Improving Tenure Security
of Smallholder Farmers
in Select Areas in the Philippines

ISSUE BRIEF —



## HARMONIZATION AND MAINSTREAMING OF FOREST AND LOCAL LAND USE PLANS

The Philippines is known for its wealth in biodiversity and natural resources hosting more than 52,000 described species, containing two-thirds of the Earth's biodiversity and 70 to 80 percent of the world's plant and animal species (DENR-BMB, n.d; CBD, n.d.); and about 30 percent of its land area is determined by the Mines and Geoscience Bureau to have high potential for mineral source. Forests are considered a

major ecosystem that house these lives and resources. Forests deliver ecosystem services ranging from food, fuel, fiber, and timber products; water purification; climate, flood, and disease regulation; nutrient cycling; soil formation; and cultural services (e.g. aesthetics, educational, and recreational uses, among others) – which sustain the vast lives within and beyond its boundaries.











With the rise in demand for land and natural resources for economic and settlements purposes, there has been unabated migration and encroachment to the uplands resulting to a volatile mix of stakeholders who compete over limited resources causing Philippine forests to slowly lose its cover. Over a span of five years (2000 to 2005), the Philippines has lost 2.1 percent of its forest cover annually, representing the second fastest rate of deforestation in Southeast Asia and seventh in the world (CBD, n.d.). At present, the country's cover is down to less than 24 percent of the original forest cover in 1990 (PhilStar, 2018).

It is for this reason that the government has enacted laws aimed at protecting the forest and its resources such as Republic Act (RA) 7586 or the National Integrated Protected Areas System Act (NIPAS) in 1992. The NIPAS is the "classification and administration of all designated protected areas to maintain essential ecological processes and lifesupport systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible" (RA 7586 Sec. 4 [1]). Identified Protected Areas under NIPAS are managed by the government through the established Protected Area Management Boards (PAMBs).

On the other hand, forests have been the home of 12 to 15 million Philippine indigenous peoples (approximately 30 percent of the national population) since time immemorial. Their traditional practices and ways of utilizing these resources have been increasingly recognized as protective and sustainable. In May 2019, a landmark report by the Intergovernment Science-Policy Platform Biodiversity and Ecosystems Services (IPBES) rang loud that "indigenous peoples and local communities (IPLCs) are often better placed than scientists to provide detailed information on local biodiversity, environmental change and management practices, and important contributors to the governance of biodiversity from local to global levels. IPLCs are also among the most threatened on Earth by the impacts of climate change." In many areas in fact, IPLCs have been able to mitigate or altogether prevent the impacts of climate change on biodiversity.

However, Philippine indigenous peoples (IPs) are among the economically poorest and the most disadvantaged social groups in the society with their remote settlements barely reached by the basic services of the government. Further, forest degradation and non-recognition of their rights have limited them from performing their livelihood activities and accessing the other natural resources in their communities – hence the passage of RA 8371 or the Indigenous Peoples' Rights Act (IPRA) in 1997, making the Philippinest the first country in Southeast Asia to enact a law recognizing the rights of IPs.

The IPRA recognized ownership and governance of indigenous communities over their ancestral domains and priority rights over natural resources within. It also provides tenurial security to the community through the issuance of a Certificate of Ancestral Domain/Land Title (CADT/CALT).

NIPAS and IPRA are just two of the existing laws on the use and management of resources in forestlands. There are also prevailing acts allowing for the utilization of forest resources for economic and agricultural development including the Mining Act and the Comprehensive Agrarian Reform Program (CARP). With the numerous sectoral land laws, coupled with different actors claiming rights to utilize and manage forest resources, overlaps on the use of common resources take place.

Overlapping uses of a particular land or forest resource pose pressures to the overall state of forests and the remaining natural resources in the country – most of which are found within the traditional lands of the IPs. Hence, tenure insecurity of the country's last stewards of nature is further aggravated. (continued on page 5)

### Philippine Planning System

### Hierarchy of development plans 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. This explains the Philippine planning system as having numerous but directed land use plans in all levels. It uses a top-down and bottom-up approach to ensure that concerns of all levels of government are taken into account. Thus, national, regional, provincial, municipal, and barangay physical and land use plans are linked to one another (see Figure 1).

