



**Philippine Partnership for the Development of Human Resources
in Rural Areas**

Systematizing Access to Land Monitoring in the Philippines

Monograph

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With support from:



Asian NGO Coalition
for Agrarian Reform and Rural Development



**INTERNATIONAL
LAND
COALITION**

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I. Background

A pilot monitoring on land reform has been conducted by PhilDHRRA, with support from the Asian NGO Coalition (ANGOC), under its project “Asian CSO Report Cards: Opportunities for Cross-country and Cross-Regional Sharing, Comparisons and Learnings”. A Country Monitoring Report was drafted, utilizing the indicators developed by ANGOC on land tenure and access to land, in particular agrarian lands. In addition, a Steering Committee was organized that served as advisory group to set the direction for land monitoring. The Country Monitoring Report was presented in a Regional Workshop held in Bangkok. As a follow on activity to the initial monitoring, this monograph will present a proposed country access to land monitoring framework and indicators to engage more CSOs to participate, with the objective of systematizing access to land monitoring and mainstreaming it within the relevant agencies. The coverage of the monitoring is expanded to include other sectors such as municipal fisherfolks and indigenous people.

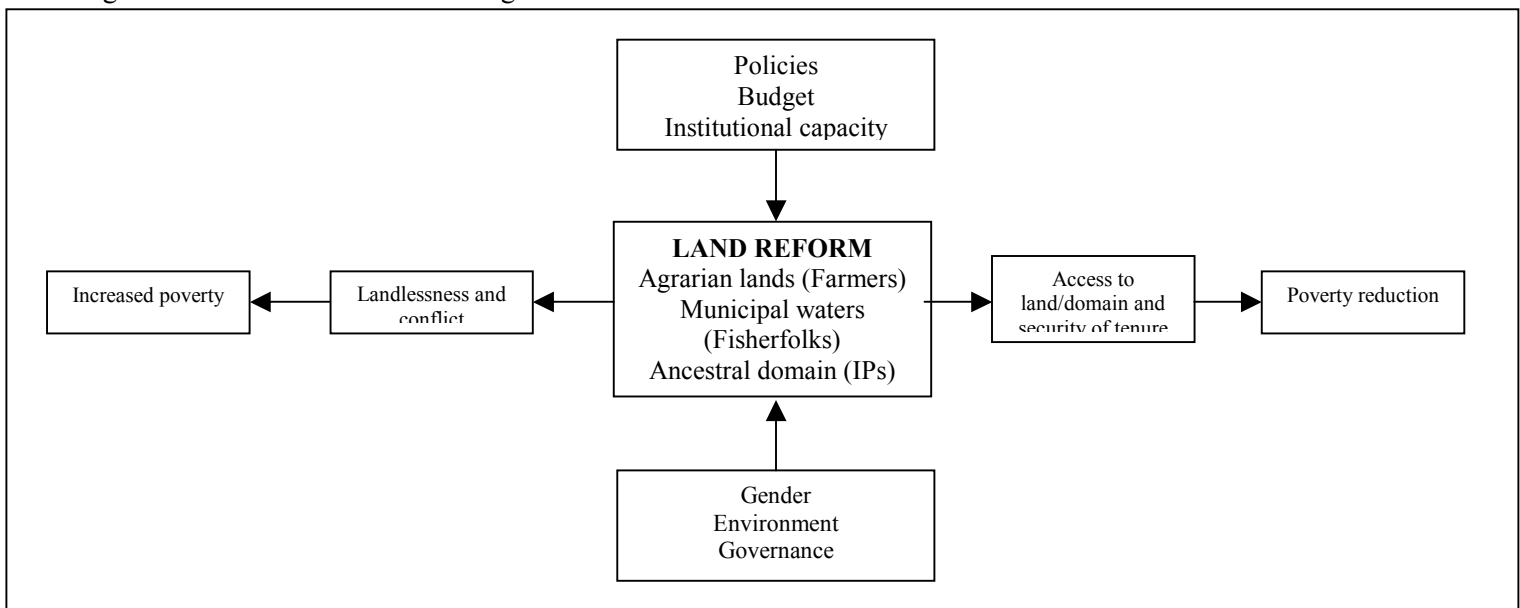
II. Methodology

To develop the framework, review of existing literature on land indicators and key informant interviews were conducted. In addition, technical assistance from the Steering Committee will be sought. The Committee will be expanded to include experts on ancestral domain and fisheries. The Steering Committee will provide guidance and inputs to develop a country land monitoring framework, land indicators, and tools for monitoring, including ensuring reliability and feasibility of the process. The experience on developing the framework and process on how to proceed with actual land monitoring will be documented and compiled that will serve as guide for future monitoring.

III. Access to Land Monitoring Framework

In principle, asset reform redistributes resource endowments to designated marginalized sectors through a process that awards a tenurial instrument to target beneficiaries that provides them ownership and security of tenure over the asset. In the context of the IPs, it is the recognition of their rights over their ancestral domain. To effectively implement asset reform, enabling policies, sufficient budget, and a capable bureaucracy are imperative. Access to land and security of tenure will contribute to poverty reduction, through increased income. On the other hand, if asset reform is not effectively implemented, this would result to landlessness and conflict among the intended sector leading to increased poverty. The framework is shown in Figure 1.

Figure 1. Access to Land Monitoring Framework



IV. Monitoring Indicators

The table below shows the monitoring indicators per sector. The indicators below, arranged by theme and sector, comprise of variables for targets, accomplishments, threats to tenurial security, and other areas (in participation and management, support services).

Table 1. Monitoring Indicators per Theme

No.	Variables	Agrarian lands	Municipal waters	Ancestral domain
1	Targeted area for reform	- Area of lands covered by CARP - No. of target ARBs - No. of collective CLOAs for subdivision - No. of ARBs to be installed	- No. of coastal municipalities - No. of coastal municipalities mapped - No. of FLAs issued	- Target area of ancestral domain to be surveyed - Target no. and area of CADTs to be issued - No. of CADCs issued
2	Actual accomplishments (Security of tenure)	- Area of lands distributed - No. of ARBs - No. of collective CLOAs subdivided - No. of ARBs installed	- No. of coastal municipalities that issued ordinance on delineation/ Community Property Rights (CPR) - No. of FLAs issued for fisherfolk organizations	- Area of ancestral domain surveyed - No. and area of CADTs issued - No. of CADCs converted to CADT
3	Threats to security of tenure	- No. of cases of disputes between ARBs and landowners - No. of cases of overlapping claims	- No. of cases of overlapping claims - No. of cases of encroachment and apprehensions of commercial fishing vessels - No. of cases filed against apprehended encroachers - No. of cancelled FLAs	- No. of cases of overlapping claims - No. of cases of extractive activities operating in ancestral domain (logging, mining) without FPIC
4	Others (Participation and management, Support services)	Support services provided	- No. of organized FARMCs - No. of functional FARMCs - Support services provided	- No. of Certification Precondition issued - No. of FPIC Certification/MOA endorsed to the NCIP by the ICC - No. of formulated ADSDPP - Support services provided

The indicators cited above may also be classified based on the level in which monitoring is possible or where data is available (from the national up to the local level). The determining factor is the availability of data at various levels.

Table 2. Monitoring Indicators by Level and Sector

No.	Level	Agrarian lands	Municipal waters	Ancestral domain
1	National	- Area of lands covered by CARP - No. of target ARBs - No. of collective CLOAs for subdivision - No. of ARBs to be installed - Area of lands distributed - No. of ARBs - No. of collective CLOAs subdivided - No. of ARBs installed - Support services provided	- No. of coastal municipalities - No. of coastal municipalities mapped - No. of FLAs issued - Support services provided	- Target area of ancestral domain to be surveyed - Target no. and area of CADTs to be issued - No. of CADCs issued - Support services provided
2	Regional		No. of coastal municipalities	Area of ancestral domain

<i>No.</i>	<i>Level</i>	<i>Agrarian lands</i>	<i>Municipal waters</i>	<i>Ancestral domain</i>
			that issued ordinance on delineation/ Community Property Rights (CPR) No. of FLAs issued for fisherfolk organizations	surveyed - No. and area of CADTs issued - No. of CADCs converted to CADT
3	Provincial	- No. of cases of disputes between ARBs and landowners - No. of cases of overlapping claims	- No. of cases of overlapping claims - No. of cases of encroachment and apprehensions of commercial fishing vessels - No. of cases filed against apprehended encroachers - No. of cancelled FLAs	- No. of cases of overlapping claims - No. of cases of extractive activities operating in ancestral domain (logging, mining) without FPIC
4	Municipal		- No. of organized FARMCs - No. of functional FARMCs	- No. of Certification Precondition issued - No. of FPIC Certification/MOA endorsed to the NCIP by the ICC - No. of formulated ADSDPP

V. Pilot Monitoring of Access to Land: Agrarian Lands

Tenurial Security: Targets and Accomplishments

In 2009, Congress has approved another extension for the Comprehensive Agrarian Reform Program (CARP) for five years, or until June 2014. The new Act (RA 9700 of 2009) calls for the strengthening of the CARP primarily through the infusion of additional funding of P150 billion for the next five years and reform provisions that will accelerate agrarian reform. Under CARPER, LAD will be implemented in three phases, as seen in Table 3.

Table 3. LAD Phases, Coverage, and Target Completion Dates

<i>Phase</i>	<i>Coverage</i>	<i>Target completion date</i>
Phase 1	- All remaining lands above fifty (50) hectares; - All private agricultural lands with aggregate landholdings in excess of fifty (50) hectares which have already been issued Notices of Coverage (NOCs) on or before Dec. 10, 2008; - Rice and corn lands under PD 27; idle and abandoned lands; Voluntary Offer to Sell (VOS) lands; - All lands foreclosed by government financial institutions (GFIs), PCGG-acquired lands and other government-owned lands; - Voluntary Land Transfer (VLT) submitted by June 30, 2009 (before effectivity); - Only VOS & Compulsory Acquisition (CA) are allowed after June 30, 2009;	July 1, 2009 to June 30, 2012
Phase 2A	- All alienable and disposable, arable public agricultural lands; - All public agricultural lands which are to be opened for new development and resettlement; - Aggregate above 24-50 hectares issued NOCs on or before 10 December 2008)	July 1, 2009 to June 30, 2012
Phase 2B	All remaining private agricultural lands of landowners with aggregate landholdings in excess of 24 hectares	July 1, 2012 to June 30, 2013
Phase 3A	Lands of landowners with aggregate landholdings above 10 hectares up to 24 hectares	July 1, 2012 to June 30, 2013
Phase 3B	Lands of landowners with aggregate landholdings from the retention limit up to 10 hectares	July 1, 2013 to June 30, 2014

Based on the 2010 Accomplishment Report of DAR, 83% of total scope for LAD has been accomplished.¹ However, land distribution has been particularly slow for private agricultural lands under compulsory acquisition, which total 1.5 million hectares or roughly one-third of the program scope. The accomplishment for this mode is only 19%, as of June 2010. Interestingly, it is in these lands—particularly lands planted to sugarcane, coconut and other tree crops, and nontraditional export crops—where most of the remaining problems with landholding inequality exist. On the other hand, rate of accomplishment is pushed up by excess in the distribution of non-private agricultural lands, with 134% accomplishment rate and under the VLT scheme at 247% accomplishment. If accomplishment is recomputed, reflecting “over accomplished” modes as 100%, then total LAD accomplishment is only at 70%.

