.13	0.47

Economic Zones/Land concessions	0.75	0.78
Land reclamations	0.75	1.81
Subdivision construction	0.75	0.002
Armed conflicts	0.38	No data
Encroachment of foreign fishing vessels	0.38	No data

Conflicts involving plantations occurred only between private companies/corporations against smallholder farmers/producers (92.9 percent) and ICCs/IPs (7.1 percent). Half of the conflicts on mining, perpetrated also by private companies/corporations, are against ICCs/IPs (50 percent). Mining conflicts also involve smallholder farmers/producers (22.7 percent), residents (15.9 percent), and fisherfolk (11.4 percent).

Impacts and Outcomes of Land Conflict

As was observed in this study, many land conflicts bring about violence against individuals and communities. Others result in environmental or ecological damage. In 2020, despite the country's firm restrictions on the people's movement to contain the increase of COVID-19 cases, incidents of land and resource conflict-related human rights violations against rights holders and their defenders continued to be reported. The study found **147 incidents of violations against rights of individuals and communities. These incidents involved 287 individuals and 58,295 households.**

The study grouped the incidents of HRVs into three categories namely: a) individual, b) community, and c) both individual and community. Figure 5 shows the monthly number of incidents for each of the three categories recorded by the study. It can be observed that **the four months when the total number of incidents of HRVs are highest are also the first four months (March, April, May and June) of the implementation of the nationwide community quarantine due to the COVID-19 pandemic.**

For individual incidents of HRVs, the months of May, October, and April had the highest number of victims with 63, 53, and 37 individual victims per month, respectively. Figure 6 describes the monthly number of individual victims of HRVs in contrast with the number of incidents.

On frequency and types of recorded violence/attacks against individuals and communities⁸

Majority (51 percent) of the individual victims of violence were not linked to one specific case. There were 69 victims (24 percent) of violence who were human rights defenders

⁸ The incidents of violence included in this study are those that have been reported by public sources. The study team recognizes that many attacks against individuals and communities are not reported, and that the data gathering might not have captured all reported attacks.

(HRDs), activists, or persons working with communities to claim their rights to land and resources. The study also found victims of HRVs who were civilians. Table 10 lists the frequency of incidents of *all* recorded forms of violence per region, along with the total number of affected individuals and communities.

Table 10. Distribution of all individual and household HRV victims per region

Name of Region/Province	Percentage of total number of incidents	Total number of individual victims of HRVs	Total number of community (HH) victims of HRVs
National Capital Region (NCR)	4.1 %	2	22,600
Cordillera Administrative Region (CAR)	2.1 %	3	11
1- Ilocos Region	No data	No data	No data
2- Cagayan Valley	6.8 %	8	47.6
3- Central Luzon	14.4 %	24	950
4A- CALABARZON	11.6 %	19	26,426
4B- MIMAROPA	8.2 %	14	No data
5- Bicol Region	1.4 %	6	800
6- Western Visayas	8.9 %	137	321
7- Central Visayas	6.8 %	17	22
8- Eastern Visayas	8.2 %	15	3,125
9- Zamboanga Peninsula	No data	No data	No data
10- Northern Mindanao	2.7 %	5	No data
11- Davao Region	6.8 %	18	35
12- SOCCSKSARGEN	5.5 %	8	1,100
13- CARAGA	8.9 %	10	243
Bangsamoro Autonomous Region in Muslim Mindanao (BARMM)	3.4 %	1	2,614
TOTAL	100 %	287	58,295

There are 287 individual victims recorded in the study, 143 of which are associated with a case. Among the four types of HRVs, political violence has caused the most number of individual victims at 155 and almost half of these (80) involved tagging/coloring/labelling. The next type of HRV that affected the most number of individual victims is physical violence at 138, where majority (49) specifically involved detainment (see Table 11).

Table 11. Number of victims of HRVs according to type of violence

Type of HRV	Specific type of violence	Number of victims associated with a case	Total number of victims found by the study
Physical violence	Killing	11	38
	Disappearance, abduction, illegal detention or arrest	13	40
	Injury or assault	7	10
	Detainment	33	49
	Torture	No data	1
Sub-total		64	138
Psychological violence	Harassment, intimidation, persecution, trauma	55	72
	Threat of killing	1	4
Sub-total		56	77
Economic violence	Loss of employment	53	53
	Destruction of property	12	13
Sub-total		65	66
Political violence	Criminalization/trumped up charges	56	60
	Tagging/coloring/labelling	37	80
	Dispossession	12	12
	Forcible entry, trespassing, or encroachment	No data	3
Sub-total		105	155

Incidents are counted according to the place in which each occurred in conjunction with the date that it occurred. Hence, there are incidents of HRVs with multiple victims. Some of the victims were also reported to have experienced more than one type of violence. It was found that, of those tagged, 93.75 percent⁹ were also victims of physical violence, with 35 (46.7 percent) detained, 30 (40 percent) killed, and 10 (13.3 percent) being victims of disappearance, illegal detention, or arrest.

About 44.7 percent of the victims killed were smallholder farmers/producers, 26.3 percent were ICCs/IPs, 21.1 percent were HRDs, 5.3 percent were civilians, and 2.6 percent were fisherfolk. Thirty-nine percent of those killed were in Region 6 (Western Visayas).

⁹ Victims include both those involved in cases of conflict and those not tied to any land or resource conflict.