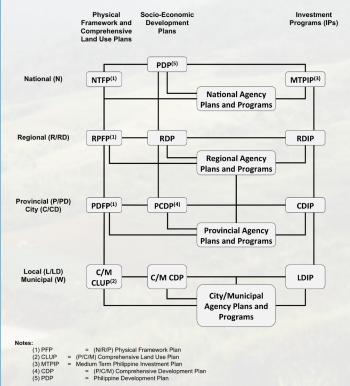


Figure 1. Hierarchy and linkage of plans (HLURB Guidebook vol. 1)

The National Physical Framework Plan (NPFP) is a 30-year plan that serves as a guide in the planning and management of the country's land and other physical resources in the national and sub-national levels. The Regional Physical Framework Plan (RPFP) shows the desired direction and intensity of

growth of the region and serves as the basis of the Provincial Development and Physical Framework Plan (PDPFP). PDPFP, on the other hand, determines the development of the entire provincial territory and serves as basis for other "sectoral" and development plans.

Clearly, resource use planning in the country entails the preparation of various plans particular to a specific sector. At present, there are 33 mandated and other thematic plans crafted for specific sectoral uses and concerns – such as for disaster risk reduction and management, forest management, gender and development, local tourism, ancestral domains, solid wastes, climate change, nutrition, coastal resources, among others.

With the view of tying all these plans together, the formulation of Comprehensive Land Use Plans (CLUPs) becomes imperative. It is a document covering a nine-year planning period, at the minimum, in the municipal/city level that integrates all available sectoral plans that concerns the municipality/city and "determine specific uses of land and other physical and natural resources within its jurisdiction" (HLURB, 2013). It plays an important role in the development of a locality as it serves as the reference for strategies on achieving and balancing the need for food security, economic growth, settlements, environmental protection, and natural resource conservation. It also provides policies on the locality's climate change adaptation and mitigation, and disaster risk reduction and management strategies.

With the above discussions, it is evident that in reality, planning is based on political boundaries. While the Philippine planning system aims for a ridge-to-reef management of resources, harmonization of the different sectoral plans adds a layer of challenge in ensuring inclusiveness of development plans.

#### **Local Planning System**

The local development planning encompasses the barangay (village), municipal/city, and provincial levels of government. Local planning system involves three main compositions – (i) local planning structure, (ii) local planning process and outputs, and (iii) tools for implementation – as summarized in Figure 2.

The local planning structure consists of the political and technical components that serve as the main decision-makers and technical contributors, respectively in the preparation and approval of the

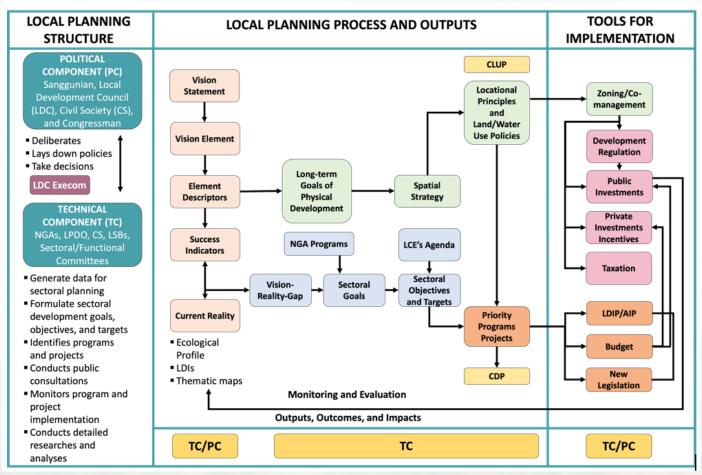


Figure 2. Local planning system in the Philippines. Diagram source: Rogel, 2017.

local planning documents. The Local Development Council (LDC), as a political body, formulates the local development and investment planning documents, and monitors and evaluates their implementation. Under the LDC, the Sectoral and Functional Committees provide the sectoral data and information essential to the formulation of plans, programs, and activities; define and set objectives and targets; and analyze data. These sectors refer to the social, economic, infrastructure, environment and natural resources, and institutional aspect of the municipality/city or province (see Figure 3).

The local planning process and outputs are the Comprehensive Land Use Plan (CLUP) and Comprehensive Development Plan (CDP) documents formulated by the LDC. CLUP sets the policies on the uses of land for protection, production, infrastructure, and settlements. Whereas, the CDP (six-year plan at the minimum) identifies the sectoral programs, projects, and strategies across the four (social, economic, infrastructure, environment and natural resources) policy areas of the CLUP.

