LANDSCAPE GOVERNANCE:

A TRAINING MANUAL

Founded in 1979, the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) is a regional association of national and regional networks of civil society organizations (CSOs) in Asia actively engaged in promoting food sovereignty, land rights and agrarian reform, sustainable agriculture, participatory governance, and rural development. ANGOC member networks and partners work in 10 Asian countries together with 3,000 CSOs and community-based organizations (CBOs). ANGOC actively engages in joint field programs and policy discussions with national governments, intergovernmental organizations (IGOs), and international financial institutions (IFIs).

ANGOC is a member of the Global Land Tool Network (GLTN), Global Forum on Agricultural Research (GFAR), Indigenous Peoples' and Community Conserved Areas and Territories (ICCA) Consortium, and the International Land Coalition (ILC).

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Xavier Science Foundation, Inc. (XSF) is a non-political, non-stock, non-profit organization established and designed to encourage, support, assist, and finance projects and programs dedicated to the pursuit of social and educational development of the people in Mindanao. It is a legal and financial mechanism generating and managing resources to support such socially-concerned and development-oriented projects and programs.

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LIST OF ACRONYMS

AD	ancestral domain
ADSDPP	Ancestral Domain Sustainable Development and Protection Plan
AFMA	Agriculture and Fisheries Modernization Act
AGMIHICU	Agtulawon-Mintapod Higaonon Cumadun
ANGOC	Asian NGO Coalition for Agrarian Reform and Rural Development
ARB	agrarian reform beneficiary
BFAR	Bureau of Fisheries and Aquatic Resources
BIR	Bureau of Internal Revenue
BLGU	Barangay Local Government Unit
BMZ	German Federal Ministry for Economic Cooperation and Development
CADC	Certificate of Ancestral Domain Claim
CADT	Certificate of Ancestral Domain Title
CALT	Certificate of Ancestral Land Title
CARL	Comprehensive Agrarian Reform Law
CARP	Comprehensive Agrarian Reform Program
CARPER	Comprehensive Agrarian Reform Program Extension with Reforms
CBFM	Community-Based Forest Management
CBFMA	Community-based Forest Management Agreement
CDA	Citywide Development Approach
CDP	Comprehensive Development Plan
CEDAW	UN Convention on the Elimination of All Forms of Discrimination Against Women
CENRO	City Environment and Natural Resource Office
CLOA	Certificate of Land Ownership Award
CLUP	Comprehensive Land Use Plan
CPDC	City Planning and Development Council
CSCAND	Collective Strengthening on Community Awareness on Natural Disasters
CSO	civil society organization
DAR	Department of Agrarian Reform
DENR	Department of Environment and Natural Resources
DepEd	Department of Education
DILG	Department of Interior and Local Government
DOE	Department of Energy
DOF	Department of Finance
DOJ	Department of Justice
DOTC	Department of Transportation and Communications
DPWH	Department of Public Works and Highways
DRRM	Disaster Risk Reduction and Management
DTI	Department of Trade and Industry
ENIPAS	Expanded National Integrated Protected Areas System
FAO	Food and Agriculture Organization of the United Nations

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FD	Family Development
FLUP	Forest Land Use Plan
FMS	Forest Management Sector
FPIC	free, prior, and informed consent
GAD	Gender and Development
GEC	Gender Evaluation Criteria
GLTN	Global Land Tool Network
GPS	Global Positioning System
HLURB	Housing and Land Use Regulatory Board
HOA	Homeowners Association
HPFPI	Homeless People's Federation Philippines, Inc.
HUDCC	Housing and Urban Development Coordinating Council
IBA	Important Bird Area
ICC	indigenous cultural community
ICRAF	International Center for Research in Agroforestry
IPs	indigenous peoples
IPMR	Indigenous Peoples Mandatory Representative
IPRA	Indigenous Peoples' Rights Act
IPS	Indigenous Political Structure
ISF	informal settler family
ISO	International Organization for Standardization
IUCN	International Union for Conservation of Nature
KBA	Key Biodiversity Area
LADM	Land Administration Domain Model
LDIP	Local Development Investment Plan
LG	Landscape Governance
LGU	Local Government Unit
LIAC	Local Inter-Agency Committee
LMB	Land Management Bureau
LRA	Land Registration Authority
LTO	Land Transportation Office
MAO	Municipal Agriculture Officer
MARO	Municipal Agrarian Reform Officer
MPDC	Municipal Planning and Development Council
ME	Municipal Engineer
MENRO	Municipal Environment and Natural Resources Office
MHO	Municipal Health Office
MILALITTRA, Inc.	Miarayon Lapok Lirongan Talaandig Tribal Association, Inc.
MLGU	Municipal Local Government Unit
MSWDO	Municipal Social Welfare Development Office
MWPMC	Municipal Watershed Protection and Management Council
NAMAMAYUK	Nagkahiusang Manobong Manununod sa Yutang Kabilin
NAPC	National Anti-Poverty Commission
NCIP	National Commission on Indigenous Peoples
NGA	national government agency
NGO	non-government organization
NHA	National Housing Authority
NIA	National Irrigation Administration

NIPAS	National Integrated Protected Areas System
PA	Protected Area
PACSII	Philippine Action for Community-led Shelter Initiative Inc.
PAFID	Philippine Association For Intercultural Development, Inc.
PAGASA	Philippine Atmospheric, Geophysical and Astronomical Services Administration
PAMB	Protected Area Management Board
PAMP	Protected Area Management Plan
PCUP	Presidential Commission for the Urban Poor
PENRO	Provincial Environment and Natural Resources Office
PES	Payment for Ecosystem Services
PESO	Public Employment Service Office
PFC	Philippine Fisheries Code
PIEP	Philippine Institute of Environmental Planners
PNP	Philippine National Police
PO	people's organization
PPA	Philippine Ports Authority
PPC	Philippine Postal Corporation
PPDO	Provincial Planning and Development Office
PSA	Philippine Statistics Authority
PTTA, Inc.	Portulin Talaandig Tribal Association, Inc.
RAP	Resettlement Action Plan
RLUC	Regional Land Use Committee
ROD	Registry of Deeds
SALaR	Secure Access to Land and Resources
SB	*Sangguniang Bayan* (Municipal Council)
SDG	Sustainable Development Goal
SHFC	Social Housing Finance Corporation
SK	*Sangguniang Kabataan* (Youth Council)
SP	*Sangguniang Panlalawigan* (Provincial Council)
STDM	Social Tenure Domain Model
TAMPEI	Technical Assistance Movement for People and Environment, Inc.
TCT	Transfer Certificate of Title
TESDA	Technical Education and Skills Development Authority
TRLUP	Tenure Responsive Land Use Planning
TWG	technical working group
UDHA	Urban Development and Housing Act
UN Habitat	United Nations Human Settlements Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UPDGE	University of the Philippines Department of Geodetic Engineering
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
XSF	Xavier Science Foundation, Inc.
YLRC	Youth and Land Responsiveness Criteria

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FOREWORD

Concerns over food insecurity in developing countries are reflected in the Sustainable Development Goals (SDGs) to end hunger, achieve food security and improve nutrition, and promote sustainable agriculture by 2030. Given that land plays an important role in the livelihoods of most people in developing countries, food security and poverty reduction cannot be achieved unless issues of access to land, security of tenure, and the capacity to use land productively and in a sustainable manner, are addressed.

More than one-fifth of the Philippines' total population – 22 million – still live below the national poverty line (Philippine Statistics Authority, 2018). Those living in the uplands and engaged in forestry activities have the highest incidence of poverty at 68 percent. Majority of these upland dwellers are indigenous peoples (IPs) estimated to be between 10 to 20 percent of the national population (PIDS, 2012). Ironically, these communities who rely on agriculture for a living are also considered "food poor."

While a number of land laws are being implemented, several gaps need to be addressed to improve the situation of their intended beneficiaries. In 1997, the Indigenous Peoples Rights Act (RA 8371 or IPRA) was enacted, which was a landmark legislation recognizing the rights of indigenous peoples over their ancestral domains. After 22 years, 18 percent of the total land area of the Philippines are now covered by 221 approved Certificates of Ancestral Domain Titles (CADTs) with a total area of more than 5.4 million hectares. Of these, 53 percent are located in Mindanao, where 15 CADTs are situated in Northern Mindanao.

It is in this context that the project *"Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines"* aims to contribute to the goal of improving land and natural resources tenure security of indigenous peoples (IPs) in the country. Jointly implemented by the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) and the Xavier Science Foundation, Inc. (XSF), this project is supported by the Global Land Tool Network (GLTN), as facilitated by UN-Habitat, through its project "Secure Access to Land and Resources (SALaR)" financed by Germany's Federal Ministry of Economic Cooperation and Development (BMZ).

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Introduction

Governance of tenure of land and resources is critical. Inadequate and insecure tenure rights to natural resources often result in extreme poverty and hunger. And those severely affected are the rural poor people – farmers, indigenous peoples and fisherfolk. In most cases they are outside the governance system, thus suffering from decisions taken by authorities in power.

While the Philippines has a strong policy frame and general principles in tenure rights based on the 1987 Constitution, a sectoral approach has been taken by policymakers. The result --- multiple tenure instruments, overlapping land classifications and tenure systems and conflicting agency mandates. Overlapping laws and mandates are addressed through multi-agency coordination (TWGs), rather than harmonization of policies and planning frameworks that reconcile different objectives on the use of land and resources.

In a situation where there is an increasing demand and competition for land and resources, having a weak governance could mean:

- ❑ Some tenure would be unrecognized
- ❑ Inequitable access to resources
- ❑ Incidence of forced eviction
- ❑ People are not able to access valuable information involving their rights and responsibilities
- ❑ Occurrence of bribery and corruption
- ❑ Occurrence of conflict between and within communities
- ❑ Agencies would have no or little accountability, favoring investors over local communities

Hence, natural resource governance has become a big challenge with the fast-changing time. Increasing population, shrinking resources, and changing climate, demand not only efficient use of resources but a governance system from broader ecosystem perspective spanning generations.

Unfortunately, appreciation of its importance, more so of its urgency, has been slow in coming. The concept is complex beyond normal disciplines and experiences. For many, it will take a major disaster for them to understand and

accept the volatile situation. And as expected, those who are benefiting are resisting change. How then can people realize that they are aboard a sinking Titanic?

Landscape governance provides a framework in moving forward. In general, it is characterized as the process of multi-sector, multi-actor and multi-level interaction and spatial decision-making at the landscape level that aims at the development of landscape specific policy targets rather than at sectoral objectives or individual actor goals (Sunderland, 2014; Reed, 2015).

In the Philippines, this has been expressed in many ways and called labels such as "ridge to reef" or "ecosystem" management. At the policy level, this is articulated in a few proposed legislations foremost of which is the many versions of National Land Use Act that had been filed, debated upon but never passed in Congress in the last 24 years. And if ever this will be enacted by the legislators, the major challenge is in implementing the law.

As part of the project **"Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines"** that aims to enhance land and natural resources tenure security of indigenous peoples in the country, this training manual was published by the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) and Xavier Science Foundation, Inc. (XSF).

Taking off from the baseline results in relation to capacity needs of partner IP communities, the overall learning objective of the training course has been defined to *introduce landscape governance as an approach to facilitate participatory land use planning, harmonize community and government plans, address land conflicts, and recognize the role of women and youth in agriculture and land governance.*

ANGOC and XSF collaborated with the Philippine Association For Intercultural Development (PAFID) in developing the training module and design on landscape governance. A review, prioritization and localization/contextualization of pro-poor, gender responsive land tools developed by the Global Land Tool Network (GLTN) and partners was undertaken. Among the tools identified relevant in the landscape governance approach include:

- ❑ Continuum of Land Rights
- ❑ Participatory Enumeration for Tenure Security
- ❑ Social Tenure Domain Model (STDM)
- ❑ Tenure Responsive Land Use Planning
- ❑ Fit-For-Purpose Land Administration

❑ Gender Evaluation Criteria
❑ Youth and Land Responsiveness Criteria

ANGOC and XSF then incorporated existing land tools on community organizing and understanding, addressing and managing land conflicts.

A series of meetings and email exchanges sharpened the focus of the design and the development of learning materials from April to June 2019.

The training course has eight modules: i) landscape governance; ii) recognizing rights to land of IPs and their contribution to landscape governance; iii) harmonizing community and development plans; iv) tenure security and land and resource conflicts; v) participatory enumeration and Social Tenure Domain Model; vi) women, land and agriculture in relation to food security; vii) youth, agriculture, and resource governance; and, viii) action planning for landscape governance. The general contents per module are presented below:

Module	Topics
Landscape governance	• Key concepts and overview • Landscape governance • Moving forward
Recognizing rights to land of IPs and their contribution to landscape governance	• Features of ancestral domains and indigenous territories • Elements and significant contributions of indigenous governance • Challenges, concerns, and ways forward
Harmonization of community and development plans	• Concepts and relationship of land use planning and tenure security • Planning process in the Philippines • Similarities and overlaps of various planning frameworks and processes • Harmonization and mainstreaming of plans
Tenure security and conflicts on land and natural resources	• Tenure security, land and resource rights and laws • Land and resource conflicts • Addressing conflict
Participatory enumeration and Social Tenure Domain Model	• Security of land tenure • Land administration challenges • Land tools and approaches • The Global Land Tool Network and the Continuum of Land Rights • Social Tenure Domain Model

Women, land, and agriculture in relation to food security	• Recognition of the equal rights of men and women • Gender Evaluation Criteria • Women in agriculture and food security
Youth in landscape governance	• Who belongs to the group of 'Youth' • Youth and land • Youth and Land Responsive Criteria
Action planning for landscape governance	• Review of challenges and agreements/recommendations • Process of planning • Planning, reporting, and closing

The training package consists of a forum and two batches of trainor's training. The Landscape Governance Forum was organized by ANGOC and XSF in partnership with the Regional Land Use Committee (RLUC) last 19 June 2019 in Mallberry Suites Hotel in Cagayan de Oro which brought 50 representatives (21 females, 29 males) from IP communities (leaders, women, youth), local government units, regional offices of government agencies and academe. The forum focused on the first module on landscape governance to contextualize the succeeding discussions on the land tools and approaches. Participants have expressed appreciation on taking such a wholistic approach to resource governance with emphasis on tenurial security as they have "re-learned" that:

❑ Land tenure allows them to make decisions
❑ Addressing land boundary concerns would prevent disputes
❑ Land Security is Food Security as IPs depend on land resources for livelihood where they can access and/or consume safe and nutritionally-adequate foods at least three times a day
❑ Land tenure security comes with the responsibility to take care of it

Trainor's training courses were then conducted focusing on Modules 2 to 8 of the landscape governance module. Around 65 representatives (27 females, 38 males) were involved in the municipalities of Talakag (20-21 June 2019) and of Pangantucan (2-4 July 2019). The multi-sector representation brought the following benefits:

❑ The training inputs instilled to the youth the values of appreciation and sense of obligation as members and incoming leaders of their ancestral domains
❑ The process highlighted the value of equality in the community, regardless of age and gender towards tenurial security

❑ Women re-affirmed their role in the ancestral domain as inheritors, protectors and stewards of land, and as mothers of the future generation

❑ Women recognized their role as peace-makers of the community

Henceforth, ANGOC and XSF finalized and summarized the learning materials and other reference documents which led to this publication. This publication is a work-in-progress, as readers are encouraged to update the materials as deemed appropriate in their respective contexts.

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LANDSCAPE GOVERNANCE:
Towards Inclusive and Sustainable Development in Northern Mindanao[1]

Presentation material web link:
https://angoc.org/wp-content/uploads/2019/09/LG-Lecture.Final_.pdf

OVERALL LEARNING OBJECTIVE:

Challenge resource governance professionals, policymakers, community leaders and other stakeholders to:
- ❑ Adopt an integrative perspective;
- ❑ Look beyond sectoral boundaries;
- ❑ Take into account cross-sectoral concerns; and,
- ❑ Work in multi-disciplinary teams.

PRESENTATION OUTLINE:

- ❑ Changing Context
  - • Fast Transforming World
  - • Impact in Northern Mindanao
  - • Need for a More Responsive Resource Governance
- ❑ Landscape Governance
  - • Defining Landscapes
  - • Think Landscapes
  - • Achieving Coherence & Making Institutions Work

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[1] Prepared by Roel Ravanera and Thieza Verdijo of the Xavier Science Foundation, Inc. (XSF) for the **Landscape Governance Forum and Training of Trainors** as part of the project *"Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines"* jointly implemented by ANGOC and XSF.

❑ Moving Forward
  • Education and Information Sharing
  • Common Action
  • Policy Advocacy

DISCUSSION:

The first part of the module presents a graphic overview of the world's situation. It illustrates the changes where the rapid growth in population makes the world crowded, the current development approach results to imbalance, the changing climate makes the world fragile and that development in technologies are shrinking the world allowing people to travel and migrate. This changing global context impacts on the local context, and in this particular case, Northern Mindanao, southern Philippines.