Figure 5. Distribution of incidents by month

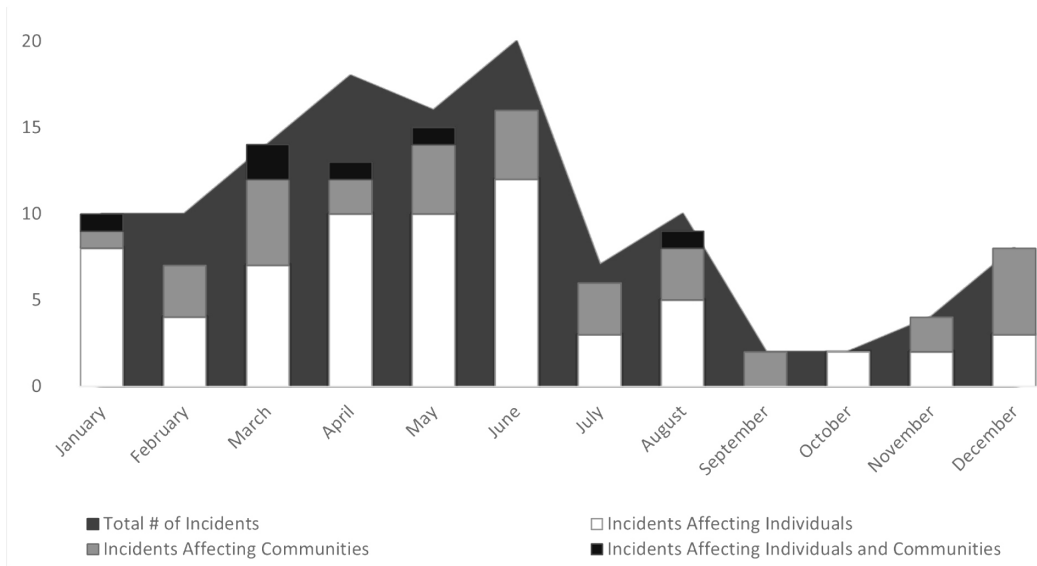
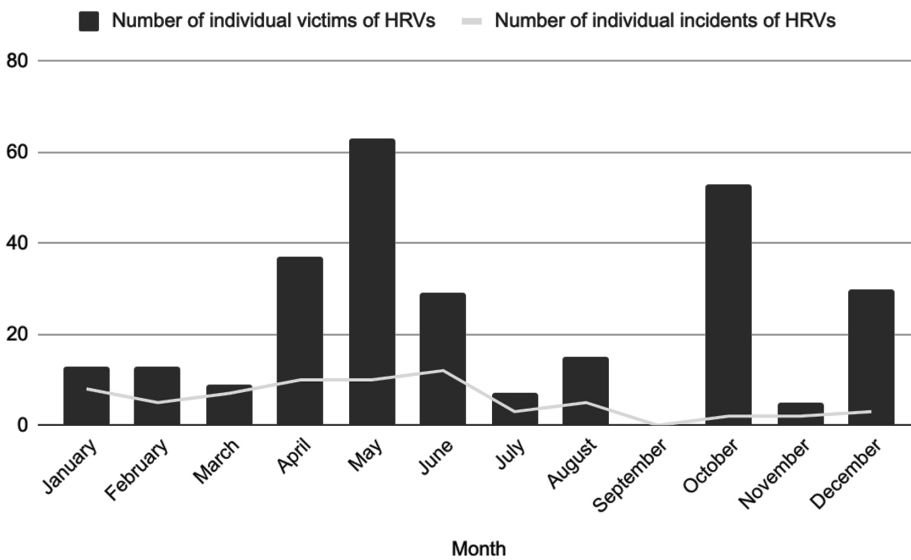


Figure 6. Monthly number of individual incidents and victims of HRVs



Majority of the victims of violence were males, except for those in incidents of “injury or assault” and “harassment, intimidation, persecution, trauma” where the victims were mostly females (see Table 12).

The gender (41.38 percent of victims) was not specified in the reports. Of those incidents where the gender of the HRV victim is indicated, the majority (70.4 percent) were reportedly males.

Table 12. Distribution of types of individual HRVs according to gender

Type of HRV	Specific type of violence	Male	Female
Physical violence	Killing	83.9%	16.1%
	Disappearance, abduction, illegal detention or arrests	83.9%	16.1%
	Injury or assault	40%	60%
	Detainment	53.6%	46.4%
	Torture	100%	0%
Psychological violence	Harassment, intimidation, persecution, trauma	43.8%	56.3%
	Threat of killing	50%	50%
Economic violence	Loss of employment	Unspecified	Unspecified
	Destruction of property	76.9%	23.1%
Political violence	Criminalization	28.6%	71.4%
	Tagging/coloring/labelling	77.2%	22.8%
	Dispossession	83.3%	16.7%
	Forcible entry, trespassing or encroachment	Unspecified	Unspecified

The study also found victims of violence who were elderly (aged 60 and above) as well as minors (18 and below). Among the eight elderly victims, three were killed, three were victims of disappearance, abduction, illegal detention or arrest, one was detained, and another was tortured. Half of them were tagged as members of rebel groups. One smallholder farmer/producer victim was reported to have mental health problems. He was killed along with four other smallholder farmers/producers in Sorsogon whom State forces had tagged as members of rebel groups.