Table 4. Accomplishment per mode of acquisition, as of June 2010

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

As of March 2011, more than a million hectares of land remain to be distributed, 62% of which are private agricultural lands (PAL) that would be acquired through compulsory acquisition². Number of ARBs for the remaining lands to be distributed is 640,955. Table 5 shows the implementation of LAD per region and per phase. Top three regions with the highest LAD balances are Regions VI, V, and XII. It can also be noticed that a majority of the landholdings in ARMM are above 50 hectares and will be distributed under Phase 1.

Table 5. LAD Balance per Phase, per Region

<i>REGION</i>	<i>Phase 1</i>		<i>Phase 2A</i>		<i>Phase 2B</i>		<i>Phase 3A</i>		<i>Phase 3B</i>		<i>Total</i>	
	<i># of LHs</i>	<i>Area</i>	<i># of LHs</i>	<i>Area</i>	<i># of LHs</i>	<i>Area</i>	<i># of LHs</i>	<i>Area</i>	<i># of LHs</i>	<i>Area</i>	<i># of LHs</i>	<i>Area</i>
PHIL.	52,645	479,853	3,119	31,897	6,907	122,566	25,945	252,986	42,406	215,258	131,022	1,102,560
1 VI	5,357	62,309	324	5,396	3,186	60,826	3,363	36,198	3,807	19,210	16,037	183,939
2 V	9,201	56,493	599	6,955	1,001	16,605	5,289	49,968	10,409	45,234	26,499	175,254
3 XII	5,753	66,084	376	3,686	153	2,557	3,094	29,615	6,008	37,566	15,384	139,507
4 ARMM	5,683	106,841	0	0	78	4,430	331	4,262	280	2,427	6,372	117,959
5 VIII	5,532	31,258	679	5,137	251	3,641	3,673	27,763	6,943	24,858	17,078	92,657
6 X	3,924	26,597	287	1,777	294	3,987	1,504	17,634	2,427	14,646	8,436	64,641
7 II	2,669	26,833	90	882	413	3,612	1,228	14,110	2,689	18,211	7,089	63,648
8 IV-A	1,433	15,513	352	3,655	396	6,747	1,235	10,311	1,633	7,146	5,049	43,373
9 CARAGA	2,619	18,315	50	440	57	989	1,080	9,112	2,399	13,437	6,205	42,294
10 XI	1,398	10,919	23	292	247	5,460	1,175	13,406	1,737	11,232	4,580	41,309
11 IX	1,063	10,534	7	105	161	2,676	1,238	17,168	899	6,703	3,368	37,185
12 VII	2,212	16,269	110	1,186	355	6,292	667	6,852	901	3,501	4,245	34,100
13 III	1,814	7,788	110	1,509	189	2,697	1,398	10,161	1,310	6,065	4,821	28,221
14 IV-B	849	9,770	97	704	107	1,779	545	5,772	895	4,624	2,493	22,649
15 CAR	2,448	12,354	12	105	9	77	22	192	20	135	2,511	12,862
16 I	690	1,975	3	68	10	193	103	463	49	262	855	2,961

¹ Scope is 5,153,857 has. and accomplished area is 4,273,203 has.

² Equivalent to 685,255 hectares of PAL. Total PAL for distribution is 1,039,817 hectares.

Table 6 shows the top 20 provinces with high LAD balances. Five out of the six provinces of Region V are included in the list. Also, four out of the five provinces of Region XII are among those with high LAD balances.

Table 6. Top 20 Provinces with High LAD Balances

<i>PROVINCE</i>			<i>TOTAL</i>	
			<i># of LHs</i>	<i>Area</i>
PHILIPPINES			131,022	1,102,560
1	NEGROS OCCIDENTAL	Region VI	10,765	136,116
2	LEYTE	Region VIII	12,859	59,296
3	CAMARINES SUR	Region V	6,321	59,187
4	NORTH COTABATO	Region XII	7,481	55,982
5	MASBATE	Region V	8,759	52,696
6	ISABELA	Region II	6,152	45,327
7	SOUTH COTABATO	Region XII	3,451	37,605
8	LANAO DEL NORTE	Region X	2,666	26,470
9	SULTAN KUDARAT	Region XII	2,500	25,821
10	ALBAY	Region V	4,261	24,835
11	NORTH BUKIDNON	Region X	2,573	22,012
12	SORSOGON	Region V	4,332	21,193
13	ILOILO	Region VI	2,257	20,547
14	SARANGANI	Region XII	1,952	20,099
15	QUEZON II	Region IV-A	1,822	19,987
16	NEGROS ORIENTAL	Region VII	1,751	19,345
17	CAPIZ	Region VI	1,860	18,957
18	AGUSAN DEL SUR	Region XIII	1,964	18,165
19	NORTHERN SAMAR	Region VIII	1,780	15,590
20	CAMARINES NORTE	Region V	2,447	15,426
TOTAL TOP 20 PROVINCES			87,953	714,656

In terms of the status of subdivision for collective CLOAs, only 38% of those prioritized for subdivision had been subdivided (Table 7).

Table 7. Status of Collective CLOA Subdivision

Collective CLOA magnitude (in has.)	2,374,566
Subtotal of those not prioritized for subdivision (in has.)	993,803
Survey not needed (in has.)	97,775
VLT co-ownership (in has.)	386,787
Title issued to farmers' organizations (in has.)	400,865
Title issued to cooperative (in has.)	108,377
Collective CLOA (net) prioritized for subdivision (in has.)	1,399,945
Cumulative accomplishment (in has.)	535,390
% accomplishment	38%
Balance vs. Collective CLOA prioritized to be subdivided (in has.)	924,343

With regards to the installation of ARBs, there are still 12,454 uninstalled ARBs or 31% of the target ARBs for installation (Table 8).

Table 8. Status of Installation of ARBs

No. of uninstalled ARBs	
Magnitude	40,296
Accomplishment	27,842
% accomplishment	69%
Balance	12,454

Area involved (in has.)	
Magnitude	64,631
Accomplishment	38,052
% accomplishment	59%
Balance	26,579

Threats to Security of Tenure

Though farmers are given titles in the lands that they till, security of tenure remains a pressing issue. Land grabbing is a case where farmlands are being leased and, in some cases, eventually owned by local and foreign entities. Another term coined by advocates and used by the World Bank in its upcoming report is “global land rush”. The report, entitled “The Global Land Rush: Can it yield sustainable and equitable benefits?”, is the broadest study yet on farmland grab, in which countries invest in overseas land to boost their food security, or investors (who are mostly local, buy arable land. The Philippines is one of the targets of foreign countries; as termed by the World Mission Magazine—a “lease hotspot.”

There is no consolidated data on the extent, scope, and history of farmland grabbing in the Philippines. There are international organization and websites that attempt to document international land grabbing in order to raise consciousness and support over the increasing phenomenon. The table below is a result of internet research on cases of farmland grabbing.

Table 9. News reports on farmland grabbing in the Philippines

<i>No.</i>	<i>Entity/Country</i>	<i>Description</i>	<i>Location</i>	<i>Year</i>	<i>Data source</i>
1	Bahrain	10,000 has. for agrofishe	Unknown	2009	http://english.bna.bh/?ID=76356; http://www.manilastandardtoday.com/?page=business5_mar30_2009
2	China	1.24 million has. leased; deal put on hold	Unknown	2008	www.pambazuka.org/en/category/africa_china/52635 ; http://newsinfo.inquirer.net/inquirerheadlines/nation/vieDec
3	Qatar	100,000 has. leased	Unknown	2008	http://newsinfo.inquirer.net/inquirerheadlines/nation/vie w/20090105-181407/Rich-states-target-poor-farmland
4	Saudi Arabia (ANI/FEAICO)	50,000 has. for crop plantations and processing plants	Mindanao	2010	http://farmlandgrab.org/12807
5	Saudi Arabia	Exploratory meetings	Unknown	2010	http://farmlandgrab.org/14218 , http://farmlandgrab.org/13677 ,
6	Legacy Group	Illegal transfer of ownership	Kalanggaman Island, Palompon, Leyte	2009	http://webcache.googleusercontent.com/search?q=cache:RxMw4SmPDUI:www.philstar.com/Article.aspx%3Farticleid%3D443957+land+grab+philippines&cd=13&hl=tl&ct=clnk&gl=ph&client=firefox-a
7	Capitol Development Bank and Manila Brickworks, Inc.	Illegal transfer of ownership	Norzagaray, Bulacan	2010	http://pnoypinay.org/updates-list/103-the-dumagats-and-the-villar-land-grab
8	New Zealand (Dairy SolutionNZ)	Agreements underway for a dairy farm	Unknown	2010	http://farmlandgrab.org/10648
9	China	1.2 million has.	Various locations	Various years	
10	Bahrain	1,000 has. for crop plantation	Davao	2009	http://farmlandgrab.org/9798
11	Saudi Arabia	50 has. for crop plantation	Malungon, Gen. Santos City	2009	http://farmlandgrab.org/9267
12	Korea	94,000 has. for corn production	Mindoro	2009	http://farmlandgrab.org/8913

Despite the legal mechanisms in settling agrarian disputes, human rights violations continue to be committed against farmers. There are no official aggregated data on the number of human rights violation brought about by agrarian disputes from the DAR. The Commission on Human Rights compiles data on the number of human rights violations by type (e.g., harassment, killings, illegal detention). However, it is difficult to discern if these violations were committed against farmers. Specific data are compiled in their regions, which will takes ample time to aggregate. Available data as of report writing is found in Table 10.

Table 10. Human rights violation cases related to agrarian reform dispute/conflict (2005-Sept 2010)

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

* no report

In addition, there are organizations that monitor and document agrarian-related violence. Based on research, 5 organizations were identified. Scope and areas of coverage of monitoring is limited to the focused areas of these organizations.

Table 11. Organizations that document agrarian-related violence

<i>No.</i>	<i>Organization</i>
1	Asian Human Rights Commission
2	Task Force Detainees of the Philippines
3	Task Force Mapalad
4	Partnership for Agrarian Reform and Rural Development Services (PARRDS)
5	FIAN International (Food First Information and Action Network)

Based on records of the organizations cited above, a total of 2,377 cases of agrarian-related violence committed against farmers were documented.

Table 12. Number of agrarian-related violence, by type

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

The PARRC study of PhilDHRRA also documented cases of land conflicts. The study found that there are 253 respondents or 13.7% who said that they experienced legal or physical harassment by one or more sectors. In all, there are 283 mentioned cases. Of these cases, 41.0% had been committed by other farmers. The major reasons for harassment with other farmers are boundary disputes, conflicts of ownership, and overlapping land titles due to inaccurate subdivisions. 35.0% were in conflict with former landowners, mainly due to the latter's resistance to surrender their lands. A number of farmers were harassed by government officials, rebel groups or insurgents, and military.