FAST Changing World We Live In

CROWDED
PH ranked 12th in the world

FRAGILE
PH climate risk index ranked 4th in the world (1995-2014)

IMBALANCE
3 in 4 poor live in rural areas; many are in Mindanao

SHRINKING
OF reached 10.2 million in 2014

Figure 1. Fast changing world we live in. Content sources: UNDP, 2015; CFO, 2016; PSA, 2016; Kreft et al., 2015

The region has experienced several environmental disasters like Typhoon Washi or "Sendong" in 2011 and Typhoon Bopha or "Pablo" in 2012 which affected thousands of lives and properties in two (2) major cities of Northern Mindanao – Cagayan de Oro City and Iligan City due to flashfloods. According to studies done by Xavier University – Engineering Department, the amount of rainfall on 16 January 2017 ever recorded was 150 millimeters (mm) in a span of only nine (9) hours as compared to 84 mm of total rainfall from 1979 to 2008. This showed that climate change and over population have effects to the current environmental threats experienced by many people.

Marginalization of communities also posed an impact to the region; vast tracks of land are converted into commercial plantations paving way to
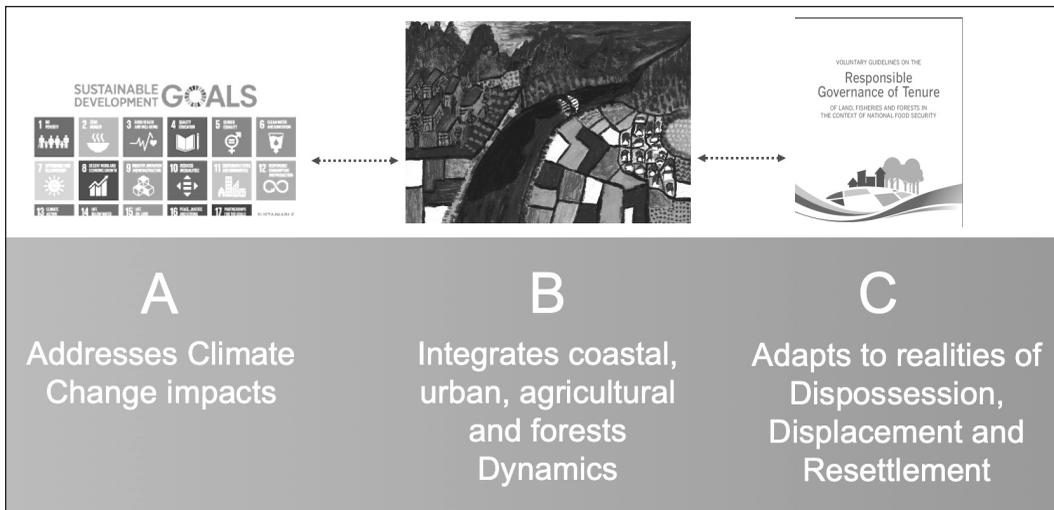
Figure 2. Sustainable and ecologically-friendly initiatives.

more encroachments to forest areas in the hinterlands. Violence such as wars and political conflicts are intensifying in nearby towns. All these factors are contributory to the high poverty incidence in the region.

A More Responsive Governance of Resources

There are several key initiatives that provides sustainable and ecologically-friendly undertakings to mitigate the current state of a region or a country. These are globally recognized and are adapted as it relates to a particular area. The Sustainable Development Goals (SDGs), the Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) of Land, Fisheries and Forests in the Context of National Food Security, and innovative tools such as the Social Tenure Domain Model (STDM) of the Global Land Tool Network (GLTN) are global initiatives to address these challenges. Respectively, SDGs address climate change impacts, VGGT adapts to realities of dispossession, displacement and resettlement; and STDM integrates coastal, urban, agricultural, and forest dynamics on governing resources.

The second part of the module is focused on Landscape Governance. It starts with the process of defining landscapes, particularly for participants to define landscapes in their own language.

Landscape Governance promotes an inclusive and participatory approach that in ways will have governance of resources that (a) works for people through the enhancement of food security, securing tenure, facilitates investments, and considers gender; (b) builds sustainable partnerships and networks; and, (c) resolves conflicts.

Activity 1
Getting to Know You

Objective:

To promote familiarization among the participants. It will also allow them to settle their feelings and emotions during the course of the training

Methodology:

❑ The facilitator shall request the participants to form a circle. This depends on the number of participant but everyone should be within a particular space.

❑ Each one is requested to introduce themselves – name and place of residence.

❑ Soon after the introductions, the facilitator may use the game "The Boat is Sinking" mechanics, where participants will group themselves based on the number or idea given by the facilitator. Possible categorization includes age, profession, hobbies, among others. This activity will loosen the participants and incorporate themselves as part of the bigger group.

To facilitate the discussion on landscape governance, the facilitator introduced another game, grouping the participants based on their respective landscapes and languages. Three (3) groups were identified: *Cebuano/Bisaya*, *Tagalog* and *Talaandig/Binukid*.

Landscape Approaches

A presentation on the various landscape approaches, emphasizing that each person may have different perspective of a landscape. In terms of approach, it can be viewed as an island approach, network approach, ecosystem approach or an integrated landscape approach. The key element in all the above-mentioned approaches are PLACE, PEOPLE and POWER.

What is Landscape?

❑ As "an area, as perceived by people, whose character is the result of the action and interaction of humankind with the physical environment centrally" (Council of Europe, 2000)

❑ An area delineated by an actor for a specific set of objectives. It constitutes an arena in which entities, including humans, interact according to rules (physical, biological and social) that determine their relationships.
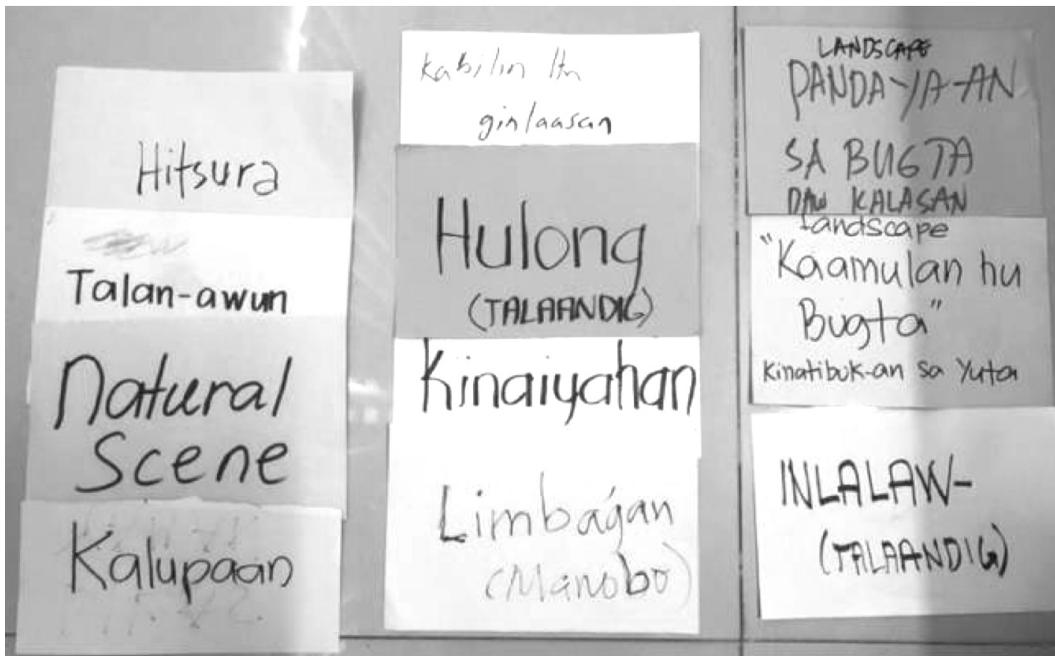
Figure 3. Sample Activity 1 output.

What is Landscape Governance (LG)?

"The exercise of political, economic and administrative authority" to manage a country's or any other social or political system's "affairs at all levels."

It "comprises the complex mechanisms, processes, and institutions through which citizens and groups articulate their interests, mediate their differences, and exercise their legal rights and obligations."

❑ LG is a place-based multi-stakeholder process of negotiation and spatial decision-making, with the aim to maintain, enhance or restore landscape functions as well as the goods and services that these provide (van Oosten et al, 2014)
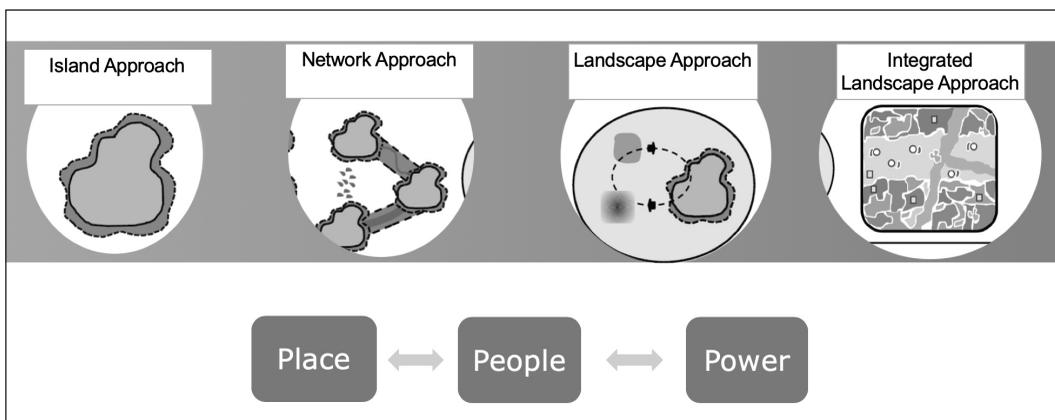
Figure 4. Landscape approaches.

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□ LG is polycentric by nature, as it can be driven by multiple objectives and multiple stakeholder arrangements at the same time (Ros-Tonen et al., 2018)

□ LG is the process of multi-sector, multi-actor and multi-level interaction and spatial decision making at the landscape level that aims at the development of landscape specific policy targets rather than at sectoral objectives or individual actor goals (Sunderland, 2014; Reed, 2015)
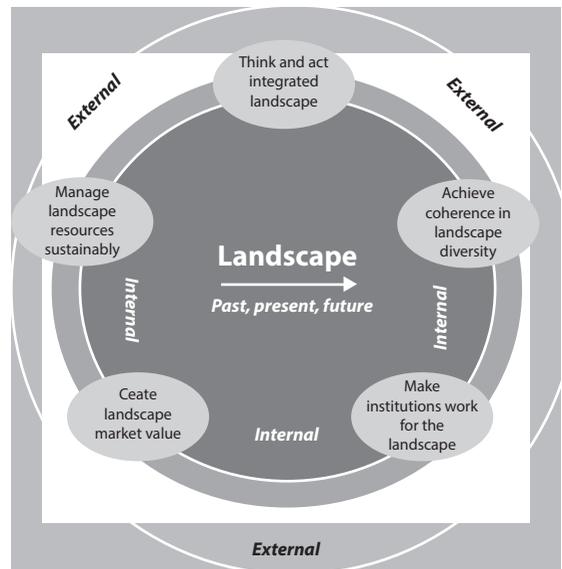
Figure 5. Core components of Landscape Governance.

ACTIVITY 2
Landscape Mapping

Objective:
To familiarize the stakeholders on how they view their landscapes.

Materials:
□ coloring pens
□ manila papers
□ decors

Methodology:
□ The participants are grouped according to their respective landscapes or areas.
□ They were provided with various art materials and decors that they can use to build their own landscapes in a creative manner.
□ Each group are tasked to discuss their vision of a landscape, mapping out every detail of it.
□ Thirty minutes were provided for the group exercise. Each group will then have a reporter to present their output.
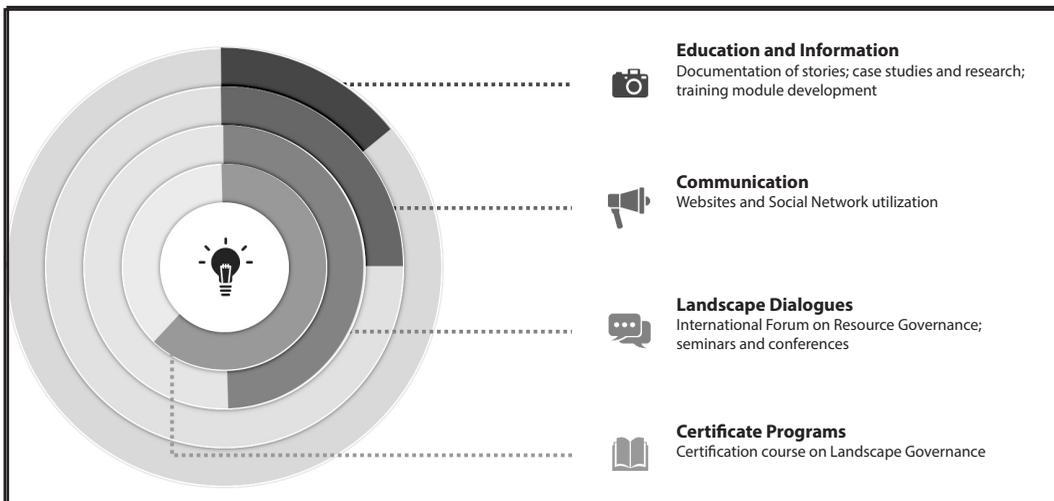
Figure 6. Interconnectedness of education and information, communication, landscape dialogues, and certificate programs.

MOVING FORWARD

The concept of landscape governance is not new to many who have been working with various stakeholders. The IP communities have known this concept and been practicing it in their own cultural and traditional ways.

In order to facilitate landscape governance as a concept to sustain cooperation, collaboration and inclusiveness of every stakeholders, it is important to appreciate interconnectedness. Education and information, communication, landscape dialogues, and certificate programs are considered key interventions to further the initiative.

COMMON ACTION

An example of a landscape governance presented is the Payment for Ecosystem Services (PES) in Mt. Kalatungan range, Bukidnon, Philippines. The initiative involved multi-stakeholders working together to facilitate a funding mechanism to reforest the mountains of Kalatungan and promote conservation efforts to sustain the ecosystems services.

Policy advocacy is being advanced at various levels – local, regional and national. ❑
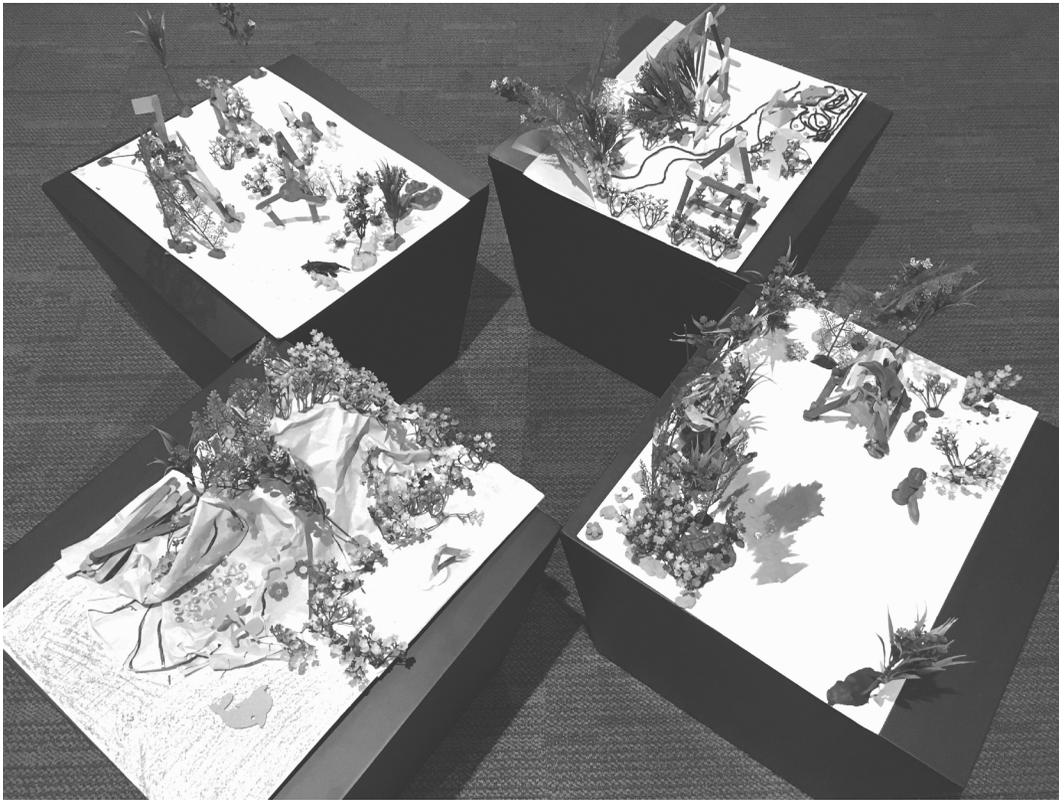
Figure 7. Sample Activity 2 output.

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Module 2

Recognizing Rights to Land of IPs and their Contribution to Landscape Governance[1]

Presentation material web link:
https://angoc.org/wp-content/uploads/2019/09/Module-1_LG-and-IPs.pdf

INTRODUCTION

Landscape governance is not new. "Similar approaches have been practiced by indigenous communities for hundreds if not thousands of years" (Ferrari, nd).

A vast majority of the estimated 12 to 15 million indigenous peoples (IPs) in the Philippines reside in the uplands with the remaining bio-diverse ecosystems which form part of their ancestral domains. Out of the 128 initially identified key biodiversity areas, 96 or 75 percent are within the traditional territories of IPs. Most indigenous cultural communities (ICCs), however, do not have legal recognition over their traditional lands, thus limiting their ability to freely conduct their livelihood activities and exercise their traditional resource management.

