

DRAFT

The Philippine Environmental Governance 2 Project

ANALYSIS OF THE AGGREGATED RESULTS OF FOREST LANDS TENURE ASSESSMENT IN 33 LOCAL GOVERNMENT UNITS

Ernesto S. Guiang
Gem B. Gastillo
Trina G Isorena

September 2005



This project is implemented by Development Alternatives, Inc. with the support of its subcontractors:

- Cesar Virata & Associates, Inc. ■
- Deloitte Emerging Markets Group ■
- The Marine Environment and Resources Foundation, Inc. ■
- The Media Network ■
- Orient Integrated Development Consultants, Inc. ■
- Resources, Environment and Economics Center for Studies, Inc. ■

This document was completed through the assistance of the United States Agency for International Development (USAID) Mission to the Philippines under Contract Number 492-C-00-04-00037-00. The views expressed and opinions contained in this publication are those of the authors and are not intended as statements of policy of USAID or the authors' parent organization.

TABLE OF CONTENTS

LIST OF TABLES	II
ACRONYMS.....	III
INTRODUCTION	1
METHOD OF ASSESSMENT.....	4
Development of the assessment instrument.....	4
Conduct of training on tenure assessment.....	4
Consolidation of tenure holders documents, schedules for completion and setting of appointment of the assessment	5
Tenure holder interview and field validation.....	6
Review of results and recommendations for tenure holder.....	6
Validation with tenure holder and the DENR on the results and recommendations.....	7
Communicating with tenure holders on results of tenure assessment.....	7
RESULTS OF TENURE ASSESSMENT	8
Distribution and Sizes of Forest Lands in Tenure Holdings	8
Mapping of Tenure Holdings.....	11
ANALYSIS OF THE AGGREGATED TENURE ASSESSMENT RESULTS	13
First Stage Analysis	13
Second Stage Analysis.....	15
Detailed Assessment of the 12 Criteria.....	21
IMPLICATIONS OF THE RESULTS OF TENURE ASSESSMENT	29
On tenure management the following are important results from the analysis.....	29
On issuance of tenure.....	30
On tenure policy of the state	30
CONCLUSION AND RECOMMENDATIONS	31

LIST OF TABLES

Table 1.	Number of tenure holders covered by the assessment	8
Table 2.	Hectares of forest lands covered by the assessment, by region and allocation category.....	10
Table 3.	Approximation of the total area of natural forests by region and allocation category (includes areas not covered by present tenure assessment)	10
Table 4.	Sample initial assessment of the CAISA (Cabugao) CBFMA in Aglipay, Quirino	14
Table 5.	Sample LGU-level consolidated tenure holdings assessment for Maddela, Quirino	17
Table 6.	Over performance of tenure holdings by type of allocation (Figures in each cell are number of tenure holders under that level of performance).....	18
Table 7.	Proportion of tenure holdings under different level of performance	19
Table 8.	Over performance of tenure holdings by type of allocation for the 6 primary criteria only (Figures in each cell are number of tenure holders under that level of performance).....	19
Table 9.	Proportion of tenure holdings under different level of performance, using 6 primary criteria only.....	20
Table 10.	Resource Management Plans	21
Table 11.	Budget for Plan Implementation.....	22
Table 12.	Individual Property Rights.....	22
Table 13.	Functioning Organization	23
Table 14.	Enforcement and Protection.....	23
Table 15.	Compliance to DENR Policies.....	24
Table 16.	Functioning M & E Sytem.....	25
Table 17.	Support for community-based livelihood	25
Table 18.	Working conflict resolution mechanism.....	26
Table 19.	Established external linkages.....	27
Table 20.	Development of forest production systems.....	28
Table 21.	Participation of women in forest management	28

LIST OF ANNEXES

Annex A.	Tenure/Allocation Holder Assessment.....	35
Annex B.	Training on Tenure Assessment	54
Annex C.	Tenure Assessment Criteria.....	56

ACRONYMS

A&D	-	Alienable and Disposable
CADC	-	Certificate of Ancestral Domain Claim
CADT	-	Certificate of Ancestral Domain Title
CBFM	-	Community-Based Forest Management
CBFMA	-	Community-Based Forest Management Agreement
CENRO	-	Community Environment and Natural Resources Office
CSC	-	Certificate of Stewardship Contract
DA-BFAR	-	Department of Agriculture–Bureau of Fisheries and Aquatic Resources
DENR	-	Department of Environment and Natural Resources
EcoGov	-	The Philippine Environmental Governance Project
FLGMA	-	Forest Land Grazing Management Agreement
FLMA	-	Forest Land Management Agreement
FLUP	-	Forest Land Use Plan
FMB	-	Forest Management Bureau
IFMA	-	Industrial Forest Management Agreement
ISF	-	Integrated Social Forestry
ITPLA	-	Industrial Tree Plantation Lease Agreement
JMC	-	Joint Memorandum Circular
KRA	-	Key Result Area
LGU	-	Local Government Unit
LMB	-	Land Management Bureau
MGB	-	Marines and Geosciences Bureau
NCIP	-	National Commission for Indigenous Peoples
NGO	-	Non-Government Organization
NIPAS	-	National Integrated Protected Area System
NPC	-	
PAWB	-	Protected Areas and Wildlife Bureau
PD	-	Presidential Decree
PENRO	-	Provincial Environment and Natural Resources Office
PLA	-	Pulpwood License Agreement
PNOC	-	Philippine National Oil Corporation
PO	-	People’s Organization
RO	-	Regional Office
SIFMA	-	Socialized Industrial Forest Management Agreement
TFLA	-	Tree Farm Lease Agreement
USAID	-	United States Agency for International Development

**ANALYSIS OF THE AGGREGATED RESULTS OF FOREST LANDS TENURE
ASSESSMENT IN 33 LOCAL GOVERNMENT UNITS ASSISTED BY THE
PHILIPPINE ENVIRONMENTAL GOVERNANCE PROJECT**

INTRODUCTION

Effective management of public lands, including forest lands, remains an illusive goal despite the many efforts and resources poured from both government and non-government sources. All public lands, based on the 1987 Philippine Constitution, are under the administration and management of line and staff bureaus of the Department of Environment and Natural Resources (DENR). Each agency or bureau is tasked to manage these areas according to their specific purposes. Agricultural lands, which are part of the A&D, are under the jurisdiction of the Land Management Bureau (LMB). National parks are under the administrative jurisdiction of the Protected Areas and Wildlife Bureau (PAWB). Forest lands are under the administrative jurisdiction of the Forest Management Bureau and counterpart DENR Regional Offices.¹ Mineral lands that are within forest lands remain under the jurisdiction of the Forest Management Bureau (FMB), while mineral reservations are under the exclusive jurisdiction of the Mines and Geo-Science Bureau (MGB). The jurisdiction of forest lands may change through proclamations and legislative action. For instance forest lands may be proclaimed protected areas and thus is given to PAWB or declared ancestral domains and thus under the jurisdiction of the National Commission for Indigenous People (NCIP); in the opposite direction, protected areas that are disestablished are reverted back to the FMB or expired lease that are abandoned may be reverted back from the Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR) to DENR. Figure 1, below serve to illustrate these various jurisdictions on public lands and possibilities or reversions of jurisdictions.

At present, approximately 4.2 M hectares or 30% (Total forest lands of 15.2 million hectares) of public forest lands are under various forms of tenure arrangements. Tenure arrangements could be one of 5 major categories that serve different purposes. First, forest lands that are intended to protect public benefits, such as biodiversity, nature wilderness and wildlife, remains under state management or directly under the management of the DENR, more specifically under PAWB. Second, forest lands intended for production purposes such as timber, non-timber forest products, and pasture are allocated for private holdings in order to generate income and revenue. Third, forest lands intended to serve specific purposes such as community watersheds, watershed reserves and production sharing agreements are allocated to local government units (LGUs). Fourth, forest lands intended to meet livelihood and cultural needs are allocated to communities including those for the indigenous communities, whether or not these lands are within protection forests. Finally, forest land reserved for special uses such as watershed, energy development, land grants, and military reservations are allocated to

¹ Mangrove areas under fishpond lease agreement are under the DA-BFAR jurisdiction. In 1997, through the Indigenous Peoples' Rights Act or RA 8371, public lands recognized as ancestral domains, were placed under the administrative jurisdiction of the National Commission of Indigenous Peoples.

management of forest lands as basis for future evaluation, and to prioritize action plan to improve management of forest lands.

A total of 210 tenure holders of various types were included in the assessment. The more common are community-type tenure instruments such as ancestral domains and community-based forest management agreements. Each tenure holder was assessed on 12 evaluation criteria for improved forest lands management. The first six major criteria are forest management planning, resource allocation, property rights arrangements, functioning organization, forest protection and enforcement and compliance to policies. Six other complementary criteria include regular conduct of monitoring and evaluation, formulated and implemented a conflict resolution mechanism, development of livelihood assistance program especially for community-type of tenure, established linkages with support organizations, and participation of women. The results of the assessment would reflect the level of management of public lands (classified into agricultural, forest or timber, mineral lands, and national parks) in the Philippines, which is approximately 15 million hectares, or half of the total land asset of the country.²

This report is divided into four main parts. Part 1 describes the method employed in the conduct of the assessment. Part 2, Results of the Assessment, summarizes results of the assessment conducted in four EcoGov regions. In Part 3, analysis of Results of Tenure Assessment revealed significantly low performance in the minimum requirements for effective forest lands management. Part 4, Conclusion and Recommendations, synthesize the results and analysis, and provide some recommendations for future assessments and action by various actors in forest lands management, for both national and local levels.

² Mangroves which are part of forest lands but are not needed for protection and suitable for fishpond are under the administrative jurisdiction and management by the Bureau of Fisheries and Aquatic Resources of the Department of Agriculture.