The CLUP and CDP are enacted through the tools for implementation – Zoning Ordinance (ZO) and Local

Development Investment Plan (LDIP), respectively. Zoning divides the "city/municipality into zones or sub-zones (e.g. commercial, residential, industrial, institutional, agricultural, forest, etc) according to the present and potential uses of land to maximize, regulate, and direct their use and development in accordance with the CLUP" (HLURB, 2014). The LDIP, on the other hand, is a three-year plan that identifies the programs, projects, and activities based from the CDP and indicates corresponding budget for implementation.  $\square$ 

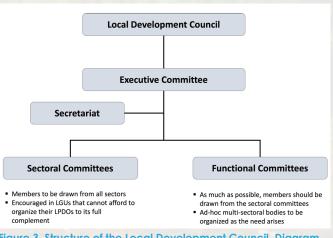


Figure 3. Structure of the Local Development Council. Diagram source: Rogel, 2017; DILG, 2008)

### INDIGENOUS VS. LANDSCAPE GOVERNANCE

Indigenous governance encompasses an entire landscape and does not focus on one aspect of an ecosystem (Ferrari, n.d.). This is for the reason that indigenous territories are usually defined by natural geographic features covering a wide range of diverse but inter-related ecological systems that naturally work together to sustain lives. For hundreds if not thousands of years, this approach of governance has been practiced by indigenous communities serving as the main driver in protection and conservation of the environment.

Indigenous governance, with its instinctive attention to ecosystem dynamics, sustainable practices, and interdependencies between people and nature, is increasingly being recognized and adopted as an approach to a number of resource governance frameworks – such as "Landscape Governance."

Landscape governance is generally defined as a multi-sectoral and multi-level process of spatial decision-making and negotiation with the aim of maintaining, enhancing, or restoring landscape functions through landscape-specific policy targets rather than through sectoral objectives or individual actor goals (van Oosten et al., 204: Sunderland, 2014; Reed, 2015).

According to the Council of Europe (2000), a landscape is "an area, as perceived by people, whose character is the result of the action and interaction of humankind with the physical environment centrally."

In usual terms, a landscape may refer to the visible features of an area of land which includes the physical elements of landforms such as mountains, water bodies, living elements of land cover, human elements including buildings and structures, and climate and weather condition. The key descriptors discussed here that would make up a landscape is the interrelationship of various ecosystems, and communities to the environment.

In the Philippines, this approach is more commonly known as the "ridge-to-reef" or "integrated watershed ecosystems" management framework which is enshrined in the Philippine planning system.

### INSTRUMENTS/APPROACHES TO LANDSCAPE GOVERNANCE

### Harmonization of community plans and mainstreaming to local development plans

Harmonization of differing plans and agenda of sectors is essential not only to foster achievement of overall strategic goals and objectives but is also instrumental in addressing overlapping land uses (as per section on Background of this document). Concerns over "tenure security and access to natural resources and resource conservation are the bigger challenges to harmonization tasks" (Serote, 2014). A relevant illustration in the Philippines are the conflicts that may arise in a particular land where there are existing claims both as part of the NIPAS and an ancestral domain. One of the said conflicts may refer to the governance over the common area – as NIPAS is managed by the government while an ancestral domain. awarded with CADT/CALT or not<sup>1</sup> is governed by IPs. Another may also be on the land use of the overlapped area - whether it will be used for strict protection or for indigenous peoples to utilize in performing their traditional practices.

### Harmonization of community plans for protected area and ancestral domain

In many cases, conflicts brought by overlapping claims in a common area cannot be

<sup>&</sup>lt;sup>1</sup> As enshrined in the IPRA, all ancestral domains, regardless if issued with CADT/CALT or not, shall be recognized as traditionally owned and governed by IPs by virtue of native title. CADTs/CALTs are mere formal recognition by the State of the primordial rights of IPs to their ancestral domain, and the absence of CADT/CALT shall not in any way provide legitimacy to their displacement and/or the denial of the enjoyment of their right to self-governance.

resolved without the facilitation of processes or mechanisms that will be mutually acceptable and binding to both parties. It is in this context that the Joint Memorandum Circular (JMC) No. 2007-01 on the Management of Overlapping Protected Areas and/or their Buffer Zones and Ancestral Domains/Lands of the Department of Environment and Natural Resources (DENR) and National Commission on Indigenous Peoples (NCIP) was issued that seeks to harmonize plans and policies covering the overlapped or common areas (Serote, 2014):