Indigenous peoples have strong links to the forests. *(Photo by Dave de Vera, PAFID)*

OVERALL LEARNING OBJECTIVES:

❑ To "re-learn" the importance and contribution of IPs in landscape governance
❑ To present the challenges faced by IPs and ways forward to strengthen the role and engagement of IPs in landscape governance

PRESENTATION OUTLINE:

❑ Features of ancestral domains and indigenous territories
❑ Elements and significant contributions of indigenous governance
❑ Challenges, concerns, and ways forward

METHODOLOGY:

Interactive presentation, using photographs and graphics, engaging the participants through question and answer format

FEATURES OF ANCESTRAL DOMAINS AND INDIGENOUS TERRITORIES

Indigenous Filipinos have occupied substantial areas of many if not all ecosystems in the Philippines since time immemorial. Their ancestors lived and died there, hence the term "ancestral" lands. They moved around unhampered anywhere in their domain; gathering food, hunting, and later on planting to meet their needs. IPs believe that they belong to the land, and are its designated stewards.

Ancestral domains are defined in the Indigenous Peoples' Rights Act of 1997 (IPRA) as:

> *all areas generally belonging to ICCs/IPs comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs, 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. It shall include ancestral land, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting*

grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by ICCs/IPs but from which their traditionally had access to for their subsistence and traditional activities, particularly the home ranges of ICCs/IPs who are still nomadic and/or shifting cultivators;[2]

With the Philippines consisting of at least 7,100 islands, ancestral domains come in various forms and configurations. These can be found in the upland ecosystems all the way to the coastal zones of the Archipelago including the waters of the ocean. Under the IPRA, the disposition of ancestral domains can either be communal ownership or through clan or family ownership. As such, a Certificate of Ancestral Domain Title (CADT) is issued to a community while a Certificate of Ancestral Land Title (CALT) is awarded to clan or family claimants. Note that non-issuance of CADT o CALT does not mean that a territory is not held under a claim of traditional ownership and governance as CADTs/CALTs are mere recognition of claims of native title.[3]

More than two decades later, some 5.4 million hectares, constituting 18 percent of the total land area of the Philippines, is now recognized as ancestral domains owned by IPs. Few other countries in the world can make a similar claim. Some 221 CADTs have been approved as of 2018. Some 53 percent, or more than half (117) of the CADTs approved are in Mindanao, while 94 CADTs (43 percent) are in Luzon and 10 CADTs (5 percent) are in the Visayas. Moreover, given other pending ancestral domain claims (CADCs) and ongoing applications for CADTs, it is estimated that around 7.5 to 8 million hectares, or a quarter of the country's land area, could eventually be recognized as ancestral lands belonging to IPs/ICCs.

Most indigenous Filipinos still live on or near their ancestral lands, which provide them with their livelihoods and help them define their identity. IPs still adhere to the traditional view of communal ownership in regard to most of their resources, which include not only the small patches of land that serve as individual farm lots, but also forest resources found within their ancestral domains. What essentially distinguishes the IPs from the rest of the population is their concept of land as granted and entrusted by one Creator for everyone to harness, cultivate, sustain, and live on. This concept is distinct because it adheres to the spirit of collectivism and rejects the notion of land as private property.

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[2] IPRA, Chapter 2, Sec. 3, letter a.
[3] Native Title refers to pre-conquest rights to lands and domains which, as far back as memory reaches, have been held under a claim of private ownership by ICCs/IPs, have never been public lands and are thus indisputably presumed to have been held that way since before the Spanish Conquest (IPRA, Chapter 2, Section 3, letter l).

More traditional communities tend to allocate greater land for communal use, devoted to controlled activities, i.e. sacred areas, conservation areas, etc. The more mainstreamed ICCs adopt individual land ownership schemes, and designate fewer zones for communal use. Individual ownership gives a wider latitude to allow investments to enter and even initiate land use conversion. Hence, the demand by ICCs is for the recognition of communal ownership, as individualizing ownership of the domain may lead to fragmentation of the community.[4]

Ancestral domains go beyond political boundaries as their extents are usually defined by natural geographic features. The boundaries and extents of ADs and indigenous territories are products of lifelong relationships, historical agreements, common experiences, and shared governance of resources.

ELEMENTS AND SIGNIFICANT CONTRIBUTION OF INDIGENOUS GOVERNANCE

Prior to the onset of the Spanish colonization, it has been widely documented that early Filipinos had fairly developed indigenous property laws and customs for more than 20,000 years (Lynch, 1982). Customary tenure systems are often based on traditional norms and defined oral agreements. Examples of these include the communal Patagonan lands of the Higaonon in Mindanao and the Faganuon Furuhayo of the Buhid in Mindoro and the individual Tawid lots of the Ikalahan in Northern Luzon. These customary land tenure arrangements have no term limits and are respected by the community in perpetuity.

Governance in customary lands is exercised by the appropriate traditional structures such as *Gaop* in the Manobo and Higaonon Communities in Mindanao, the *Dap-ay* in the Cordillera, and the *Mamepet* of the Tagbanwa in the Calamianes Islands in Palawan.

Indigenous territories have a range of diverse but inter-related ecological systems (Ferrari, nd). Some examples include the *Awuyuk,* the sacred lakes and waters of the ancestral domains of the Tagbanwa of Coron in Palawan and the *Tayan,* the community micro-watershed in Mt. Province as well as the *Muyong* of the Ifugao.

Indigenous governance does not focus on one aspect of an ecosystem, but on the entire system or landscape, and IPs consider themselves to be part of it. Most importantly, the relationship between the natural environment and human communities plays a central role in the governance of the indigenous landscape (Ferrari, nd).

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[4] Report of IP leaders, Workshop on Land Ownership, UP University Hotel, 17 May 2017.

***Awuyuk*; Sacred lakes and waters of the Ancestral Domains of the Tagbanwa in Coron.**
(Photo by Dave de Vera, PAFID)

Traditional governance is exercised by ICCs in accordance with customary laws that are enforced by communal decision-making processes led by traditional leaders such as chieftains and elders exercising power over designated constituents. These customary laws provide rules and procedures for various aspects of life including family, land ownership, natural resources, dispute settlement, justice, among others. Often, ICCs form pacts and agreements with other ICCs that ensure inter-tribal peace and order. These form the Indigenous Political Structure (IPS) of ICCs that have been held and transmitted through time immemorial.

The traditional knowledge of ICCs are embedded in their day-to-day practices and way of life. These have been formed through generations of interaction with their environment and its natural resources, and with other communities. Often, these traditional knowledge systems and practices have been passed down through oral tradition; in their material culture;[5] and through various cultural and spiritual activities such as dances, songs, poetry, celebrations, among others.

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[5] This includes all tangible objects that ICCs have made and use for their day-to-day living such as houses, communal structures, tools, clothing, food, among others.

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Aforementioned traditional governance and traditional knowledge guide the lives of ICCs as they harmoniously relate with nature. The very fact that the natural resources within ancestral domains have remained intact, flourishing with biodiversity while supporting the way of life of their communities is testament to the sustainability of their traditional governance and resource rights.

Among the significant contributions of IPs to landscape governance include:

Indigenous peoples bring knowledge diversity to landscape governance as traditional knowledge brings new levels of definition or understanding of the landscape approach. Traditional knowledge highlights the very close and balanced relationship between the various values and dimensions (physical, social, political, spiritual) of managing a territory in a holistic way (Ferrari, nd).

The indigenous, traditional and local knowledge systems are increasingly being recognized as sources of understanding on ecosystem dynamics, sustainable practices, and relationships between people and nature. The indigenous governance has served as the main driver in the protection and conservation of the environment and a value for the assertion of traditional knowledge.

A very significant statistic that shows the critical role that the IPs play in landscape governance is the geographical distribution of Environmentally Critical Areas such as Key Biodiversity Areas (KBAs), Protected Areas and Important Bird Areas in the Philippines. KBAs are defined by the International Union for Conservation of Nature (IUCN) as areas that represent the most important sites for biodiversity conservation worldwide. Key biodiversity areas are places of international importance for the conservation of biodiversity through protected areas and other governance mechanisms (IUCN, 2013). Protected Areas (PAs) on the other hand, are areas of high environmental significance that have been reserved through executive edict or legislation, while Important Bird Areas (IBAs) are defined as areas recognized as being globally important habitat for the conservation of bird populations. Currently there are about 10,000 IBAs worldwide and form part of a country's existing protected area network, and so are protected under national legislation.

The Ancestral Domains of ICCs in the Philippines cover nearly 25 percent of the country's total land area. There are 128 terrestrial sites designated as KBAs covering at least 7,610,943 hectares in the country. Seventy-one of these KBAs or 55 percent of all KBAs overlap with ancestral domain titles. Further, almost

Traditional Resource Governance of Indigenous Peoples in the Philippines

Muyong of the Ifugao. In the Province of Ifugao in the Cordillera Administrative Region, the Ifugao Rice Terraces are world-renowned for their aesthetic value as a UNESCO World Heritage Site. This is governed by the *Muyong* or traditional landscape governance of the upland ecosystem of the Cordillera mountains that enabled rice farming, which otherwise necessitate flat wetlands. The *Muyong* system is an age-old landscape innovation that enabled the Ifugaos and other ICCs in the Cordillera region to carve out the mountains forming stairs of farmlands while conserving forest cover that supported the watersheds that sustained the flow of waters to the stairs of farm plots. This is testament to the wisdom of the traditional management of natural resources that have enabled sustainable farming vis-à-vis the conservation of forests and watersheds.

The Ikalahan and Climate Change Mitigation. The Ikalahans of Nueva Vizcaya have been conserving vast areas of forests since time immemorial. They are the first ICC in the world that participated in the carbon market having been able to generate scientific data providing evidence that the forests they govern keep nearly three million tonnes of carbon. This is equivalent to annual emissions of 2.3 million cars. Aside from this, their forests provide steady water supply to the highest rice producing provinces in the Philippines. They are able to this through their traditional systems of forest protection and the provision of biodiversity-friendly livelihoods such as fruit plantations and sustainable farming practices for their community members.

Conservation of the Philippine Eagle and the Role of IPs. The Islands of Mindanao are home to the critical habitat of the majestic Philippine Eagle, the tallest and heaviest known raptor in the world. It is also considered the national bird of the Philippines. It is critical in ensuring the balance of forest ecosystem by regulating the population of small to medium-sized forest-dwelling mammals. According to the Philippine Eagle Foundation, all habitats of the Philippine Eagle in the Island Region of Mindanao fall within the ancestral domains of lumads.[6] The case is also similar in the Island Region of Luzon where majority of the habitats of the Philippine Eagle are also found in ancestral domains in the Sierra Madre, Caraballo and Cordillera Mountain Ranges. The role of ICCs is very critical not only for protecting the habitats where the Philippine Eagle lays dominion, but ICCs also play a major role in the conduct of scientific research on this majestic raptor. This is because close to all reports and existing leads of the known habitats of the Philippine Eagle were gathered through information provided by IPs. To date, it is common understanding among the scientific and conservation communities that it is the IPs who are most capable of providing the exact location of the habitats of the Philippine Eagle.

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6   A collective term for non-Muslim indigenous peoples in Mindanao

90 percent of all the remaining forest cover in the country can also be found in ancestral domain areas and 90 percent of headwaters of critical watersheds.

Clearly, with the aforementioned data, a case could be made that the ICCs in the Philippines through their traditional resource management systems are the actual stewards who provide de-facto governance to the most important and environmentally significant areas in the country. The evidence is clear that the role they play in order to ensure the survival of the country has to be respected and recognized.

CHALLENGES AND CONCERNS IN RECOGNIZING THE ROLE OF IPs IN LANDSCAPE GOVERNANCE

Today, the Philippines is losing a very broad range of traditional knowledge systems along with a lifestyle and culture that has been successful in managing natural resources and environmentally critical areas for a very long time. Government policies, programs, and our political system play a major role in further eroding the weakening of IP governance. Essentially, these challenges are attributed to two major factors:

❑ Limited understanding of IP governance and traditional knowledge

- ○ Indigenous knowledge often is not fully understood and not taken seriously by scientists and policymakers;
- ○ Limits the power of the IPs to effectively participate in landscape studies that shape policy decisions; and,
- ○ Often, participation of IPs in collaborative planning is more a function of tokenism rather than of genuine belief and recognition

❑ Harmonization of competing interests, plans and structures

- ○ The rush to "harmonize" plans forces State actors to generalize which tend to minimize the role and rights of IPs in the governance of the landscape; and,
- ○ Structures that are established to facilitate co-management and joint planning often introduce a system alien to IPs and result in the dilution of their right and capacity to exercise their traditional governance of their ancestral domains.

WAY FORWARD

In the context of global efforts to protect the environment and mitigate climate change, we need to recognize that IPs play an important role for our collective future. IPs have in-depth, varied and locally rooted knowledge of the natural world. Thus, in order to address the identified challenges, engagement with various stakeholders is critical to:

❑ facilitate activities that generate more information on traditional knowledge and governance;
❑ advocate for legal and policy measures, most crucially towards recognizing IPs' and local communities' rights to territory, natural resources, and collective governance, respect of customary knowledge and practices;
❑ support and initiate activities and policies towards recognizing traditional governance and knowledge as valid conservation initiatives;
❑ promote social recognition of conservation, cultural, and livelihood values of traditional governance of ancestral domains, through public exposure, awards, media coverage and other such actions;
❑ facilitation for advocacy and networking, both among indigenous peoples governing their AD and among support groups; and,
❑ conduct and initiate joint activities with IPs to educate, inform and sensitize planners and policymakers on traditional knowledge governance. ❑

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MODULE 3

Harmonizing Community
and Local Development Plans[1]

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

INTRODUCTION

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

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

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

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[1] Prepared by Marianne Jane Naungayan of the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) for the **Landscape Governance Forum and Training of Trainors** as part of the project "Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines" jointly implemented by ANGOC and XSF.

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

LEARNING OBJECTIVES

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

CONCEPTS AND RELATIONSHIP OF LAND USE PLANNING AND TENURE SECURITY

Concept of land use planning

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

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

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

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

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

Relationship of land use planning and tenure security

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

Tenure Responsive Land Use Planning (TRLUP)

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

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

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

In TRLUP, implementing the tenure-responsive strategy is seen from the beginning of the procedure where a designated Tenure Security Team specific
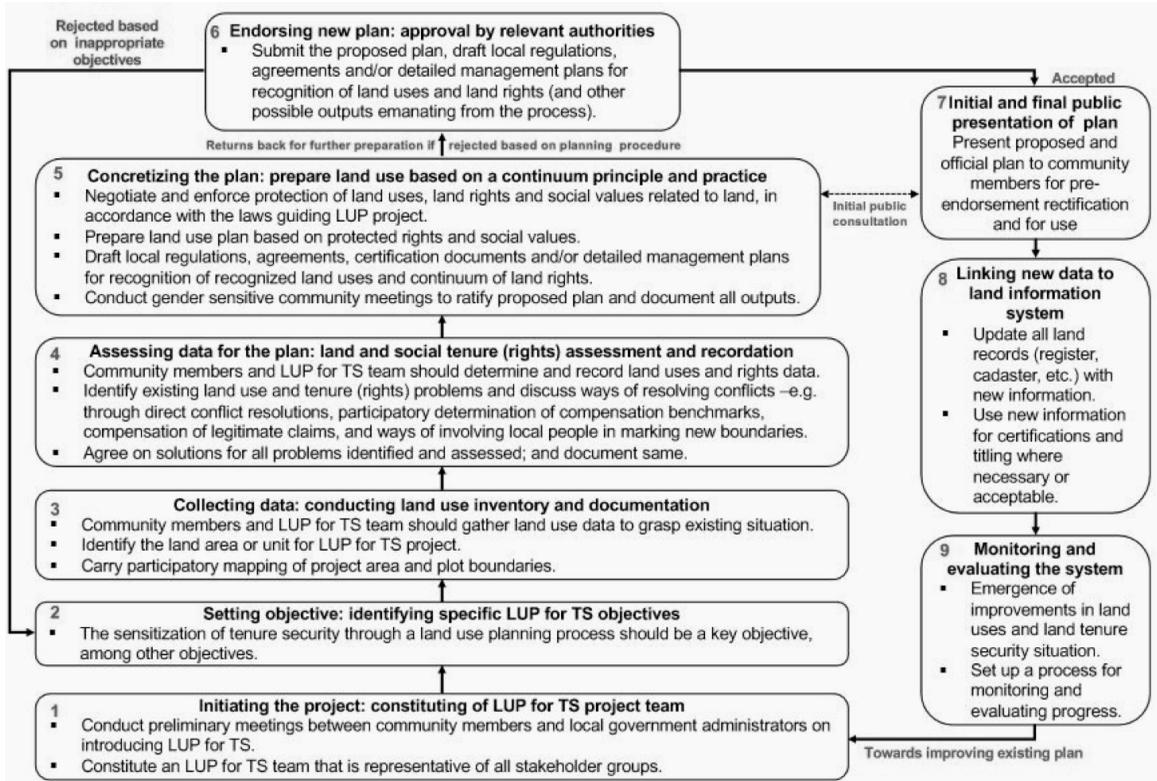
Figure 1. Tenure Responsive Land Use Planning process developed by GLTN, as facilitated by UN-Habitat.