METHOD OF ASSESSMENT

The assessment follows a common generic process, slightly modified when these were applied in the four regions. The assessment criteria used was defined during the planning stage of EcoGov2 where the original 10 criteria were meant to define improved management of forest lands. Two complementary criteria were added namely development of forest areas for production purposes and participation of women in tenure management. The steps of the assessment are briefly described below:

DEVELOPMENT OF THE ASSESSMENT INSTRUMENT

The first step in the process is the development of an assessment instrument. EcoGov developed its own assessment instrument – that is, one standardized instrument was used in all four regions. The evaluation criteria listed above were converted into a tenure assessment instrument that can be used by an officer of the local government unit together with officers from partner agencies such as the DENR and/or NCIP. Four levels of performance measures were defined for each criterion. Level 1 is the lowest while Level 4 is the highest performance standard (See Annex A for sample Tenure Assessment Instrument). Under each level of performance measures are sets of questions that guide the interviewer in the process of interviewing to verify the status of a certain evaluation criteria. The number of probing question varies with the criterion. Notes or assessments are written on blank spaces provided under each level of performance. These notes become the basis for summarizing results of interview and to identify gaps of management of forest lands by tenure holders. The instrument was designed so that the interviewer will “walk through” with the respondent-tenure holder by asking specific questions to validate performance. The instrument required that the respondent-tenure holder should show proof of performance using the necessary documents, reports or field evidences. The instrument, designed in matrix form, indicates in the last column these needed documents, reports and field evidences. The average interview time per tenure holder is between 1 and 1½ hours. However, the instrument required field validation so that the actual assessment may span one whole day, depending on the proximity of the tenure area.

CONDUCT OF TRAINING ON TENURE ASSESSMENT

The second step in the process was the training and orientation to conduct the tenure assessment. The assessment takes on the position that those who are accountable should take the lead in the assessment. Thus, officers of the local DENR and local government units conduct the actual field assessment. A team was composed from these offices to participate in the 3-day training including field practicum.

The training is divided into four parts. Part 1 covers lectures, discussions, and orientation on the processes and concepts of FLUP implementation and tenure assessment. Part 2 is a

field practicum on the use of the assessment instrument with tenure/allocation holders. Part 3 focuses on summarizing and analysis of the assessment. Finally, Part 4, is development of tenure-level and LGU-level action plan on improving forests and forest lands management. (See Annex B for detailed schedule of activities of the 3-day training cum practicum).

Part 1, Lectures and Orientation, include the processes of FLUP implementation, concepts of open-access resources, methods of assigning individual property rights, tenure rights, and capability assessments. These were complemented with a demonstration of a process of assigning property rights, and understanding various stages or levels of improved forests and forest lands management. This also included familiarization and practice of the use of the assessment instrument, and guidelines on the conduct of interview or assessment.

Part 2, the Field Practicum, provides an opportunity for participants to actually conduct the assessment with tenure/allocation holders in a nearby local government unit. Trainers provide direct and immediate feedback to participants in complex or unique situations, and guide participants on how to make adjustments without reducing the quality of the assessment. A pair or group of participants is assigned to dialogue with a spokesperson or holder of a particular tenure. The assignment is determined by the number of participants and available representative of the tenure/allocation holder. The length of the interview or discussion varies with the readiness of information and the type of the tenure holder. The number of tenure holder varies in number between two and six only.

Part 3, Summary and Analysis of Completed Assessment of Tenure Holders, guided participants in synthesis of completed assessment, which consists of two levels (1) tenure level analysis of state of forests and forest lands management, and (2) LGU level gap analysis which focuses on priority action agenda for assistance to tenure holders. The result of these analyses provides inputs for proposal for external assistance to LGUs. Annex 3 and 4 provides sample of brief summary and analysis of the assessment.

Part 4, Action Agenda, is an LGU level action planning to deliberate priority proposal for forests and forest lands management, capacity building needs. The output format for this part is discussed during the training.

After the training the teams are divided into sub-teams to conduct the actual face to face or field interview using the tenure assessment instrument.

CONSOLIDATION OF TENURE HOLDERS DOCUMENTS, SCHEDULES FOR COMPLETION AND SETTING OF APPOINTMENT OF THE ASSESSMENT

The third step, which is accomplished prior to the actual field interview, is to complete the list of tenure holders within the jurisdiction of the LGU, determine the completion schedules of assessment and set appointments with tenure holders. The team, composed of representatives from the LGU and partner agencies, meet to set targets and priority

tenure holders to assess, completion time and assign sub-teams to conduct the assessment. In this step, all documents available among partner agencies are consolidated to the database of the local government unit which form the baseline information that will be used in succeeding assessments to be performed annually or biannually. Communications to tenure holders are sent to inform the latter to on the upcoming assessment and the needed documentary evidences of performance.

TENURE HOLDER INTERVIEW AND FIELD VALIDATION

The fourth step is the actual interview with tenure holder using the tenure assessment instrument. A smaller sub-group interviews officers or tenure holder using the tenure assessment instrument. The interviewer translates the tenure assessment instrument into the local vernacular to ensure understanding of the guide questions and sufficiency of the answer, particularly for community-type holders of tenure instrument. The level of performance is validated by proofs such as existing documents and reports in the process of interview. The same tenure assessment team conducts a post-interview on-site visit or field verification of the actual performance of tenure holders.

REVIEW OF RESULTS AND RECOMMENDATIONS FOR TENURE HOLDER

All teams deployed to the tenure holders of a particular LGU consolidate all results of assessment. The whole team reviews results of interviews and field validation, identify gaps of forest lands management and list recommendations for action by tenure holder in order to improve management. The outputs of this process are recommendations to tenure holders, action plan of the local government unit either to provide assistance to tenure holders or make necessary endorsement to DENR or NCIP to take action on the tenure holder or help improve its management. Further, the outcomes are prioritized action plan that will be submitted to the municipal development council, affirmation by the local legislative body and further recommendations to the DENR.

At the end of the interview the teams review and summarize results (Annex C Sample Summary Worksheet of Individual Tenure Assessment). These results are evaluated based on a preferred level of performance of tenure holder. Gaps of current performance are evaluated with that of the preferred in order to determine necessary steps to improve performance.

The expected output of this step are: (1) A list of priority tenure/allocation holders that will need priority actions by the LGU, local DENR in order to improve forest lands management; (2) a list of prioritized activities to improve management by tenure holder; (3) A set of recommendations for actions or decisions by the local DENR, tenure holders, boards, or LGU—ordinance, budget approval, resolution, MOA, contracts; and (4) An action plan—RAA, who will do what, when, how, how much from whom over the next 6-12 months.

VALIDATION WITH TENURE HOLDER AND THE DENR ON THE RESULTS AND RECOMMENDATIONS

The major elements of the report of the tenure assessment are summaries, recommendations to tenure holders, recommendations to LGUs and recommendations to partner agencies such as the DENR and/or NCIP. These reports are presented to the DENR for their review and affirmation. The actions needed by the DENR presented by the assessment team to the Community Environment and Natural Resources Office (CENRO), Provincial Environment and Natural Resources Office (PENRO) and the regional offices. In this step the assessment team discusses recommendations that will support improvement of management by tenure holder. This step is not a ritualistic formality, but is needed to whip up “accountable” parties, the DENR, LGU, and tenure holders, to take action in cases of deficiency in forest lands management.

COMMUNICATING WITH TENURE HOLDERS ON RESULTS OF TENURE ASSESSMENT

After the affirmation by the DENR the results of tenure assessment are individually communicated to the tenure holders with specific recommendations on actions that need to be undertaken by the tenure holder.

RESULTS OF TENURE ASSESSMENT

Of 33 LGUs who conducted assessments of forest lands tenure holders within their respective jurisdiction, eight are in Northern Luzon, 11 in Central Visayas, 12 in Southern Mindanao, and two in Western Mindanao. Twenty-eight of these LGUs are in the initial stages of implementing their FLUPs, while the other five, except for Davao City, are either in the process of preparing or final stages of legitimizing their plans. The assessment covered all types of tenure holders except for smaller units that exist in large numbers in some LGUs such as the Integrated Social Forestry (ISFs) and Certificate of Stewardship Contract (CSCs), with few exceptions for some that have larger land areas. These smaller tenure holdings have unit sizes that vary from one hectare to 10 hectares, mostly within or overlap with other tenure holdings such as the Community-Based Forest Management Agreements (CBFMAs).

DISTRIBUTION AND SIZES OF FOREST LANDS IN TENURE HOLDINGS

This paper presents the aggregate results of tenure assessment; that is, only matrix summaries of LGU reports are included. Table 1 presents summaries of tenure holder assessments by regions, by type category of tenure allocation. The figures in the table represent the number of tenure holders within the category that was covered by the tenure assessment.

Table 1. Number of tenure holders covered by the assessment

EcoGov Region	Community	LGU	Other Agencies	Private	State	Grand Total
Central Visayas	30	2		4		36
Northern Luzon	77	2	2		6	87
Southern Mindanao	41		5	28	4	78
Western Mindanao	8			1		9
Grand Total	156	4	7	33	10	210
Percent of National Total of Existing Tenure Instruments	3% of 5503* within 5.970** M ha (including ISFs and CSCs)			2% of 2541	4% of 400	

* Note 2.5 ha CADCs; 1,636,406 hectares covered with 1,791 CBFMAs; 233 CBFMAs recommended for cancellation; 2,877 POs involved

** Based on statistics of FMB-CBFM Division

The numbers do not reflect all tenure instruments issued within the LGU, some small tenure holdings such as CSCs and ISFs were not included in the assessments. Also, these figures do not cover all forest lands within the LGU, because there are areas that were not covered by tenure instruments or remains to be covered by an instrument, also called “open-access” areas. From a national standpoint, these tenure holdings assessed represent less than 10% of total tenure holdings thus, cannot be considered to represent the performance of ALL types of tenure holders. The reader is reminded at this point that using these results to generalize national trends could lead to erroneous conclusions,

since these tenure holdings do not represent as appropriate sampling of the whole tenure holder population. Likewise, a region to region comparison is not relevant, because the number of local government units and their land sizes are not comparable.