JOINT DENR-NCIP MEMORANDUM CIRCULAR

SUBJECT: MANAGEMENT OF OVERLAPPING PROTECTED AREAS AND/OR THEIR BUFFER ZONES AND ANCESTRAL DOMAINS/LANDS

Pursuant to Section 13 of RA No. 7586, otherwise known as the National Integrated Protected Areas System (NIPAS) act of 1992, Section 58 of RA No. 8371 or Holigenous People's Rights Act (IPRA) of 1997, and Section 6 of the Joint DENR-NCIP Memorandum Circular No. 2003-01 on the Harmonization of the Indigenous Peoples' Rights Act (IPRA) and Environment and Natural Resources (ENR) Laws and Policies, the following guidelines is hereby promulgated:

Section 1. Basic Policy. It is the policy of the State to protect and advance the rights of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature as well as to protect the rights of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral domains/Iands to ensure their economic, social and cultural well-being. State policy also recognizes that exploration, development and utilization of all natural resources shall be under its full control and supervision, and that ICCs/IPs have priority rights in the harvesting, extraction, or development of any natural resource within their ancestral domains/Iands.

Section 2. Scope and Coverage. This Joint Memorandum Circular shall only cover the overlapping protected areas established pursuant to the NIPAS Act and ancestral domains/lands as defined under the IPRA.

Section 3. Objectives. This Joint Memorandum Circular aims to clarify the management, authority and responsibilities of the NCIP and DENR in the management of overlapping protected areas and/or their buffer zones and ancestral domains/lands.

Section 4. Definition of Terms. For the purposes of this Joint Memorandum Circular, the following terms shall be defined as follows:

b. Ancestral Domains - refer to 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, by themselves or through their ancestors, communally or individually since time immemorial, continuously up to present except when interruped by war, force maje use of 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 lands, 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 they

Figure 4. Joint DENR-NCIP Memorandum Circular No. 2007-01

The JMC No. 2007-01 provides for the creation of regional and provincial technical working groups (TWGs) composed mainly of DENR, NCIP, Protected Area Management Board (PAMB), and indigenous peoples concerned. Among the TWGs' main responsibilities include:

 reviewing of existing plans for the ancestral domain and the protected area – to wit: Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) and Protected Area Management Plan (PAMP), respectively;

- facilitating the formulation of c harmonized plan; and,
- ensuring consistency of the harmonized plan with the existing policies and regulations.

However, the JMC only explicitly provides guidelines to overlapped areas established under NIPAS and ancestral domain/lands granted with CADT under IPRA. Scenarios such as overlapped areas of: (i) IP community whose tenure claim has not been formally recognized through a CADT and a NIPAS area; (ii) ancestral domains with CADT with some key biodiversity area but cannot qualify as a NIPAS area; and, (iii) an IP community without CADT occupying a key biodiversity area that is not qualified under NIPAS, or vice versa, are barely considered in the JMC. Further, the guidelines are found to be rather generalized (Serote, 2014).

### Mainstreaming community and harmonized plans in local development plans

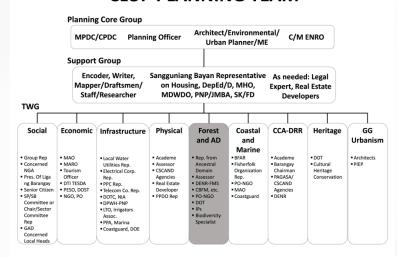
Both the NIPAS and IPRA implementing rules and regulations provide for the integration of PAMP and ADSDPP in local development plans (i.e. land use, physical framework, and annual investment plans in the municipal up to the provincial levels). The level of integration depends on the span of a protected area (PA) or an ancestral domain (AD) in the spatial sense. Plans of a PA or an AD confined in one municipality should be integrated in the municipal level – through the CLUP; whereas, plans for PAs or ADs straddling two or more municipalities should also be linked in the provincial level – through the PDPFP.