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

PLANNING PROCESS IN THE PHILIPPINES

Legal mandates of land use planning in the Philippines

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

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Process of land use planning in the Philippines

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

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

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

Both the CLUP and CDP are "comprehensive" as they consider all the significant sectors in the formulation of the plans (e.g., social, environmental, economic, infrastructure, among others). At present, there are 33 mandated and

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

other thematic plans crafted for specific sectoral uses and concerns (see Figure 3).

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

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

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

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

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

1. Similarities

a. In terms of objectives

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

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b. In terms of importance

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

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

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

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

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

c. In terms of the process

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

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

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

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2. *Overlaps*

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

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

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

	PERSPECTIVE OF THE IPs	**PERSPECTIVE OF THE LGUs AND GOVERNMENT AGENCIES**
Issue on coverage	The extent of the ancestral domain (AD) territory is absolute.	Through the various plans aiming for the protection and conservation of natural resources and for food security, there will be areas within the AD that may be identified as: ▪ Critical Watershed ▪ Protected Area ▪ Community-based Forest Management (CBFM) Area
Governance over the common or overlapping areas	IPs govern all the areas within their AD regardless of their uses	Common or overlapping areas (identified for protection, production, etc.) with the AD will be governed by the LGU, government agency or specific non-IP stakeholders assigned. This results to limited use of resources in these areas by the IPs. ▪ The Municipal Watershed Protection and Management Council (MWPMC) overtakes the IP's right/position to regulate settlements and management of natural resources within the common area

		- Areas with Community-Based Forest Management Agreements (CBFMAs) are managed by other stakeholders (may be an IP or non-IP) - The Protected Area Management Board (PAMB), where IPs have minor representations to, has the authority to award licenses, permits, and leases.
Land use	In areas where there are CBFMAs within AD - It is according to the customs and practices of IPs to not use chemical pesticides in farming In areas where there are critical watersheds or forest reserves within AD - They host sacred areas, hunting areas, ridges, and headwaters In areas where there are Protected Areas within AD - Sacred areas, hunting areas, and many other forest reserves are protected	In areas where there are CBFMAs within AD - Plantation for the local production and economy (could also be directly or indirectly beneficial to the IPs) In areas where there are critical watersheds or forest reserves within AD - The Integrated Watershed Management Plan does not allow cultivation of soil along rivers (where IPs may utilize for food production) In areas where there are Protected Areas within AD - The National Integrated Protected Areas System (NIPAS) sets strict protection zone where scientific and customary activities are allowed; however, protection plans of the government and IPs differ in framework, actual activities, and implementing structure

Harmonization and mainstreaming of plans

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

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

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

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

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

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

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

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

CLUP PLANNING TEAM

Planning Core Group

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

Support Group

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

TWG

Social	Economic	Infrastructure	FOREST AND AD	Coastal and Marine	CCA-DRR	Heritage	GG Urbanism
• Group rep • Concerned NGA • Pres. of Liga ng Barangay • Senior citizen • SP/SB Committee or Chair/Sector Committee rep • GAD concerned local heads	• MAO • MARO • Tourism Officer • DTI, TESDA • PESO, DOST • NGO, PO	• Local Water Utilities Rep. • Electrical Corp. Rep. • PPC Rep. • Telephone Co. Rep. • DOTC, NIA • DPWH, PNP • LTO, Irrigators Assoc. • PPA, MARINA • Coast Guard, DOE	• **Rep. from Ancestral Domain** • **Assessor** • **DENR-FMS** • **CBFM, etc.** • **PO, NGO** • **DOT** • **IPs** • **Biodiversity Specialist**	• BFAR • Fisherfolk Organization Rep. • PO, NGO • MAO • Coast Guard	• Academe • Barangay Chairman • PAGASA/ CSCAND Agencies • DENR	• DOT • Cultural Heritage Conservation	• Architects • PIEP

CDP PLANNING TEAM

Local Sanggunian ⇄ Local Chief Executive → Local Development Council

Other LGU Departments

Local Planning and Development Office (Secretariat)

Local Chief Executive

Social Development Commitee — Economic Development Committee — **Environmental Management Committee**

Physical and Infrastructure Development Committee

Institutional Development Committee

Figure 5. Suggested composition of CLUP and CDP Planning Teams where IP and/or PA management representatives should be members of. Diagram sources: HLURB, 2013; DILG, 2017.
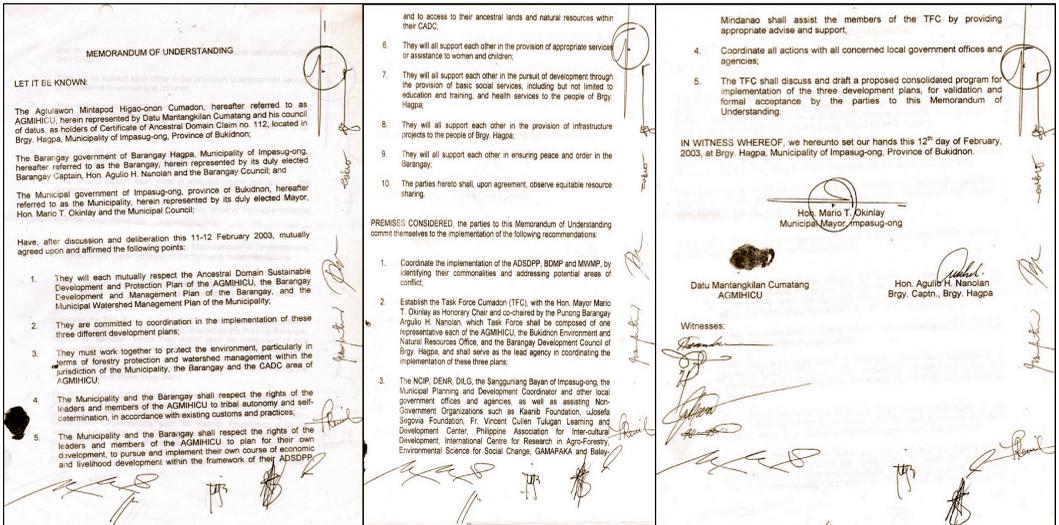
Figure 6. Sample MOU recognizing the harmonization initiative and equal sharing of resources between AGHIHICU, LGU, and other sectors involved.

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

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

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

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

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Tenure Security and Conflicts on Land and Natural Resources[1]

Presentation material web link:
https://angoc.org/wp-content/uploads/2019/12/Land-and-Resource-Conflicts_GLTN.pdf

INTRODUCTION

One of the key challenges faced by the country is how it will feed its growing population with diminishing land per capita amidst increasing competition for resources; threats of climate change and disasters; and increasing human competition, needs, and expectations. With over 105 million Filipinos in a land area of around 30 million hectares, land is not mainly intended for food production but also to provide for the growing demand for settlements and other commercial needs such as tourism, mining, and industrialization.

The conservation, management, distribution, and use of land and natural resources will be the central factors to meet the said challenge. However, the value, use, and management of natural resources vary among people as they have different needs and interests. Thus, land and resource conflicts arise.

OVERALL LEARNING OBJECTIVES

❑ To lay down the meaning of concepts and laws that govern land and resource rights and governance;

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[1] Prepared by Timothy Salomon and Nathaniel Don Marquez of the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC), based on the presentation of Timothy Salomon for the **Landscape Governance Forum and Training of Trainors** as part of the project *"Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines"* jointly implemented by ANGOC and the Xavier Science Foundation, Inc. (XSF).

- To deepen understanding of existing land and resource conflicts in the ancestral domain of communities; and,
- To discuss possible strategies to respond to, resolve, and prevent land and resource conflicts

PRESENTATION OUTLINE

- Tenure security, land and resource rights, and related laws
- Land and resource conflicts
- Addressing conflicts

TENURE SECURITY, LAND AND RESOURCE RIGHTS, AND RELATED LAWS

Methodology

Input-presentation, using photographs and graphics, engaging the participants through question and answer format.

Content

Topic 1: *Tenure Security*

Tenure is the relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to land, fisheries and forests (FAO, 2002). It defines how access is granted to rights to use, control and transfer land, as well as associated responsibilities and restraints.

Tenure systems determine who can use what resources for how long, and under what conditions (*Ibid*).

Tenure rights can be held individually, jointly, or collectively which means that ownership and control can be attributed to an individual, a couple, or a group respectively (GLTN, 2017). When tenure rights are held jointly or collectively, tenure rights are distributed among recognized rights holders based on applicable tenure systems. Control over land and resources held jointly and collectively are thus exercised in the context of negotiation and consensus among recognized rights holders.

There are three main types of tenure security. *First,* **legal tenure security** refers to tenure protection backed up by State authority. *Secondly,* **de facto tenure security** refers to the actual control of land and property, regardless of legal

status. *Thirdly,* **perceived tenure security** relates to the subjective perception of an individual, couple or community that they will not lose their land rights through forced eviction (GLTN, 2017).

According to the custodian agencies of SDG indicator 1.4.2, land rights may be considered secure when the following conditions are met: (1) there is legally-recognized documentation; and, (2) there is a perception of the security of tenure. Both are necessary to provide a full measurement of tenure security (Kumar, et al., 2017). Legally-recognized documentation refers to recording and publication of information on the nature and location of land, rights, and rights holders in a form that is recognized by government, and is therefore official. Perception of tenure security, on the other hand, refers to the assessment of an individual, a couple in a household, or a community of the likelihood of involuntary loss of land regardless of the legal status. Tenure is deemed as perceptually secure when: (a) the landholder does not report fear of involuntary loss of the land within the next five years due to, for example, intra-family, community, or natural threats; and, (b) the landholder reports having the right to bequeath (or pass on for other people to inherit) the land.

TOPIC **2:** *Bundle of land rights*

The bundle of land rights are country specific and refer to a variety of tenure rights such as customary, leasehold, public, and freehold rights. These rights can be held collectively, jointly, or individually and may cover one or more elements of the bundle of rights existing in a range from informal to formal land rights. This tool is developed by GLTN to describe an existing tenure situation and for predicting how a range of tenure types may transform over time given different scenarios and intervention strategies (ANGOC, 2017).

The bundle of land rights categorizes three major types of rights: (1) use rights; (2) control/decision-making rights; and, (3) transfer rights. Use rights are rights that enable a land rights holder to have access to land, withdraw resources from the land, and exploit resources for economic purposes. Control/decision-making rights are rights that provide a land rights holder to plan the future uses of land and to control the entry of people within the land. Finally, transfer rights enable a land rights holder to relinquish and pass the rights on said land and natural resources through lease/rental, bequeathment and/or sale. These land rights are not absolute and inter-related in a continuum.

A summary of the above contexts on the types of rights may be presented through the following table.

Table 1. Various types of Bundle of Rights and Tenure Security.

Bundle of Rights		Tenure Security		
Use	Access	Legal	De facto	Perceived
	Harvest			
	Exploit/Use for Livelihood			
Management	Plan future use			
	Exclude/Determine users			
Transfer	Lease/Rental			
	Bequeathment			
	Sale			

EXERCISE 1: *Reflection*

Through plenary discussion, participants will be asked to reflect on the topic, asking them on how do they understand and assess their legal, de facto, and perceived rights to land.

TOPIC 3: *Legal framework, laws on land and natural resources and the Indigenous People's Rights Act (IPRA)*

The 1987 Philippine Constitution provides the broad legal framework on land and resource governance. The other legislations listed below cover the major laws governing land and natural resource tenure in the *rural* areas.

Table 2. Major laws governing land and natural resource tenure in the rural areas.

Overall policy framework	Philippine Constitution of 1987
Tenure reforms in the rural sector	• Indigenous Peoples Rights Act (IPRA) of 1997 (RA 8371) • Philippine Fisheries Code (PFC) of 1998 (RA 8550) • Comprehensive Agrarian Reform Program (CARP) of 1988 (RA 6657) as amended by CARPER (RA 9700)
Natural resource management, protection and use	• Agriculture and Fisheries Modernization Act (AFMA) of 1997 (RA 8435) • National Integrated Protected Areas System (NIPAS) Act of 1992 (RA 7586) • Forestry Code of the Philippines (PD 305) • Philippine Mining Act of 1995 (RA 7942) • Public Land Act of 1936 (CA 141, as amended)
Responses to climate change and risks	• Climate Change Act of 2009 (RA 9729) • Philippine Disaster Risk Reduction and Management (DRRM) Act of 2010 (RA 10121)

Moreover, the 1987 Philippine Constitution not just recognizes tenure rights, but also institutes "social reforms" particularly for three rural sectors – (i) *farmers*

and farmworkers as the focus of an agrarian reform program; (ii) *subsistence fishermen* with "preferential use of communal marine and fishing resources;" and (iii) *settlers in public domains*, including *small settlers* and *indigenous peoples* with "prior rights in the disposition or utilization of natural resources and lands of the public domain suitable for agriculture …" These Constitutional mandates have led to subsequent legislations – i.e., the Indigenous Peoples Rights Act (IPRA), the Fisheries Code and the Comprehensive Agrarian Reform Law (CARL/CARPER).

The three *sector-based tenure reforms* – CARP/ER, IPRA and the Fisheries Code – further elaborate on the tenure rights of disadvantaged sectors as guaranteed/ provided by the Constitution. Each tenure reform law focuses on a *specific sector* such as: on tenants, farmworkers and landless farmers in private and public lands (CARP/ER), on indigenous cultural communities and indigenous peoples (IPRA), and on small-scale and artisanal fisherfolk (Fisheries Code).

The four laws on resource management, protection, and use – AFMA, NIPAS, Forestry Code, and Mining Act – focus on the management of the country's natural resources. The Climate Change Act and DRRM Act deal with climate change and disasters.

The lack of synchronization of policies has resulted in a complex and fragmented approach to land governance. The country has taken on a highly *sectoral* or *landscape approach* to land and natural resource policy, tenure reforms, and land administration. There is CARP/ER for agrarian reform covering *public* alienable and disposable (A&D) lands and *private* agricultural lands, the Fisheries Code covering municipal waters, and IPRA for ancestral domains. In addition, there are the Mining Act, NIPAS, Forestry Code, AFMA and others.

The Indigenous Peoples Rights Act (IPRA)

Due to the continuous and sustained lobbying efforts and advocacy of indigenous peoples' organizations and their support groups, the landmark IPRA was enacted in 1997 to recognize, protect, and promote the rights of indigenous peoples.

IPRA addresses four substantive rights of indigenous peoples (IPs):

❑   the right to ancestral domains and lands;
❑   the right to self-governance;
❑   the right to cultural integrity; and,
❑   the right to social justice and human rights.

IPRA goes beyond the past contract-based resource management agreements between the State and the community, and recognizes the "ownership" of the indigenous communities over their traditional territories which include land, bodies of water, and all other natural resources therein. The definition of ancestral domain covers forests, pastures, residential and agricultural lands, hunting grounds, worship and burial areas, and include lands no longer occupied exclusively by indigenous cultural communities but to which they had traditional access, particularly the home ranges of indigenous cultural communities who are still nomadic or shifting cultivators.

IPRA provides for a process of titling of lands through the issuance of Certificate of Ancestral Domain Titles (CADTs). CADTs are ownership tenurial instruments issued and awarded to an applicant community or clan. The effectivity of these tenurial instruments has no term limits and representatives chosen by the community act as holders of the CADT in trust in behalf of the concerned indigenous community.

Under the principle of self-determination, IPRA recognizes the right of IP communities to document and delineate their own ancestral domain claims, and to formulate their own Ancestral Domain Sustainable Development and Protection Plans (ADSDPPs). The law further states that contracts, licenses, concessions, leases, and permits within the ancestral domains shall not be allowed or renewed without the free, prior, and informed consent (FPIC) of the IP community, in accordance with their respective customary laws and practices – free from any external manipulation, interference, or coercion.

IPRA respects the community's right to traditionally manage, control, use, protect and develop their ancestral domains, but subject to "consistency" with national laws. The allowable resource utilization includes the right to enjoy the benefits of resources subject to existing national laws on natural resource use and exploitation. The appropriate traditional leadership structure of the indigenous community exercises governance over the CADT. Nonetheless, the local rules and policies are subject to the "legal framework" of existing national laws. Access and utilization of all natural resources within the coverage of the CADT will require FPIC from the concerned indigenous community.

As of 2018, a total of 221 CADTs have been approved, covering a total area of 5,413,773 hectares of ancestral lands and waters. Some 1,206,026 individuals have directly benefitted from the tenurial security afforded by the approval

of the CADTs. However, the implementation of IPRA has been hindered by contradictory legislations, conflicting boundaries, and overlapping agency mandates. These have had eroding effects on the application of IPRA.

Overlapping mandates and tenurial instruments

With the increasing competition for resources, overlapping claims and jurisdictions have become a major challenge among implementing government land and resource agencies. These sectoral approaches to land policy lead to overlapping jurisdictions and functional overlaps among agencies --- thus contributing to conflicts.

In particular, while delineation of land and resources often involves defining the boundaries of surface rights (in hectares), it may also include measuring the depth of waters or assigning subterranean (e.g. mining) rights. While it is usually done by the State, under the Indigenous Peoples Rights Act (IPRA), ancestral domains are identified based on the principle of self-delineation.