Table 13. Number of Cases of Land Conflicts

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

Support Services Provision

The DAR adopted the development of agrarian reform communities (ARC) in 1993 to improve the lives of ARBs. It was the department's key strategy to accelerate and sustain economic growth in agrarian reform and rural areas through a people-centered, holistic and area focused approach in community development. Because of the size limitation of ARCs and the increasing number of ARBs in need of basic support services, the DAR expanded the coverage of its support services through the KALAHI (Kapit-Bisig Laban sa Kahirapan) Agrarian Reform Zones (KARZones). A KARZone is a contiguous area which embraces both ARC barangays and non-ARC barangays within the zone.³

As of December 2010, a total of 6,317 organizations were formed within the ARCs, with membership totaling 834,492. However, only 58% of the total members are ARBs (that is, 42% are non-ARBs). Support was also extended in the establishment of agri and non-agri enterprises (Table 13). Assistance remains meager, as only less than 15% of the ARB organizations were able to benefit.

Table 14. Establishment of Agri and Non-Agri Enterprises, 2004-2010

No. of products and services developed	3,172
No. of products launched in commercial market	1,277
No. of MSMEs operationalized	517
No. of ARB organizations involved	735
No. of ARBs involved	14,671

Marketing assistance was also provided (Table 15) involving 6,070 organizations. This is a positive development as it ensures that the products of ARBs are linked to the market.

Table 15. Provision of marketing assistance, 1995-2010

No. of marketing contracts facilitated with agribusiness firms/buyers	8,064
Amount involved in the facilitated contracts (Php M)	3,877
No. of organizations involved	6,070
No. of marketing centers established	227

³ Culled from the DAR's website (www.dar.gov.ph)

In terms of support services, various projects funded from the Agrarian Reform Fund (ARF), foreign-assisted projects, and LGUs were implemented for ARBs' development. However, it is imperative to see if the projects have indeed benefited the ARBs and proper prioritization and allocation of limited resources was done. It is assumed that more projects were implemented in regions where ARBs are concentrated.

By hectares covered, Regions I, II, and III got the bulk of irrigation projects (Table 16). Least covered regions are Region IV-B and ARMM. The number of ARBs for each region is compared to the area covered by the irrigation projects to see if the sites for the irrigation projects are aptly located. It can be observed that Region VIII, IV-B, and ARMM have the most number of ARBs utilizing the irrigation system on a per hectare basis while Regions I and CARAGA has a less dense population of ARBs utilizing the irrigation systems.

Table 16. Irrigation Projects per Region

<i>Region</i>	<i>No. of Proj</i>	<i>Area (Has)</i>	<i>Rank</i>	<i>No. of ARBs per ha</i>
Philippines	1,090	204,711		12
CAR	54	8,329	14	9
Region I	83	17,050	3	7
Region II	119	21,650	2	9
Region III	91	30,467	1	9
Region IV-A	111	12,846	8	8
Region IV-B	20	4,013	15	30
Region V	72	10,096	10	18
Region VI	57	14,281	7	19
Region VII	74	8,672	13	15
Region VIII	66	9,037	12	21
Region IX	62	9,458	11	13
Region X	87	14,462	6	11
Region XI	39	10,884	9	15
Region XII	62	16,713	4	13
CARAGA	83	15,572	5	7
ARMM	10	1,181	16	55

A majority of farm-to-market roads were constructed in Regions II, VI, and X. Least prioritized are Regions I, CAR, and ARMM. By ARB population density, Regions IV-A and B reap the benefit of accessibility through road networks while Regions III, XII, and ARMM are least prioritized.

Table 17. Farm-to-Market Roads per Region

<i>Region</i>	<i>No. of Proj</i>	<i>Length (Km)</i>	<i>Rank</i>	<i>No. of ARBs per km</i>
Philippines	7,664	16,345		153
CAR	208	418	15	184
Region I	703	706	14	165
Region II	797	1,894	1	106
Region III	963	1,145	6	230
Region IV-A	606	1,081	7	100
Region IV-B	319	1,406	4	86
Region V	547	965	9	186
Region VI	647	1,505	2	176
Region VII	323	876	11	147
Region VIII	578	1,220	5	155
Region IX	320	844	12	143
Region X	536	1,429	3	114
Region XI	483	1,049	8	159
Region XII	331	941	10	231
CARAGA	268	740	13	152
ARMM	35	126	16	511

A majority of the bridges were constructed in CARAGA, Regions II, and X (Table 18). By ARB population density, these regions have less concentration of ARBs, thus, lower number of ARBs utilizing the infrastructure.

Table 18. Bridge Projects per Region

<i>Region</i>	<i>No. of Proj</i>	<i>Length (Lm)</i>	<i>Rank</i>	<i>No. of ARBs per Lm</i>
Philippines	300	14,650		170
CAR	2	525	11	146
Region I	19	1,334	4	87
Region II	41	2,323	2	86
Region III	3	653	7	404
Region IV-A	4	163	14	661
Region IV-B	1	403	13	301
Region V	12	632	8	284
Region VI	24	765	6	346
Region VII	10	143	15	899
Region VIII	27	618	9	306
Region IX	9	530	10	228
Region X	36	1,863	3	88
Region XI	36	933	5	179
Region XII	20	417	12	520
CARAGA	52	3,269	1	34
ARMM	4	49	16	1,314

Top three regions that received post harvest facilities are Regions VII, CARAGA, and X (Table 19). On the other hand, Regions IV-B, VI, and III have high concentration of ARBs yet, were not provided with the facilities.

Table 19. Post Harvest Facilities per Region

<i>Region</i>	<i>No. of Proj</i>	<i>No. of units</i>	<i>Rank</i>	<i>No. of ARBs per unit</i>
Philippines	543	745		3,348
CAR	8	8	14	9,606
Region I	9	9	13	12,952
Region II	21	22	10	9,117
Region III	10	10	12	26,359
Region IV-A	25	44	5	2,450
Region IV-B	9	9	13	13,483
Region V	21	27	9	6,649
Region VI	17	19	11	13,932
Region VII	10	190	1	677
Region VIII	32	34	7	5,560
Region IX	29	30	8	4,036
Region X	104	105	3	1,558
Region XI	53	64	4	2,612
Region XII	35	37	6	5,865
CARAGA	152	129	2	874
ARMM	8	8	14	8,048

Region II was provided with majority of the multi-purpose pavement projects while Regions I, III, XII, and ARMM were not constructed with this type of support facility (Table 20).

Table 20. Multi-purpose Pavement Projects per Region

<i>Region</i>	<i>No. of Proj</i>	<i>Area (Sq m)</i>	<i>Rank</i>	<i>No. of ARBs per sq m</i>
Philippines	127	45,211		55
CAR	2	420	8	183
Region I	-	-	-	-
Region II	72	35,319	1	6
Region III	-	-		-

<i>Region</i>	<i>No. of Proj</i>	<i>Area (Sq m)</i>	<i>Rank</i>	<i>No. of ARBs per sq m</i>
Region IV-A	1	235	12	459
Region IV-B	8	1,920	3	63
Region V	3	375	9	479
Region VI	5	1,036	6	256
Region VII	7	1,138	5	113
Region VIII	14	2,260	2	84
Region IX	1	300	10	404
Region X	2	576	7	284
Region XI	1	288	11	580
Region XII	-	-		-
CARAGA	11	1,344	4	84
ARMM	-	-		-

Based on the study by PhilDHRRA (PARRC, 2008), less than one-third of ARBs covered by the study have access to all support services (i.e. post harvest facilities, infrastructures, extension services, and production inputs). Out of these 517 respondents, 184 or only 35.6% affirmed that the government provided these support services. This indicates poor performance on the part of government, especially considering that the study sites of the PARRC are ARCs where support services are focused.

Table 21. Access to and Provision of Support Services

<i>Support service</i>	<i>Access</i>		<i>Government provision</i>	
	<i>Frequency</i>	<i>Percent (n=1,851)</i>	<i>Frequency</i>	<i>Percent*</i>
Credit	820	44.3%	138	7.4%
Post-harvest facilities	883	47.7%	335	37.9%
Infrastructure	1,397	75.5%	1,344	96.2%
Extension services	1,127	60.9%	943	83.7%
Production inputs	1,085	58.6%	579	53.4%
Post harvest facilities, infrastructures, extension services, and production inputs	517	27.9%	184	35.6%

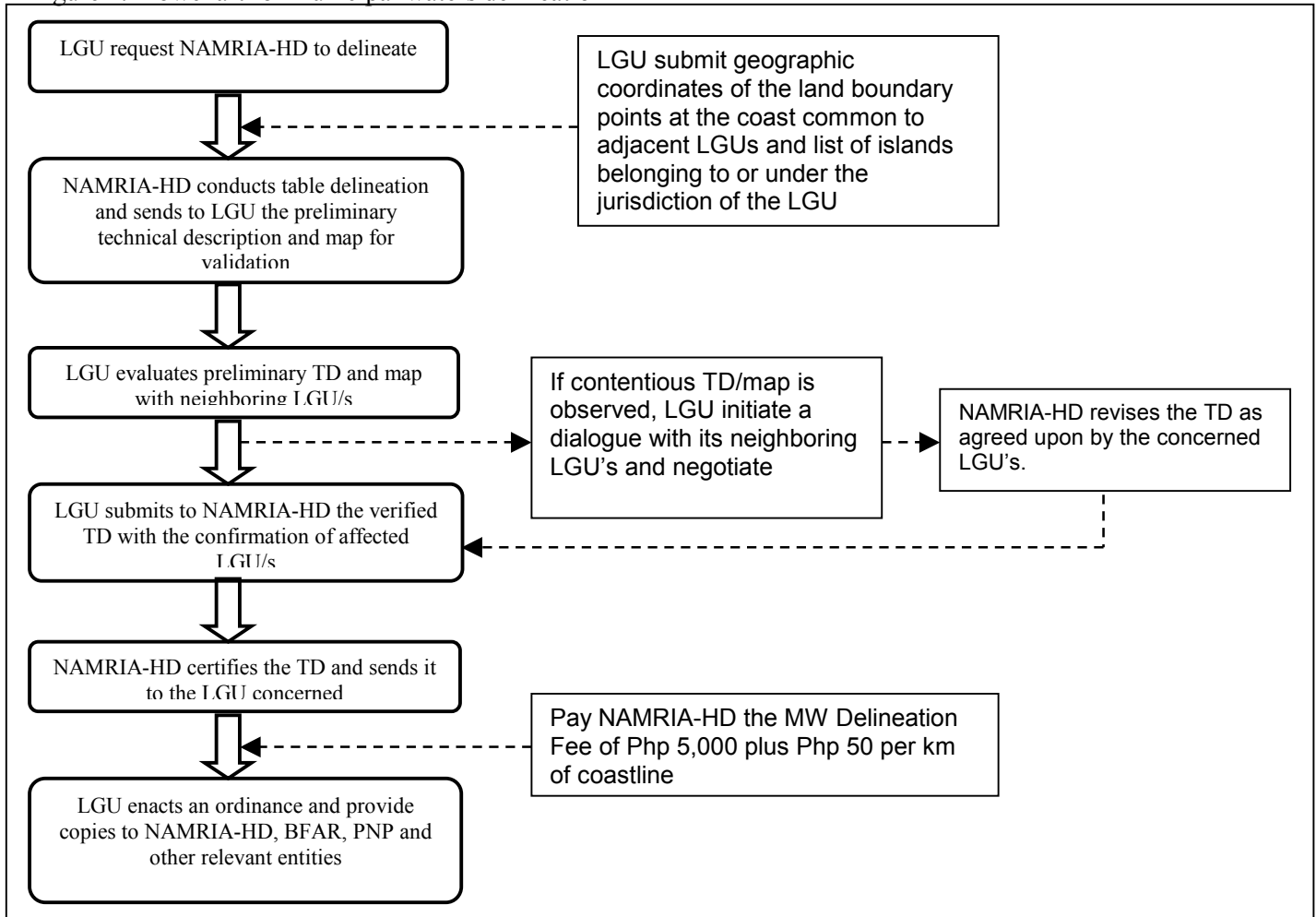
The gap between the reported accomplishment of DAR in terms of support services provision and the reported actual receipt of the ARBs of these support services maybe attributed to the weak targeting of beneficiaries. As observed in the data, some regions have “deficits” in certain support services while others have “surpluses”.