Among the 13 victims who were minors, five experienced psychological violence such as harassment, intimidation, persecution, and one experienced threats (of killing, injury, detention) – trauma. Some of them experienced physical violence, where three were detained, two were victims of injury and assault, and two were victims of disappearance, abduction, illegal detention, or arrest. One of the minors detained is an infant who was detained with her mother.

Due to having incidents of HRVs involving more than one victim and with most of them having experienced multiple types of violations, the number of perpetrators broken down in Table 13 is *not* equal to the number of individual victims. Rather, it presents the breakdown of the perpetrator for each type of individual HRV committed. Over all, the majority of the perpetrators of individual HRVs were State agents (209) and powerful individuals

(161). A huge portion of the State agents mentioned in reports of HRVs were the military (41.9 percent), police (30.6 percent), and police together with the military (19.4 percent). Majority (110) of all the physical violence was also perpetrated by State agents (see Table 13). A large portion of psychological violence—specifically harassment, intimidation, persecution and trauma, as well as loss of job/employment and criminalization—were initiated by powerful individuals. Tagging and forcible entries were largely done by State agents.

Table 13. Perpetrators of individual Human Rights Violations

Type of violence	Perpetrator							TOTAL
	State agents (Military/ Police)	Paramilitary	Non- State armed group	Private company/ corporation	Criminal syndicate	Powerful individual	Unidentified assailants	
OVERALL TOTAL	209	3	5	26	2	161	29	435
Physical								
Killing	27	1	1	–	1	–	8	38
Injury or assault	4	–	3	–	1	–	2	10
Disappearance, abduction, illegal detention, or arrest	34	1	1	–	–	–	4	40
Torture	1	–	–	–	–	–	–	1
Detainment	44	–	–	–	–	5	–	49
Total	110	2	5	0	2	5	14	138
Psychological								
Threat (of killing, injury, detention)	2	–	–	–	–	–	2	4
Harassment, intimidation, persecution, trauma	10	–	–	–	–	52	10	72
Total	12	–	–	–	–	52	12	76
Economic								
Destruction of property	1	–	–	12	–	–	–	13
Loss of job/ employment	–	–	–	1	–	52	–	53
Total	1	–	–	13	–	52	–	66
Political								
Criminalization	7	–	–	1	–	52	–	60
Tagging/ coloring/ labelling	76	1	–	–	–	–	3	80

Forcible entry, trespassing, encroachment	3	-	-	-	-	-	-	3
Dispossession	-	-	-	12	-	-	-	12
Total	86	1	-	13	-	52	3	155

The 2018 study recorded more victims killed (61) than the 2020 study (38). This is because of the difference in the scope of duration of the two reports. The 2018 study covered 18 months (January 2017 to June 2018) while the scope of the current study was only 12 months (January 2020 to December 2020). However, the difference in the number of victims killed in the two studies **does not** imply that HRVs are decreasing.

It was likewise observed that, in both studies, the majority of the perpetrators of killings reported were State agents. In the 2018 report, 66 percent of killings were committed by the military; while in the 2020 study, 61.5 percent were reportedly committed by various State forces such as the military (41.7 percent), police (20.8 percent), and joint forces of the military and police (37.5 percent). Among the victims reportedly killed by State agents, 95.8 percent were also victims of tagging.

Furthermore, 55 percent of the incidents of HRVs were committed against communities. ICCs/IPs and smallholder farmers/producers were the most affected sectors of community violence (see Figure 7). Half of all incidents of community violence were sustained violations to be discussed later in the report.

Figure 7. Distribution of victims of community violence, per sector

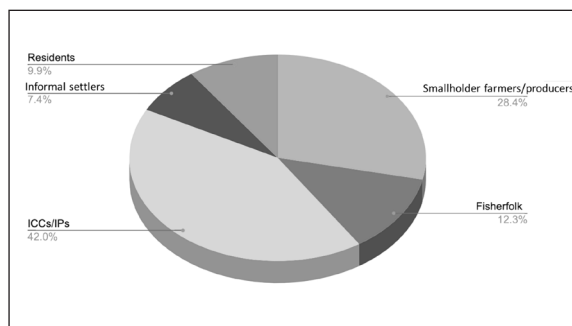


Table 14 shows that the most frequent type of community violence is displacement, followed by forcible entry and lack or faulty implementation of FPIC. It was also found that communities are also victims of tagging/coloring/labelling perpetrated by State agents (83.3 percent) and powerful individuals (16.7 percent). Among the five community victims of tagging, three were ICCs/IPs and two were fisherfolk communities. Moreover, there were incidents of individual HRVs in 40 percent of the occurrences of community tagging.

Some communities also experienced multiple types of violence. Out of the 34 incidents of displacement, 32 percent were incidents of threats and impacts to the environment. In the 48 incidents of threats and impacts to the environment, 35 percent experienced accompanying incidents of community violence. The types of violence with the highest number of victims were those of displacement and contamination of resources/pollution.

Table 14. Number of community victims of HRVs according to type of violence

Type of HRV	Specific type of violence	Number of Incidents	Number of victims per household
Community violence	Denial of benefit	1	No data
	Destruction of property	3	401
	Disenfranchisement	6	48
	Displacement	34	28,317
	Dispossession	2	No data
	Forcible entry/lack of or faulty FPIC	13	35
	Grave threats	1	No data
	Harassment, intimidation, persecution, trauma	5	37
	Threat of displacement	6	26,000
Threats and impacts to the ecology	Contamination of resources/pollution	15	27,371
	Depletion of productivity brought by pollution or destruction of biodiversity	6	No data
	Destruction of biodiversity	18	4,333
	Increased climate vulnerability	9	No data

Private companies/corporations were identified as the perpetrators in the majority of all types of HRVs committed against communities, followed by State agents. Notably, in a big portion of the incidents of community HRVs, the reports did not identify the perpetrator (16). Displacements, being the most frequent type of HRV against community as well as the type of HRV with the highest number of victims, were reportedly perpetrated largely by State agents and private companies/corporations. Majority of threats and impacts to the ecology were carried out by private companies/corporations.