Likewise, the sectoral approach to land has bearing in the identification of the rights holders (or "beneficiaries"), based on eligibilities and entitlements as defined or recognized by a particular law. The Comprehensive Agrarian Reform Program (CARP), for instance, is based on the principle of *land to the tiller* (i.e. tillership rights). The Philippine Fisheries Code assigns rights over municipal waters based on *resource use* (i.e. user rights). Under the IPRA, indigenous people are identified and recognized based on the principle of *self-ascription* and identification, together with other factors such as territory and community, history, and culture.

Issued by government agencies, various tenure instruments allocates rights and recognition to people, groups or communities with respect to land and natural resources. It assigns tenure rights either to an *individual* or to a *collective* (cooperative, association or community). It defines the *bundle of rights* as well as the *responsibilities* of the rights holder, in the form of ownership, leasehold rights (with a fee), user and management rights, or extraction permits. The tenure instrument also defines the *duration* of these rights – e.g., in perpetuity (for private property), 25-year leases (for Community-Based Forest Management/ CBFM Agreements) or annually (as in the case of Municipal Fishery Registries).

Table 3. Tenure instruments issued under Philippine asset reforms.

Tenure instrument	Issuing authority	Description	Period of tenure	Bundle of Rights						
				Enter / Access	Harvest	Use/ Plant	Exclude others	Inherit rights	Lease/ rent out	Assign/ sell
CLT	DAR	Individual transfer certificate	—	Yes	Yes	Yes	Yes	Yes		
CLOA	DAR	Individual/ collective transfer certificate	—	Yes	Yes	Yes	Yes	Yes		
Leasehold contract	Private	Private contract	Usually 1-5 years	Yes	Yes	Yes	Yes	Yes		
Land Title or TCT	LRA	Title	Perpetuity	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Land patent	DENR	Original title	Perpetuity	Yes	Yes	Yes	Yes	Yes	Yes	Yes
CBFM Agreement	DENR	Collective land lease	25 years, renewable for +25 yrs	Yes	Yes	Yes	Yes	Yes		
Municipal fishers registry	LGU	Permit to harvest/ fish	One year, renewed annually	Yes	Yes					
CADC	NCIP	Domain Claim	---	Yes	Yes	Yes	Yes	Yes		
CADT	NCIP	Collective/ Native Title	Perpetuity	Yes	Yes	Yes	Yes	Yes	Yes	
CALT	NCIP	Individual Title	Perpetuity	Yes	Yes	Yes	Yes	Yes	Yes	

Source: 2018 State of Land and Resource Tenure Reforms in the Philippines, ANGOC: Quezon City

Given the multiple laws on land administration, there are at least 19 government agencies[2] involved in land administration. This results in a *complex web of overlapping bureaucratic functions and processes* in each of the areas of land classification; conduct and approval of land surveying; disposition of land; maintenance of maps and records; compilation of maps and land information; and, land valuation. This provides an enabling environment for institutionalized chaos characterized by bureaucratic "turf-wars."

Exercise 2: *Reflection*

Through plenary discussion, participants will be asked to reflect on the topic, asking them on their understanding and relevance of IPRA, and the implementation challenges faced vis-a-vis the other land and resource laws. The facilitator may select participants to share their reflections.

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[2] The main agencies of the executive department comprise the DENR (LMB, PENRO & CENRO), DOJ (LRA/ ROD), DOF (BIR & BLGF), DAR, DILG, LGUs, HUDCC (HLURB & NHA), and NCIP; while the judiciary involves regional trial courts, municipal/circuit trial courts, and the Special Court on Tax Appeals.

LAND AND RESOURCE CONFLICTS

Methodology

Input-presentation, using photographs and graphics, engaging the participants through question and answer format

Content

Topic 1: *Concepts – Land and resource conflicts*

Conflict is defined as *"a situation wherein two or more stakeholders compete for control over resources, decision-making and truth."* In order to fully understand conflict, different elements must be understood such as the context, the stakeholders, how stakeholders interact as the conflict situation unfolds, and how the context shapes and is changed as a result of the interaction of stakeholders.

The interaction of stakeholders determines how a conflict situation unfolds through time. All conflicts start as **Latent Conflict** or *"a situation wherein stakeholders are unaware or are aware, but not taking action on how their aspirations, goals and interests are competing over resources, decision-making and/or truth."* When stakeholders become aware of a conflict situation, they can choose from a wide range of actions as response: a) pursue no action; b) withdraw from the situation; c) seek an integrative (win-win) solution; d) forge a compromise with the other party; or, e) contend or assert their rights or interests (Pruitt and Rubin, 1986).

Inaction and withdrawal makes the conflict stay latent, while the pursuit of integrative solutions and compromise provides the space for issues that caused and sustained conflict to be addressed peacefully. If the stakeholders contend or assert their rights or interests, it escalates the conflict into a **Manifest Conflict** or *"a situation wherein stakeholders have taken action to contend or assert their rights or interests over resources, decision-making and/or truth."*

If stakeholders sustain efforts to contend and assert their rights and interests, they can escalate the conflict situation into a **Stalemate** or *"a situation wherein stakeholders realize that their aspirations, goals and interests cannot be achieved simultaneously."* When in a situation of stalemate, stakeholders have the choice to withdraw from the conflict situation or pursue peaceful means to resolve the conflict such as seeking an integrative (win-win) solution or forge a compromise.

One form of peaceful response that facilitates coming up with an integrative solution or compromise is seeking a **Third Party Facilitator** or "*an individual, group or entity that has authority that is respectable to stakeholders in a conflict situation with the task to facilitate the de-escalation of the conflict situation and to seek an integrative solution or compromise.*"

When third party facilitators are absent or inaccessible, and when stakeholders are not able to secure acceptable outcomes from engaging with each other or with third party facilitators, the situation becomes volatile and stakeholders may be pushed to engage in **Violence** or *"a show of force, an imposition of will on another to achieve control through destructive means."* The most vivid form of violence is physical violence such as killing, maiming, torture, detainment, and displacement, among others. Violence can also come in the form of psychological violence such as grave threat, harassment, defamation, discrimination, or verbal abuse. And it can also come in less tangible forms such as economic violence such as the denial of access to resources, services and opportunities, or subjecting stakeholders to exploitative arrangements; or, political violence such as the denial of the right to self-determination and the denial of access to decision-making processes.

Figure 1. Stages of conflicts
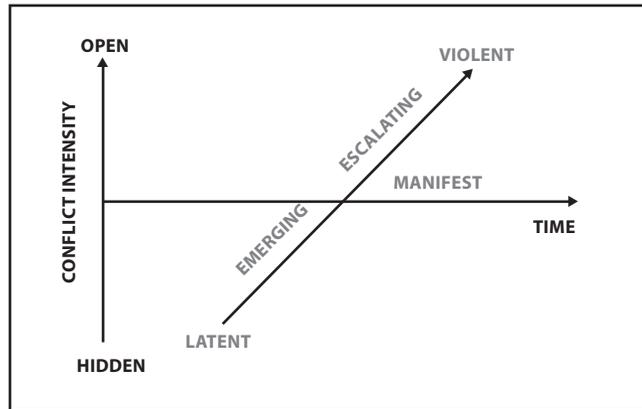
Source: Engel, A. and Korf, B. (2005). *Negotiation and Mediation Techniques for Resource Management*. Food and Agriculture Organization of the United Nations: Rome

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

EXERCISE 3: *Reflection*

Through plenary discussion, participants will be asked to reflect on the effect of conflicts in their various rights to ancestral domain, using the matrix below as a guide. This may be done as a whole-group exercise.

Table 4. Sample table as guide to reflect on the effects of conflicts on the rights over ancestral domains.

	Rights	Rights to Ancestral Domain			Effect of Conflict
		Legal	De facto	Perceived	
Use	Access				
	Harvest				
	Exploit/Use for Livelihood				
Management	Plan future use				
	Exclude/Determine users				
Transfer	Lease/Rental				
	Bequeathment				
	Sale				

EXERCISE 4: *Conflict Mapping*

A small group exercise will be undertaken to identify the location and different types (as per actors involved) faced by the communities.

In terms of process:

❑ Group participants according to village within the ancestral domain
❑ Assign a facilitator and note-taker
❑ Discuss within 30 minutes
❑ Assign a reporter to report for 10 minutes during the plenary discussion

Participants will answer the following guide questions:

❑ Using a map of your community's ancestral domain, identify the location where conflict over land and resources is present
❑ Who are the parties in conflict? (tribe vs tribe, tribe vs outsider, tribe vs LGU/agency, tribe vs business)
❑ What is the history of the said conflict?
❑ What is its effect to the community?

ADDRESSING LAND AND RESOURCE CONFLICTS

Methodology

Input-presentation, using photographs and graphics, engaging the participants through question and answer format

Content

Topic 1: *Responses to tenure and land conflicts*

Actions in situations of conflict are connected on two important perceptions on: a) the legitimacy of one own's interest and power to enforce them; and, b) the legitimacy of the other party's interest and power to enforce them. The interaction of these two beliefs bring about four possible actions:

Table 5. Four possible actions to tenure and land conflicts.

		Legitimacy of one's interest and power to enforce them	
		Low	High
Legitimacy of other party's interest and power to enforce them	Low	**Inaction**	**Contend**
	High	**Withdrawal**	**Problem Solving**

For individuals/families/communities under threat, the risks involved in claim-making (contending or problem solving) often outweigh its potential benefits and as such often are forced to initially withdraw or remain inactive. It involves a stakeholder surrendering their claim and allowing their opponent/s' goals and interests to prevail out of the fear of retaliation or exposure to disadvantageous situations.

Problem solving is a key tool for addressing broader land-related conflicts that are political in nature as the interest and power of enforcement of parties are supported by national laws, policies, and government-supported projects. The challenge is how to arrive at political consensus and inclusive solutions, with the active participation of affected sectors and communities, especially those who have chosen inaction, have withdrawn, and/or have been subjected to violence.

Essential to addressing conflicts are institutions – formal and informal. They are important because institutions:
❑ provide order by setting rules and facilitating processes;
❑ assist weaker parties by protecting them from violence and providing guidance; and,
❑ keep the powerful in check by reminding of duties and holding them accountable.

In formal justice systems, the poor and small farmers are constrained by several other factors from obtaining justice – i.e. limited procedural knowledge regarding resolution of land conflicts, limited or no access to or understanding of the court and land administration systems.

Administratively, several government line agencies deal with certain types of land disputes over public and private lands at national and regional levels. These agencies have quasi-judicial powers to resolve cases within their jurisdictions, among them:

❑ *Department of Agrarian Reform (DAR)* has jurisdiction over agrarian disputes involving private and government lands
❑ *Department of Environment and Natural Resources (DENR)* covers lands of the public domain
❑ *National Commission on Indigenous Peoples (NCIP)* covers ancestral domains and claims

Overall, quasi-judicial bodies and administrative mechanisms for dispute resolution are able to deliver quicker resolution of conflicts compared to courts. However, administrative mechanisms can only address specific types of issues within their own limited sectoral jurisdictions. Moreover, different agencies often have overlapping mandates and conflicting policies. A common problem is the lack of coordination and cooperation among agencies. Administrative mechanisms are reactive; they deal with incoming issues on a case-by-case basis, and the process can be time-consuming.

On the other hand, non-formal mechanisms include *community mediation* which has proven to reduce the frequency of disputes, and has helped improve understanding, coordination, and cooperation among community members. Women and members of marginalized communities are able to participate both as beneficiaries and as providers of mediation services.

Also, *customary justice systems* have proven to be accessible and effective in settling internal land disputes within and among indigenous communities and tribes. However, they have limited scope and become inoperative where disputants involve non-members of the community.

Topic 2: *Land conflict mechanisms*

As conflicts turn violent, *quick response* is needed, such as:

❑ put a stop to the violence through escape or provide promises to meet their demands;
❑ restore order in the community;
❑ tend to the injured;
❑ gather evidence; and,
❑ if necessary, defend self, community, and territory.

Institutions to approach for quick response action includes the Philippine National Police, Armed Forces of the Philippines, and Department of Justice. When present and accessible, community-based defense mechanisms may prove effective especially when officially recognized and with active coordination with public order institutions of the government.

Peaceful resolution

In due time, a conflict situation de-escalates and parties become ready to resolve the causes that caused and sustained the conflict. When such time comes, initiatives towards peaceful resolution can be pursued. Direct engagements between parties in conflict can be pursued, but these are often better facilitated with the aid of a third party facilitator. Initiatives to peacefully resolve conflicts involve negotiation, mediation, or arbitration. A negotiation involves direct engagement between the parties in conflict with or without the facilitation of a third party. A mediation on the other hand is a semi-formal or formal process wherein a third party facilitator provides procedures and guidance for the parties in conflict to reach a settlement. An arbitration on the other hand is a procedure wherein both parties present their cases and claims before a person or group of people with recognized authority to make a decision on how to settle a conflict.

The institutions to approach for peaceful resolution depend on the actors involved in the conflict, as such:

Table 6. Types of conflicts and corresponding institutions to approach for peaceful resolution.

Conflict Type	Institution
Tribe vs Tribe	Tribal Justice System
Tribe vs Outsider	Village Officials, Government Courts
Tribe vs Government	Oversight Agencies, Courts

Landscape Governance: A Training Manual

Initiatives to peacefully resolve conflict tend to be contentious and sometimes, long-drawn especially when the parties assert their interests aggressively. Through such processes, involved parties shall be subjected to a process of reflection wherein they shall be made aware of the effects of the conflict on other party/parties and rethink the motivations of their interests. Such process may result to parties to lower their demands to arrive at a compromise to achieve peaceful coexistence.

Conflict Prevention

It is possible that conflict can be nipped in the bud before it becomes manifest. This is best achieved when members of the community are knowledgeable of their rights and systems for participation are in place.

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

Among the institutions to approach for conflict prevention include:

Table 7. Institutions to approach for conflict prevention.

Level/Sector	Mechanisms
Tribe	Indigenous political structure
Village and Local Government Units	Indigenous Peoples Mandatory Representatives (IPMR) LGU Officials
Protected Area	Protected Area Management Board (PAMB)
National Government	Concerned Agencies (e.g., NCIP, DILG, DENR, NAPC)

Exercise 5: *Addressing Conflict*

A group exercise will be undertaken to analyze the interests of parties and options in addressing land and resource conflicts faced by the communities.

In terms of process:

- ❑ Group participants according to village within the ancestral domain
- ❑ Assign a facilitator and note-taker
- ❑ Discuss within 30 minutes
- ❑ Assign a reporter to report for 10 minutes during the plenary discussion

Participants will answer the following guide questions:

- ❑ Identify the interests of the conflicting parties. In what aspects are they similar and different?
- ❑ What strategies are appropriate to address the said conflict?
- ❑ What actions must be initiated to prevent such a conflict to emerge again in the future? What systems must be set in place to ensure peace and security of tenure over the ancestral domain?

CLOSING MESSAGE

Stakeholders eventually realize the need to assert their claim over their land and resource rights through peaceful means. This is often conducted with the aid of support groups such as CSOs and social movements, and sometimes, with the aid of the government. Peaceful claim-making builds the confidence of rural poor communities and allows them to build alliances and consolidate their resources towards asserting their land and resource rights.

One key principle to remember in the pursuit of peaceful resolution of conflicts is that the discussion must revolve on HOW one's rights can be met, not the legitimacy/validity of one's rights. It is crucial that the parties in conflict distinguish which aspects of their interests are non-negotiable rights and negotiable demands. Parties must not surrender their rights as when parties do so, the efforts to "peacefully resolve conflict" may potentially further entrench the very reasons that caused the conflict to emerge and persist. ❑

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Module 5

Participatory Enumeration and Social Tenure Domain Model (STDM)[1]

Presentation material web link:
https://angoc.org/wp-content/uploads/2019/09/STDM-ppt-english-version.pdf

INTRODUCTION

Land administration and management is central to land governance. As such, appropriate land tools can operationalize principles, policies and programs, thus facilitating and enhancing tenurial security of the rural poor.

OVERALL LEARNING OBJECTIVES

❏ To deepen the understanding and importance of security of tenure
❏ To introduce some of the land tools that can enhance land tenure security

PRESENTATION OUTLINE

❏ Security of Land Tenure
❏ Land Administration Challenges
❏ Land Tools and Approaches
❏ The Global Land Tool Network and the Continuum of Land Rights
❏ Social Tenure Domain Model

Security of Land Tenure

"Land tenure is the relationship, whether legally or customarily defined, between people (individuals or groups) and land. In simple terms, land tenure systems determine who can use what resources for how long, and under what conditions" (GLTN, 2018a).

Security of tenure does not solely refer to the legal right of owner-ship of land, in the form of individual land titles. Land may have multiple uses by different people in ways that are defined and protected by customary law or practice, and community norms.