VI. Pilot Monitoring of Access to Land: Municipal Waters

Tenurial Security: Targets and Accomplishments

In Section 16, Article 1 of the Fisheries Code, the municipal or city government is given jurisdiction over municipal waters. The agencies involved in carrying out the activities for delineation or delimitation are the Department of Agriculture (DA) through the Bureau of Fisheries and Aquatic Resources (BFAR), the National Mapping and Resource Information Authority (NAMRIA) under the Department of Environment and Natural Resources (DENR), and the Local Government Units (LGUs). Delineating the boundaries of a municipality’s 15-kilometer municipal waters is essential for sustainable management of fishery resources, fishery law enforcement and granting the preferential rights of municipal fishers within the 15-kilometer zone (Section 18). Figure 2 shows the flowchart for the municipal waters delineation.

Figure 2. Flowchart for municipal waters delineation



As of January 2011, 920 coastal municipalities and cities had been identified. According to NAMRIA, all these municipalities and cities had been mapped and technical descriptions were provided to the LGUs. More than two-thirds of the LGUs (69%) requested NAMRIA for revisions of their delineated maps (due to various reasons: overlapping boundaries with adjacent municipalities/cities, error in technical description, etc.). Moreover, only one-third of the LGUs certified the technical descriptions or maps submitted by the NAMRIA and only 6% or 55 LGUs have issued local ordinances delineating their municipal waters.

In addition, the Fisheries Code provides for the issuance of fishpond lease agreements (FLAs) for public lands that may be declared available for fishpond development. Preference will be given to qualified fisherfolk cooperatives/associations as well as small and medium enterprises. The area leased should be developed and should already be productive on a commercial scale within three years from the approval of the contract. It is also mandated that reforestation activities be undertaken for riverbanks, bays, streams, and seashore fronting the dike of the fishpond (Section 46). According to data from BFAR, 4,522 FLAs had been issued from 1973 until 2010 covering almost 60,000 hectares (Table 22). However, according to BFAR, only one FLA was issued to a fisherfolk organization.⁴

⁴ The FLA was issued in 2009 to Maningcay de Oro Fishpond Operators Association, Inc. (FLA 2711-A) in Prieto Diaz, Sorsogon covering 27.4 hectares.

Table 22. Total number of FLAs issued, 1973-2010

REGION	No. of FLAs	TOTAL AREA (has.)
Region I	207	1,271.9
Region II	8	78.7
Region III	76	520.2
Region IV	763	11,545.3
Region V	463	7,283.3
Region VI	4,488	14,258.1
Region VII	452	4,529.5
Region VIII	211	5,207.1
Region IX	422	8,253.6
Region X	69	1,481.6
Region XI	137	1,435.6
Region XII	82	1,213.8
Region XIII	144	2,529.5
TOTAL	4,522	59,609

The Fisheries Code also cites that areas that are not fully productive or abandoned shall be automatically reverted to the public domain for reforestation. In addition, the fishpond shall not be subleased in whole or in part, and the lessee shall provide facilities that will minimize environmental pollution, such as, settling ponds, reservoirs, etc. Failure to comply with cited provisions shall mean cancellation of the FLAs. As of 2010, 202 FLAs covering 6,389 hectares had been cancelled or 11% of total FLA scope (Table 23). However, only 36 of the cancelled FLAs covering 1,443 hectares had been reverted back to DENR for reforestation or only 23%. That means a larger portion of the fishponds remain unproductive.

Table 23. Cancelled FLAs, by Region

Region	No. of Cancelled FLAs	Area Covered (has.)	No. of FLAs reverted to DENR	Area reverted to DENR (has.)	Needs to be reverted to DENR (has.)
Region I	2	8.7	-	-	8.7
Region II	4	245.7	2	111.8	133.9
Region III	2	16.2	-	-	16.2
Region IV	44	1,852.1	3	364.5	1,487.6
Region V	27	508.4	1	12.4	496.0
Region VI	63	1330.9	21	477.7	853.2
Region VII	17	519.5	3	36.7	482.8
Region VIII	13	656.2	1	33.5	622.7
Region IX	17	972.6	4	371.3	601.3
Region X	3	34.5	-	-	34.5
Region XI	2	35.7	-	-	35.7
Region XII	-	-	-	-	-
Region XIII	8	208.5	1	35.0	173.5
Total	202	6,389.5	36	1,443.3	4,946.2

Threats to Security of Tenure

Section 18 of the Code provides preferential use rights for municipal fisherfolks. The municipal or city government, however, may permit small and medium scale commercial fishing vessels to operate within the 10.1 to 15 kilometers area from the shoreline in municipal waters. However, following guidelines should be abided by: 1) no commercial fishing is allowed in municipal waters with depth less than 7 fathoms, 2) fishing methods and gears must be consistent with national policies set by the DA, 3) prior consultation, through a public hearing, with the Municipal FARMC must be conducted, and 4) the applicant vessel as well as the ship owner, employer, captain, and crew must be certified by the appropriate agency as not having violated the Code, environmental laws, and related laws. The permit is granted through the issuance of a municipal ordinance.

Figure 3. Comparison of municipal and commercial fishing

Figure 3 shows the comparison of municipal and commercial fishing. A majority of the fishing sector is comprised of 1.3 million municipal fisherfolks (almost 85% of total fishers) who contributes to 46% of total fish catch. There are almost half a million bancas utilized by municipal fisherfolks nationwide, 62% of which are non-motorized. Despite the enormous number of municipal fisherfolks, they are given access rights to only 12% of Philippine waters.

Based on the PARRC study, 12% of the municipalities issued an ordinance allowing the operation of commercial fishing vessels within 10.1 to 15 kilometers area from the shoreline in their municipal waters. This translates to 81 municipalities that do not allow commercial fishing. However, the study found that a majority of these municipalities (53.1%) still have cases of commercial fishing operations within the 10.1 to 15 kilometers area from the shoreline. Moreover, 56.8% of respondents claimed that commercial fishers encroached on their municipal waters, which means that commercial fishers operated even at the prohibited area of less than 10 kilometers from the shoreline—a violation of Section 18 of the Code or the preferential use rights granted to municipal fisherfolks. When asked if the commercial fishing vessels were apprehended by the LGU, 56.8% said “yes”. However, mere apprehension does not translate to conviction of those who had violated the law.

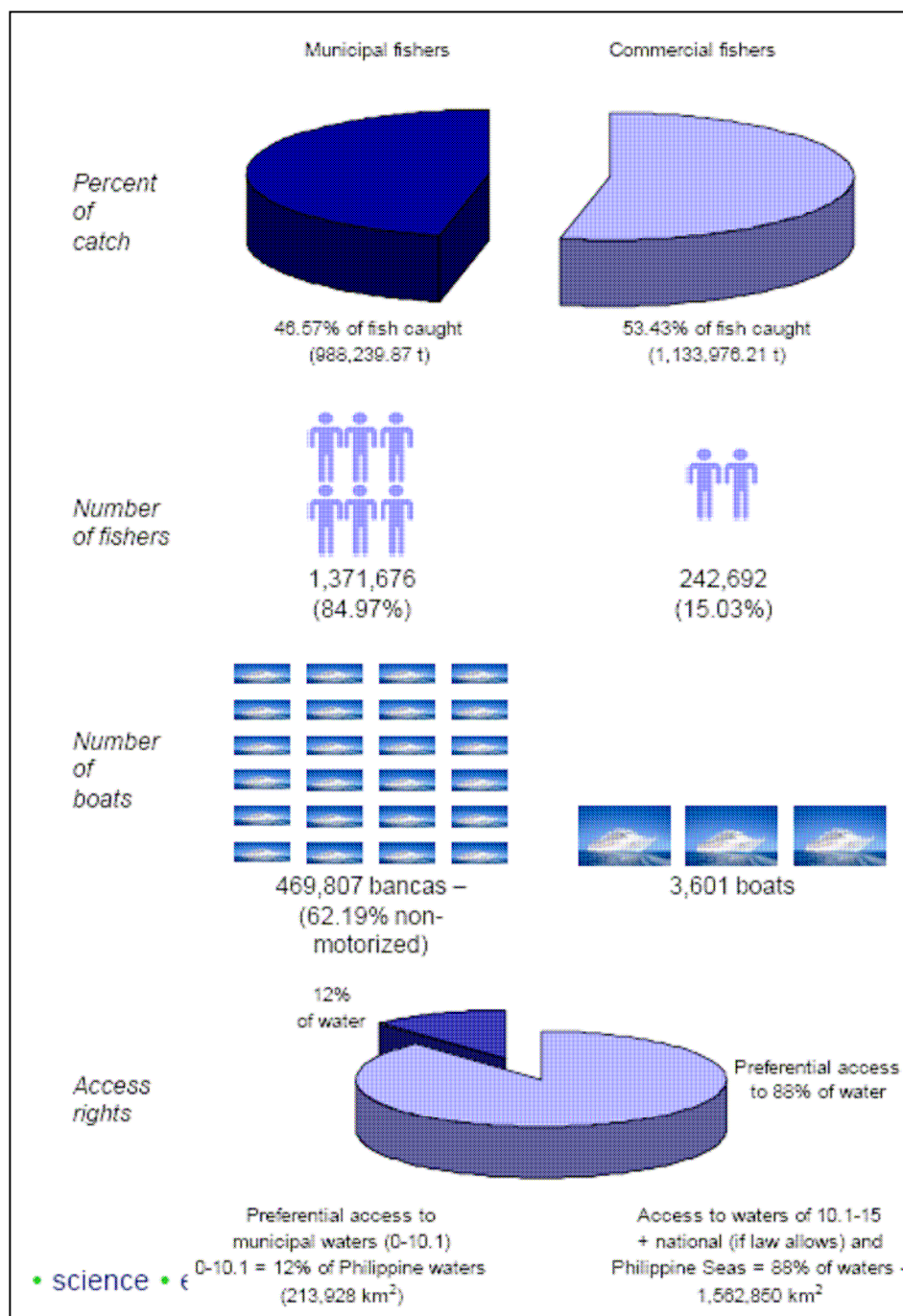


Table 24. Cases of commercial fishers encroachment

Case	Frequency	Percent (n=92)
Issued ordinance allowing the operations of commercial fishing vessels.	11	12.0%
There are commercial fishing vessels that operated in our municipal waters, but there was no ordinance released that allows them.	43	53.1%
There are cases of commercial fishers encroachment.	46	56.8%
The commercial fishing vessels were apprehended by the LGU.	46	56.8%

In addition, more than one-fourth of the respondents (28.3%) reported that there are existing private development projects in their municipal waters that hamper their fishing activities. Some of these projects include construction of beach resorts and breakwater, oil explorations, private pearl farms, mining, private fish corrals and fish pens. The average number of years that these projects had been operating is 8.6 years. These activities are in violation of provisions in the Code, such as the ban on coral exploitation (Section 91), aquatic pollution (Section 102), construction and operation of fish corrals/traps, fish pens, and fish cages (Section 103). Worth noting is that many of these projects have been in operation for many years.