Nonetheless, the common trend in this distribution was the higher number of community-based tenure holdings; these types of holdings include ancestral domains, such as CADCs and CADTs. Common among these tenure holdings is the limited capacity to effectively manage forest lands. State-held tenure holdings are mostly protected areas under the NIPAS that cover large tracts of forest lands and in most cases also encompass smaller tenure holdings. Private held tenure holdings include Industrial Forest Management Agreements (IFMAs), Socialized Industrial Forest Management Agreements (SIFMAs), Forest Land Management Agreements (FLMAs) or Forest Land Grazing Management Agreement (FLGMA), and Pulpwood License Agreements (PLAs). Other forest lands allocation to other government agencies includes those for watershed reservations, energy reservation (e.g., Philippine National Oil Corporation [PNOC]) and land grants to academic institutions. Appendix Table A, show the distribution of tenure holdings by municipal or city level.

On area covered, community-type tenure holdings are evidently larger than other allocation types, mainly due to the large number community-based forest management agreements that were supported by foreign donors during the middle of the 1990s. This was further enlarged with the issuance of the Executive Order 263 declaring community-based forest management as the national key strategy for forest management. The DENR made the issuance of CBFMA as KRA of field offices hence this expansion. Table 2 shows the distribution of land area by allocation type in EcoGov assisted regions. On regional distribution, Northern Luzon has the largest forest land area covered by the assessment. These areas are mostly in the municipality of Nagtipunan in Quirino Province.

A cursory review of the tenure area coverage showed overlaps of areas of tenure boundaries at the LGU level. Within a large tenure such as those in protected areas are such tenure holdings as CBFMAs, CSCs, ISF and similar other smaller tenure holdings. Some areas corresponding to each tenure holding issued by DENR are not exclusive, i.e., some boundaries of tenure holdings issued by DENR overlaps with one or two other tenure issued, hence summing up each area reported would prove larger than actual total area of forest lands under tenure. There are also overlaps of jurisdiction of administering agencies. For instance, some tenure issued by the DENR is within ancestral domain claims administered by the NCIP; a few CBFMA issued have overlaps with other CBFMAs and protected areas such as forest reserves and national parks.

Table 2. Hectares of forest lands covered by the assessment, by region and allocation category.

EcoGov Region	Other					Grand Total
	Community	LGU	Agencies	Private	State	
Central Visayas	14,007	18,386		1,804		34,197
Northern Luzon	249,979	216	202		89,667	340,064
Southern Mindanao	59,703		5,250	19,821	15,682	100,456
Western Mindanao	2,991			937		3,929
Grand Total	326,680	18,602	5,452	22,563	105,349	478,645

Thirty-seven percent of the 478,645 hectares of forest lands in these tenured areas are natural forests. In community-based tenure holdings, natural forest is approximately 50% of forest lands; Northern Luzon LGUs, particularly Quirino, contributes the larger portion. Overall, Northern Luzon had the larger concentration of natural forests. This again, however, does not imply that Northern Luzon has a larger area of natural forests. These areas were from 7 municipalities in Quirino and Nueva Vizcaya, while those in other regions come from smaller municipalities. Likewise the 3% natural forests in state allocations do not imply reduced natural forests in these areas, because areas covered by the assessment were only very few and do not represent most state allocations. Table 3 shows area of natural forests and proportion to total forest lands of each allocation type.

Table 3. Approximation of the total area of natural forests by region and allocation category (includes areas not covered by present tenure assessment)

EcoGov Region	Other					Grand Total
	Community	LGU	Agencies	Private	State	
Central Visayas	1,628	1,006		6		2,641
Northern Luzon	141,879	195	174		2,587	144,835
Southern Mindanao	18,137		315	2,355	7,268	28,075
Western Mindanao	673			-		673
Grand Total	162,317	1,201	489	2,361	9,855	176,223
Proportion of natural forest in each Allocation	50%	6%	9%	10%	9%	37%

During the preparation stage of the tenure assessment, tenure areas were validated against digital maps, and thus revealed overlaps of boundaries of one or two tenure holdings. Efforts to rectify the overlaps are limited by available information on exact boundaries; most errors range from oversight in the delineation during the application and approval stage of the tenure instruments to failure to check other documents and tenure approvals. Delineation of tenure areas was done on paper maps without ground validation or reference to other tenure instruments. Nonetheless, in the hope of completing the database for existing tenure these holdings were geo-referenced for future refinement and reconciliation of boundary overlaps. The mapping of tenure holdings are explained in the next section.

map would not translate as aggregation of the areas recorded in tenure documents. The area summary from the former is much larger than the summary of areas obtained from tenure documents.

The overlaps of tenure boundaries imply that the estimates of total forest lands and areas of natural forests are larger because of some double counting.

ANALYSIS OF THE AGGREGATED TENURE ASSESSMENT RESULTS

The assessment of tenure holdings was done in two stages. The starting stage is the assessment of individual tenure holders in each municipality or city focusing on its level of performance and gaps based on a defined acceptable level of forest lands management—generally level 3 of the range of 1-4. The second stage aggregates all tenure holder assessments at the municipal or city level and identified priority or recommended actions by both LGU and DENR or NCIP to improve management of tenured forest lands.

This report takes off from the results of these two levels of assessments and provides a general perspective to serve as summary analysis of the overall tenure assessment. Brief review of the two stages of assessment provides the background for the current analysis.

FIRST STAGE ANALYSIS

The first stage was the individual tenure holder performance evaluation. In this stage the performance of the tenure holdings, vis-à-vis the 12 criteria, is analyzed qualitatively and quantitatively. The latter type of assessment, though less emphasized, helps to make a rough conclusion on its level of performance, i.e., Level 1, the lowest, means not meeting the minimum requirement for effectively managing forest lands, while Level 4, the highest, means that the tenure holder adequately complied with the minimum requirements for the management and protection of forest lands. The more important is the qualitative assessment, which focuses on identifying gaps for effective management of forest lands. The gaps are listed based on a benchmark, or “Acceptable” level of performance (See Table 4 below). The Gap Identification matrix serves as the working document to identify priority action needed to improved management of the tenure holdings (e.g., “Low Hanging Fruits”, Urgent and Important Activities, Recommended Actions). The common trend observed is that community type tenure holders do not have the adequate capacity to manage forest lands, and mostly dependent on external assistance in order to undertake forestry-related activities. State managed tenure holders are no exception; these types of tenure holdings are mostly beset by limited funds for management and protection of forest lands. Private-sector held tenure holdings have relatively better performance than all other types of tenure holdings. The reason for which was the high stakes by private individuals serve as the underlying incentive to improve management of forest lands. Table 5 provides an example of the results of qualitative and quantitative assessment of a tenure holder. Individual results of tenure assessment at the municipal or city level are not included in this report. Each tenure holder assessment includes this matrix which serves as input to the next stage of the analysis.

Table 4. Sample initial assessment of the CAISA (Cabugao) CBFMA in Aglipay, Quirino

Criteria	Current Level of Assessment	Acceptable Level	Gap Statements	Comments
Primary Areas of Assessment (Criteria 1-6)				
1. Approved resource management plan is current (i.e., the present resource management plan covers 2005)	4	3		
2. There is budget for plan implementation covering overhead costs, protection and enforcement, and investments	2	3	POs are dependent on Foreign Assisted Project	PO should allocate funds from their savings & integrate Brgy. Devt. Funds.
3. Functional management structure of tenure holder	4	4		
4. IPR adoption	1	3		PR Policy adopted but not implemented
5. Year-round conduct of protection and enforcement activities	3	3		Strengthen the community in forest protection
6. Compliance with existing policies and regulations	3	3		
Secondary Areas of Assessment (Criteria 7-10)				
7. Functioning M and E systems	3	4	One man army	Transparency should be practice by the leader

Criteria	Current Level of Assessment	Acceptable Level	Gap Statements	Comments
8. Support to non- forest-based livelihood activities (for community-based tenure/allocation instruments only)	4	3		Maintain sustainability of the livelihood project
9. Working conflict resolution mechanism	3	4	No political will Competition of leadership bet the chairman & the Brgy Captain	Resolved leadership conflict with a mediator
10. External linkages established	4	3		
Other Considerations (Criteria 11-12)				
11. Development of forest production systems by establishing tree farms, tree plantations or orchards, or agro-forestry, or other sustainable uses	4	2		
12. Participation of women and men in all aspects of forest management	4	3		
Overall rating		38		

SECOND STAGE ANALYSIS

The second stage of the analysis is at the local government unit level. This is essentially a synthesis of all tenure level assessment aimed at identifying recommended actions by the local government unit, and actions by the DENR. This analysis relates to the objective of the legitimized FLUP. Each tenure holder is assessed based on their contribution to the overall objectives, mission and vision of the local government unit for its forest lands. Tenure holdings are prioritized based on their significance or level of contribution to the objectives of the FLUP. Table 5 below shows a sample summary of tenure holders in Maddela, Quirino. Various approaches of analysis are undertaken depending on the convenience of the working group involved.

CBFMA generally ranks high among the tenure holdings given priority in terms of technical and capability assistance by the LGU and the DENR. This is due largely to the need for livelihood assistance that will restrain uplands settlers from destructive upland farming practices, and the provision of alternative sources of livelihood. Also, that most CBFM POs lacks the necessary capability to undertake forest management activities outside of their daily livelihood activities. Critical activities requiring LGU action include:

- a. providing assistance in resource management planning by tenure holders,
- b. facilitating the identification and processing of individual property rights,
- c. allocating funds for rehabilitation of bare forest lands,
- d. assistance for livelihood development,
- e. providing avenues for external linkage by tenure holders,
- f. promoting environment for private sector investment, and
- g. provision of support infrastructure for upland settlers.