There are two approaches to plan mainstreaming – (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. There are four possible entry points under the "institutionalization" approach (Serote, 2014):

- 1. Integration into the Local Planning Structure
  The first entry point of mainstreaming is in the organization of a sectoral or functional committee of the LDC (refer back to the box article on Philippine Planning System on page 3). Representatives of IP communities and protected area management may seek to be part of these committees as members to ensure that their inputs and plans are taken into account.
- 2. 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 throughout conducted the 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 shaded boxes in the diagram).
- 3. Integration of ADSDPP and the PAMP into the LGU Plan
  To explicitly integrate ADSDPP and PAMP into the local development plan, it is crucial for their contents to be included in every component of the CLUP and CDP starting from the vision statement down to the zoning ordinance and investment program, respectively.

For entry points 2 and 3, the Enhanced CLUP Guidebooks (see Figure 6) of the Housing Land Use Regulatory Board (HLURB) may serve as

### **CLUP PLANNING TEAM**



### CDP PLANNING TEAM

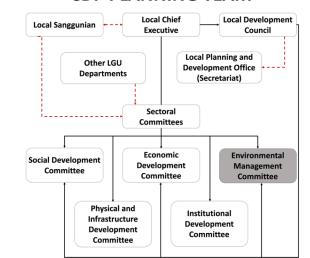
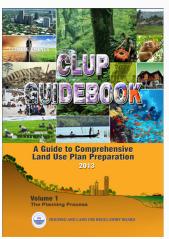
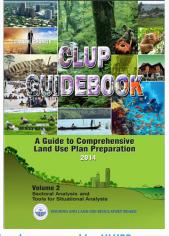


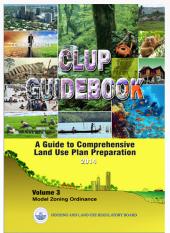
Figure 5. Suggested composition of CLUP and CDP Planning Teams where IP and/or PA management representatives should be members of. Diagram sources: HLURB, 2013; DILG, 2017.

references related to the integration of plans and participation in the CLUP processes. Particularly, the CLUP Guidebook Volume 1 focuses on the detailed steps of CLUP making – which will be useful in determining the specific inputs that should be raised in each process. Key steps for integration of protected area and IP agenda in the CLUP include:

- Vision setting
- Situational analysis
- Goals and objective setting
- Establishment of development thrusts and spatial strategies
- Preparation of Land Use Plan
- Zoning







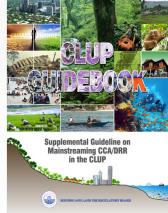


Figure 6. Enhanced CLUP Guidebooks prepared by HLURB.

The CLUP Guidebook Volume 2 features sectoral and special studies that will be conducted as part of the situational analysis process of the CLUP. Both the sectors protected area management and ancestral domains have specific sections in the said document which discuss how the contents of the PAMP and ADSDPP will be integrated in the CLUP. Further, for the special study on ancestral domain, CLUP Guidebook 2 presents a detailed process on how the CLUP will be interfaced or sensitized with the plans of IP communities both on with and without ADSDPP scenarios (see pages 501-503 of the HLURB CLUP Guidebook Vol. 2). It is important for the LGU and the IP communities to be aware of these processes to ensure integration of IP agenda in local development plans.

Volume 3, provides guidelines on zoning divisions. Examples of base zones are forest (both for protection and production), agricultural, agri-industrial, municipal water,

mineral land, residential, commercial, industrial, institutional, parks and recreation, tourism, among others. It also sets overlay zones which include the Ancestral Domain Overlay Zone to add another layer of protection in ancestral domains and preserve the traditional governance and way of life of IPs.

The CLUP Guidebooks may be accessed through the HLURB website at hlurb.gov.ph.

To ensure mainstreaming of plans for protected areas and ancestral domains, Table 1 contains a checklist on the incorporation and institutionalization of these plans in the local development plans – i.e. CLUP.

4. Integration in plan implementation
This involves participation in the identification and implementation of "actionable" programs (LGU-funded, national government agency-

Table 1. Checklist on PA and AD plan mainstreaming in local development plans.

Plan component	Incorporation	Institutionalization
Vision statement	Element descriptions and success indicators adopted from the ADSDPP/PAMP	IPs/PAMB members meaningfully participated and identify with the vision statement
Ecological profile	Thematic study on IPs/biodiversity included, lifted from ADSDPP/PAMP	IP/PAMB members were part of the data collection and analysis processes
Spatial strategy	Land use categories of ADSDPP/PAMP adopted	IPs/PAMB members show support for local land use policies
Sectoral Goals and Objectives	Goals and objectives in the ADSDPP/PAMP included	IP/PAMB agenda meaningfully included in the goals and objectives statements
Priority Programs and Projects	Programs and projects in the ADSDPP/PAMP included	IP/PAMB recommendations included in the priority programs and projects

funded, joint funding, private sector investments, etc.) services, or other regulatory measures such as zoning and local development investment plan (refer back to the box article on Philippine Planning System on page 3), other local ordinances, administrative issuance, etc.

