



**2 168 116 hectares\***

of farmland are still under collective CLOA



**46 percent**

of land distributed from 1972 to 2015 are under collective ownership



**76 percent**

of the total collective CLOA issued were to individual farmers who were not organized and not engaged in collective farming



**Boundary disputes and HH food insecurity**

were the major results noted in the slow process of subdividing landholdings

*\*Data sourced from the end of term report of former DAR Secretary Virgilio de los Reyes, available at [www.dar.gov.ph](http://www.dar.gov.ph)*

### Collective Certificates of Land Ownership Awards (CLOA)

are land titles issued to farmer-groups under the Comprehensive Agrarian Reform Program (CARP). Initially, this was to fast-track land distribution to farmers in highly contentious areas, particularly in sugarcane plantations. The issuance of collective CLOAs was particularly done in the 90s.

More than two decades later, most collectively-titled landholdings have not been subdivided. It remains a major residual task of the Department of Agrarian Reform (DAR).

The slow subdivision process hampers the realization of the social justice and poverty alleviation goals of CARP. Farmers in collective CLOA arrangements often find themselves still confronted with insecure property rights and with limited access to infrastructure and support services, which are crucial in improving their livelihood conditions.

### What the farmers tell us

Reports from CARRD farmer-paralegals in the field showed that farmers' inability to acquire individual CLOAs hamper their ability to make decisions about their livelihood, thereby affecting incomes and food production.

To validate this, CARRD interviewed farmers with collective CLOAs in what appears to be some of the biggest haciendas in President Roxas, Capiz. Using focus group discussions (FGD) as an approach, CARRD looked at the implication of collective CLOA arrangements to the current socio-economic condition of agrarian reform beneficiaries (ARBs) and their families.

The FGDs were conducted in the communities covered by the Locsin landholding and Locsin Enterprise, old sugarcane plantations covering more than 600 hectares (ha) of land. These two plantations (haciendas) were owned by one family and were acquired and redistributed in the 90s into smaller parcels of collective CLOA.

Currently, farmers remain to be at the mercy of their [former] landowners and administrators. Like other subdivision cases, the former-Locsin properties were riddled with procedural bottlenecks, which hampered the de-collectivization process. Like several plantations in the country, the property was not subdivided to specify tillage boundaries for each farming family. This meant a forced collective decision to leaseback their land, while getting meagre compensation (around PhP 10 000 per hectare a year) and returning to their previous work as daily waged farm workers. Based on the FGD, farming households under this arrangement earn less than half of what a family of five needs in order to meet basic food requirements.

Paying of amortization to the Land Bank of the Philippines (LANDBANK) and land taxes to their respective municipalities also prove to be a challenge. Farmers who leased back their landholdings claim that the meagre amount paid to them by their former landowners is not enough to cover amortization fees and other taxes. Because of technical issues in land surveys and subdivision, LANDBANK and local government units cannot assess fees and therefore cannot collect amortizations and taxes.

## In numbers

As of 2016, 848 420 ha of collective CLOA issued landholdings are pending for subdivision. These already exclude those who opted not to subdivide their collective CLOAs because of farming arrangements and those which have been classified as timberland, forests, roads or watersheds, which cover more than 2 million hectares. Based on DAR reports, the delay in subdivision is caused by operational problems in the validation of ARBs, missing titles, erroneous survey, and coordination challenges among CARP implementing agencies.

Given this situation, it would be safe to assume that most of these more than 800 000 ha of collective CLOA landholdings face varying subdivision challenges, which likewise pose as a major impediment for allowing farmers to realize the actual goals of CARP: to provide farmers with a levelled capacity to manage their land, make informed decisions about their livelihood and rise out of poverty.

Based on the DAR report, DAR has a land acquisition and distribution (LAD) balance of more than 600 000 ha. Whilst CARRD recognizes this as a priority of the Department, it also wants to emphasize that the magnitude of the **collective CLOAs pending for subdivision is greater than the LAD balance**. The holders of these collective CLOA have not, to its full extent, reaped the benefits of agrarian reform as envisioned. In a way, they are still denied social justice, for they still grapple with the system that has oppressed them many ages ago.

## Suggested ways forward

In its commitment to facilitate real development in the rural areas, the following strategies can be adopted by CARP implementing agencies as ways forward to resolve second generation issues like the subdivision of collective CLOAs:

- For DAR and CARP implementing agencies, prioritize second generation cases arising from subdivision of collective CLOAs by setting up coordination mechanisms devoted to addressing procedural bottlenecks in the subdivision process.
- For DAR and local agriculture offices, provide more flexible support service options to landholdings with collective CLOA.
- For DAR, work with LANDBANK to identify measures for amortization payments for individual farmers in collective CLOA landholdings
- Invest on the education/ awareness-building of farmers in collective CLOA arrangements, and empower them to make informed decisions based on sound knowledge on the purpose and processes of de-collectivization
- Issue a joint administrative order that sets clear targets and strategies in addressing collective CLOA challenges.



**Center for Agrarian Reform and Rural Development (CARRD) is a not for profit organization supporting agrarian reform beneficiary cooperatives in Batangas, Iloilo and Capiz.**

We promote farmers' access to productive resources and enable them to make informed decisions about environment-friendly, non-discriminatory and sustainable livelihoods.

We believe in people-centred development and a faith that promotes justice, peace and integrity to all people – regardless of age, gender and disability.

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