Section 87 of the Fisheries Code prohibits poaching or the fishing or operating of any fishing vessel of any foreign person, corporation, or entity in Philippine waters. As of 2010, 30 shipping vessels were apprehended based on BFAR's data (Table 25). Only 18 of them (60%) were filed with administrative/criminal cases.

Table 25. List of apprehended poachers

<i>No.</i>	<i>MCS Vessel</i>	<i>Vessel Name/ Vessel No.</i>	<i>Date/Place of Apprehension</i>	<i>Coordinates Latitude; Longitude</i>	<i>Violation(s)</i>	<i>No. of Fishermen/ Nationality</i>	<i>Status/Remarks</i>	<i>Admin/Criminal Case Nos./I.S. Nos. files</i>
1	DYCA	Chin Sheng Ta	May 14, 2003 Dinapigue Pt, Dinapigue, Isabela		Sec. 87 of RA 8550	2 Taiwanese 7 Indonesians		IS # 2003-E-208
2	3003	F/B Chung long I	July 21, 2004 Eastern Samar		Sec. 86 & 87 of R.A. 8550	Taiwanese	Turned over to Region VIII that resulted to commissioning as BFAR Research Vessel	
3	3002	F/B BD 2122-TS	October 13, 2004 Half Moon Shoal, Bataraza, Palawan		Sec. 87 of R.A. 8550	9 Vietnamese Nationals	Released without payment of fine imposed by court	Criminal Case #19680
4	3002	F/B BD 1482-TS	October 13, 2004 Royal Capt. Shoal Bataraza, Palawan		Sec. 87 of R.A. 8550	9 Vietnamese Nationals	Released without fine. Certification from Vietnamese embassy that fishermen are highly indigents	Criminal Case # 19679
5	3002	F/B TG 91665-TS	May 19, 2005 36.5 NM of Mangsee Island Balabac, Palawan	7°31.6'N; 117°53.22'E	Sec. 87 & 97 of R.A. 8550	12 Vietnamese Nationals (Ly Van Banh, et al)	Crew are convicted and detained at jail. Vessel is custody pf PNP, Magsaysay Palawan. Convicted in Sec. 87 while 97 is under litigation	Criminal Case # 21714 Criminal Case # 20341/2005-238
6	3004	F/V CTB- 4887 BK- 667 F/V Jen long Shing BK-7567	August 02, 2005 5.5 NMS Talikud Island	5.5 NMS of talikud Island	Navigating outside the designated lane for foreign fishing vessel calling at Davao Fishport & expired without transshipment Certificate.	Taiwanese		
7	3004	F/V BJ 4005	August 5, 2005 4.7 NMSE off Daliao, Toril, Davao City	4.7 SE NM off Daliao, Toril, Davao City	Navigating outside the designated lane for foreign fishing vessel calling at Davao Fishport.	Taiwanese		
8	3002	F/V King King Hai Body No. 06991	June 15, 2006 33 NM SE off Mangsee Island, Balabac, Palawan	7°8.86 N; 117°42.82'E	Sec 87 & 97 R.A 8550	8 Chinese Nationals	Crew on bail. Vessel is under custody of NAVFORWEST. On going trial.	Criminal Case # 21350 Criminal Case # 21351
9	3002	Body No. 2880	October 21, 2006 Southeast of Mangsee Island	7°10.75'N; 117°41.50'E	Sec. 87 & 88 of R.A. 8550	24 Chinese Nationals	Case rested acquittal	Criminal Case # 21714 Criminal Case # 21715
10	3001	Fong Long Star No. 11	May 5, 2006 4.8 NM SE Disumangit Pt., Isabela	17°01.21' N; 122°35.15'E	Sec. 86 & 87 of R.A. 8550	1 Taiwanese 5 Indonesians	Escaped from custody Oct 26, 2006. For cancellation of CFGVL	Admin Case # 06-003 IS # 2006-E585
11	3001	F/B World Marine 82	May 5, 2006 4.8 NM SE Disumangit Pt., Isabela	17°N; 122°39.10'E	Sec. 86 & 87 of R.A. 8550	4 Taiwanese	Escaped from custody may 5, 2006. Case dismissed.	Admin Case # 005 IS # 2006- E586
12	3006	Fong Long	May 6, 2006 6.5	18°40.6'N;	Sec. 86 & 87 of	2 Taiwanese 3	For cancellation of	IS # 2006-133A

**Systematizing Access to Land Monitoring in the Philippines
Monograph**

<i>No.</i>	<i>MCS Vessel</i>	<i>Vessel Name/ Vessel No.</i>	<i>Date/Place of Apprehension</i>	<i>Coordinates Latitude; Longitude</i>	<i>Violation(s)</i>	<i>No. of Fishermen/ Nationality</i>	<i>Status/Remarks</i>	<i>Admin/Criminal Case Nos./I.S. Nos. files</i>
		Star No.17	Nautical Miles SE Geolus Pt. of Camiguin Island	121°57.2' E	R.A. 8550	Indonesians	CFVGL. Escaped from Custody Oct 26,2006 Pending with DOJ	
13	DYCA	Sheng Yu Feng BK 7476	April 18,2006 134 NM Off Palanan,Isabela	17°N; 122°39.10'E	Sec. 86 & 87 of R.A 8550	3 Taiwanese 2 Chinese 2 Indonesians	Released after payment of fine of US\$50,000 Case dismissed by DOJ	Admin Case # 06-002 IS # 2006-D436
14	3006	W Coast III	April 20,2007 North of Baguio PL Bagao,Cagayan	17°43.3N; 122°22.9'E	Sec. 86 & B7 of R.A 8550	Taiwanese		
15	3005	F/B Supreme 2	April 20,2007 8 NM off Digollorim PL Palanan, Isabela	16°55.56'N; 122°35.71'E	Sec. B6 & 87 of R.A 8550	2 Taiwanese 1 Indonesian	Released after payment of US\$50,000 fine of Cleared by DOJ	Admin Case # 07-015 IS # not available
16	3005	F/B Magnificat BB	June 2, 2007 East Babuyan Claro, Calayan Group of Islands	19°31.3'N; 122°07'E	Sec. 87 of R.A 8550	3 Taiwanese	Released after payment of US\$70,000 fine of Case dismissed by DOJ	Admin Case # 07-016 INQ Case # 2007-029
17	3001	F/B Teresita 6	June 2, 2007 East Babuyan Claro, Calayan Group of Islands	19°33.6'N; 122°07'E	Sec. 87 of R.A 8550	2 Taiwanese	Ordered to pay US\$200,000	Admin Case # 07-018 IS # 2007-030
18	3002	F/V "Than Long Body#8TG- 92566-TS	31-Mar-07 East Mangsee Island Balabac,Palawan	07°29.35'N; 117°52.43'E	Sec. B7 of R.A 8550	(Nguyen van Leo,et al) 10 Vietnamese Nationals	Crews were detained at Provincial Jail. Vessel is under the custody PCG District of Palawan. Pleaded guilty as of August 6,2007	Criminal Case # 22168
19	3009	BN-892/4F	May 31,2007 Southeast Mangsee Island, Balabac,Palawan	07°24.2'N; 117°37.53'E	Sec. 87 of R.A 8550	(Tunding Bin Ahad,et al) 5 Malaysian Nationals	Crew were on bail On- going trial	Criminal Case # 22361/2007- 281/2007-439
20	3004	BN 818/4F	October 9,2007 2.2 Nm SW off Baguan Island	06°04.251'N; 118°25.233'E	Sec. 87 of R.A 8550			
21	3004	Bn-8933/4F Tampasak	July 16,2008 Vicinity 3 NM Southeast off Boon Island, Turtle Island Tawi-tawi		Sec. 87 of R.A 8550 (Using trawl on the method of fishing)	Malaysian		
22	3004	SN-3816/4F	July 16,2008 Vicinity 3.75 NM Northeast off Lagoon Island, Turtle Islands, Tawi-tawi		Sec. 87 of R.A 8550	Malaysian		
23	3004	SN-83B/4F	July 16,2008 3.5 Northeast off Lagoon Island, Turtle Islands, Tawi-tawi		Sec. 87 of R.A 8550	Malaysian		
24	3009	M/V Binh Phouc	May 16,2008 Southern Palawan Vicinity		Rice smuggling			
25	3001	CT4-2771 Tzu Fu Tien	May 12,2009 1545H Maloncon Island, Sta. Ana,Cagayan	18°14.87'N; 122°22.3'E	Sec. 86 & 87 of R.A 8550	2 Taiwanese 10 Indonesian	escaped during typhoon Golina August 2, 2009	Admin Case # 09-002 Criminal Case # NPS-II- 02a-09E-00024
26	3005	CT4-2006 Chin Hong Chen	May 15,2009 0945 H Camiguin Island, Babuyan Claro, Calayan,Cagayan		Sec. 86 & B7 of R.A 8550	3 Taiwanese 3 Chinese 2 Filipinos	Vessel held at Port San Vicente, Cagayan	Admin Case # 09-003 Criminal Case # NPS-II- 02a-09E-00026
27	3010	BK 7426	July 27,2009 67 NM off Coast of Dilasag, Aurora	16.29N; 123.27E	Sec. 87 of R.A 8550	2 Taiwanese 1 Chinese 3 Indonesians	Vessel held at Port Cemento, Brgy. Zabali,Baler Aurora. Crew detained at Provincial Jail of Baler,Aurora	
28	3010	CT4-1750	091045H May 2010 Vicinity 15 nm Northeast of Casapsapan Bay	Lat 16 deg 21.8 mins N; Long 122 deg 27.2 mins E	Section 87 of R.A 8550	1-Taiwanese 8-Indonesians		
29	3006	F/B JVP 1	060426H May 2010 20 NM SE off Babuyan Island, Cagayan Valley	Lat 19 deg. 19.70 mins N; Long 122 deg 16 mins E	Section 86 and 87 of R.A 8550	6-Filipinos 2- Taiwanese		
30	3002	BN-05022	270615H May 27,2010 45 NM NW off Balabac Island	Lat 08 deg 25.628 mins N; Long 116 deg 19.081 mins E	Section B7,97 and 27 of R.A 8550	9 Chinese	Counsel of the offenders filed motion to suspend proceedings because they failed petition to	Criminal Case # 25-162/INQ- 10E-0031-32

No.	MCS Vessel	Vessel Name/ Vessel No.	Date/Place of Apprehension	Coordinates Latitude; Longitude	Violation(s)	No. of Fishermen/ Nationality	Status/Remarks	Admin/Criminal Case Nos./I.S. Nos. files
							review before Department of Justice	

Support Services Provision

According to the 2009 Annual Report of BFAR, the fisheries sector reached a 2.4% increase in production compared to 2008 performance. Per subsector, municipal fisheries contribute 26% of total production or 1.347 million metric tons (Figure 3). This is 1.1% increase from last year's level of production (at 1.332 million metric tons). Largest contributor in terms of production is the aquaculture subsector.

In addition, some of the accomplishments cited in the 2009 Annual Report are found in Table 26. It can be noticed that the accomplishments reported are generally outputs and not outcomes, for instance, increase in the income of small fisherfolks. There was also no mention of provision of fisherfolk settlements (as mandated in the Fisheries Code) and basic services, such as health and education services.