Complementary actions identified for the DENR are:

- a. designating DENR officers to provide technical assistance and oversight for tenure holders at the municipal level,
- b. training of tenure holders on forest protection and law enforcement,
- c. collaborative work with the LGU on processing and approval of resource management plans,
- d. development of monitoring and evaluation system, conflict resolution mechanism, and issuance of individual property rights, and
- e. technical and technological assistance related to forest lands management.

In areas where non-government organization and private organizations have existing work some recommended actions include:

- a. assistance in private investments,
- b. establishing external linkages particularly on resources generation, and
- c. financial assistance for community-based projects

These recommended actions have their origins from dialogues by members of the assessment team with respondents from various tenure holders, and deliberations to prioritize action plans to improve tenure holder performance.

Table 5. Sample LGU-level consolidated tenure holdings assessment for Maddela, Quirino

Tenure Holder	Tenure Type/ Instrument	CRITERIA												Total Pts	%
		1	2	3	4	5	6	7	8	9	10	11	12		
Preferred Level		3	3	3	4	3	3	4	3	4	3	2	3	38	
Balligui CFDC	CBFMA	1	1	2	1	1	2	2	1	2	2	1	2	18	47.37
Cabua-an CDO	CBFMA	1	1	2	2	2	2	2	2	2	2	2	1	21	55.26
CSC Cofcaville	CSC	1	1	2	1	1	2	2	1	2	1	1	1	16	42.11
CSC Manglad	CSC	1	1	1	1	1	1	1	1	1	1	1	2	13	34.21
ISF Sto Niño	CSC/ISF	1	1	2	2	1	2	1	1	2	1	1	1	16	42.11
MASREDECA	CBFMA	1	2	2	2	2	2	1	3	3	3	2	2	25	65.79
NARDS	CBFMA	2	1	2	2	2	2	2	3	1	1	3	2	23	60.53
SAMFA San Martin	CBFMA	1	2	1	1	2	3	3	1	1	1	1	3	20	52.63
SDFA	CBFMA	2	1	1	1	1	2	1	1	1	1	1	2	15	39.47
Villa Agullana TDO	CBFMA	1	1	2	1	3	3	1	1	2	1	1	3	20	52.63
Villa Gracia SRDC	CBFMA	1	1	1	2	2	2	1	1	1	1	1	2	16	42.11
Average per Criteria		1.18	1.18	1.64	1.45	1.55	2.09	1.55	1.45	1.45	1.36	1.36	1.91	18.18	
% of Tenure holders meeting the Criterion		0	0	0	0	9.09	18.2	0	18.2	0	9.09	27.3	18.2		
% of Tenure holders that did not meet the Criterion		100	100	100	100	90.9	81.8	100	81.8	100	90.9	72.7	81.8		

The analysis is an overall consolidation of all tenure assessment done in the four EcoGov regions; it looks at the overall level of management of forest lands, comparing performance of different types of allocation instruments, i.e., community, state, private, other agencies and local government units. The goal is two-fold: reviewing of the national trend of forest lands management and addressing policy failures and gaps. The first step in the analysis was to get the overall average performance of all tenure holders, i.e., determine the average level of performance based on the average of all the 12 criteria. Table 6 shows a summary of the levels of performance of the 210 tenure holders. Level 1 means that tenure holders have inadequate management of tenure holding, while Level 4 means more or sufficiently meeting the necessary requirements for effective management of forest lands. The figures in each cell of the table represent the number of tenure holdings with that level of performance. For instance, under Level 1, 26 out of 156 community-type holdings assessed have inadequate management of forest lands. If Level 3 is the acceptable level, only 35 meets the acceptable level of performance of forest lands management, and that 121 tenure holdings fail to meet the acceptable levels of forest lands management. Of all the tenure holdings assessed only 27% (Level 3 = 26% plus Level 4=1%) meets the acceptable level of performance while 73% (Level 1=16% plus Level 2=57%) fail to meet the acceptable level of performance.

Table 6. Over performance of tenure holdings by type of allocation (Figures in each cell are number of tenure holders under that level of performance)

Tenure Allocation	Overall Level of Performance				Grand Total
	1	2	3	4	
Community	26	95	34	1	156
LGU	1		3		4
Other Agencies	1	2	3	1	7
Private	3	19	11		33
State	3	3	3	1	10
Grand Total	34	119	54	3	210
Proportion to total	16%	57%	26%	1%	100%

Comparing by type of allocation, the low performers are the community- and state-types of allocations: adding Level 1 and Level 2 gives 78% and 60% (See Table 7, below), respectively, which are below acceptable level of performance. Caution is needed in generalizing on the results because the number of samples is not sufficient to represent all tenure holdings. The general observation on these two types of allocation is limited resources to undertake on-site forest lands management. Most of the community tenure holdings have inactive people's organizations (POs), particularly those that do not have external support to start with, or mostly DENR-assisted Community-Based Forest Management (CBFMs) that did not have external financial assistance. The state-type tenure holdings on the other hand were highly dependent on budget allocation from the national government; in most cases the available funds could not support personnel to undertake on-site activities, a greater portion of the funds are used for overhead requirements. Tenure holdings under the local government, the private sector and other agencies, on the other hand, have relatively higher allocation for forest lands management, with defined organization directly involved in management. A centrally- versus locally- decided funds allocation plays significant role in putting effective

management of forest lands. However, the results of this assessment could not make solid generalizations on these latter tenure holdings since only a few were covered by the assessment; the LGU-type tenure holdings are newly established co-management areas.

Table 7. Proportion of tenure holdings under different level of performance

Tenure Allocation	Overall Level of Performance				Grand Total
	1	2	3	4	
Community	17%	61%	22%	1%	100%
LGU	25%		75%		100%
Other Agencies	14%	29%	43%	14%	100%
Private	9%	58%	33%		100%
State	30%	30%	30%	10%	100%

The general intent of the assessment was to determine where the gaps are in terms of forest lands management so that local government units are guided in prioritizing actions to improve forest lands management in their respective localities. Priority is given to the six primary criteria listed above: the six primary or major criteria are forest management planning, resource allocation, property rights arrangements, functioning organization, forest protection and enforcement and compliance to policies. Table 8 shows a summary assessment of the performance of tenure holdings based only on the six primary criteria.

Table 8. Over performance of tenure holdings by type of allocation for the 6 primary criteria only (Figures in each cell are number of tenure holders under that level of performance)

Tenure Allocation	Overall Level of Performance				Grand Total
	1	2	3	4	
Community	24	94	36	2	156
LGU	1		3		4
Other Agencies		5	1	1	7
Private	3	13	15	2	33
State	3	5	1	1	10
Grand Total	31	117	56	6	210
Proportion to total	15%	56%	27%	3%	100%

The proportion (See Table 9 below) is almost similar to the summary based on the 12 criteria, however, the performance of state-managed and those under other agencies proved different. On the six primary criteria, the performance of tenure holdings under other agencies is skewed towards Level 4 implying better performance. State holdings on the other land exhibited a skew toward the Level 1-2, showing lower performance, as opposed to the almost-even-distribution result using 12 assessment criteria.

Table 9. Proportion of tenure holdings under different level of performance, using 6 primary criteria only

Tenure Allocation	Overall Level of Performance				Grand Total
	1	2	3	4	
Community	15%	60%	23%	1%	100%
LGU	25%		75%		100%
Other Agencies		71%	14%	14%	100%
Private	9%	39%	45%	6%	100%
State	30%	50%	10%	10%	100%

The above performance indicates possible potential trends in management of forest lands: performances of state- and community-managed forest lands are relatively poor.

The results of these analyses bare several issues on tenure holdings management:

- a. Community- and state-type tenure holdings are the low performers in forest lands management, because most of these community-based organizations are dependent on subsidy in order to sustain progress towards improving forest lands management; this has policy implications on resource allocation;
- b. Issuance of tenure to communities without accompanying capacity building and initial subsidy to pump prime forest lands activities will not improve management of forest lands;
- c. Maintaining forest lands under state management, mostly under DENR, which do not have sufficient on-site manpower and financial resources do not guarantee sustainable forest lands management; this has implications on cancellation of tenure instruments and reverting to state control of forest lands;
- d. Field observations showed that community-based tenure holders who are not guaranteed of their stakes in forest lands management have limited incentive to maintain and protect forest lands unless external assistance are provided;
- e. Forest lands management remains largely funded from national government budget (national subsidy), and have limited revenue generation from its current operations; if environment and natural resources management is not a priority program of the current administration forest lands management and protection will not improve;
- f. Most CBFMs covered by the assessment do not have the required resource management plan despite their existence for several years, and many POs have ceased to function thereby practically no forest land management activity occur; this indicates irregular monitoring and evaluation activities undertaken by field offices of the DENR.

The next section provides detailed matrices for each of the 12 criteria and brief analysis of the results.

DETAILED ASSESSMENT OF THE 12 CRITERIA

The structure of the matrix includes the tenure type in the first column, the number of tenure holders on the second column, and columns 3-6 shows percent distribution of the tenure holders in the different performance levels. A note at the bottom of the matrix gives the brief description of the performance levels. Figures in column 2 are totals of tenure holders, and the figures in succeeding columns are percent distribution of the number of tenure holders in that level of performance. The analysis provided can only be limited to general observations specific to EcoGov sites, but with regards to overall tenure holdings performance would be inconclusive, because the number of tenure holdings covered would not qualify for appropriate sampling of all tenure holdings.