Table 15. Distribution of perpetrators of community violence

Type of violence	Perpetrator						
	State agents (Military/Police)	Non-State armed group	Private company/corporation	Private armed groups	Powerful individual	Unidentified	Foreign fishing vessels
OVERALL TOTAL	35	6	45	3	8	16	4
Community violence	30	6	16	2	5	10	1
Denial of benefit	-	-	-	-	1	-	-

Destruction of property	2	-	-	-	-	-	-
Disenfranchisement	2	-	2	-	-	2	-
Displacement	11	6	10	2	3	2	-
Dispossession	1	-	-	-	-	1	-
Forcible entry/ lack of or faulty FPIC	5	-	4	-	-	4	-
Grave threats	1	-	-	-	-	-	-
Harassment, intimidation, persecution, trauma	3	-	-	-	-	1	1
Tagging/coloring/ labelling	5	-	-	-	1	-	-
Threats and impacts to the ecology	5	0	29	1	3	6	3
Contamination of resources/pollution	1	-	11	-	2	1	-
Depletion of productivity brought by pollution or destruction of biodiversity	-	-	1	-	1	1	3
Destruction of biodiversity	4	-	10	1	-	3	-
Increased climate vulnerability	-	-	7	-	-	1	-

On land and resource conflicts with human rights violations

From the 223 ongoing cases found in the study, recent HRVs against individuals and communities were present in 54 cases (23 percent). BARMM, NCR, and Region 3 (Central Luzon) have the highest proportion of cases with incidents. All of the cases in BARMM have manifestations of conflict, including an armed conflict between government forces and militant groups taking place within ancestral domains that forced 600 families in South Upi, Maguindanao to leave their homes on 31 December 2020. In NCR, where 83 percent of the cases have manifestations of conflict, HRVs include communities experiencing threats of displacement (60 percent), actual displacement (20 percent), and ecological damage/conflict impacts on the environment (20 percent). NCR is also the region with the highest number of community victims with 22,600 households. Region 3 (Central Luzon) is the region with the highest percentage of manifestations of conflict and it has the highest incidents of HRVs among the cases with incidents. Cases in Region 6 (Western Visayas) have the highest number of individual victims of HRVs.

Table 16. Distribution of land and resource conflict cases with HRVs per region and number of individual and household victims

Name of Region/Province	Number and percentage of cases with incidents within the region	Number of individual victims of HRVs	Number of HH victims of HRVs
National Capital Region (NCR)	5 (83.3%)	No incident recorded	22,600
Cordillera Administrative Region (CAR)	0	No incident recorded	No incident recorded
1- Ilocos Region	0	No incident recorded	No incident recorded
2- Cagayan Valley	2 (40%)	2	No incident recorded
3- Central Luzon	10 (62.5%)	14	950
4A- CALABARZON	4 (33.3%)	7	26,426
4B- MIMAROPA	5 (23.8%)	1	No incident recorded
5- Bicol Region	1(50%)	1	800
6- Western Visayas	5 (33.3%)	76	321
7- Central Visayas	3 (60%)	No incident recorded	22
8- Eastern Visayas	2 (11.8%)	No incident recorded	3,125
9- Zamboanga Peninsula	0	No incident recorded	No incident recorded
10- Northern Mindanao	3 (12.5%)	4	No incident recorded
11- Davao Region	4 (11.1%)	13	No incident recorded
12- SOCCSKSARGEN	3 (15.8%)	3	No incident recorded
13- CARAGA	3(6%)	No incident recorded	111
Bangsamoro Autonomous Region in Muslim Mindanao (BARMM)	2(100%)	No incident recorded	2,314
TOTAL	54 (23%)	121	56,669

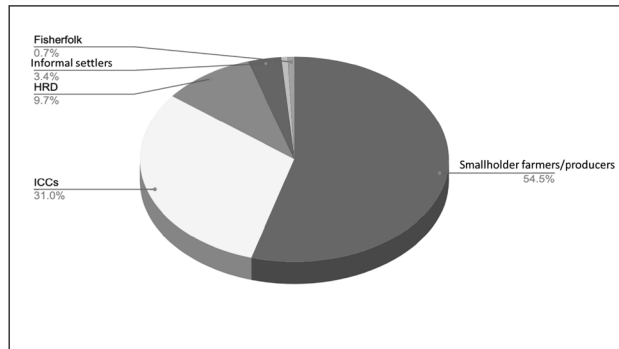
Most of the individual victims of violence linked to specific cases were smallholder farmers or producers (54.5 percent), while 31 percent belong to indigenous groups or communities. Fourteen individuals (9.7 percent) were activists and rights defenders (see Figure 8).

There are also a few instances in which civilians not directly involved in the conflict are affected by violence, as was the case when a civilian/relief worker was killed in an ambush attack by Bangsamoro Islamic Freedom Fighters (BIFF) who have an ongoing conflict affecting ICCs/IPs in South Upi, BARMM.