Figure 3. Fisheries sector production, 2009

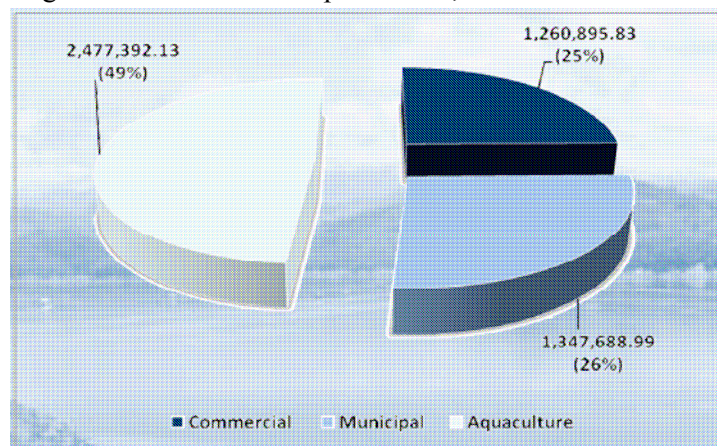


Table 26. BFAR Accomplishments, 2009

<i>Activities</i>	<i>Accomplishments</i>	<i>No. of beneficiaries</i>
Fish seed production and distribution	2 million broodstocks 206 million fingerlings	
Distribution of fishing gears/paraphernalia	Distributed 13,666 fishing gears	13,040 fisherfolks
Input assistance	28.3 million fingerlings 537,000 kg of seaweeds seedlings	3,550 fisherfolks
Establishment of seaweed nurseries and deepsea seaweed mariculture	75 seaweed nurseries established	13 regions
Maintenance of mariculture parks/zones	59 mariculture parks/zones established	13 regions
Maintenance of hatcheries	30 hatcheries maintained (for bangus, tilapia, other species)	
Conduct of research activities	86 research and development projects implemented	
Market matching and participation to agri-aqua fairs and exhibits	90 market matching activities 98 agri-aqua fairs and exhibits	1,962 individuals and 79 cooperatives
Credit facilitation services	Preparation of feasibility studies and project proposals	441 individuals and 77 cooperatives
Distribution of post-harvest equipments/machineries	124 post-harvest equipments	
Construction/improvement of regional and municipal fish ports	Rehabilitated 26 fish ports	
Extension support, education, and training services	1,578 training courses conducted 52,091 technical assistance (TA) extended	51,553 training participants and 92,506 TA beneficiaries
Regulatory services	Assisted 498 LGUs in coastal resource management	
Monitoring, control, and surveillance	- Apprehended 2 Taiwanese fishing vessels - BFAR law enforcers conducted 213 field operations/missions and 270 field evaluations - Deputized 1,043 fish wardens	
Gender and development	Economic Empowerment – provision of bangus deboning	

<i>Activities</i>	<i>Accomplishments</i>	<i>No. of beneficiaries</i>
	projects; validation and evaluation of Women's Organizations; conduct of seaweeds cooking contest and trainings on Aquarium fish. - Gender Responsive Governance – maintained sex-disaggregated data, e.g. beneficiaries of trainings and technical assistance for the livelihood programs conducted by the different regions - Women's Right – participated to Women's Month Celebration and conducted IEC campaign on the Convention on the elimination of all forms of discrimination against women.	

Though municipal fisheries production is increasing overtime, poverty within the sector remains a pressing problem. Based on data from the National Statistical Coordination Board (NSCB), poverty incidence is highest among the fishermen sector at almost 50%, or almost half a million poor fishermen. Regions with the highest poverty incidence are in ARMM, CARAGA, and Bicol.

Figure 4. Poverty incidence among the basic sectors

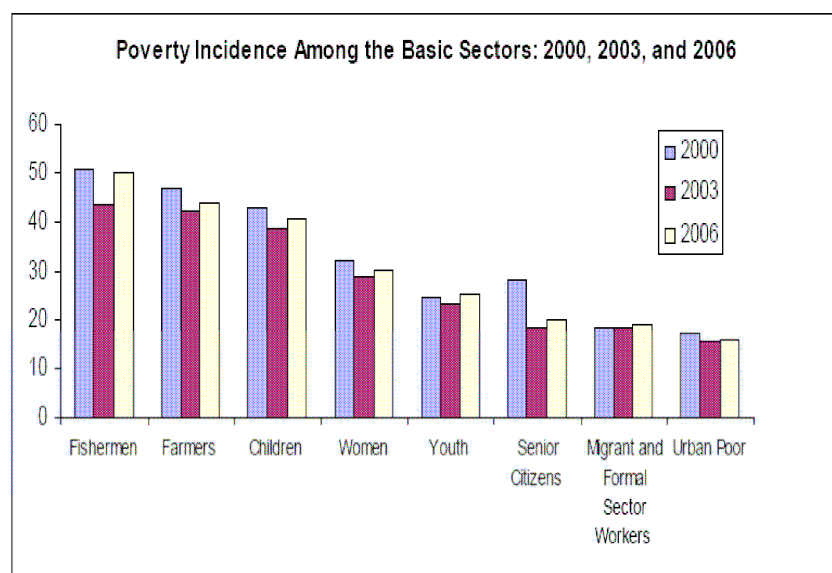


Table 27. Poverty incidence in the fisherfolks sector

<i>Region</i>	<i>Poverty Incidence</i>	<i>Magnitude of Poor</i>
Philippines	49.9	482,477
NCR	35.0	5,121
I – Ilocos Region	51.0	20,375
II - Cagayan Valley	24.0	2,512
III - Central Luzon	23.9	8,533
IVA - CALABARZON	38.3	42,538
IVB - MIMAROPA	52.6	33,932
V - Bicol Region	56.5	48,586
VI - Western Visayas	43.9	31,807
VII - Central Visayas	44.4	45,345
VIII - Eastern Visayas	49.7	36,793
IX - Zamboanga Peninsula	50.1	24,084
X - Northern Mindanao	47.6	14,942
XI – Davao Region	42.5	10,511
XII – SOCCSKSARGEN	47.3	19,931
XIII – Caraga	66.7	20,744
ARMM	65.6	116,725

Further, lack of alternative livelihood and access to basic services contribute to the impoverishment of the sector. This is evidenced by the PARRC study of PhilDHRRA (2008), where only one-fourth of total respondents (26.1%) have access to one form of all support services (i.e. post harvest facilities, infrastructures, and extension services). Out of these 24 cases, 87.5% affirmed that the government provided these support services. This means that for those areas where services are accessible, the government is the main provider of these services, yet the demand cannot be met.

Table 28. Access to and government provision of support services

<i>Support service</i>	<i>Access</i>		<i>Government provision</i>	
	Frequency	Percent (n=92)	Frequency	Percent*
Credit	52	56.5%	33	35.9%
Post-harvest facilities	30	32.6%	25	83.3%
Infrastructure	64	69.6%	63	98.4%
Extension services	82	89.1%	80	97.6%
Post harvest facilities, infrastructures, and extension services	24	26.1%	21	87.5%

* Percentage is based on the number of respondents who have access to the specific support service

Participation and Management

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

Based on the 2009 Annual Report of the BFAR, 99% of the coastal municipalities and cities have organized FARMCs. The remaining areas which had no organized FARMCs yet have peace and order problems. In addition, 17 FARMCs were provided assistance on organizing/re-organizing and 1,995 FARMCs are being strengthened. However, no details on specific activities for assistance were cited. A conference of the FARMC was also organized in 2009 which resulted to the formulation of the FARMC monitoring and evaluation system.

VII. Pilot Monitoring of Access to Land: Ancestral Domain

Tenurial Security: Targets and Accomplishments

Based on estimate of the National Commission on Indigenous Peoples (NCIP), the IP ancestral domain/ancestral land has an estimated area of 7.7 million hectares. As of 2010, the NCIP's Ancestral Domain Office (ADO) has reported 286 applications for the Certificate of Ancestral Domain Title (CADT), of which 156 (or only 55%) have already been approved (Table 29). In terms of area, this represents only half (55%) of total ancestral domain area.

Table 29. Approved CADTs, 2002-2010

<i>Year approved</i>	<i>No. of CADTs</i>	<i>Total area (in has.)</i>	<i>IP population</i>	<i>No/ of CALTs</i>	<i>Total area (in has.)</i>	<i>IP population</i>
2002	2	41,256	18,283			
2003	9	326,091	58,389	44	42	171
2004	18	236,436	73,421	3	218	250
2005	9	237,005	36,743	3	3,572	679
2006	18	269,049	50,847	106	986	1,579
2007	2	94,426	22,585	13	12	23
2008	38	1,288,668	313,024	18	2,611	1,208
2009	45	1,106,175	269,317	51	4,487	2,205
2010	15	660,510	69,786	20	5,379	2,494
Total	156	4,259,616	912,395	258	17,308	8,609

Table 30 shows the targets of NCIP for 2011 to 2014.⁵ It can be observed that NCIP's targets are below their level of accomplishments in the past.

Table 30. NCIP targets, 2011-2014

	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>Total</i>
No. of CADTs	12 (250,000 has. covered)	12 (250,000 has. covered)	12 (250,000 has. covered)	12 (250,000 has. covered)	48 (1 million has. covered)
No. of CALTs	12 (250,000 has. covered)	12 (250,000 has. covered)	12 (250,000 has. covered)	12 (250,000 has. covered)	48 (1 million has. covered)
No. of ADSDPPs formulated	1	1	1	1	4

The identification, delineation, and recognition of ancestral domains should be in accordance to the procedures outlined in IPRA (Section 52) and its accompanying IRR (Rule VIII, Part I, Section 2). The following processes should be undertaken for the delineation: filing of petition for delineation, delineation proper, submission of proof,

⁵ Culled from Philippine Development Plan, 2011-2016

ocular inspection, evaluation and appreciation of proof, survey and preparation of survey plans, preparation of report of investigation and other documents, validation of map, notice and publication of ancestral domain claim, endorsement of the ancestral domain claim to the NCIP, review by the Ancestral Domains Office (ADO), preparation and issuance of CADT, and submission of maps. However, there is no clear guideline on how long the process should take. For direct applicants, the PARRC study finds that the average time from application to the approval of their CADTs is 3.4 years. In addition, it will take an average of 6.35 months before the issued CADTs were actually awarded to the tribes. 5 tribe leaders interviewed in the PARRC study even affirmed that their CADTs were not yet awarded.

For CADC holders who are in the process of converting to CADTs, the tribes had already been waiting an average of 4.45 years for their titles to be issued and awarded. It is unclear when the CADTs will be awarded. According to the guidelines for conversion (NCIP AO No. 2, Series of 2002), the procedure for conversion has 5 phases (i.e. information dissemination, review and field validation of CADC, actual survey and validation of survey, endorsement to NCIP, and issuance and registration of title). Similar to the rule on CADT processing, there is no clear guideline on how long the process should take.

Table 31. Waiting time for CADT application

<i>Mode</i>	<i>Process</i>	<i>Average waiting time</i>
Direct application	From CADT application to approval	3.4 years
	From CADT approval to distribution	6.35 months
Conversion	Pending conversion from CADC to CADT	4.45 years

Upon the enactment of IPRA, NCIP adopted the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) as the official area development plan document for IP communities. As of 2010, only 89 ADSDPPs had been formulated. This is only 57% of the total number of CADT holders, who should potentially have formulated their ADSDPPs. One of the problems identified in the literature for low formulation of ADSDPP is lack of funding to undergo the ADSDPP formulation process.