Table 10. Resource Management Plans

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	156	56%	22%	10%	12%	100%
LGU	4	25%	25%	0%	50%	100%
Other Agencies	6	67%	0%	0%	33%	100%
Private	33	39%	12%	33%	15%	100%
State	10	60%	10%	20%	10%	100%
Grand Total	209	53%	20%	14%	13%	100%

1 = no resource management plan; 2 = resource management plan being prepared; 3 = draft resource management plan submitted to DENR; 4 = a resource management plan has been approved by DENR

Of the 209 tenure holders of the community-type allocation, 152 or 73% do not have resource management plans, and only 29 or 14% have drafts of resource management plans submitted to DENR. In the assessment, the preferred level of performance should be level 3 or higher. In which case only 27% of the tenure holders assessed, or 56 out of 209 have prepared resource management plans at the time of the assessment. Most of these tenure holders have been existing for more than 3 years. Even state-held and those by other agencies have high proportion of tenure holders with no management plans. These figures indicate limited efforts to develop management plans for effective forest lands management even by government agencies, much less or community-held tenure holders.

The grand total number of tenure holders is only 209 short of the 257 covered by the assessment. Some assessors did not indicate any rating on resource management planning or did not conduct an actual assessment of these existing tenure holders in the local government unit.

Table 11. Budget for Plan Implementation

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	156	56%	36%	7%	1%	100%
LGU	4	25%	0%	75%	0%	100%
Other Agencies	7	29%	43%	14%	14%	100%
Private	33	18%	30%	30%	21%	100%
State	10	50%	40%	0%	10%	100%
Grand Total	210	48%	35%	12%	5%	100%

1 = no budget set for field operations, 2 = No regular internal budget; supplemental budget is made available as resources are available; 3 = Has regular budget (continuing allocation) at least for protection and overhead costs (with or without volunteer labor and other subsidies); 4 = Sufficient budget available for protection, overhead and development costs; budget is self-financed (i.e., internally generated funds)

The preferred level for this criterion is Level 3, in which case 83% of tenure holders do not have regular budget for management of forest lands. In both state and community holdings more or less 10% of tenure holdings have regular budget for forest lands management. In many cases these holdings operate when external funding is provided. On the other hand, private-held tenure has higher performance in terms of providing regular budget for operations. These private tenure holdings include AFLA, FLGLA, FLGMA, IFMA, ITPLA, SIFMA, TFLA, FLA, PLA, MPSA, Mining Lease, and SLUP.

Table 12. Individual Property Rights

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	156	38%	30%	25%	7%	100%
LGU	4	50%	25%	0%	25%	100%
Other Agencies	6	50%	17%	17%	17%	100%
Private	28	46%	7%	43%	4%	100%
State	9	56%	0%	33%	11%	100%
Grand Total	203	40%	25%	27%	7%	100%

1 = No IPR policy; 2 = IPR adopted but not implemented; 3 = IPR adopted and initially implemented; 4 = IPR issued to all claimants

This criterion, based on the assessment instrument, imply that the present tenure holder, have no property rights arrangements with claimants or settlers within the tenure. This type of arrangement is commonly promoted within a community-type tenure holders thus, the proportions indicate that other types of tenure holdings do not give special emphasis to property rights arrangements. The state-type tenure, in particular showed the highest proportion in Level 1, which imply that property rights arrangements within protected areas are not given due attention. State-held tenure includes forest reserves, protected areas and watershed reservations.

Table 13. Functioning Organization

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	156	29%	37%	21%	12%	100%
LGU	4	25%	0%	25%	50%	100%
Other Agencies	6	50%	17%	17%	17%	100%
Private	30	23%	7%	47%	23%	100%
State	9	56%	0%	44%	0%	100%
Grand Total	205	30%	30%	26%	14%	100%

1 = Effectively non-existent (officers and organizational structure exist only in legal documents; no meetings or decisions are being made); 2 = Weak (key officers and members of committees exist but no regular meetings and assemblies; no regular staff); 3 = Moderately active (key officers and members of committees exist; holds meetings and assemblies – minimum that are required in by-laws/incorporation documents; with few staff, paid and/or volunteers); 4 = Functional (there are regular meetings/assemblies, officers active in management of operations, committees are working; with adequate paid and volunteer staff.

The trend for all tenure holders is generally skewed towards Level 1-2 from non-existent to weak organization, with 60% of tenure holders in that level of performance. The only anomaly is private tenure holdings, however, these latter types are normally under individuals or corporations. One point of curiosity is Other Agencies; the assessment covered Forest Reserve, Land Grant, PP, SP, Special Use, Watershed, MOA, and SLUP. Of special interest is that Land Grant does not have a committee or council undertaking management;

Table 14. Enforcement and Protection

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	156	23%	40%	29%	7%	100%
LGU	4	25%	0%	50%	25%	100%
Other Agencies	7	14%	29%	29%	29%	100%
Private	33	9%	12%	64%	15%	100%
State	10	0%	80%	10%	10%	100%
Grand Total	210	20%	37%	34%	10%	100%

1 = No protection activities; 2 = Irregular protection activities (not year-round); 3 = Regular, year-round protection activities with active participation of members, and with collective action; 4 = Regular, year-round protection activities with active support from LGU, multi-sectoral enforcement groups and military/police

An organized team or volunteer group trained to conduct enforcement and financial support to undertake the activity are pre-requisites for a sustained enforcement and protection efforts. The most limiting factor is the financial support, without which enforcement and protection is of lesser priority and limited. This limiting factor is evident from the results shown above. Private and LGU tenure holdings showed significant efforts in enforcement and protection because of available resources while the least performers are state-held tenure and to some extent community and other-agencies tenure holdings. Overall, 57% of tenure holdings are only level 1 and 2 on enforcement activity implying either no protection or irregular protection activities. The bigger bulk of which are community-held tenure.

Table 15. Compliance to DENR Policies

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	156	13%	37%	46%	3%	100%
LGU	4	25%	0%	75%	0%	100%
Other Agencies	7	0%	29%	57%	14%	100%
Private	33	24%	27%	42%	6%	100%
State	8	0%	63%	25%	13%	100%
Grand Total	208	14%	36%	46%	4%	100%

1 = Cancellation of permits or suspension of operations; 2 = with unverified/ unproven/ unwritten reports of violations, including non-compliance with the stipulations of the approved resource management plan; 3 = No reported violations by DENR/LGU/registering agency; 4 = With awards/ recognition/ certification/accreditation for good performance in forest management/business management

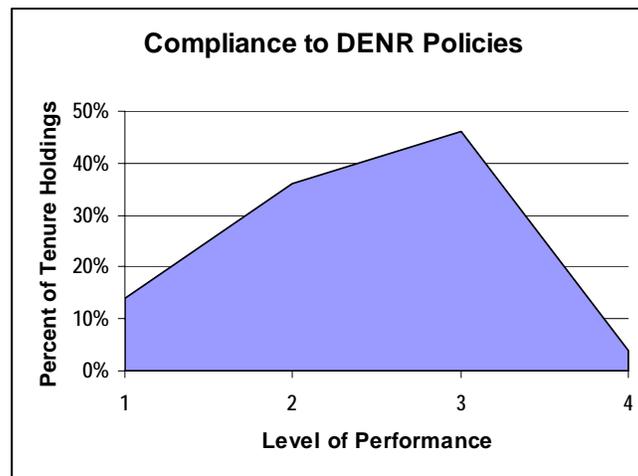


Figure 3. Levels of performance of tenure holders on Compliance to DENR Policies

The above results provide a number of insights, more obvious in all these are: (1) overall compliance ratio is divided equally (14%+36% non-compliance; 46%+4% compliance), indicating that there remains significant areas of non-compliance in tenure holdings; (2) the most number of non-compliance comes from state-held tenure; (3) the graphical representation indicates that level of performance is skewed towards non-compliance, the cumulative percentage suggest higher propensity for non-compliance; however, (4) the percentages presentation obscures the absolute figures which would indicate higher compliance for overall tenure holdings

Table 16. Functioning M & E Sytem

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	156	42%	36%	15%	7%	100%
LGU	4	25%	0%	25%	50%	100%
Other Agencies	6	33%	0%	33%	33%	100%
Private	31	23%	32%	19%	26%	100%
State	10	40%	30%	20%	10%	100%
Grand Total	207	38%	33%	17%	12%	100%

1= No M and E system established; no M and E activities; 2 = M and E arrangements are ad hoc; 3 = M and E system formally established (M and E person/unit designated, performance indicators defined, reporting system defined) but not used or functional; 4 = M and E system formally established and working (i.e., currently in use) as designed

The figures above indicate that monitoring activity proves to be the least emphasis among tenure holdings, with either none or ad hoc M&E system. The high figure of performance by LGU-holdings does not provide sufficient evidence to conclude overall performance because only four tenure holdings were included in the assessment. The results simply indicate that many tenure holders, 71% of total, need to develop their own regular M&E system as part of their task to improve management of forest lands. In which case, tenure holders need to be convinced of the importance of an M&E system for improving forest lands managements.