Land Administration Challenges

"Most people do not have access to formal land administration systems to record and safeguard their land tenure rights. The majority of these are the poor

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Activity 1: Perception of men, women and youth on what land tenure means and having security of it *(15 minutes)*

Objective:
To capture their understanding on what land tenure means and its importance

Questions:
- *What "Land Tenure" means on their own definition and understanding*
- *What does "Security of Land Tenure" means?*
- *Is security of tenure important? If yes, why? If not, why not?*

Materials:
Metacards, markers, manila paper, masking tape

Methodology:
- *Each participant will be given three metacards. One card will be used to answer each question. Facilitator may opt to make it color coded for easy referencing of the participants' answers*
- *5 minutes to answer per question*
- *Participants will put their answers in the manila paper pasted in the wall aligned to the corresponding questions*
- *Facilitator/s will ask 1-2 participants from their different representation (men, women and youth) to explain their answer/s*

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and vulnerable who live on legitimate informal (de facto) tenures. There is insufficient recognition of the complexity of informal tenures, or the range of tenure types, in the formal land records. Where land rights are recorded, there were two main land administration issues raised: (i) tenure insecurity through poor land records or uncertain demarcation of boundaries for informal tenures, and (ii) land information that is incomplete and out of date. In most cases, land tenure records are out of date or inaccurate, and concerns over the quality of the available land information was also raised" (Mitchell et al., 2015).

Land tools as an entry point to alternative land administration

Land tool refers to the alternative way of solving issues pertaining to land. It is used as a practical method for land administration and management which can

be in the form of a document (a checklist, guideline, assessment/ evaluation form, manual, a training module) or can be as technical as a computer software.

These land tool basically emphasizes the "practicality" which means that the user may use and adapt the tool depending on its context. It is designed as pro-poor, participatory and gender-responsive.

The following are the basic features of a land tool:

- ❑ Pro-poor: the tool addresses issues on poverty and therefore poor people plays a major role in using and promoting the tool
- ❑ Affordable: since land tool is pro-poor, the overall cost is affordable which sometimes can be free.
- ❑ Equitable and gender-responsive: land tools also use to promote and recognize everyone's needs; women's rights to land should be ensured.
- ❑ Flexible and sustainable – land tool adapts to different contexts and can be applied in different scales; it can be used in an urban, rural, post-conflict area, etc.

Activity 2: Locating your tenure status within the continuum

Objective:
To determine the tenure status that exist in the local context. It also assesses the level of awareness of the participants in relation to the level of tenure security they have.

Questions:

Positive chracteristics of your land	Negative chracteristics of your land

Materials:
Metacards, marker, 'continuum of land rights' model

Methodology:
- *Participants will be first divided either according to their locality or tribe.*
- *Participants will answer questions in the table and write it on their metacards*
- *Participants will then brainstorm and identify what type of tenure status best describes their written answers. Facilitator can allow them to put first the negative characteristics of their land and then positive, or vice versa*
- *Participants will then place each metacards to tenure status within the continuum that corresponds to it.*
- *The more metacards placed in the tenure arrangement present in the continuum can be best describes their current tenure status.*


The Global Land Tool Network (GLTN) and the Continuum of Land Rights

The Global Land Tool Network (GLTN) is an alliance of 80 international partners working together in achieving **Secure Tenure and Property Rights**

for All. GLTN recognizes that security to land tenure and property rights are one of the keys in the realization of human rights and in addressing poverty and sustainable development. This also means incorporating all sectors of the society including the most vulnerable groups like women, youth, rural poor and the indigenous peoples. The United Nations Human Settlements Programme (UN-Habitat) facilitates GLTN and hosts its Secretariat.

One of the key GLTN tools is the **"Continuum of Land Rights"** which is seen to be a powerful alternative in supporting the global paradigm shift in the conventional land administration. It describes and explains an existing tenure situation and predicting how a range of tenure types may transform over time given different scenarios and intervention strategies. As such, the continuum itself does not advocate that formal land rights in the form of individual land ownership should be the sole tenure form of choice in development strategies.

The *continuum of land rights* is a concept or metaphor for understanding and administering the rich complexity of land rights on the ground. The rights along the continuum may be documented or undocumented, formal as well as informal, for individuals and groups, including pastoralists and residents
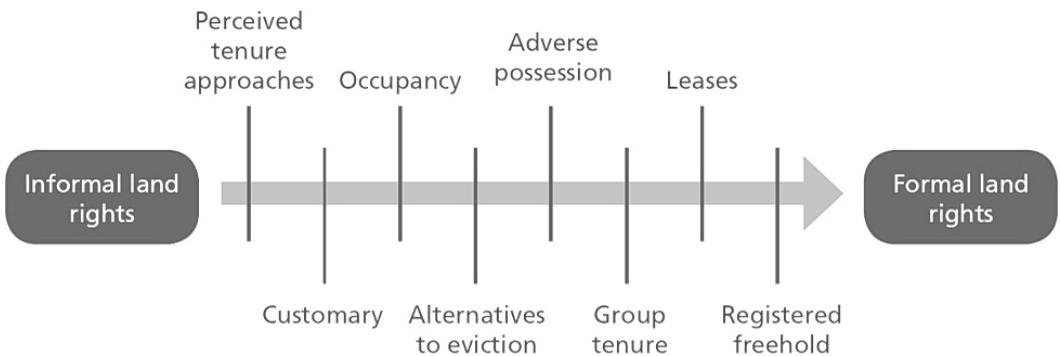
Figure 1. GLTN's Continuum of Land Rights (GLTN, 2018b).

of slums and other settlements that may be legal or not legal. The rights do not lie along a single line and they may overlap.

The Social Tenure Domain Model (STDM)

One of the tools developed by the GLTN to support the Continuum of Land Rights is the Social Tenure Domain Model (STDM). It is a software developed to record all types of tenure exist within the continuum.

Figure 2. Closing the gap between people and spatial units through STDM.

STDM is a pro-poor, participatory and gender-responsive land recording tool. The conventional land system only covers those legally-owned land and in the formal system. STDM was developed to close the gap between the formal system and those tenure arrangements that are not recognized by the statutory and legal system. It allows recordation of all possible types of tenure that exist on the ground.

This also means that STDM is basically about "people-land" relationship. In the design of STDM, all the information of the people, be it an individual a group, or a tribe, will be recorded in correspondence to their relationship to the land. It can be perceived as owned, rented or lease or other conditions that applies depending on the context.

STDM is supported by the participatory data enumeration and can be used and operated by the community for it attributes a user-friendly feature. STDM adheres to GLTN's core values and principles:

❑ Affordable: It uses free and open software packages;
❑ Flexible in its use and application;
❑ It is versatile: It can be applied in various contexts;
❑ Complements other tools and is a specialization of the ISO-approved Land Administration Domain Model (LADM);
❑ Simple to use: You do not have to be a technical person to use it;
❑ It is inclusive;
❑ It has a pro-poor focus in that it can be used by communities such as slum dwellers, small landholders;
❑ Is adaptable to formal situations, etc.; and,

❑ It follows good governance principles (participation, gender-segregated data, responsiveness and transparency).

Practical Applications of STDM in the Philippines

The CDA in Muntinlupa towards wider reach of policy advocacy

STDM was used in mapping all the informal settler families (ISFs) in the city of Muntinlupa City, Metro Manila. The Citywide Development Approach

Representatives from different communities in Muntinlupa were gathered for an assessment meeting and dialogues during the visit of GLTN. Photo source: TAMPEI.

(CDA) in upgrading informal settlements in 2014, funded by World Bank, marked the introduction of community-driven data collection, mapping, profiling, and planning of informal settlement communities in the country. The CDA is seen as a clear alternative to the usual unsystematic, project-based, and top-down planning of cities that emphasized the participation of all stakeholders, especially the ISFs.

As a multi-stakeholder approach to settlements planning, several groups have also been involved in these initiatives, with separate partnership agreements signed between and among Homeless People's Federation Philippines, Inc. (HPFPI) and Technical Assistance Movement for People and Environment, Inc. (TAMPEI) representing the Philippine Alliance and the University of the Philippines Department of Geodetic Engineering (UPDGE).

Hands-on workshop on community mapping and disaster risk reduction and management (DRRM). Photo source: TAMPEI.

Settlements Profiling in Malabon City

Not only in the household level STDM can be used. In the context of Malabon City in Metro Manila, STDM was used to map out all the communities at settlements level which resulted to the organization of 141 Homeowners Association

(HOA). Through the partnership with the city government, the identification of needs and vulnerabilities were also addressed through the facilitation of trainings related to Disaster Risk Reduction and Management (DRRM).

Promoting in-city housing through mapping in Iloilo City

In Iloilo, TAMPEI, HPFPI and Philippine Action for Community-led Shelter Initiative Inc. (PACSII) facilitated the mapping of one informal settlement of about 50 households within the city's central business district. The case was especially interesting

Multi-sector engagement (the Philippine Alliance, City Government of Iloilo, and the University of San Agustin). Photo source: TAMPEI.

and beneficial as it later provided valuable studies on the effectivity of in-city housing or settlement upgrading option in an urbanizing city versus the usual off-city relocation process implemented by the government among ISFs living in cities. The introduction of geospatial tools and participatory approaches through technical trainings on STDM has resulted in a tripartite partnership agreement among the city government, a local university, and the HPFPI that has since been pushing for the signing of a city-level executive order that would institutionalize participatory methods of data gathering into city planning processes.

Heritage mapping in Talisay City

Mapping of significant heritage sites and structures in the city. Photo source: TAMPEI.

Similar initiatives have been introduced and replicated, respectively, in the cities of Talisay and Davao through continuous support from various partners. In Talisay, although the project was shelved due to unforeseen political

conflicts, STDM became the basis for completing a citywide heritage mapping workshop.

Mapping of communities in danger zones in the coastline of Davao City

In 2014, HPFPI and TAMPEI mapped out 2,000 ISFs in five villages located along barangay coastlines in the city of Davao. The mapping activity led to the activation of a Local Inter-Agency Committee (LIAC) that prioritizes the provision of housing services to the affected families. Members of the LIAC include key shelter agencies such as the Davao

Coastal communities in danger zones, Davao City.
Photo source: TAMPEI.

with the intervention of STDM, paved way to initially engage with the Social Housing Finance Corporation (SHFC), Presidential Commission for the Urban Poor (PCUP), Housing and Land Use Regulatory Board (HLURB), and the Housing and Urban Development Coordinating Council (HUDCC).

In 2017, the mapping activities in Davao with the intervention of STDM, paved way to initially engage with SHFC, one of the country's five national key shelter agencies. SHFC acknowledge the positive implications of a community-led framework in innovating housing policies on a national scale.

A child-centered mapping and enumeration process in the resettlement areas in Naic and Tanay

The context of this project is that the informal settlers in Pasay were relocated in the municipalities of Naic in Cavite and Tanay in Rizal. Under the project with Save

Child participation in planning processes.
Photo source: TAMPEI.

the Children Philippines, STDM was used as a mobilization tool in addressing child-centered issues.

In Naic, the results of mapping exercises have assisted three community associations in collectively negotiating their community concerns with the barangay council – such as provision of potable water source, safety and security measures, and livelihood opportunities. The initiative leveraged support not only at the barangay level but from different municipal departments as well, such as Social Welfare and Development Office and Public Employment and Services Office, among others.

At the national level, the National Resettlement Policy Framework 2019-2022 has been recently adopted by the HUDCC. Included in its provisions is the formulation of resettlement action plans (RAPs) that address issues and concerns of relocatees, especially those of children and other vulnerable sectors.

Indigenous communities in Mt. Kalatungan in Bukidnon

STDM is used as a tool for the inventory of land tenure data and mapping of household lots and farms of Talaandig and Manobo tribes in Talakag and Pangantucan, Bukidnon in Northern Mindanao, Philippines. Land data and information were collected using the participatory enumeration approach. A set of criteria[2] was used as a basis for selecting the enumerators who administered the household survey tool.[3]

Among the target outputs of the project is the identification of the farm and house lot boundaries of the IP households. Identified boundaries are indicated in the Certificates of Customary Land Occupancy awarded to the IP families (see Annex 1 for a sample of the said certificate).

Hands-on exercise on using Global Positioning System (GPS) device as part of STDM training. Photo Source: Luna Cagan, GLTN.

While not an official tenure instrument, the information in the certificates may be used to strengthen the assertion of the rights of the IP-beneficiaries over their ancestral domain.

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[2] The set of criteria used in selecting the enumerators is available at https://angoc.org/wp-content/uploads/ 2019/10/ Enumerators-Criteria-for-GLTN-Enumeration.pdf

[3] The household survey tool used in data collection is available at https://angoc.org/wp-content/uploads/ 2019/09/GLTN-project-PH_HH-survey.pdf

This participatory enumeration is part of an on-going project on *"Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines"* in Bukidnon, Northern Mindanao aimed at securing the tenure of about 2,500 households of indigenous peoples in two municipalities in Bukidnon, Northern Mindanao. It is being implemented by the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) in partnership with Xavier Science Foundation, Inc. (XSF), with technical support from Global Land Tool Network (GLTN) as facilitated by the UN-Habitat.

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Annex 1. Sample Certificate of Customary Land Occupancy awarded to the IP-beneficiaries of the project, *Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines.*
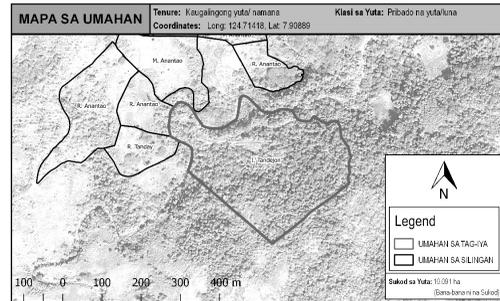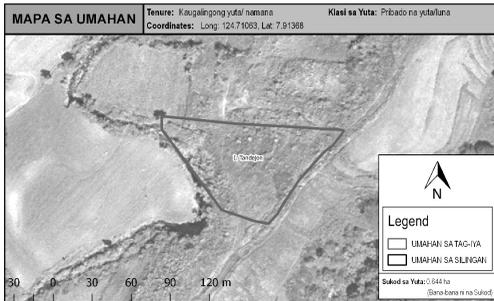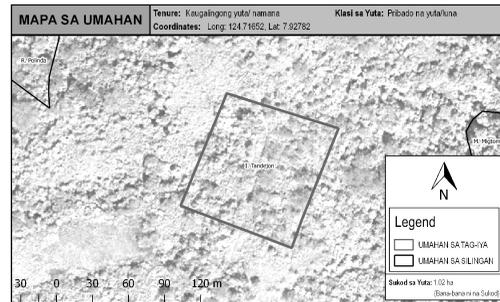
Sertipiko sa Naandan nga Yutang Ginsakopan
(CERTIFICATE OF CUSTOMARY LAND OCCUPANCY)

NGALAN (NAME)	APELYIDO (SURNAME)	LALAKI/BABAE (GENDER)
Nancy	Tandejon	Babae
Isabelo	Tandejon	Lalaki
Bernadeth	Suclatan	Babae
Angela	Samia	Babae
Grace	Belco	Babae
Amante	Tandejon	Lalaki
Jemar	Sumil	Lalaki
Joebert	Sumil	Lalaki
Anebie	Inahan	Babae
An-An	Tandejon	Babae
Niaro	Sumil	Lalaki
Souetra	Tandejon	Babae
Merry Chris	Sumil	Babae
Zyril	Tandejon	Babae
Raffy	Tandejon	Lalaki

Ang mga impormasyon sa ubos nagpasayod sa lokasyan, hitsura sa balay, tanaman og umahan sa pamilya nga nag-okupar niini. (The information below shows the location, type of house, garden and farm lots occupied by the family.)