Table 32. ADSDPP formulation, by region

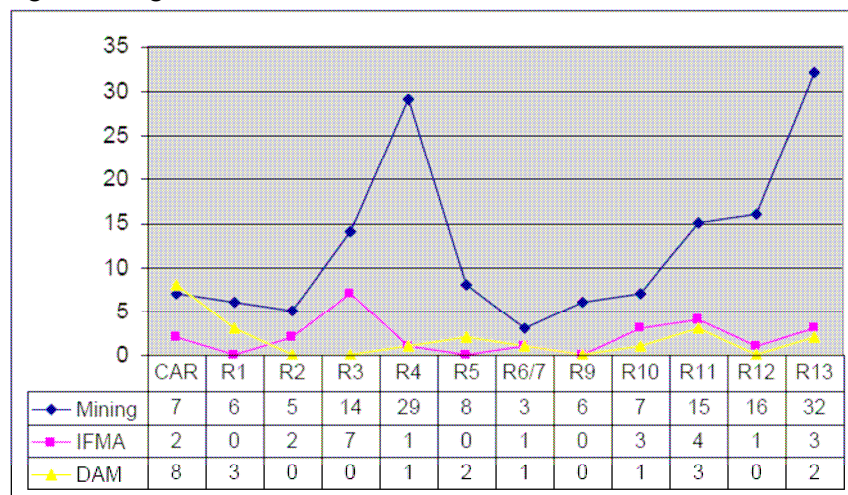
<i>Region</i>	<i>No. of formulation</i>	<i>Total area (in has.)</i>	<i>IP population</i>
CAR	28	312,491	262,243
Region 1	3	30,418	9,017
Region 2	10	271,618	39,856
Region 3	11	38,437	12,942
Region 4	3	126,209	23,434
Region 5	3	19,208	12,122
Region 6	2	10,408	5,230
Region 9	4	68,339	15,020
Region 10	7	128,154	29,640
Region 11	9	424,689	112,063
Region 12	2	49,387	20,529
Region 13	7	176,937	23,211
Total	89	1,656,298	565,307

Threats to Security of Tenure

Various threats on the security of ancestral domains remain a pressing issue for the IPs. The ancestral domain areas have rich bio-diversity and mineral resources and many portions of which were declared protected areas under the NIPAS. In addition, some areas are under Integrated Forest Management Agreements (IFMA) and Mineral Partnership-Sharing Agreements (MPSA). Further, several dams that provide potable water and irrigation and hydropower plants are located in the ancestral domain. As per ADO-NCIP report, there are 141 mining operation/exploration, 21 dams/hydro-power plants and 22 IFMAs within the ancestral domain. These activities

were issued with FPIC compliance certificates, thus, the IPs should have substantial share and benefits out of the agreed and allowed development in the ancestral domain areas. Figure 5 presents the regional location of mining operation and exploration, dams/hydropower and IFMAs within the ancestral domain.

Figure 5. Regional location of extractive activities



Still, there are numerous cases of conflict stemming from overlapping claims, operation of extractive activities without the consent of the IPs, and flawed or defective implementation of the FPIC process. In the privilege speech of Rep. Teddy Baguilat last June 2011, he cited some of these cases: 1) conflict in the royalty share of the Mamanwa indigenous communities by the mining operations of Taganito Nickel in Claver, Surigao del Sur, 2) creation of fake tribal council based on the case filed by the Subanens in Midsalip, Zamboanga del Sur against

the GAMI Corporation, and 3) case filed by the Pal'awan tribe in Palawan where fraudulent tribal leaders demanded that NCIP issue a Certificate of Precondition to allow mining operations to proceed in areas that cover Mt. Matalingahan.

In the PARRC study, half of the respondents (50.9% or 55 respondents) affirmed that extractive activities are present in their communities and/or that their ancestral domains are used by other sectors for other purposes. From the 55 cases, 78.2% are extractive activities.

Table 33. Incidence of extractive activities and/or use of AD by other sector

	<i>Frequency</i>	<i>Percent (n=55)</i>	<i>Percent (n=108)</i>
Extractive activities only	43	78.2%	39.8%
Used by other sector only	24	43.6%	22.2%
Extractive activities and used by other sector	12	21.8%	11.1%

Moreover, of the 55 respondents citing extractive activities and intrusion by other sectors in ancestral domains, almost two-thirds or 69.1% stated that FPICs were not secured prior to the operation of these activities. This means that a majority of the activities are operating against the IP communities' will. For instance, 73.7% of mining sites are operating without the IP communities' consent. Moreover, 70.8% of cases where ancestral lands were used by other sectors were not covered by FPICs. This signifies a poor performance of NCIP in truly protecting the interests of IPs. In addition, this is a violation of the IPRA provision where unauthorized and unlawful intrusion or use of any portion of the ancestral domain is punishable by law (Section 10). Furthermore, the provision states that the government shall take measures to prevent non-IPs from taking advantage of the IPs' customs or lack of understanding to laws to secure ownership and possession of land belonging to said IPs.

Table 34. Activities without FPICs

<i>Activities</i>	<i>Frequency</i>	<i>Without FPIC</i>	<i>Percent*</i>
Extractive activities	43	31	72.1%
Mining only	19	14	73.7%
Logging only	30	22	73.3%
Used by other sector	24	17	70.8%
Extractive activities and used by other sector	55	38	69.1%

* Percentage is based on the incidence of the specific activity

In addition, another issue drawn from literature is the proper facilitation of the process of securing free and prior informed consent (FPIC). The FPIC means a consensus of all members of the IP community to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of an activity, in a language and process understandable to the community. Section 59 of IPRA strictly enjoins all departments and other government agencies not to issue, renew, nor grant any concession, license, or lease, nor enter into any production-sharing agreement, without prior certification from the NCIP that the area affected does not overlap with any ancestral domain. Further, no certification shall be issued by the NCIP without the FPIC and written consent of IPs concerned.

Based on data from NCIP, 312 FPIC compliance certificates had been issued covering almost half a million hectares of ancestral domain/land. The nature of most of the projects issued with certificates is extractive, such as mining exploration and construction of hydro power plants.

Table 35. FPIC compliance certificates issued, by year

<i>Year approved</i>	<i>No. of Certificates</i>	<i>Total area (in has.)</i>
2004	13	42,158
2005	11	32,526
2006	36	81,008
2007	53	93,859
2008	69	4,235
2009	74	57,469
2010	56	115,377
Total	312	426,633

In terms of regional breakdown, Region 11 has the largest area of ancestral domain/land covered by an FPIC compliance certificate, subjecting the area to development, extractive, and exploration activities.

Table 36. FPIC compliance certificates issued, by region

<i>Region</i>	<i>No. of Certificates</i>	<i>Total area (in has.)</i>
CAR	37	30,111
Region 1	16	3,101
Region 2	9	15,908
Region 3	36	93,888
Region 4	41	11,291
Region 5	11	4,363
Region 6	6	1,929
Region 7	2	3,357
Region 9	11	8,016
Region 10	31	49,125
Region 11	34	106,169
Region 12	27	31,058
Region 13	51	68,317
Total	312	426,633

However, the efficiency and reliability of securing CP/FPIC has been a subject of various studies. Castro (2000) cited that there are several instances where the process of securing FPICs has encouraged a culture of bribery among tribal communities. There are also reported cases of fraudulent FPICs, i.e. projects that claimed to have secured consents but whose validity are being questioned because of complaints that consents have not been properly obtained. In terms of efficiency, the NCIP's approach in screening projects through a field-based investigation (FBI) is inefficient and does not benefit from already existing knowledge about the general location of the IP population (World Bank, 2007). Other issues linked to securing FPICs include: weak targeting and prioritization of projects, long processing time, and stability of the process (Castro, 2000; World Bank, 2007).

Support Services Provision

In the Organization Performance Indicators Framework (OPIF) of the NCIP, one of the agency's major final outputs (MFOs) is on IP development services that include: 1) social and cultural support services, leadership capability and skills training services, assistance to ADSDPP implementation, and certification precondition (CP) for FBI and certificate of compliance (CC) for FPIC. Table 37 shows the particular support services cited by NCIP. Health projects, educational assistance, livelihood projects, and basic services are among the support intended to be provided by NCIP, however no details as to the specific services were provided (for instance, infrastructure, potable water system, medicine and maternal health care, others).

Table 37. NCIP performance indicators for IP development services

<i>Particulars</i>	<i>2009</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
	<i>Target</i>	<i>Actual</i>	<i>Target</i>	<i>Target</i>
Social and cultural services				
Health projects implemented		22	20	20
IP schools assisted	18,000 (students)	15	15	15
Livelihood projects implemented		12	12	12
Basic services extended to IPs	12	12	12	12
Traditional projects implemented		12	12	12
IP communities assisted on food security			6	6
IPs in crisis situation assisted		25	25	20
Leadership capability and skills training services				
IP skills on econ devt training conducted				3
Disaster management training conducted				3
Certification precondition and Certificate of compliance re FBI				
CP issued	20	75	5	20
Certificate of non-overlap issued	25	257	31	21
Assistance to ADSDPP implementation				
ADSDPP formulation and implementation monitored	3	3	10	5
ADSDPP management training conducted		2	2	4

Culled from the NCIP website, Table 38 shows the programs on education, culture, and health implemented by the agency in 2010, with the corresponding budget. Programs for education got the highest budget allocation.

Table 38. NCIP programs, 2010

<i>No.</i>	<i>Program</i>	<i>Budget (in PhP)</i>
	Education	117,321,765
1	Educational assistance program	116,621,000
2	Indigenous peoples' education	269,525
3	Assistance to community schools	431,240
	Culture	485,145
1	IKSP documentation in support to policy formulation and legislation	269,525
2	Support to activities for the promotion and protection of cultural integrity (Support to cultural community festivals)	215,620
	Health	1,293,720
1	Health programs and services including enrollment to insurance program	862,480
2	Indigenous health knowledge and practices and the use of traditional medicine	431,240
Total		119,100,630

In the PARRC study, it was found out that almost three-fourths (74.1%) of the respondents covered by the study are able to access all support services (e.g. infrastructures and extension services) with government providing majority of these services (92.5%).

Table 39. Access and government provision of support services for IPs

<i>Support service</i>	<i>Access</i>		<i>Government provision</i>	
	<i>Frequency</i>	<i>Percent (n=108)</i>	<i>Frequency</i>	<i>Percent*</i>
Credit	9	8.3%	1	11.1%
Infrastructure	86	79.6%	84	97.7%
Extension services	96	88.9%	91	94.8%
Infrastructure and extension services	80	74.1%	74	92.5%

* Percentage is based on the number of respondents who have access to the specific support service

However, as reflected in the literature, support services provided by the government to the IPs is still wanting, as manifested in their worsening condition. There has been an increase in the poverty incidence in IP regions based on an ADB study in 2002. In addition, there appears to have an inequitable distribution of basic services, with bias in the rural areas where majority of the IPs live. Insufficient supply of food and potable water, alternative livelihood, lack of medical and educational assistance are among the problems that need to be addressed (Chauhan, 2005; ADB, 2002). In addition, conflicts and violation of rights by other sectors is still prevalent among the tribes (Chauhan, 2005; PANLIPI, 2003), which even aggravates their status. Table 40 shows the poorest 20 provinces in the country in 2006. It is observed that in 7 out of the 20 provinces, IPs comprise more than half of the population.