Table 17. Support for community-based livelihood

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	155	56%	18%	25%	1%	100%
LGU	4	50%	0%	50%	0%	100%
Other Agencies	4	50%	25%	0%	25%	100%
Private	17	53%	12%	24%	12%	100%
State	4	75%	0%	0%	25%	100%
Grand Total	184	56%	17%	24%	3%	100%

1 = No livelihood support provided by PO to members; 2 = With livelihood support but forest-based; 3 = With small-scale non-forest based livelihood activities; 4 = PO income largely dependent on non-forest-based livelihood (i.e., small-scale activities, eco-tourism, agroforestry and forest tree plantations)

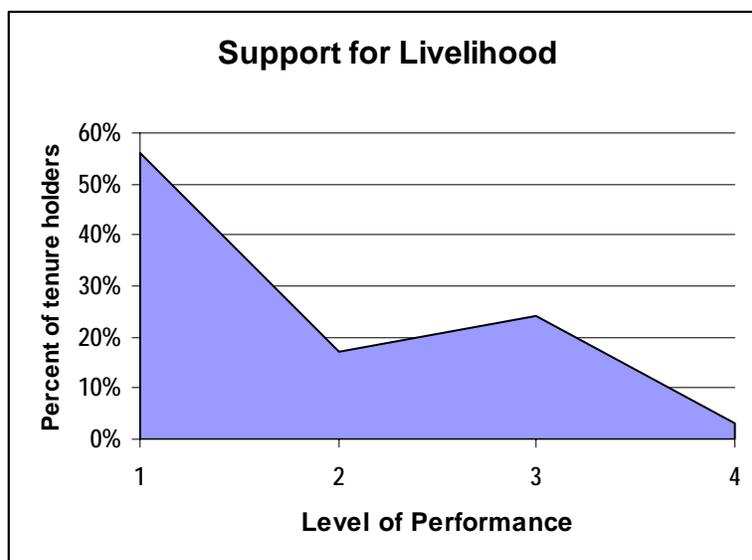


Figure 4. Level of performance of tenure holders on Support to Livelihood

More than 50% of tenure holders do not provide livelihood support for settlers within tenure. The highest level of performance emphasizes gradual dependence on non-forest-based livelihood activities. Only 3% of tenure holders could provide indications of providing non-forest-based livelihood. The preferred level of performance, Level 3, is at least small-scale non-forest-based livelihood activity is working, and only 24% of tenure holders meet the criterion. However, this criteria was designed to apply only to community-based tenure holders, thus the results of assessment provided for other types of tenure holdings could not be included in the evaluation. Nonetheless, the overall performance of all tenure holders mirrors that of the community-type tenure holdings.

Table 18. Working conflict resolution mechanism

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	156	35%	42%	12%	12%	100%
LGU	4	50%	0%	50%	0%	100%
Other Agencies	6	17%	17%	0%	67%	100%
Private	30	20%	43%	17%	20%	100%
State	10	40%	10%	20%	30%	100%
Grand Total	206	33%	39%	14%	15%	100%

1 = No formal mechanism for conflict resolution; conflicts not being addressed; 2 = Uses informal mechanism for conflict resolution; 3 = Formal mechanism established but not in use; 4 = Mechanism formally established and regularly used

The trend of this assessment criterion is almost similar to that on functioning organization. This is so because of the link between these two criteria: if there is no functioning organization, then the conflict resolution mechanism would follow suit. In this criterion, almost 2/3 of tenure holders do not have a working conflict resolution mechanism that is formalized. For the community-type tenure holders, most of the conflict resolution happens either through the local barangay council or through the traditional cultural norms and practices. The high proportion for the community-type

tenure holdings indicates these kinds of mechanisms. The low level of performance of the private-sector held tenure holdings can be explained by the fact that most of these tenure holdings are either individually held or corporate and have minimal dealings with communities or people’s organizations hence, conflict resolution mechanisms were deemed unnecessary.

Table 19. Established external linkages

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	156	26%	36%	32%	6%	100%
LGU	4	25%	0%	50%	25%	100%
Other Agencies	6	0%	0%	50%	50%	100%
Private	32	41%	28%	31%	0%	100%
State	9	22%	22%	44%	11%	100%
Grand Total	207	27%	32%	33%	7%	100%

1 = Linkage with DENR only; 2 = Linkage with DENR plus informal linkages with LGU and other resource institutions (NGOs, training institutions, etc); 3 = Formal linkages established with DENR, LGU and other resource institutions for technical assistance and small grants; 4 = Formal linkages established with DENR, LGU, other resource institutions and markets/buyers, processors and investors.

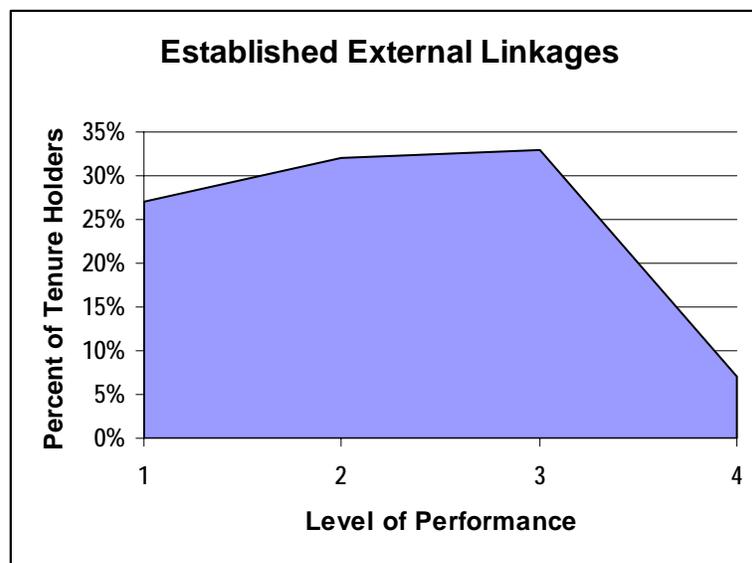


Figure 5. Level of performance of tenure holders on Establishing External Linkages

The trend for this criterion on external linkages indicates that tenure-holders linkages are heavy on technical assistance and grants rather than market linkages, and dependency on external support for the management of tenure holdings. This is further indication of limited livelihood or enterprise development within tenure holders, and surprisingly even private tenure holders showed limited market linkages: only 7% have market linkages. Forest operations, in this case, are traditionally viewed as cost centers, rather than revenue centers; more so with the flippant policy of DENR on harvesting rights within tenure holdings. Incentives for market linkages are limited given the high risk for forest production ventures under the present policy environment.

Table 20. Development of forest production systems

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	156	30%	38%	27%	4%	100%
LGU	4	50%	0%	50%	0%	100%
Other Agencies	6	33%	33%	17%	17%	100%
Private	30	47%	27%	7%	20%	100%
State	7	43%	29%	29%	0%	100%
Grand Total	203	33%	35%	24%	7%	100%

1 = Production forest lands (excluding second growth forests) within tenured area have been identified, but no forest production activities; 2 = Limited/small scale development of forest production areas, mostly initiated by external donors, or mainly by individual occupants or IPR holders; 3 = Significant areas of identified forest production areas have been developed and maintained/ protected by individual occupants or IPR holders and collectively by the tenure holder; 4 = Significant areas of forest production areas have been developed, protected and maintained through private sector investments (e.g., joint venture, etc)

In similar manner, development of forest areas for production purposes suffers low performance linked directly with inactive organization, limited incentives for forest production, limited internal resources and market linkages. All these factors contribute to low incentive for forest production activities; 33% of tenure holders do not have any development activity on the ground while 35% have limited or small scale forest development activities. Forest development activities within community-type tenure holding were mostly external fund driven rather than locally supported. The high performance on forest production activities through private sector investment is indicated by the private-held tenure, with 20% of tenure holders having forest development activities through private sector investment.

Table 21. Participation of women in forest management

Tenure Allocation	Grand Total	1	2	3	4	Total
Community	156	25%	38%	28%	8%	100%
LGU	4	25%	25%	50%	0%	100%
Other Agencies	6	33%	17%	33%	17%	100%
Private	30	40%	33%	7%	20%	100%
State	9	44%	22%	11%	22%	100%
Grand Total	205	28%	36%	25%	11%	100%

1 = Women have no active participation in forest management; 2 = Most women who are involved are performing staff/ administrative support roles (e.g., clerical/ secretarial, custodial); 3 = There are women who are active in implementation/field activities; 4 = There are women who are involved in mgt decision-making

Women participation in decision-making are evident in private- state and other agency-held tenure, the reason for which that either these are government employees or corporate managers or individual proprietors, but not the case for the community; majority of women roles are either performing support functions and other traditional roles.

IMPLICATIONS OF THE RESULTS OF TENURE ASSESSMENT

The aggregate analysis revealed several implications on policy, tenure management and implementation of FLUPs, or issuances of tenure to various sectors.

ON TENURE MANAGEMENT THE FOLLOWING ARE IMPORTANT RESULTS FROM THE ANALYSIS

1. The larger bulk of assistance needed to improve tenure-holdings management will be to community-type tenure holders, with emphasis on resource management planning, resource generation to finance production, maintenance and protection activities, livelihood or income generation mechanisms that are less dependent on forest resources;
2. Despite the better performance of LGU-tenure holdings, the results of assessment for LGU-held tenure would not suffice to make conclusion of all LGU-held tenure, because only 4 tenure holders were covered by the assessment. LGU-held tenure in forest lands is still not prevalent despite devolution and the JMC 2003-01 hence, the number of tenure covered is also limited;
3. A state-held tenure does not guarantee effective management of forest lands, unless field offices have adequate logistics and funding to undertake operations in forest lands. Given that such are not forthcoming the more viable tenure/arrangement would be a joint management or co-management of forest lands in order to pool resources of both DENR and LGU along with participation of non-government entities; DENR can then shift from direct control of forest lands towards significant devolution of functions to local government units;
4. Private held tenure has higher probability of providing funding, establish a functioning organization and undertake enforcement and protection, but would not have significant emphasis on providing individual property rights, support for community livelihood. In this assessment the anomaly of the data is the low performance in the development of forest land areas by private tenure holders. During the tenure assessment many of the private tenure holders voice out their issue of cancellation of harvesting rights or permits. Given the risk factor involved, private tenure holders would hold off on forest plantation developed in their tenure areas, and potentially speculate on land ownership;
5. Allocations to other agencies have fair performance in external linkages, compliance to DENR policies, conflict resolution mechanism and enforcement and protection better than state-held tenure/allocation.
6. The general observation from this assessment is that allocation to other agencies, private, and potentially LGUs showed better performance than state-held and community-held tenure. Improving the performance of community-held and state-held tenure lies in resource allocation and internal resource generation in order to sustain programmed activities.
7. Community-held tenure will require more attention for the following reasons (a) they cover more areas, (b) building their internal capability for forest lands

management needs external assistance, (c) part of the community livelihood is dependent on the forest, and (d) communities are dependent on the government for many technical aspects of forest lands management, but the latter do not have sufficient resources to provide this assistance.