MAPA SA BALAY Tenure: Kaugalingong yuta/ namana **Klasi sa Balay:** Puloyanan Coordinates: Long: 124.70132, Lat: 7.90847

R. Labao

A. Tandejon

50   0   50   100   150   200 m

Kani ang balay sa: I. Tandejon
Ang sukod sa lote sa balay: 1266.407 sq.m

Legend
☐ BALAY SA TAG-IYA
☐ BALAY SA SILINGAN

MAPA SA UMAHAN Tenure: Kaugalingong yuta/ namana **Klasi sa Yuta:** Pribado na yuta/luna Coordinates: Long: 124.71652, Lat: 7.92782

I. Tandejon

30   0   30   60   90   120 m

Sukod sa Yuta: 1.02 ha
(Bana-bana ni na Sukod)

Legend
☐ UMAHAN SA TAG-IYA
☐ UMAHAN SA SILINGAN

MAPA SA UMAHAN Tenure: Kaugalingong yuta/ namana **Klasi sa Yuta:** Pribado na yuta/luna Coordinates: Long: 124.71063, Lat: 7.91368

I. Tandejon

30   0   30   60   90   120 m

Sukod sa Yuta: 0.644 ha
(Bana-bana na Sukod)

Legend
☐ UMAHAN SA TAG-IYA
☐ UMAHAN SA SILINGAN

MAPA SA UMAHAN Tenure: Kaugalingong yuta/ namana **Klasi sa Yuta:** Pribado na yuta/luna Coordinates: Long: 124.71418, Lat: 7.90889

M. Anantao
R. Anantao
R. Anantao
R. Anantao
R. Tandoy
I. Tandejon

100   0   100   200   300   400 m

Sukod sa Yuta: 10.091 ha
(Bana-bana ni na Sukod)

Legend
☐ UMAHAN SA TAG-IYA
☐ UMAHAN SA SILINGAN

Gipamatuod ni (Certified by):   Gipagawas sa (Issued on): Nov 24, 2019

_____   _____   _____
Barangay Chairman   IPO Chairman   Barangay/Sitio Chieftain

_____   _____   _____
Ang mga ga-okupar sa luna/yuta   Silingan (Neighboring 1)   Silingan (Neighboring 2)

***Disclaimer:** Kini nga sertipiko gi-ila ang pamilya nga nag-angkon sa yuta nga gisakopan sa ilang balay, tanaman og umahan. Ang maong dokumento dili legal nga gamiton sa pagbaligya o pagprenda sa maong kabtangan kun walay pagtugot sa mga nagpamatuod niini. (This certificate recognizes the family that occupies the lands where their house, garden and farm are situated. This document is not legal to use in order to sell or lease the property without due authorization of those who certified it.)*

Women, Land, and Agriculture
in Relation to Food Security[1]

Presentation material web link:

https://angoc.org/wp-content/uploads/2019/09/Module-4_Gender_FINAL-PPT_ENGLISH.pdf

INTRODUCTION

Rights to land and resources are human rights, meant to be enjoyed by all persons regardless of their economic standing, race, and gender. In landscape governance, people from all backgrounds must be taken into consideration

> **Tip 1.** *You may begin the discussion with a short video highlighting our common humanity, to set the scene. For example, Michael Jackson's "Black and White" music video exemplifies diversity, and shared humanity: https://www.youtube.com/watch? v=3Iw-vUBo7v4*

in the distribution and management of resources. Women, in particular, play vital roles in landscape governance given their contributions to agriculture. In many Asian countries where agriculture is the main driver of economic growth, women's contributions are equal to or exceeds those of men's (FAO, 2011). However, women's access to land is often coursed through male members of their households, thus, they risk losing such access in cases of widowhood, divorce, and male outmigration from rural areas. According to an FAO report in 2011, the challenges that women face in agriculture hamper their productivity, thus contributing to the underperformance of the agricultural sector in many Asian countries. Provided apt land rights and support, women will be as productive as men. Progress on gender-equal access to land abounds in the laws and policies in the Philippines, yet obstacles such as patriarchal attitudes rooted in culture or religion, lack of information, and lack of political will and resources remain.

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[1] Prepared by Denise Hyacinth Joy Musni of the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) for the **Landscape Governance Forum and Training of Trainors** as part of the project *"Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines"* jointly implemented by ANGOC and XSF.

LEARNING OBJECTIVES

- ❑ Introduce basic gender concepts
- ❑ Discuss equality and introduce the Gender Evaluation Criteria
- ❑ Discuss the status and roles of women in agriculture and food security
- ❑ Reflect on the challenges and opportunities for women in agriculture and food security

INTRODUCTION TO GENDER CONCEPTS

In Filipino, *kasarian* may refer either to sex or to gender. The difference between the latter two concepts are as follows:

Sex refers to the natural and biological characteristics of men and women. It is defined by in-born physical differences between men and women. For example, women's physical attributes (presence of a womb, ovulation, lactation) allow them to bear children.

Gender on the other hand, refers to socially-constructed roles, activities, behaviors, and characteristics, that are commonly attributed to men/boys and women/girls. What is considered to be *masculine* or *feminine* is also dependent

on particular places, culture, traditions, etc. For instance, in the Philippines, skirts are often attributed to women. Yet in places like Bangladesh, males also often wear *sarongs*, which look similar to skirts.

A related concept, *gender-identity* deals with an individual's own view on what his or her gender, which may or may not correspond to his/her sex.

Finally, *sexual orientation* identifies to whom a person is attracted to, may it be to males, females, or both. Some types of sexual orientations include:

- ❏ Heterosexual – *straight*; if a person is attracted to the opposite sex
- ❏ Homosexual – *gay, lesbian, bakla, tomboy;* if a person is attracted to the same sex
- ❏ Bisexual – *bi;* if a person is attracted to both sexes

ACTIVITY 1: *Perceptions on gender roles in the community*

Objective: Appreciate the contributions of males and females in the community

Question for reflection: What are men and women's roles and contributions in agriculture and livelihood within the community?

Materials needed:
- Metacards
- Markers
- Manila papers
- Masking tape

Methodology:
- Separate the group into males and females – two manila papers per group
- Ask the participants to answer the question above.
- Males will answer on females' roles, and females will answer on males' roles
- Participants will have five minutes to write down into metacards their ideas on the question
- Two males will be asked to comment on the females' answers; two females will be asked to comment on the males' answers.
- Participants must discuss their answers. The facilitator will lead the reflection on the ideas posted.

RECOGNITION OF THE EQUAL RIGHTS OF MEN AND WOMEN

Everybody must have equal recognition of their contributions to land governance, and to society at large. In the community, while males and females contribute differently, everyone deserves the same rights access to opportunities: ex. education, employment, land, etc.

Tip 2. *You may play a short video to spark reflections on inequality between males and females, and initiate discussion. This video by the European Commission may be a good conversation starter: https://www.youtube. com/watch?v=TWvJ3Dd2Y9M*

According to the survey by Pulse Asia in 2017, 41 percent of Filipinos believe that women in the Philippines are not disadvantaged against 33 percent of respondents who believe otherwise. However, a significant portion (33 percent) still believe that men and women are of unequal footing in Philippine society. As will be discussed further later, while there have been massive improvements in gender equality, there is still a lot of room for women's opportunities to improve.

INTRODUCTION TO GLTN'S GENDER EVALUATION CRITERIA (GEC)

At the global level, the GLTN has adopted the gender agenda during the World Urban Forum in 2006. GLTN has committed to ensure gender-responsiveness in all stages of its development and implementation of tools. The Gender Evaluation Criteria (GEC) was thus devised to evaluate whether land tools are gender-inclusive in both urban and rural settings. The GEC is being used to assess whether a land tool, plan, policy, or instrument considers the rights and needs of both men and women. At present, it has been introduced and implemented in more than 40 countries including Brazil, Uganda, Ghana, and the Philippines. There following briefly discuss the six criteria:

1. *Participation* – refers to the extent to which women and men were involved in the identification of issues to be addressed by the land tool and in the development and implementation of the tool, as well as to the extent to which the needs and concerns of both women and men were considered in the designing of the tool. Is not limited to the number of males or females that participated in the discussions, but also the level

Tip 3. *Some of the criteria in the GLTN may directly or indirectly link to the participants' views on how they assessed gender equality in the previous activity.*

ACTIVITY 2: *Parameters of Equality in Landscape Governance*

Objective: Engage in a healthy discussion on how the community and governance over land may be more inclusive to women, by reflecting on the present situation

Question for reflection: Is there equal treatment of men and women in your community and in terms of (land) governance? How can you say so?

Materials needed:
- Metacards
- Markers/pens
- Small items to be passed around

Methodology:
- Participants will be given two minutes to reflect on the question, and to write down their individual answers on small metacards
- After two minutes, participants will then be asked to form a large circle
- Facilitator/s will give two or three small items to random people in the circle (items may be microphones, pens, cups, etc.)
- Music will be played. Participants holding the small items should then pass them on to the next person on the right – this continue until the music stops.
- Persons holding the small items when the music stops should share to the group their answer to the question.
- Repeat the game 3 or 4 times.

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of their participation (ex. Whether females are able to speak up; whether suggestions from females are being considered equally as suggestions from males).

2. *Capacity-building* – refers to the provision of mechanisms, including allocation of resources, to inform and educate both women and men on how to use, access, and benefit from the land tool.

3. *Legal and institutional considerations* – refer to the outcome or impact of the land tool on the protection and promotion of equal rights of women and men to land use, land access and land tenure security, and whether it complements existing gender-inclusive policies.

4. *Social and cultural impact* – refer to the contributions of the land tool to the elimination of prejudices and discriminating practices against women in land use, land access and land tenure, and therefore to the enhancement or strengthening of the status of women in families, communities and society.

5. *Economic impact* – refers to the contributions of the land tool to the increase in women's access to economic resources, such as income, credit, land market, land production technologies, and other support services.
6. *Scale and sustainability* – refer to a tool reaching a wider set of beneficiaries, and ways to sustain this impact.

The GEC also has practical applications. These criteria may be used, among other purposes, for multi-stakeholder discussions on:

❑ Analysis of pending policies or laws;
❑ Amendment, revocation, or improvement of implementation of existing policies;
❑ Analysis of CSO projects; and,
❑ Formulating and updating plans such as the Comprehensive Land Use Plan (CLUP), Ancestral Domain Sustainable Development and Protection Plan (ADSDPP), livelihood plans, and other community plans.

WOMEN IN AGRICULTURE AND FOOD SECURITY

Contribution of women to agriculture and food security in the Philippines and in Asia
Women directly contribute to many agricultural and post-harvest activities, such as:

❑ Land preparation
❑ Weeding
❑ Planting
❑ Gardening
❑ Harvesting
❑ Animal husbandry and taking care of livestock
❑ Post-processing and selling of products

> **Tip 4.** *Refer to participants' answers in the first exercise when discussing women's contributions to agriculture and food security*

Apart from contributing to agricultural activities, women still are the primary caretakers of the household. Women cook for the household, clean the house, and do other household chores – all these contribute to the productivity of other members of the household. Since these household tasks are already being taken care of, other household members may focus better on school or work.

Providing women with access to and control over land will enable them to have more power over agriculture and household decisions. Women will be able to have a greater say on purchases that benefit the family. Studies have also shown that improving women's land rights have positive effects on household nutrition and children's education.

Women in Agriculture in the Philippines

Compared to other countries in Asia, the status of women in the Philippines is relatively higher. Men and women are more *equal* in the Philippines, relative to other Asian States. In 2018, the Philippines was 8th out of 149 countries in the world, and first in Asia in closing the gender gap, according to the Global Gender Gap Report.

In other countries in Asia, there is what is called the *feminization of agriculture,* wherein more women are engaging in agricultural activities, due to the out-migration of male labor from rural to urban areas. In the Philippines however, women also out-migrate from rural areas to pursue other employment opportunities (in cities or abroad). Thus, there has been a decline in the number of women engaged in agriculture.

Figure 1 illustrates the status of women in agriculture in the Philippines, compared to men.

Further, as of 2017, the daily wage of male agricultural workers was at 285 PHP per day, while female agricultural workers received 256 PHP per day. It must be noted though, that the disparity in wages between sexes have started to slowly decline since 2000.

Challenges to women's rights to land and resources and opportunities for women

Equal rights of the sexes are enshrined in the 1987 Philippine Constitution, and are protected by laws such as the Magna Carta for Women. Asset reform laws such as the Comprehensive Agrarian Reform Program also has provisions on gender equality. In the country's legal framework, women have rights to land titling, access to information, share in produce, representation, among others. The Philippines is also a signatory to the UN Convention on the Elimination of All Forms of Discrimination Against Women or CEDAW.

Fig 1. Comparison of males and females in the agriculture sector in the Philippines

(A) Percentage of males and females working in agriculture as of 2014. In 2009, a slightly larger percentage of those engaged in agriculture were women (18 percent) (Philippine Statistics Authority/PSA, 2016).
(B) Percentage of male and female agrarian reform beneficiaries (ARBs) as of 2015. Those classified as ARBs in this figure are farmers who have Emancipation Patents or Certificates of Land Ownership Award issued in their name (PSA, 2016).
(C) Percentage of self-employed males and females in agriculture as of 2014. Self-employed men in agriculture outnumbered women from 2006 to 2014. However, the number of self-employed women in agriculture increased incrementally from 2008 to 2014 (PSA, 2016).
(D) Percentage of male and female employers in their own family-operated farms as of 2014 (PSA, 2016).

However, several challenges to the full realization of women's rights persist, including:

❑ Belief in some communities that women are less capable than men in terms of managing and governing over land (ex. Male heirs are preferred in bequeathing land; some fisherfolk communities believe that females bring bad luck);
❑ Shallow provisions on women's rights in laws or the non-implementation of gender-equality safeguards in existing policies;
❑ Some policies' lack of sensitivity to the needs of women; and,
❑ Dominance of male leaders and decision-makers in communities, both in terms of number and influence.

Patriarchal beliefs embedded in culture may also affect women's everyday lives and the exercise of their rights. The following table exemplifies the effects of gender stereotypes on women's land rights:

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Gender stereotypes	Implications on land access and tenure security
A woman's place is in the home/kitchen; the man is the breadwinner of the family	Men are given more opportunities to use land as a source of income, sons and other male relatives get priority in land inheritance
The man is the head of the family	Land tenure instruments (e.g. land titles, leasehold contracts, usufruct certificates, etc.) are placed in the name of the man
Women are weak, dependent and emotional, whereas men are strong, independent and rational. Thus, men are better leaders than women	Women are not involved in decision-making pertaining to land and other properties of the family; women are not on the or are less represented in community decision-making structures

Source: Rebecca Ochong, Land and GLTN Unit, UN Habitat (2017)

Yet several opportunities for advancing women's land rights await maximization:

❑ In the Philippines, there are government and CSO initiatives to increase women's access to and control over land (ex. titling initiatives; joint-titling)
❑ There is a recognition that women's ownership of land and ability to decide over land signify an increase in women's status in society.

❏ There is no shortage of strong women leaders among farmers and indigenous peoples. Many indigenous groups give high regard to the *bae,* or the female equivalent of a *datu.* ❏

Activity 3: *Challenges and Opportunities for Women (30 minutes)*

Objective: Facilitate group-thinking on how challenges within the community may be resolved with, and how opportunities may be maximized.

Questions for reflection:
- What are the challenges in the realization of land rights for women in the community? How can these be resolved?
- What opportunities are available for women in terms of land rights and livelihood?

Materials needed:
- Metacards
- Markers
- Manila papers
- Masking tape

Methodology:
- Group the participants by community. Groups should be mixed, consisting of men, women, and youth
- Participants will have 15 minutes to discuss the guide questions
- Groups will write down their answers on the manila papers provided
- A facilitator and documentor per group from will be assigned per group
- Each group will have to present their outputs in front of everyone else
- The facilitator will lead the reflection on the ideas posted

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Module 7

Youth in Landscape Governance[1]

Presentation material web link:
https://angoc.org/wp-content/uploads/2019/09/Module-4_Gender_FINAL-PPT_ENGLISH.pdf

INTRODUCTION

Dr. Jose Rizal, our National hero, once said more than a hundred years ago, "The youth is the hope of our future."

Certainly, how the country will be decades from now depends on its future leaders and citizens – today's youth. Filipinos aged 15 to 29 consist approximately 18.6 percent (29.4 million) of the Philippines' projected population by 2019 (PSA, 2015) and is expected to exponentially increase given the broad base of the Philippine population pyramid.

LEARNING OBJECTIVES:

❑   To capture what the 'Youth' wanted to pursue for their future.
❑   To determine the importance and role of 'Youth' in the community.
❑   To widen and understand more about 'Youth Participation' in different levels of decision-making processes.

PRESENTATION OUTLINE:

❑   Who belongs to the group of "Youth"
❑   Youth and Land
❑   Youth and Land Responsiveness Criteria (YLRC)

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[1]   Prepared by Lunalyn Cagan of the Land and GLTN Unit, Urban Legislation, Land and Governance Branch as facilitated by UN Habitat for the **Landscape Governance Forum and Training of Trainors** as part of the project *"Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines"* jointly implemented by ANGOC and XSF.

Who belongs to the "Youth"?

Youth is primarily described as the transition period from childhood to adulthood. It is a phase where individuals experience marked changes in the way they think, feel, act, and interact with other people. Nevertheless, this group can easier be defined by age (UN Youth, 2013).

According to UN definition, youths are people aged 15 to 24 years old. However, this does not apply in all context. The definition of youth differs from country to country. In the Philippines, people within the age bracket of 15 to 30 years old, are the ones who belong to youth, according to Youth in Nation Building Act (1994).

Youth and Land

The youth sector accounts for the largest population of the world's urban growth, with a large concentration in developing countries (UN Habitat, 2013). This also means that the needs towards land are also changing. According to UN Habitat, the rate of unemployment will also increase and the most affected are the people living in urban areas. This concern has either a

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Activity 1: *Vision casting*

Objective: The activity aims to capture the vision and aspirations of youth and the members of the community for their youth.

Questions:

For Youth	For non-youth
1. *How do you see yourself five to ten years from now?* 2. *If given the chance, what do you want to be five to ten years from now?*	1. *How do you see youth in your community five to ten from now?* 2. *What do you want for youth in your community five to ten years from now?*

Materials: Metacards, markers, manila paper, masking tape

Methodology:
1. Each participant will be given two (2) metacards, one for each question. The facilitator may opt to make them color-coded for easy referencing of the participants' answers.
2. The questions are divided to participants who belongs to youth and non-youth (this depends on what age bracket they classify youth in their respective communities).
3. The groups will be given 10 minutes to answer the questions
4. Participants will put their answers in the "Vision Wall." Facilitator/s will ask a participant or two, from youth and non-youth sectors to explain their answer/s. The activity allows some realization and reflection among community members on their visions and aspirations that will feed to the next activity.

Activity 2: *Dream Community*

Participants will be asked to draw their dream community on the manila paper provided per group.

Participants drawing their dream community.

Objective:

The activity aims to widen the appreciation of the participants to their landscape and the roles of youth in managing, preserving, and developing it.