Majority (94.6 percent) of victims of criminalization or trumped-up charges were smallholder farmers/producers. Because of such charges, the victims also suffered harassment, intimidation, persecution, and trauma as well as loss of job/employment. These attacks were mostly perpetrated by powerful individuals (60.5 percent) resisting land reform. In one recorded case in October 2020, the Regional Trial Court (RTC) Branch 54 in Bacolod City issued arrest warrants for 56 farmers in Negros for alleged violation of Republic Act 9700

CARP Extension with Reforms (CARPER). Five of the farmers were already arrested, while four served with arrest warrants have long passed away. The victims were claiming their rights to 248 hectares of redistributed agricultural lands, believed to be part of the 1,000 hectares land owned by the Yusay family and whose representative filed the complaint against the farmers.

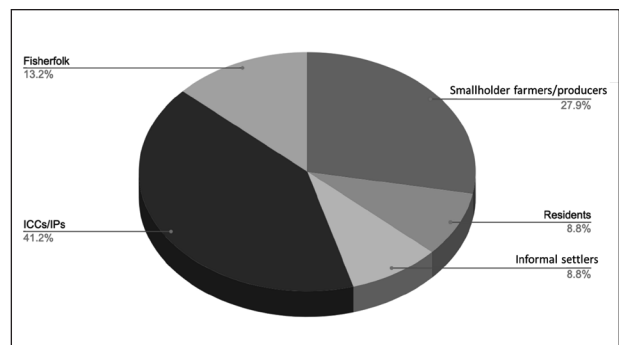
Figure 8. Distribution of individual victims of HRVs in cases of land and resource conflicts, per sector



Meanwhile, the study found that violence against communities was most prevalent among ICCs/IPs (41 percent). This is followed by violence against communities of smallholder farmers/producers (28 percent) and fisherfolk (13 percent). This distribution of household victims per region is reflected in Figure 9.

Among the killings linked to a certain case, the majority of the victims are ICCs/IPs (82 percent). **The Jalaur Mega Dam project was found to be the deadliest case of conflict.** In December 2020, nine members of the Tumandok tribe who had long opposed the construction of the dam were killed in Iloilo and Capiz. In addition to the killings, 19 other ICCs/IPs were red-tagged and detained. Reports refer to police and military as alleged perpetrators of the violence. Prior to the incident, the Tumandoks had been likewise red-tagged as members of the NPA.

Figure 9. Violence against communities in cases of land and resource conflicts, per sector



As is the general trend, victims in conflict cases faced multiple forms of violence:

- Of those red-tagged, 61.1 percent were also victims of detainment, 27.8 percent were killed, 11.1 percent were victims of disappearance, abduction, illegal detention, or arrest.
- Around 12.5 percent of victims of physical violence were also victims of psychological violence. Region 6 (Western Visayas) accounts for 92 percent of the victims of harassment, intimidation, persecution, and trauma. This was largely as a result of the cases involving Tumandoks in the Jalaur Mega Dam project and the resistance to land reform involving farmers in Negros.
- Ninety-four percent of victims of harassment, intimidation, persecution, and trauma had also experienced loss of job/employment.

On Sustained Violations

The study also distinguished between incidents that occurred during specific months from sustained types of HRVs where the individual or community perceived threats for a prolonged period. **Out of the 147 incidents of HRVs, 41 (or 28 percent) are sustained.** However, because the study focused more on incidents with identifiable dates of occurrence as part of its verifying process, the study did not further investigate the actual duration of these sustained violations. This type of HRV had one incident of individual HRV, 38 incidents of community HRVs, and two incidents of both. **The victims of prolonged HRVs included 14 individuals (4.8 percent) and 53,704 households (92.12 percent).** The sectors of individual victims with reports of prolonged HRVs were from ICCs/IPs (1; 7.14 percent) and smallholder farmers/producers (13; 92.85 percent). For the community victims, the majority of the sectors experiencing prolonged threats were smallholder farmers/producers (35.9 percent), followed by ICCs/IPs (25.6 percent) and fisherfolk (20.5 percent). Other sectors include residents (12.8 percent), forest protectors (2.6 percent), and informal settlers (2.6 percent).

Prolonged HRVs against communities included either physical, psychological, political or economic community violence (24 percent), impacts to the environment (37 percent), or a combination of both (39 percent). Figure 10 shows that the majority of the incidents of sustained community HRVs involved displacement or threats of displacement, affecting a total of 49,860 households.

The 26,000 fishing families (Antonio, 2020) living along the coastline from Bacoor City to Cavite City constituted the majority of the households who were reported as experiencing prolonged threat of displacement. This was due to the proposed reclamation project for the Sangley Point International Airport (SPIA). Majority of the identified

perpetrators of prolonged threats of displacement were private companies/corporations (53.8 percent), powerful individuals (23.1 percent), and State agents (23.1 percent). Examples of these State agents included the DENR for the Manila Bay Reclamation Project posing a threat to urban poor families living in coastal areas, the Bases Conversion and Development Authority (BCDA) for the New Clark City (NCC) feared to displace Aetas in Capas, Tarlac, and military operations in ICCs/IPs communities in Mindanao. Out of the 13 incidents of prolonged threats of displacement, 69 percent also experienced ecological impacts and threats to their environment.