ON ISSUANCE OF TENURE

1. The overlaps of tenure holdings even within protected areas reveal hasty and sloppy mapping and evaluation of the tenure issuance by the issuing local DENR office; it further reveals no referral and poor record keeping at the local office
2. The significant number of CBFMAs that exhibited poor performance is partly a responsibility of the DENR local offices, the tenure-issuing office; the latter did not provide effective assistance in starting up a local organization, formulation of the resource management plan, and ensuring that the organization will continue to function and undertake development activities; the results are start up activities that could not be sustained in the long-run.
3. Most issuance of community tenure was not a demand-driven activity but rather mostly agency-initiated and driven by agency targets and key result areas (KRAs);
4. The small number of private tenure holdings suggest scant interest by small to large private organizations to enter into a lease agreement in forest lands; these developments needs thorough review of regulatory policies and incentives for private investments in forest lands management;
5. Second to the least performers of all tenure holders are state-managed forest lands that cover large areas but with insignificant on-site protection activities;

ON TENURE POLICY OF THE STATE

1. A frequently voiced concern by those issued tenure is the security of their investment or sustained assistance by local DENR offices particularly for community-held tenure; recurrent policy changes or cancellations creates a wedge on the goals of the tenure holder hence, promote inaction on forest lands management
2. Existing incentives embodied in the tenure policy of the state do not provide sufficient incentives for effective forest lands management
3. Establishing protected areas with no budget commitment is counterproductive in forest lands management; it only creates virtual open access areas, constantly subjected to illegal activities that in some cases condoned by local leaders
4. The state needs to review the tenure issuance policy that will provide effective on-site management of forest lands

CONCLUSION AND RECOMMENDATIONS

Significant areas of forest lands are under various forms of tenure arrangements ranging from 1 hectare to thousands of hectares, and from individual, community to corporate type of tenure holders. Results of the tenure assessment revealed relatively poor management of forest lands by a significant number of tenure holders. The least managed forest lands are those allocated to communities and the state, specifically protected areas. The two critical factors that contribute to poor performance are inadequacy of technical assistance particularly for community-held tenure and insufficiency of resource allocation for such purposes. These factors exhibited significant correlation with frequency of operations, conduct of regular monitoring and forest protection activities, support for livelihood and forest development activities.

The poor technical assistance to tenure holders is an indication of an ill-equipped technical manpower complement of the agency. This further reveals the weakness of the present structure of the agency which was focused on regulation and remote approach to supervision. Despite the changes over several decades, the structure of the agency has not responded adequately to the changing landscape of forest lands management. The many changes in leadership of the DENR did not resolve these prevailing concerns, even with successive and continuing external technical and financial assistance. No amount of reorganization will resolve these concerns.

The insufficient allocation of resources also indicates the present inclination of the political leadership away from forest land concerns. The present trend in population growth and constant budget deficits will promote invasion of forest lands for upland agriculture and mineral exploration both to generate revenue and provision of lands for cultivation by the poverty-stricken upland population. The present leaderships should take serious look at its priorities and the multiple services of forest lands that may not be sustained in the future given the onslaught from the agriculture and the mineral sector.

REFERENCE MATERIALS

Attachments

- Number of tenure holders
- Area Coverages
- Tenure Assessment Instrument
- Sample Outputs
- Sample Tenure Assessment Report
- List of Training Materials
- List of Trainings, number of participants by agency, gender and region
- Consolidate tenure assessment

Draft for review

Annexes

ANNEX A.

TENURE/ALLOCATION HOLDER ASSESSMENT

Guide Questions and Answer Form

Municipality/City: _____
 Tenure Holder: _____
 Type of Tenure: _____
 Date Issued: _____
 Area: _____

Interviewer: _____
 Respondent: _____
 Date of Interview: _____

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
Primary Areas of Assessment (Criteria 1-6)					
1. Approved resource management plan is current (i.e., the present resource management plan covers 2005). Note: In 2004 the DENR required CBFMA to develop or update 5-year development plan	No resource management plan has been prepared or the available management plan does not cover the current year. <ul style="list-style-type: none"> What is the reason for not preparing a management plan? If the tenure holder had a resource management plan previously approved by DENR, indicate the plan period 	Plan preparation or plan updating is ongoing <ul style="list-style-type: none"> What is the status of plan preparation? Who is assisting the tenure holder prepare the plan? Have the maps been updated? When is the expected completion date of the plan? 	Draft plan (new or updated) has been completed; ready for submission to DENR/NCIP <ul style="list-style-type: none"> Who assisted the tenure holder prepare the plan? Have the maps been updated? Does content of the draft plan meet the requirements of DENR/NCIP? When is the 	Approved Resource Management Plan (new or updated) <ul style="list-style-type: none"> Who assisted the tenure holder prepare the plan? When was it approved? When is the end year of the plan? Is there a need to update the plan? If plan is due for updating or expires in 2006 and/ or is 	Draft or approved resource management plans. DENR/NCIP approval of the plan

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
	<i>(example: 1989-1993).</i>		<i>approval expected?</i>	<i>due for updating, is there need to review it now for updating?</i> <ul style="list-style-type: none"> • <i>Are maps still accurate?</i> 	
Answers and Additional Comments					
Rating:					
2. There is budget for plan implementation covering overhead costs, forest protection and maintenance, and investments/development cost. (Define overhead costs. Includes operating and maintenance costs?)	No budget set as tenure holder has any financial resources to initiate and maintain field operations. <ul style="list-style-type: none"> • <i>What is financial status of organization?</i> • <i>What are its current sources of funds?</i> 	No regular budget; supplemental budget is provided as funds become available. Forest protection and maintenance, overhead and development costs are subsidized through volunteer work and occasional subsidies/grants from external organizations <ul style="list-style-type: none"> • <i>What is the financial status of organization?</i> • <i>How much was its budget in the last</i> 	Has regular budget (continuing allocation) at least for forest protection and maintenance, and overhead costs. Volunteer labor and other subsidies may supplement the regular budget. <ul style="list-style-type: none"> • <i>What is financial status of organization?</i> • <i>How much was the budget in the last three years?</i> • <i>How much of the</i> 	Sufficient budget available for forest protection and maintenance, overhead and development costs; budget is self-financed (i.e., internally generated funds) <ul style="list-style-type: none"> • <i>What is financial status of organization?</i> • <i>How much was the budget in the last three years?</i> • <i>What are sources of its budget?</i> 	Approved annual budgets for operations; financial statements

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
		<i>three years?</i> <ul style="list-style-type: none"> How much of the budget was internally generated (income from operations/contracts, capital build-up)? How much of the budget came from subsidies/ grants and other sources of income? 	<i>budget was internally generated?</i> <ul style="list-style-type: none"> (from income from operations/contracts , capital build-up)? How much of the budget came from subsidies/ grants and other sources of income? 	<ul style="list-style-type: none"> Are these sustainable sources of budget? 	
Answers and Additional Comments					
Rating:					
3. Functional management structure of tenure holder	Effectively non-existent (officers and organizational structure are not known or exist only in legal documents; no meetings or decisions are being	Weak (elected or appointed key officers and members of committees/board exist according to approved/ established management structure but manage-	Moderately active (elected or appointed key officers and members of committees exist according to approved/ established	Functional (there are regular meetings/ assemblies, officers are active in forest management and livelihood operations, committees are	Current organization structure, functions and names of current set of officers and committee members; Staffing list; Agreed protocols;

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
	made). Includes individually or family-managed (unregistered) operations.	<p>ment meetings/ assemblies are not regular; no regular staff.) Includes cases where decisions on operations are made far from the site of operations (e.g., Manila) or do not involve local managers.</p> <ul style="list-style-type: none"> • <i>Is the existing structure the same as the formal structure in legal documents (registration documents; by-laws)?</i> • <i>Is the structure and key officers known to members/ staff?</i> • <i>How often are management meeting/assemblies held?</i> • <i>Do they meet the requirements in their by-laws?</i> • <i>What types of decisions are made in these meetings?</i> • <i>Are these decisions translated into written</i> 	<p>management structure; holds meetings and assemblies – meets the minimum that are required in by-laws/ company policies and protocols; major decisions are at least translated into written policies; with few staff, paid and/or volunteers)</p> <ul style="list-style-type: none"> • <i>Is the existing structure same as the formal structure in legal documents (registration documents; by-laws)?</i> • <i>Is the structure and key officers known to members/ staff?</i> • <i>How often are management meetings held?</i> • <i>Do they meet the requirements in their by-laws?</i> • <i>What types of decisions are made</i> 	<p>working; decisions are translated into written policies and are implemented; with adequate and paid volunteer staff.</p> <ul style="list-style-type: none"> • <i>Is the existing structure same as the formal structure in legal documents (registration documents; by-laws)?</i> • <i>Is the structure and key officers known to members/ staff?</i> • <i>How often are management meetings held?</i> • <i>Do they meet the requirements in their by-laws?</i> • <i>What types of decisions are made in these meetings?</i> • <i>Are these decisions translated into written policies?</i> • <i>Are they implemented?</i> 	Resolutions/minutes of meetings