Table 40. Top 20 poorest provinces and IP population, 2006

<i>Provinces</i>	<i>Poverty</i>		<i>Philippines Population</i>	<i>Estimated Population</i>	<i>Estimated IP Population</i>	<i>% of IP Population</i>
	<i>Incidence</i>	<i>Rank</i>				
	<i>2006</i>	<i>2006</i>	<i>2007</i>	<i>2009</i>	<i>2009</i>	<i>2009</i>
Tawi-tawi	78.9	1	450,346	396,600	63,621	16.04
Zamboanga del Norte	63.0	2	907,238	989,800	529,515	53.50
Maguindanao	62.0	3	969,982	1,240,500	300,474	24.22
Apayao	57.5	4	103,633	120,600	100,200	83.08
Surigao del Norte	53.2	5	409,468	573,700	288,670	50.32
Lanao del Sur	52.5	6	1,138,544	989,400	0	0
Northern Samar	52.2	7	549,759	618,100	0	0
Masbate	51.0	8	768,939	853,300	16,644	1.95
Abra	50.1	9	230,953	240,700	229,543	95.36
Misamis Occidental	48.8	10	531,680	567,000	338,351	59.67
Agusan del Sur	48.7	11	609,447	688,600	260,511	37.83
Oriental Mindoro	47.1	12	735,769	861,200	329,306	38.24
Occidental Mindoro	46.5	13	421,952	489,600	185,235	37.83
Sulu	46.5	14	849,670	722,900	136,333	18.86
Kalinga	45.8	15	182,326	215,100	178,133	82.81
Surigao del Sur	45.4	16	541,347	587,700	195,185	33.21
Mt. Province	45.0	17	148,661	171,000	152,832	89.38
Sarangani	44.8	18	475,514	520,600	164,469	31.59
Lanao del Norte	44.1	19	846,329	887,800	77,530	8.73
Negros Oriental	43.7	20	1,231,904	1,326,900	24,540	1.85

VIII. Summary Findings and Policy Recommendations

Table 41 summarizes the findings for each sector, per theme and monitoring indicator.

Table 41. Summary of findings per sector

<i>Themes</i>	<i>Agrarian lands</i>	<i>Municipal waters</i>	<i>Ancestral domain</i>
Tenurial security:	• Based on the 2010	• As of January 2011, 920	• As of 2010, 286 applications

<i>Themes</i>	<i>Agrarian lands</i>	<i>Municipal waters</i>	<i>Ancestral domain</i>
Targets and Accomplishments	Accomplishment Report of DAR, 83% of total scope for LAD has been accomplished. However, land distribution has been particularly slow for private agricultural lands under compulsory acquisition. • Number of ARBs for the remaining lands to be distributed is 640,955. • In terms of the status of subdivision for collective CLOAs, only 38% of those prioritized for subdivision had been surveyed • With regards to the installation of ARBs, there are still 12,454 uninstalled ARBs or 31% of the target ARBs for installation	coastal municipalities and cities had been identified. According to NAMRIA, all these municipalities and cities had been mapped and technical descriptions were provided to the LGUs. • Only 6% or 55 LGUs have issued local ordinances delineating their municipal waters. • According to data from BFAR, 4,522 FLAs had been issued from 1973 until 2010 covering almost 60,000 hectares. However, only one FLA was issued to a fisherfolk organization. • As of 2010, 202 FLAs covering 6,389 hectares had been cancelled or 11% of total FLA scope. However, only 36 of the cancelled FLAs covering 1,443 hectares had been reverted back to DENR for reforestation or only 23%.	for the Certificate of Ancestral Domain Title (CADT) were reported, of which 156 (or only 55%) have already been approved. In terms of area, this represents only half (55%) of total ancestral domain area. • For direct applicants, the PARRC study finds that the average time from application to the approval of their CADTs is 3.4 years. In addition, it will take an average of 6.35 months before the issued CADTs were actually awarded to the tribes. • For CADC holders who are in the process of converting to CADTs, the tribes had already been waiting an average of 4.45 years for their titles to be issued and awarded. • As of 2010, only 89 ADSDPPs had been formulated. This is only 57% of the total number of CADT holders, who should potentially have formulated their ADSDPPs.
Threats to security of tenure	• The Philippines is one of the targets of foreign countries in leasing lands; as termed by the World Mission Magazine—a “lease hotspot.” • Cases of farmland grabbing were documented by international organizations and some websites, however there is no consolidated data on the extent, scope, and history of farmland grabbing in the Philippines. • Despite the legal mechanisms in settling agrarian disputes, human rights violations continue to be committed against farmers. There are no official aggregated data on the number of human rights violation brought about by agrarian disputes from the DAR. • Based on records of various organizations, a total of 2,377 cases of agrarian-related violence committed against farmers were documented.	• Despite the enormous number of municipal fisherfolks, they are given access rights to only 12% of Philippine waters. • Based on the PARRC study, 12% of the municipalities issued an ordinance allowing the operation of commercial fishing vessels within 10.1 to 15 kilometers area from the shoreline in their municipal waters. This translates to 81 municipalities that do not allow commercial fishing. • However, the PARCC study found that a majority of these municipalities (53.1%) still have cases of commercial fishing operations within the 10.1 to 15 kilometers area from the shoreline. • 56.8% of respondents claimed that commercial fishers encroached on their municipal waters, • When asked if the commercial fishing vessels were apprehended by the LGU,	• There are 141 mining operation/exploration, 21 dams/hydro-power plants and 22 IFMAs within the ancestral domain, per NCIP’s report. • There are numerous cases of conflict stemming from overlapping claims, operation of extractive activities without the consent of the IPs, and flawed or defective implementation of the FPIC process. • In the PARRC study, half of the respondents (50.9% or 55 respondents) affirmed that extractive activities are present in their communities and/or that their ancestral domains are used by other sectors for other purposes. From the 55 cases, 78.2% are extractive activities. • Based on data from NCIP, 312 FPIC compliance certificates had been issued covering almost half a million hectares of ancestral domain/land. The nature of most of the projects

<i>Themes</i>	<i>Agrarian lands</i>	<i>Municipal waters</i>	<i>Ancestral domain</i>
		56.8% said “yes”. However, mere apprehension does not translate to conviction of those who had violated the law. As of 2010, 30 shipping vessels were apprehended based on BFAR’s data. Only 18 of them (60%) were filed with administrative/criminal cases.	issued with certificates is extractive, such as mining exploration and construction of hydro power plants. Region 11 has the largest area of ancestral domain/land covered by an FPIC compliance certificate, subjecting the area to development, extractive, and exploration activities.
Support services provision; Participation and management	- As of December 2010, a total of 6,317 organizations were formed within the ARCs, with membership totaling 834,492. However, only 58% of the total members are ARBs (that is, 42% are non-ARBs). - Support was extended in the establishment of agri and non-agri enterprises, yet, assistance remains meager, as only less than 15% of the ARB organizations were able to benefit. - Marketing assistance was provided involving 6,070 organizations. This is a positive development as it ensures that the products of ARBs are linked to the market. - Regions I, II, and III got the bulk of irrigation projects. Least covered regions are Region IV-B and ARMM. Regions VIII, IV-B, and ARMM have the most number of ARBs utilizing the irrigation system on a per hectare basis while Regions I and CARAGA has a less dense population of ARBs utilizing the irrigation systems. - A majority of farm-to-market roads were constructed in Regions II, VI, and X. Least prioritized are Regions I, CAR, and ARMM. By ARB population density, Regions IV-A and B reaps the benefit of accessibility through road networks while Regions III, XII, and ARMM are least prioritized. - A majority of the bridges were constructed in CARAGA, Regions II, and X. By ARB population density, these	- According to the 2009 Annual Report of BFAR, the fisheries sector reached a 2.4% increase in production compared to 2008 performance. Per subsector, municipal fisheries contribute 26% of total production or 1.347 million metric tons - The accomplishments reported are generally outputs and not outcomes, for instance, increase in the income of small fisherfolks. - There was no mention of provision of fisherfolk settlements (as mandated in the Fisheries Code) and basic services, such as health and education services. - Poverty incidence is highest among the fishermen sector at almost 50%, or almost half a million poor fishermen. Regions with the highest poverty incidence are in ARMM, CARAGA, and Bicol. - Based on the 2009 Annual Report of the BFAR, 99% of the coastal municipalities and cities have organized FARMCs. 17 FARMCs were provided assistance on organizing/re-organizing and 1,995 FARMCs are being strengthened.	- Programs for education got the highest budget allocation. - In 7 out of the 20 poorest provinces, IPs comprise more than half of the population in these provinces.

<i>Themes</i>	<i>Agrarian lands</i>	<i>Municipal waters</i>	<i>Ancestral domain</i>
	regions have less concentration of ARBs, thus, lower number of ARBs utilizing the infrastructure. • Top three regions that received post harvest facilities are Regions VII, CARAGA, and X. Regions IV-B, VI, and III have high concentration of ARBs yet, were not provided with the facilities. • Region II was provided with majority of the multi-purpose pavement projects while Regions I, III, XII, and ARMM were not constructed with this type of support facility.		

Based on the study findings, the following observations can be made:

1. There are still backlogs in the issuance of tenurial instruments across sectors
2. Support services are provided by government to asset reform beneficiaries, as stipulated in the core asset reform laws (CARPER, Fisheries Code, IPRA). However, the support remains insufficient.
3. Threats to tenurial security persist across all sectors, which are aggravated by weak monitoring mechanisms or processes within the implementing agencies, unclear guidelines, and overlapping policies.
4. Based on the process of gathering data for the identified monitoring indicators, not all data are generated by government; therefore, no official data can be used. Other sources of data such as studies of CSOs can be utilized.

Table 42 cites general policy recommendations applicable for all sectors to advocate access to land and security of tenure.

Table 42. General policy recommendations

<i>Themes</i>	<i>Policy Recommendations</i>
Tenurial security	• Fast track the distribution of tenurial instruments (CLOA, local ordinance on municipal waters delineation, CADT) • Provide clear implementing guidelines on tenurial security processes • Harmonize policies on land and water use
Threats to security of tenure	• Strengthen monitoring and regulating mechanisms to assure that the gains on asset reform are not reversed (national and local) • Harmonize policies on land and water use • Strict implementation of laws regulating extractive activities and reprimand violators
Support services	• Promote investment in the rural areas (infrastructure, credit, social capital) to improve productivity of farmers, fisherfolks, and indigenous peoples, increase the economic welfare of rural families, and expand livelihood opportunities. • Programs, activities, and projects should focus not only on delivering outputs but in achieving long-term outcomes (poverty alleviation, security of tenure, economically sustainable beneficiaries, accessibility of basic services) • Harness partnerships with CSOs for support services delivery • Develop efficient mechanism or process for targeting of beneficiaries to ensure that scarce resources benefit more people (economies of scale)
Participation and Management	• Promote transparency, accountability, and participation of CSOs in the asset reform process (planning, budgeting, implementation, monitoring and evaluation) • Establish cooperation and coordination among concerned government agencies and LGUs