Figure 10. Distribution of physical, psychological, political and economic community violence in sustained HRVs

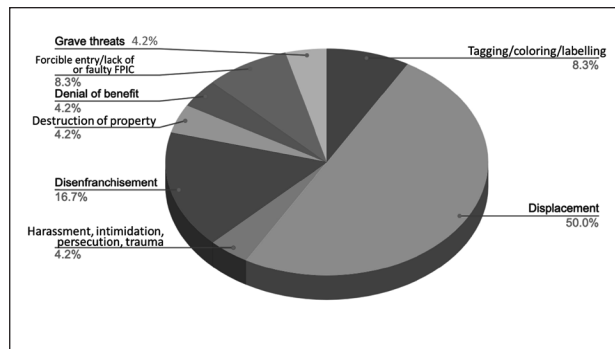
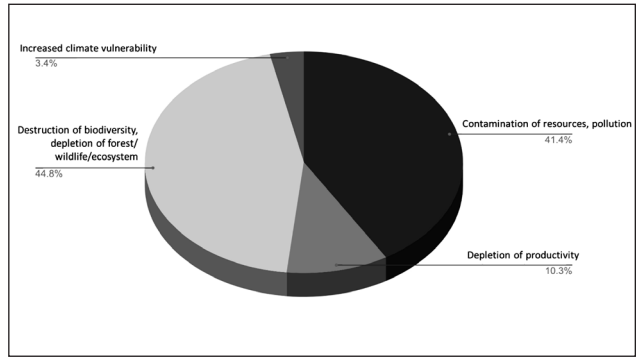


Figure 11 shows the various types of prolonged ecological HRVs experienced by communities where the majority of HRVs include destruction of biodiversity (44.8 percent) and contamination of resources or pollution (41.4 percent). Majority of prolonged ecological HRVs were perpetrated by private companies/corporations (66.7 percent), followed by State agents (19.1 percent) and powerful individuals (7.4 percent). Other perpetrators include foreign fishing vessels (3.7 percent) and private armed groups (3.7 percent).

Figure 11. Types of prolonged ecological HRVs experienced by communities



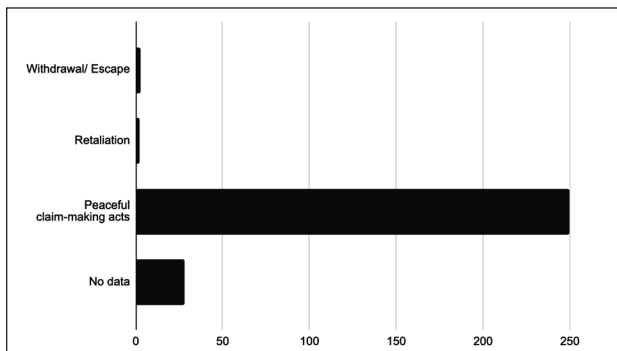
Responses to the Conflicts

Majority of the response of rights holders in conflict were through peaceful claim-making acts (88.3 percent), which means they choose to fight for their rights to own or access land and resources through amicable and legal processes (see Figure 12). Such processes include peaceful demonstrations (46.4 percent), negotiation (22.4 percent), legal remedies (17.2 percent), administrative (13.2 percent) and customary conflict resolution mechanisms (0.8 percent). In some of the cases, the response of the community was not reported (9.9 percent).

There were two cases (0.7 percent) where the rights holders chose to engage in violence—apparently since both cases had a history of violence committed by duty bearers. In the case in Palawan, reports say the provincial government had resolved to provide its forest rangers with firearms to protect them against armed groups involved in illegal forest activities. In the case in South Cotabato, some members of ICCs/IPs had admitted to engaging in violent conflict to defend their lands against the Tampakan project.

There were three cases (1.1 percent) where the community, particularly ICCs/IPs and

Figure 12. Distribution of community response to land and resource conflicts



fisherfolk, eventually chose to yield, withdraw, or escape the conflict. It should be noted that these communities did not only or immediately choose to escape conflict. They opted to do so after withstanding years of conflict and fear surrounding their everyday lives. According to the UN (Abo and Ayao, 2020), even amidst a pandemic and despite strict lockdowns, the number of victims

of intermittent conflict continued to rise in central and southwestern Mindanao. For the first quarter of 2020, at least 26,300 individuals were forced to leave their homes. In BARMM, ICCs/IPs fled their homes to escape being caught in the crossfire between armed groups and State forces. In Surigao del Sur, 67 Manobo families also fled their homes in fear of hostilities between State forces and insurgent groups.

Among the cases of those who chose to withdraw from conflict were those of fisherfolk who had been turned away by foreign fishing vessels while accessing their fishing grounds. In this case, the State was expected to protect them and their rights to access resources. Of particular relevance to small fisherfolk is the ongoing territorial dispute involving the West Philippine Sea. Beyond an issue of national sovereignty, this is also an issue of preferential rights among Filipino fisherfolk – small fisherfolk are being deprived of their preferential rights to fish in municipal waters and territorial waters, by both local and foreign entities. Unfortunately, the monitoring initiative of this study was not able to gather enough cases to provide rich insight into this particular concern.

To describe conflict resolution attempts in land and resource conflicts, the study monitored corrective responses of duty bearers involved in conflict, as well as third party actors in conflict. Actions were considered “corrective” if they aim to help rights holders in claiming their rights and access to land and resources. In the majority of the cases, it was reported that **no corrective actions were taken** (68.4 percent) in response to the conflict. In addition to this, a large portion of the cases have **no reported corrective action** (11.8 percent).