While PAs and ADs are self-governing territorial units and which spatial extents are not limited by political boundaries, it is still crucial for the plans in these areas be mainstreamed in local development plans to ensure their visions, goals, objectives, and programs be supported, even financially, by the LGU concerned. Further, classifying PAs and ADs under their proper land use through the CLUP and Zoning Ordinance will

provide added protection of these areas from unregulated use, exploitation, and degradation.

### Tenure Responsive Land Use Planning (TRLUP)

Local development plans provide due protection to PAs and ADs. However, it may not be a direct driver of tenure security of the IPs especially to those who have not secured their CADTs. The processes securing tenure over a particular land by a specific sector – which is based on Torrens titling system that entails securing tenure instruments (CADT/ CALT in the case of IPs) and registration in the government (i.e. Land Registration Authority) – are not part of the CLUP process. Nonetheless, it may be an instrument to strengthen the claim and rights of the IPs over their land through the policies and strategies that will be indicated in the CLUP document.

The guidelines on Tenure Responsive Land Use Planning (TRLUP) developed by the Global Land Tool Network (GLTN) as facilitated by the UN Habitat serves as a "starting point for developing practical knowledge on how to improve tenure security" through land use planning (UN-Habitat, GLTN, GIZ, and TUM, 2016).

Figure 7 shows the steps of TRLUP. It follows the general procedure of land use planning – organization of planning team; visioning

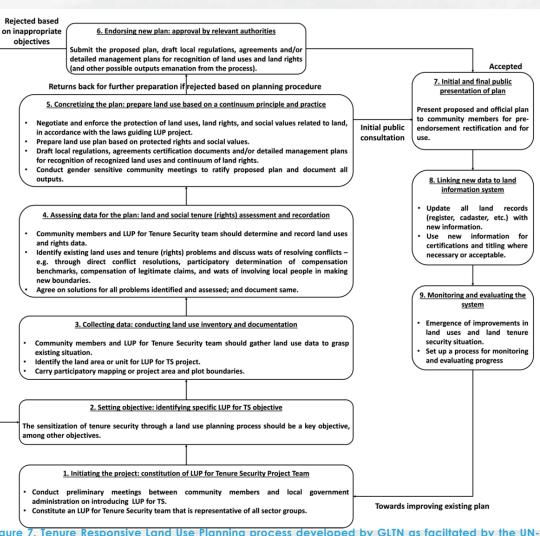


Figure 7. Tenure Responsive Land Use Planning process developed by GLTN as faciltated by the UN-Habitat.

and setting the objectives; data collection; assessment and analysis of data; writing the plan; endorsing the plan; public presentation; then monitoring and evaluation. In TRLUP, implementing the tenure-responsive strategy is seen from the beginning of the procedure where a designated Tenure Security (TS) Team specific 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 on tenure security.

### ISSUES ON HARMONIZATION AND MAINSTREAMING OF PLANS

## Community and development plans harmonization and mainstreaming are not documented

There is little to no literature available on the status of harmonization and mainstreaming of community and local development plans in the Philippines. There are anecdotal indications, however, that many of the CLUPs of municipalities with an ancestral domain within their territories do not fully capture the IP sector and incorporate their objectives and concerns in the CLUP agenda.

The CLUP (2012 to 2021) of the Municipality of Pangantucan, Bukidnon, for instance, has no mention on the IP sector in all its volumes. Particularly, there is no special studies section on ancestral domain or indigenous communities, and it has no zoning classification specific to ancestral domains – which the Enhanced CLUP guidelines recommend.

The municipality of Pangantucan, Bukidnon contains the ancestral domains of Talaandig and Manobo tribes: the Portulin Talaandig Tribal Association, Inc. (PTTA, Inc.) whose ancestral domain covers 6,679.83 hectares of land in Barangay Portulin; and the Nagkahiusang Manobong Manununod sa Yutang Kabilin (NAMAMAYUK) with 3,506 hectares of ancestral territories in Barangay Bacusanon and some parts of Barangay Nabaliwa.

