

Responsible Land Governance in Mindanao

Conflict-, climate-, and gender-sensitive reform of spatial planning and land management in the Philippines

The challenge

So far, more than 60 current laws and regulations related to land management in the Philippines have failed to resolve the problems affecting land policy in the country. Some six million hectares of Mindanao's 10-million-hectare surface area are classified as forest. As such, they are designated as public areas and are subject to restrictions on their use. However, many families do not have sufficient access to arable land, and increasing numbers are settling in the forests, thereby leading to their more intensive agricultural exploitation.

Tenure instruments (agreements) covering 4.9 million hectares of forest either already exist or are currently being issued. Despite this, the users cannot benefit from their access rights due to a general lack of management plans, especially in the indigenous areas, that would allow them to make long-term investments. Information on the location and extent of issued usage rights, the number of people holding individual or collective rights, or the predominant or intended land use in particular zones is frequently missing or not publicly accessible. At the same time, substantial conflicts and overlapping claims exist between the different user groups.

The regional authorities and mandated agencies do not apply the existing planning guidelines on land management consistently, or they are unable to implement contradictory requirements in a constructive manner. Indigenous groups and local communities are rarely included in the land management process. Ongoing land disputes repeatedly escalate into armed conflicts. As such, in parts of Mindanao, the administration of public lands by mandated agencies, local governments, and communities, including indigenous cultural communities, is not oriented towards sustainability or conflict sensitivity.

Project name	Responsible Land Governance in Mindanao
Commissioned by	German Federal Ministry for Economic Cooperation and Development (BMZ)
Project region	Mindanao
Lead executing agency	Department of Environment and Natural Resources of the Philippines
Duration	May 2018 – April 2021

Our approach

The project will support partners in making the management of public lands by national agencies, local governments and communities – including indigenous cultural communities – in selected areas of Mindanao oriented towards sustainability and conflict sensitivity. The measures to be carried out will focus on two regions of eastern Mindanao.

The technical cooperation measure will provide advisory and support services to the Department of Environment and Natural Resources (DENR), the National Commission on Indigenous Peoples (NCIP), the Housing and Land Use Regulatory Board (HLURB), and selected local governments. The project will work in three fields of activity: (1) promoting an improved institutional framework for responsible land policy at the national level; (2) developing the land management capacities of the local governments; and (3) increasing the transparency of the government's dealings and raising public awareness of land policy.



*Local governments and communities shall be supported in managing their lands sustainably and in a conflict-, climate-, and gender-sensitive manner.
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Action areas

Improving the institutional framework for responsible land policy at the national level: The mandated national agencies will be assisted in developing improved mechanisms for the management of public lands through advisory services on the sustainable integrated area development approach, which is responsive to climate change, conflict, and gender issues. The project will pilot its operative implementation in the target regions, and encourage exchanges with other regions on lessons learned. Training measures will cover, for example, planning and implementation, conflict mediation and resolution, integrated ecosystem management, climate change adaptation, and monitoring and evaluation.

At the national level, in close cooperation with NCIP and HLURB, and with inputs from local governments, the project will support the development of a binding definition of land-use zones for public lands and forests, as well as the corresponding rules on land use.

Capacity development for land management in the local governments seeks to strengthen the capacities of selected local governments in Mindanao for the responsible management of public lands. Local governments can apply existing rules, despite the lack of a consensus among the national agencies on binding standards for zoning. The project will strengthen the efforts of the target communities to integrate and sustain a zoning process in their local legislation in a participatory and conflict-sensitive process.

Capacity building measures will be provided to enable the local authorities to fulfill their tasks. These will be provided for local government unit employees, and will include trust-building measures by establishing various forms of collective exchange, such as multi-stakeholder forums and workshops. The project will plan and implement all its activities in a conflict-sensitive way that observes do-no-harm principles.

Increasing the transparency of the government's dealings and raising public awareness of land policy are intended to strengthen the cooperation between national agencies and local governments for the exchange of information and data in relation to land use and land rights. Sharing data and information about, for instance, the different tenure instruments, the uses of land, the location and size of ancestral areas, planning and monitoring, or climate information will ensure greater transparency and better cooperation on the part of the executing agency and the implementing organisations when putting responsible land policies into effect.

The project will develop a decentralised database at DENR, which will bundle the existing information, make it accessible to concerned users, and network it with DENR's national information system. To ensure that this data will be shared

between the offices responsible, the project will promote dialogue and exchanges between DENR, NCIP, the Department of Agrarian Reform, and other concerned national institutions, for instance, through collective training and information events. The publication of data is politically highly sensitive, not least because of the conflict-affected context, so a conflict-sensitive approach is needed. The project will provide a number of different dialogue and exchange events to support a transition in the partner's administration practices so that the data generated with public funding will indeed be published in a spirit of 'open data'.

Awareness-raising campaigns will be used to reach not only the target group but also the wider public. Activities will include, for example, multi-stakeholder dialogues with the participation of civil society and the private sector at the regional and national levels, as well as the use of media for education and information.

Expected benefits

Poverty reduction: Increased return on investment from land for communities applying improved land management approaches

Good governance: Enhanced public availability of data and information such as on land use, land tenure, and existing licenses will increase transparency and foster accountability of stakeholders. Active participation of all relevant stakeholders, enhanced functioning of the regional administration and local governments, institutional changes in the sector, and co-determination in policy-making by civil society partners, traditional authorities, and the private sector will lead to sustainable and peaceful development.

Gender equality: More openings for participation by women and young adults of both sexes in decision-making processes and in land-related matters is envisaged.

Environmental protection and resource conservation: Improved protection of resources and enhanced agricultural production in lower-lying areas

Adaptation to climate change: Prevention of forest degradation and protection or rehabilitation of water catchment areas

Peace and security: Improved regulated use of land for everyone leading to de-escalation of potential conflicts and promotion of the peaceful resolution of existing conflicts

Rural development and food security: Economically, ecologically, and socially sustainable rural development, and long-term food security

The Responsible Land Governance in Mindanao project is part of GIZ Philippines' Peace and Development in Mindanao Cluster, where it works closely with the Civil Peace Service, Strengthening Capacities on Conflict Induced Forced Displacement in Mindanao, and Strengthening Youth for a Culture of Peace and Non-Violence in Mindanao initiatives.