Corrective actions were only reported in 19.7 percent of the cases. Of these actions, 84.4 percent were undertaken by the government, 2.6 percent by the private companies involved in conflict, and 2.2 percent by third party actors. Among the corrective actions by government recorded by the study were: a) conduct of mediation dialogues between rights holders and duty bearers, b) issuance of legal documents to stop operations of mining firms, c) imposing fines on businesses for their violations and impacts on the environment, d) filing diplomatic protests against foreign fishing vessels encroaching on Philippine fishing waters, and e) awarding of tenurial instruments to rights holders.

Recommendations

In the validation workshop organized by ANGOC on 4 March 2021, CSO participants formulated the following recommendations based on the findings of the study:

For the government

General recommendations:

- As a signatory to the Universal Declaration of Human Rights and being the primary duty bearers of human rights obligations, the government must ensure the fulfillment

of international commitments at the domestic level by implementing all the provisions of the Declaration and other related treaties.

- As children and the elderly have been casualties in land and resource conflicts, the government must also demonstrate commitment in protecting the rights of vulnerable sub-populations especially in regions where conflict is chronic.
- The government must allow and practice transparent and verified investigations, and effective remedies for human rights violations such as incidents of killings, torture, displacement, and political violence. The CHR and other human rights mechanisms must be engaged to hold human rights violators to account.
- Government, the CHR, and civil society alike must condemn baseless “red-tagging,” and support the work of human rights defenders, protecting the many victims of malicious tagging.

On the implementation of existing policies:

- The government must continue to carry out and commit to the completion of land and resource reforms for farmers, indigenous peoples, fisherfolk, and urban dwellers, to secure rural stakeholders’ access to land and thus prevent conflicts. Specifically, it must complete all land and resource reform programs pursuant to the Constitution, and to existing laws such as the Comprehensive Agrarian Reform Program Extension with Reforms (CARPER), Indigenous Peoples’ Rights Act (IPRA), the Fisheries Code, and the Urban Development Housing Act (UDHA).
- Given the many concerns of indigenous peoples on the circumvention or non-implementation of the free, prior and informed consent (FPIC) process, the National Commission on Indigenous Peoples (NCIP) should undertake a review of the FPIC and revise as needed towards the strengthening of the implementation of its guidelines.

On monitoring and addressing conflicts:

- Land agencies should enhance and intensify monitoring and documentation of land and resource conflicts in implementing resource reform programs and make the data on land conflicts available to the public. A joint monitoring tool on monitoring conflicts may be explored between government agencies and civil society organizations.
- Agencies that are concerned with the approval and implementation of energy and infrastructure projects should investigate the social and environmental impacts of large investments, factoring in the potential effects of the investment on climate change adaptation as well. Adequate remedies should be put in place in instances where there are proven negative effects on communities.
- Land and justice agencies should establish an efficient and practical system to address overlapping claims on land. Upon the recommendation of indigenous peoples, the DAR-DENR-LRA-NCIP JAO 1 series of 2012, which makes ancestral lands/domains highly vulnerable to encroachment as it exacerbates the delay in processing and registration of CADTs, should be nullified. In lieu of JAO 1, a multi-sectoral conflict resolution mechanism should be established at the local level (*barangay*, municipality) to immediately respond to community grievances.

- Cases of red-tagging, harassment, and other violence against rights defenders must be reported and endorsed to the Inter-Agency Committee on Extra-Legal Killings, Enforced Disappearances, Torture and Other Grave Violations of the Right to Life, Liberty and Security of Persons (IAC)¹⁰, created under Administrative Order 35 series of 2012. A system of referral to the IAC must be included in official conflict resolution mechanisms and frameworks.

On addressing policy gaps:

- Noting that most conflicts on land and resources are in the context of business and private investments, a National Action Plan (NAP) on the UN Guiding Principles on Business and Human Rights (UNGPs) should be formulated. The NAP is seen to define a national framework to prevent and address business-related human rights violations, and to intensify safeguard mechanisms to prevent future injustices brought by land and resource investments. In the absence of a NAP, agencies should integrate the Business and Human Rights principles in their policies and programs.
- The National Land Use Act (NLUA) must be passed by the Philippine Congress to prevent further land use conversion of agricultural and forest lands as well as summary evictions and demolition of housing units of urban poor dwellers.
- Of equal importance is the need to enact into law the following pending bills deemed integral to preventing and addressing conflicts:
 - Indigenous Community Conserved Areas (ICCA), in recognition of IPs as stewards of the environment, in light of the rising number of resource conflicts caused by disagreements between IPs, government, and/or the private sector on the use and management of resources.
 - Act Defining and Penalizing Red-Tagging, in light of the increasing prevalence of malicious tagging of human rights defenders, activists, and local organized community members — especially since red-tagging is found to coexist with physical and other forms of violence in many cases.
 - Bill on Protecting Human Rights Defenders, in light of the increasing reports of violence against human rights defenders.