A possible explanation of the above case may be the use of the then CLUP Guidebooks (2006 to 2008) during the formulation of the municipality's CLUP. The main focus of the old Guidebooks are limited to social, economic, and infrastructure sectors. Nevertheless, the old Guidelines recognized the membership and engagement of IPs in the Planning TWG and in the CLUP formulation processes. Also, information on ancestral domain boundaries are gathered under the situational analysis process.

# Existing legal guidelines do not explicitly provide procedures for harmonization and mainstreaming of plans not recognized as NIPAS and CADT/CALT area

While the Enhanced CLUP Guidebooks provide guidelines on the sensitization of CLUP with the IP agenda (regardless of the presence of an ADSDPP), they do not explicitly indicate processes on cases where an indigenous territory is not legally-recognized as a CADT/CALT area. The absence of such instruments will also pose greater challenge in mainstreaming of plans as CLUP formulation requires information on the recognized boundaries of ancestral domains. Without protection over the intended indigenous territories will not be prioritized in the CLUP and in the Zoning Ordinance of the concerned municipality.

The same will be the issue on the harmonization of plans for indigenous territories and protected area management with no legal recognition – it will be a challenge in the harmonization task to determine the extent of the said areas with the lack of official information on their spatial boundaries.

#### The rush for CLUP formulation

The acquisition of local government units (LGUs) of their Internal Revenue Allotment (IRA) is based on, among others, the municipality's investment plan – which is anchored in the CDP and based on the CLUP. Further, the presence of an updated CLUP is

one of the criteria for the Seal of Good Local Governance awarded by the Department of Interior and Local Government (DILG) – which provides, among others, technical and financial incentives to the LGU.

The above reasons cause the rush to formulate CLUPs, and even harmonize plans, among LGUs – forcing "State actors to generalize which tend to minimize the role and rights of IPs in the Governance of the Landscape" (De Vera, 2019).

### Disconnect between the LGU and the IP sector

IPs are often viewed as having low literacy and unable to coordinate with the mainstream sector – worsening their invisibility as a sector in decision-making within the LGU. On the other hand, "structures that are established [by the government] 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" (De Vera, 2019). Hence, the situation creates a disconnection between the LGU and the IPs making it more difficult to harmonize plans and agenda.

### **RECOMMENDATIONS**

In the Landscape Governance Forum (19 June 2019, Mallberry Suites Business Hotel, Cagayan de Oro City) organized under this project "Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines" the participants recommended the following:

- conduct researches/studies and documentations on harmonization of overlapping plans/agenda and mainstreaming sectoral plans in local development plans;
- facilitate coordination of LGUs and IPs through the conduct of joint activities to:
  - educate, inform, and sensitize planners and policymakers on the rights and traditional governance of IPs; and,

- inform IPs of the decision-making and governance system/ processes of LGUs and related government offices; and,
- enactment of a National Land Use Act (NLUA) that will formulate a national framework and set guidelines on areas that will be identified for production, protection, infrastructure, and settlements use. It will also strengthen mandates on harmonization and integration of physical plans in all levels ensuring Landscape Governance.

This issue brief was prepared by Marianne Jane Naungayan of ANGOC.

(The views expressed in this brief do not necessarily reflect those of GLTN, UN Habitat, and BMZ.)

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#### PROJECT IMPLEMENTERS AND PARTNERS



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

#### UN@HABITAT FOR A BETTER URBAN FUTURE

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

Concerns over food insecurity developing countries are reflected in the Sustainable Development Goals (SDGs) to end hunger, achieve food security and improved 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.

Thus, the Global Land Tool Network (GLTN), as facilitated by UN-Habitat, is implementing "Secure Access to Land and Resources (SALaR)" Project through the support of Germany's Federal Ministry of Economic Cooperation and Development (BMZ), with the overall goal of improving land and natural resources tenure security of rural smallholder farmers in Uganda, the Philippines, and Laos.

In the Philippines, while a number of land laws are being implemented, several gaps need to be addressed to improve the situation of their intended beneficiaries. Hence, "Improving Tenure Security of Smallholder Farmers **Select Areas in the Philippines**" aims to contribute to the goal of SALaR Project.

This project is implemented by the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) in partnership with Xavier Science Foundation, Inc. (XSF), with technical and financial support from Global Land Tool Network (GLTN) and Germany's Ministry of Economic Cooperation and Development (BMZ).

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