Materials: Metacards, markers, manila paper, masking tape

Questions:

1. What are the roles of Youth in achieving your DREAM COMMUNITY?
2. What are the ways to develop and strengthen such roles?
3. What are the challenges and/or hindrances in achieving this dream?

Methodology:

1. Participants will be divided by their respective communities (e.g. villages, etc.).
2. Each group will be asked to draw their dream community.
3. After drawing their dream communities, each group will now fill out the table of questions related to the "roles of the youth" in achieving their dream community:
   a. What are the roles of the Youth in achieving your DREAM COMMUNITY?
   b. What are the ways to develop and strengthen such roles?
   c. What are the challenges and/or hindrances in achieving this dream?
4. Each group will then present their outputs during the plenary session.

direct or indirect correlation with landlessness and issues on security of tenure for youth.

Tenure security increases the protection of youth from eviction and displacement. Undue eviction can lead to loss of identity and confidence of youth which places them in the vicious cycle of poverty. Therefore, security of land tenure for youth is key to fulfilling their economic potential. This also means ensuring that appropriate and tenure options are available for them.

How does security of land tenure have a direct impact on youth development and empowerment?

Land is not an "adult-only" issue (UN-Habitat, 2004; UN-Habitat, 2013). As shifts in needs occur in the course of an individual's transition from child to adult, access to land becomes more apparent. According to UN Habitat, "land has more than a material or utilitarian aspect for youth" (UN-Habitat, 2013). It is where a person's relationship to the community is built and defines her/his identity and culture.

Land is vital to food security, livelihoods, and economic opportunities for youth. Instead of determining solutions in behalf of youth, the policy-making bodies should gather inputs from youth themselves. In this way, youth will be part in the process of decision-making. Most importantly, making them identify their roles in the society is a key ingredient of an inclusive community.

Responsible Land Governance means participation of Youth

A major reason for the marginalization of some groups, including youth, is the "top-down" approach in addressing solutions on land.

Responsible land governance is currently seen as an approach in making everyone engaged in the discussion on land. It encompasses rules and processes through which decisions to land are collectively made and consulted on how it will be accessed and managed. The critical elements of land governance are transparency and inclusion, and the resolution of competing interest over the management of land. It will be achieved if all groups are represented (women, youth, indigenous people, etc.) in addressing issues related to land. In this way, there will be a great potential in achieving inclusive range of development outcomes.

Responsible land governance also means recognizing youth as an important sector in the society. Through this, youth's capabilities and energies will be

optimized. It also ensures that their needs and expectations will be represented and addressed, and most importantly, it can build their leadership capacities in land governance.

It is crucial to engage youth in the entire cycle of decision-making. In this way, they are able to understand the processes of governance and test their capacity in dealing with various situations and issues on land.

Youth and Land Responsiveness Criteria (YLRC)

One of the tools developed by Global Land Tool Network (GLTN) in partnership with Youth and Livelihoods Unit of UN Habitat for the "Youth and Land" project is the Youth and Land Responsiveness Criteria (YLRC). It aims to understand youth's perspective on

YLRC is a tool that can be used to increase the incorporation of youth perspectives into land matters at both institutional and program levels, through a participatory process.

land and its dimensions to address knowledge gaps on youth's relationship to land. The YLRC can be used by youth group practitioners, researchers, youth-led organizations, community organizers, policymakers, and everyone who desires to understand and address youth and land related issues. The researches, as part of the "Youth and Land" project, were conducted by five (5) youth-led organizations from Brazil, Nepal, Kenya, Yemen, and Zimbabwe to develop a tool flexible enough to be used and adapted in various contexts. The following are the uses of YLRC:

- ❏ as a diagnostic tool;
- ❏ an awareness and advocacy tool; and,
- ❏ for designing new youth responsive land programs/projects.

Limitations of YLRC

The tool does not provide solutions to the land-related issues young people face, but rather, it helps identify the gaps where young people fail to be involved in the land sector.

Tenure security reflects the people's identity and confidence towards their right to land. It is both legal and social. It only depends on how society recognizes and acknowledges these rights. Youth is not an exemption to this. They belong to the group where there is a shift of needs, including land. The security of tenure to youth can provide a greater opportunity to secure foundation of their livelihoods

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The Structure of YLRC

The YLRC is composed of five main themes:

Youth Recognition
This section identifies the level of recognition and acknowledgement given to youth. It measures the level of awareness on how they see the need for youth participation in relation to land.

> *Guide for the facilitator:* It was discussed that youth is a "transitional phase" of an individual entailing a shift in one's needs. Land is one of those needs. In this section, the facilitator may ask if the youth and their needs to land are recognized by the community.

Land Information
In this thematic section, the level of access to land information by youth is measured.

> *Guide for the facilitator:* Land information refers to youth's access to information pertaining to inheritance and the management of land within the community. In this section, youth may be able to: (a) assess their level and ease of access to such information; and, (b) determine their understanding specific to land information.

Land Governance
This section determines the level of participation of youth in terms of decision-making and land governance processes.

> *Guide for the facilitator:* Responsible land governance is making youth participate in land-related activities and programs. This evaluates the current land governance structure and youth involvement in the process of decision-making. Facilitator may ask if there is a venue or discussion where youth participated as a representative of their sector. Is youth represented during community meetings? What particular involvement they have and what level of participation? Are their suggestions considered in the planning and decision-making or just a mere representation of their sector?

Land Policies
This section identifies or assesses whether there are policies, guidelines, frameworks, or programs that incorporate or address the needs of youth.

> *Guide for the facilitator:* Land policies should be responsive to youth's needs. This theme assesses whether existing land policies consider youth's need to land. Facilitator may ask if policies, programs, and institutions that corresponds to youth's needs and access to land are in place at national and local levels.

Land Use and Access
This section assesses the different ways on how youth can have access to land.

> *Guide for the facilitator:* This section considers public spaces, livelihood, and other youth-led production activities. Facilitator may direct the participants to reflect on the Landscape Mapping activity (refer to Module 1). Are there spaces for youth identified in their landscape? Is there an opportunity for youth to do income-generating activities including agriculture? Are there programs that promotes the use of land for youth?

and boost their potential in social, economic, and political opportunities. Giving them a voice in planning and decision-making guarantees that their needs to land will be clearly addressed, avoiding short-term solutions that can further limit their capability in enhancing their skills and abilities. Just like what Jose Rizal quoted *"The youth are the hope of the country's future"* and therefore they should be part in crafting their future through engaging, participating and involving them in all processes of planning and policy-making. ❏

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MODULE 8

Action Planning for Landscape Governance[1]

INTRODUCTION

This is the culmination activity of the landscape governance training course. Participants shall take stock of the land governance challenges they face in their communities. Thereafter, specific recommendations to address such challenges will be deliberated upon. The course shall end with the formulation of an action plan to operationalize such recommendations.

An essential element to planning is a multi-stakeholder approach. Promoting such partnerships enhances the participation of a larger and more representative grouping to provide inputs to a set of activities or project. Through landscape governance, there is greater appreciation of the value and advantages that partnerships among various groups bring to the planning process. However, building partnerships is a formidable task, fraught with risks if certain principles are not observed.

Principles for Fostering Multi-stakeholder Partnerships

- Proper groundwork (adequate briefing, providing enough background information to participants)
- Skilled staff (community organization, conflict management, facilitation, documentation)
- Clarity of objective(s)
- Determined level of partnerships
- Active involvement of stakeholders
- Ongoing capacity building
- Regular communication
- Comprehensive documentation of process

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[1] Prepared by Nathaniel Don Marquez of the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) for the **Landscape Governance Forum and Training of Trainors** as part of the project *"Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines"* jointly implemented by ANGOC and XSF.

LEARNING OBJECTIVES:

❑ Review and consolidate lessons and agreements reached in Modules 1 to 7;
❑ Transform the agreements into recommendations on how to effectively manage the landscape; and,
❑ Identify concrete steps towards realizing such recommendations.

OUTLINE OF PRESENTATION

❑ Review of challenges and agreements/recommendations;
❑ Process of planning; and,
❑ Planning, reporting, and closing.

REVIEW OF CHALLENGES AND AGREEMENTS/RECOMMENDATIONS

Methodology: *Powerpoint presentation, plenary discussion*

During the plenary discussion, a facilitator shall provide a recap per module, covering the major issues and challenges that have surfaced in the discussions using the template below:

Areas of Concern	Challenges	Agreements / Recommendations

It can be expected that the areas of concern will revolve around the topics of the modules as follows: (1) landscape governance; (2) land and resource conflicts; (3) conflict management; (4) participatory enumeration and STDM; (5) gender; (6) youth. Other themes may be expected to surface that do not fit neatly among the module topics and must be taken note of.

As well, it is important to gauge which issues can be productively discussed in plenary. Some issues might be divisive among the participants or might not be

> **Tip 1.** *Facilitators can meet at the end of each module to outline the emerging issues and challenges from the plenary and group discussions.*

appropriate for discussion at the specific point in time of the action planning. Carefully discern among the training team which issues should be raised.

The facilitator shall then open the discussion for participants to clarify, validate, and add or modify if there are other challenges or recommendations missed in the recap.

PROCESS OF PLANNING

Methodology: *Powerpoint presentation*

This session provides an overview of the objective of the planning session, the planning guidelines, and the suggested reporting format.

Objective	Formulate a one-year action plan to operationalize the recommendations
Guidelines for small group discussions	• Participants will be grouped per *barangay* (village) • Group members are to choose a facilitator and rapporteur among themselves • Allotted time for group discussion: 45 minutes • Allotted time for each group to present the summary of discussions: 10 minutes

After the presentation, the facilitator shall ask the participants if there are any clarification or questions in the planning session.

PLANNING: SMALL GROUP DISCUSSION

Once the participants have been grouped, their respective facilitators and rapporteurs identified, participants will answer the following guide questions:

❑ Identify concrete steps to realize commitments, enhance capacities, and integrate agreements in existing plans within your village.
❑ Who will implement these recommendations?
❑ What resources/support (technical, financial, etc.) are needed to implement the recommendations? From whom? (e.g., community leaders, Council of Elders, government agencies, CSOs, etc.)
❑ When will the actions be implemented?

PLENARY REPORTING, DISCUSSION AND CLOSING

Each group will be given 8 to 10 minutes to share in plenary the key points of their deliberations using the suggested reporting format:

Activity	Who	Resources needed	When

After all the groups have reported, participants will be given the opportunity to receive questions and clarify the points included in their presentations. The Overall Training Facilitator shall then open the plenary for general discussion, encouraging the participants to identify commonalities across their reports. Henceforth, the plenary discussion shall be summarized, highlighting the key interventions and opportunities (internal and external to the communities) for moving forward. ❑

PROGRAM

TRADING PROGRAM

On Landscape Governance

Note:

This is the generic program, based on the training program participated by IP leaders and members and local government officials. Time allocation is indicative, as the organizers should adapt it to the following factors: profile of participants, number of participants, familiarity of participants with each other, venue, selected schedule.

Day 0: Arrival/Check-in at venue

Day 1: Landscape Governance Forum

Time	Session	Person In-Charge
08:30 AM	Registration	Secretariat
09:00	Invocation/Ritual	IP Representative
09:05	National Anthem	Secretariat
09:10	Welcome Remarks	Organizer
09:20	Opening Messages	IP Leader/s Government Representative/s
09:45	Program Objectives	Organizer
10:00	Group Photo/Break	
10:15	*Module 1: Landscape Governance* -- Towards Inclusive and Sustainable Development in Northern Mindanao Overview, concepts, group work on landscape governance	Resource Person
12:00 PM	Lunch	
01:30	*Module 2:* Recognizing Rights to Land of IPs and their Contribution to Landscape Governance	Resource Person
02:30	*Module 3:* Harmonizing Community and Local Development Plans	Resource Person
03:00	Plenary Discussion	Organizer
03:15	Break	
03:40	Insights from Participants	Representatives from IPs, Government
04:30	Summary of discussions and agreements	Resource Person
05:00	Closing Message	Organizer
05:30	Internal Meeting of Organizer/s	

Day 2: Training of Trainors

Time	Session	Person In-Charge
08:00 AM	Registration	Secretariat
08:30	Preliminaries - Invocation/Ritual - Recap of Day 1	Organizer
09:00	*Module 4: Tenure Security and Conflicts on Land and Natural Resources*	Resource Person
10:30	Group Photo/Break	
11:00	*Continuation of Module 4: Tenure Security and Conflicts on Land and Natural Resources*	Resource Person
12:00 PM	Lunch	
01:30	*Module 5: Participatory Enumeration and Social Tenure Domain Model*	Resource Person
03:00	Break	
03:15	Plenary Discussion	Organizer
04:00	Insights from the participants	Selected participants
04:45	End of Day 2	
05:30	Internal Meeting of Organizer/s	

Day 3: Training of Trainors

Time	Session	Person In-Charge
08:00 AM	Registration	Secretariat
08:30	Preliminaries - Invocation/Ritual - Recap of Day 2	Organizer
09:00	*Module 6: Women, Land and Agriculture in relation to Food Security*	Resource Person
10:30	Break	
10:45	*Module 7: Youth in Landscape Governance*	Resource Person
12:15 PM	Lunch	
01:30	*Module 8: Action Planning for Landscape Governance*	Resource Person
03:30	Break	
03:45	Insights from Participants	Selected participants
04:15	Awarding of Certificates	Organizer/s
04:30	Closing Session	Organizer
04:45	Participants' evaluation of the training course (forms to be distributed to participants)	Secretariat
05:00	END OF TRAINING COURSE	
05:30	Internal Meeting of Organizer/s	

PARTNER PEOPLE'S ORGANIZATIONS

MILALITTRA, Inc.

The Miarayon Lapok Lirongan Talaandig Tribal Association, Inc. (MILALITTRA, Inc.) covers four barangays in the municipality of Talakag, in the province of Bukidnon, Philippines. The group was awarded a Certificate of Ancestral Domain Title for 11,367 hectares in 2003. The group's Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) is being updated. MILALITTRA, Inc. is composed of approximately 2,500 households. The community's major source of income is farming. It is estimated that around 1,500 hectares within their ancestral domain are devoted to farming.

NAMAMAYUK

The Nagkahiusang Manobong Manununod sa Yutang Kabilin (NAMAMAYUK) covers barangays Bacusanon and Nabaliwa in the municipality of Pangantucan, in the province of Bukidnon, Philippines. NAMAMAYUK has applied for a Certificate of Ancestral Domain Title for 3,506 hectares and has already formulated its Ancestral Domain Sustainable Development and Protection Plan (ADSDPP). The community is composed of 208 households. Their livelihoods revolve around farming and other agricultural activities.

PTTA, Inc.

The Portulin Talaandig Tribal Association, Inc. (PTTA, Inc.) covers barangays Portulin, New Eden, Concepcion, and Dagolos in the municipality of Pangantucan, in the province of Bukidnon, Philippines. It has 165 family members. PTTA's main goal is to deter illegal logging within the sacred forests of their ancestral domain. It has applied for a Certificate of Ancestral Domain Title for 6,679.83 hectares and has already completed its Ancestral Domain Sustainable Development and Protection Plan (ADSDPP). The community's livelihoods involve farming, eco-tourism, and implementing externally funded community development programs.

Written to introduce landscape governance as an approach to facilitate participatory land use planning, harmonize community and government plans, address land conflicts, and recognize the role of women and youth in agriculture and land governance, this publication, *Landscape Governance: A training manual*, summarizes the learning materials of the forum and training of trainors on Landscape Governance held in June and July 2019 in Cagayan de Oro and Valencia City in Northern Mindanao.

It serves as a contribution to the tooling process towards enhancing the capacities of the rural poor to advocate for their rights to land and natural resources under the project **"Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines."** The project is jointly implemented by the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) and the Xavier Science Foundation, Inc. (XSF), supported by the Global Land Tool Network (GLTN) as facilitated by UN-Habitat, through its *"Secure Access to Land and Resources (SALaR)"* project financed by Germany's Federal Ministry of Economic Cooperation and Development (BMZ).

The **Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC)** is a regional coalition of national and regional CSOs in Asia actively engaged in promoting food sovereignty, land rights and agrarian reform, sustainable agriculture, participatory governance, and rural development. For more information, refer to www.angoc.org.

The **Xavier Science Foundation, Inc. (XSF)** is a legal, non-stock, non-profit, non-government organization advocating programs and projects that will alleviate poverty and promote social empowerment. XSF serves as a conduit of funds to support development projects, innovative programs, fora, and dialogues. For more information, refer to www.xsfoundationinc.org.

The **United Nations Human Settlements Programme (UN-Habitat)** is working towards a better urban future. Its mission is to promote socially and environmentally sustainable human settlements development and the achievement of adequate shelter for all. It facilitates the Global Land Tool Network (GLTN) and hosts its Secretariat. For more information, refer to www.unhabitat.org.

The **Global Land Tool Network (GLTN)** is an alliance of global, regional, and national partners contributing to poverty alleviation through land reform, improved land management, and security of tenure particularly through the development and dissemination of pro-poor and gender sensitive tools. For more information, refer to www.gltn.net.

The **German Federal Ministry for Economic Cooperation and Development (BMZ)** is the primary State development body in Germany. BMZ's governing principle is the protection of human rights, which includes the right to live in peace and freedom, and to help address the poverty issues in the world. For more information, refer to www.bmz.de.