For businesses

- Private corporations and businesses must consciously practice corporate social responsibility by respecting and observing FPIC of all communities before, during, and after all areas of its value chain's operations.
- They must observe transparency, inclusivity, and due diligence throughout the entire process from project conceptualization, to identifying risks and opportunities, to the

¹⁰ The IAC's mandate is "to serve as the government's institutional machinery dedicated to the resolution of unsolved cases of political violence in the form of extra-legal killings (ELK), enforced disappearances (ED), torture and other grave violations of the right to life, liberty and security of persons." The IAC has the function to inventory cases of political violence, prioritize unsolved cases for action, and monitor cases with an updated database. It is chaired by the Secretary of Justice and is composed of the following members: Chairperson of the Presidential Human Rights Committee; Secretary of the Department of Interior and Local Government; Secretary of the Department of National Defense; Presidential Adviser for Political Affairs; Chief of Staff of the Armed Forces of the Philippines; Director General of the Philippine National Police; and, the Director of the National Bureau of Investigation.

conduct of social-environmental impact assessments, to negotiation and finalization of contracts, and to benefits sharing. Annual sustainability reports must be submitted to the Securities and Exchange Commission (SEC), in accordance with SEC's Memorandum Circular No. 4 Series of 2019.

- In contracts entered into with farmers, fisherfolk, and indigenous peoples, private corporations and businesses must clearly include provisions that legally bind them to indemnify and provide adequate remedies in cases where individuals, communities, or the environment, are negatively affected by the investments.

For the financial sector (banks and investors)

- Banks and investors must ensure that the businesses they engage with are complying with Environmental, Social, and Governance Standards.
- In line with the Sustainable Finance Framework of the Bangko Sentral ng Pilipinas, the financial sector must integrate sustainability measures within financing policies and disclose environmental and social risk reports.

For the Commission on Human Rights (CHR)

- The CHR should continue monitoring and investigation work on land and resource conflicts, sustaining partnerships with civil society. The Commission should also clearly tag and identify cases of human rights violations which are related to land and resource conflicts.
- The CHR must persist in reminding and recommending actions for the government to uphold their duty to protect, respect, and fulfill human rights.

For Civil Society Organizations (CSOs)

- CSOs must continue multi-stakeholder dialogues on land and resource conflicts, and strengthen constructive and nonviolent conflict management efforts.
- CSOs must also continue organizing and empowering the marginalized and vulnerable sectors to allow them to effectively defend their land and resource rights. Conflict monitoring tools and reports must be disseminated to communities to empower and to educate them about other cases of conflict which they can use as reference for their own struggles.
- CSOs must improve conflict and human rights violations reporting and monitoring practices. Key information for case-building (such as the duration of conflict, area of resource covered by conflict versus area of resource threatened by conflict, stakeholders involved, responses of stakeholders to conflict) must be validated and included in reports.
- Monitoring, sharing of data, and analysis on land and resource conflicts must continue, in order to pursue evidence-based recommendations and to strengthen civil society campaigns. CSOs must also build a strong community of practitioners on land and resource conflict monitoring, resolution, and management.

The challenges of addressing land and resource conflicts are complex and daunting. The involvement of the different stakeholders is critical, not just in the monitoring of such conflicts but also in formulating and taking immediate actions to resolve them. ■

LIST OF ACRONYMS

ADR	Alternative Dispute Resolution
ALG	Alternative Law Group
ANGOC	Asian NGO Coalition for Agrarian Reform and Rural Development
ARB	Agrarian Reform Beneficiary
BIFF	Bangsamoro Islamic Freedom Fighters
BSP	Bangko Sentral ng Pilipinas
CADT	Certificate of Ancestral Domain Title
CALABARZON	Cavite-Laguna-Batangas-Rizal-Quezon
CALT	Certificate of Ancestral Land Title
CAR	Cordillera Administrative Region
CARL	Comprehensive Agrarian Reform Law
CARP	Comprehensive Agrarian Reform Program
CARPER	Comprehensive Agrarian Reform Program with Extensions and Reforms
CHR	Commission on Human Rights
CLOA	Certificate of Land Ownership Award
CLT	Certificate of Land Transfer
CNO	Certificate of Non-Overlap
CSO	civil society organization
DAR	Department of Agrarian Reform
DARAB	Department of Agrarian Reform Adjudication Board
DENR	Department of Environment and Natural Resources
FOI	Freedom of Information
FPIC	Free, Prior, and Informed Consent
FTAA	Financial or Technical Assistance Agreement
HRD	Human Rights Defender
HRV	Human Rights Violation
ICCs	Indigenous Cultural Communities
IP/s	indigenous people/s
IPMR	Indigenous People's Mandatory Representative
IPRA	Indigenous Peoples' Rights Act
JAO 1	Joint DAR-DENR-LRA-NCIP Administrative Order #01, Series of 2012
KP	<i>Katarungang Pambarangay</i> (Barangay Justice System)
LGU	local government unit
LRA	Land Registration Authority
LWA	Land Watch Asia
MIMAROPA	Mindoro-Marinduque-Romblon-Palawan
NAP	National Action Plan
NCIP	National Commission on Indigenous Peoples
NCR	National Capital Region
NEDA	National Economic and Development Authority
NIA	National Irrigation Authority
NHRI/C	National Human Rights Institution/Commission
NPA	New People's Army
PARAD	Provincial Agrarian Reform Adjudicator
PO	people's organization
PSA	Philippine Statistics Authority
RARAD	Regional Agrarian Reform Adjudicator
SMI	Sagittarius Mines, Inc.
SOCSCSARGEN	South Cotabato-Sultan Kudarat-Saranggani-General Santos
UDHA	Urban Development and Housing Act
UNGPs	United Nations Guiding Principles on Business and Human Rights

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Through the multistakeholder dialogue, the findings of the report were validated and recommendations were forwarded as to how government, civil society, and communities may work to resolve the root causes and provide remedy to the adverse effects of land conflicts.

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CITATION

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