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
		<p><i>policies?</i></p> <ul style="list-style-type: none"> • Are there decisions that are made at higher levels? • How big is staff support? • Are their services voluntary or paid? • For POs, are officers/committee members elected/selected according to their by-laws? • If no regular elections are held, why? 	<p><i>in these meetings?</i></p> <ul style="list-style-type: none"> • Are these decisions translated into written policies? • Are they implemented? • Are there decisions that are made at higher levels? • How big is staff support? • Are their services voluntary or paid? • For POs, are officers/committee members elected/selected according to their by-laws? • If no regular elections are held, why? 	<ul style="list-style-type: none"> • Are there decisions that are made at higher levels? • How big is staff support? • Are their services voluntary or paid? • For POs, are officers/committee members elected/selected according to their by-laws? • If no regular elections are held, why? 	
Answers and Additional Comments					
Rating:					

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
<p>4. Property rights policy or arrangement</p> <p>It should be clear that the presence of CSCs in the area does not automatically mean PROPERTY RIGHTS adoption especially if CSCs were issued before the grant of tenure to current holder. The tenure holder still needs to have a formal policy/resolution adopting PROPERTY RIGHTS within tenured areas.</p>	<p>No Property Rights policy</p> <ul style="list-style-type: none"> • <i>Are there settler-claimants within the tenured area (including CSC holders)?</i> • <i>Does the tenure holder have a policy (found in a resolution or at least in its management plan) recognizing the claims of these settlers or the grant of use rights to qualified interested parties?</i> • <i>Is the tenure holder aware of or understands the concept of "property rights?"</i> 	<p>Property Rights policy adopted but not implemented</p> <ul style="list-style-type: none"> • <i>Are there settler-claimants within the tenured area (including CSC holders)?</i> • <i>Does the tenure holder have a clear policy (found in a resolution or at least in its management plan) recognizing the claims of these settlers or the grant of use rights to qualified interested parties?</i> • <i>Is the tenure holder aware of or understands the concept of "individual property rights?"</i> • <i>If PROPERTY RIGHTS policy has been formally adopted, why is it not being implemented?</i> 	<p>Property Rights policy adopted and initially implemented</p> <ul style="list-style-type: none"> • <i>Are there settler-claimants within the tenured area (including CSC holders)?</i> • <i>Does the tenure holder have a clear policy (found in a resolution or at least in its management plan) recognizing the claims of these settlers or the grant of use rights to qualified interested parties?</i> • <i>Is the tenure holder aware of or understands the concept of "individual property rights?"</i> • <i>What are evidences of initial implementation activities (mapping of claims, survey of</i> 	<p>PROPERTY RIGHTS issued to all claimants</p> <ul style="list-style-type: none"> • <i>Are there settler-claimants within the tenured area (including CSC holders)?</i> • <i>Does the tenure holder have a clear policy (found in a resolution or at least in its management plan) recognizing the claims of these settlers or the grant of use rights to qualified interested parties?</i> • <i>Is the tenure holder aware of or understands the concept of "individual property rights?"</i> • <i>How many of the claimants have been issued PROPERTY RIGHTS?</i> • <i>What kind of</i> 	<p>PROPERTY RIGHTS policy statement in management plan PROPERTY RIGHTS policy (e.g., resolution, memo) List of claimants and/or community map showing claims PROPERTY RIGHTS instrument (e.g., CSC, MOA between tenure holder and claimant)</p>

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
			<i>claimants, etc) ?</i> <ul style="list-style-type: none"> • Has any <i>PROPERTY RIGHTS</i> instrument been issued? • What kind? 	<i>PROPERTY RIGHTS</i> instrument is being issued?	
Answers and Additional Comments					
Rating:					
5. Year-round conduct of protection and enforcement activities	No protection activities <i>Why are there no protection activities? What is incidence of forest fires, illegal cutting and poaching, or illegal entry in the last five years?</i>	Irregular protection activities (not year-round) <ul style="list-style-type: none"> • <i>Why are there no regular/year-round protection activities?</i> • <i>Who does protection and enforcement?</i> • <i>Are there trained forest guards?</i> • <i>Are they deputized?</i> • <i>Do they maintain regular records of protection activities?</i> 	Regular, year-round protection activities organized mainly by tenure holder. In community-based areas, protection is undertaken with active participation of members, individually and collectively <ul style="list-style-type: none"> • <i>Who does protection?</i> • <i>Are there trained forest guards?</i> 	Regular, year-round protection activities by tenure holder with active support from LGU, DENR, multi-sectoral enforcement groups and military/police <ul style="list-style-type: none"> • <i>Does the tenure holder have trained and deputized forest guards?</i> • <i>Do they maintain regular records of</i> 	Appointment and deputation of forest guards; Patrol logbooks/reports of patrolling, violations, confiscations; Approved budget for protection activities; Agreements between tenure holder and LGU, DENR and other sectors on joint enforcement; Issues map showing hotspots

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
		<ul style="list-style-type: none"> • Do they report violations? • How are these reported? • What are the incentives to members/staff involved in protection? • How are protection activities being financed? • What is incidence of forest fires, illegal cutting and poaching, or illegal entry in tenured area in the last five years? • Have there been any recent apprehensions/confiscations done by forest protection team? 	<ul style="list-style-type: none"> • Deputized? • Do they maintain regular records of protection activities? • Do they report violations? • How are these reported? • What are the incentives to members/staff involved in protection? • How are protection activities being financed? • What is incidence of forest fires, illegal cutting and poaching, or illegal entry in the tenured area in the last five years? • Have there been any recent apprehensions/confiscations done by forest protection team? 	<ul style="list-style-type: none"> • protection activities? • Do they report violations? • How are these reported? • What are the incentives to members/staff involved in protection? • How are protection activities being financed? • What kind of support is provided by LGU, DENR, other sectors? • Is the collaboration between tenure holder and LGU, DENR, other sectors formalized through an agreement? • What is incidence of forest fires, illegal cutting and poaching, or illegal entry in the tenured area in the last five years? 	

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
				<ul style="list-style-type: none"> Have there been any recent apprehensions/confiscations done by forest? 	
Answers and Additional Comments					
Rating:					
6. Compliance with existing policies and regulations	Cancellation of permits or suspension of operations imposed by DENR, LGU and registering agency due to verified violations of forestry laws and other policies relevant to their registration and operation	With unverified/unproven/ unwritten reports of violations, including non-compliance with the stipulations of the approved resource management plan <ul style="list-style-type: none"> What are the alleged violations? 	No reported violations by DENR/LGU/ registering agency <ul style="list-style-type: none"> Are the requirements of the resource management being complied with? 	With awards/ recognition/ certification/accreditati on for good performance in forest management/business management	Cancellation/suspension orders; Awards/recognition from DENR, other institutions Note: Review the resource management plan to verify compliance

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
	<ul style="list-style-type: none"> • <i>When did the cancellation/suspension happen?</i> • <i>What was reason for cancellation/suspension?</i> 	<ul style="list-style-type: none"> • <i>What actions are currently being undertaken to verify/validate/formalize the complaints?</i> 			
Answers and Additional Comments					
Rating:					
Secondary Areas of Assessment (Criteria 7-10)					
7. Functioning M and E systems	<p>No M and E system established; no M and E activities</p> <p><i>Is the tenure holder submitting reports to DENR?</i></p>	<p>No M and E system formally established; M and E arrangements are <i>ad hoc</i> (i.e., no person officially assigned to do M and E; M and E activity is undertaken only when required and focused on very specific operations only such as nursery operations, refo)</p> <ul style="list-style-type: none"> • <i>Who does M and E?</i> • <i>What types of activities are they monitoring?</i> • <i>How frequent is the</i> 	<p>M and E system formally established (M and E person/unit designated, performance indicators defined, reporting system defined) but not used or functional. M and E using <i>ad hoc</i> arrangements.</p> <ul style="list-style-type: none"> • <i>How was the M and E system formally established (through resolution/memo, provided for in management plan)?</i> 	<p>M and E system formally established and working (i.e., currently in use) as designed</p> <ul style="list-style-type: none"> • <i>How was formal system established (through resolution/memo, provided for in management plan)?</i> • <i>Who does M and E?</i> • <i>What activities are they monitoring?</i> • <i>What information are being</i> 	<p>Description of M and E system (in management plan or resolution/memo); Designation/appointment of M and E staff; Examples of regular reports on operations to management, DENR, others; Updated operations maps</p>

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
		<i>monitoring done?</i> <ul style="list-style-type: none"> • <i>What information are being generated?</i> • <i>Is the information regularly reported to the officers/decision makers?</i> • <i>Is the tenure holder submitting the required reports to DENR?</i> 	<ul style="list-style-type: none"> • <i>Why is the formal system not working or used?</i> • <i>Who does M and E?</i> • <i>What activities are they monitoring?</i> • <i>What information are being generated?</i> • <i>Is the information regularly reported to the officers/decision makers?</i> • <i>Is the tenure holder submitting the required reports to DENR?</i> 	<i>generated?</i> <ul style="list-style-type: none"> • <i>Is the information regularly reported to the officers/decision makers?</i> • <i>Is the tenure holder submitting the required reports to DENR?</i> 	
Answers and Additional Comments					
Rating:					

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
<p>8. Support to non- forest-based livelihood activities (for community-based tenure/ allocation instruments only) - Note activities must be initiated by the group not by individual efforts</p>	<p>No livelihood support provided by PO to members(i.e., members are largely dependent for livelihood on individual farming, harvesting of minor forest products and timber poaching)</p> <p><i>What are other potential livelihood opportunities?</i> <i>What livelihood support can tenure holder provide?</i> <i>What are constraints of tenure holder?</i></p>	<p>With livelihood support but forest-based (i.e., involves extraction from natural forests such as harvesting and/processing of timber/non-timber forest products from second-growth forests, etc)</p> <ul style="list-style-type: none"> • <i>What forest-based livelihood activities are being supported by tenure holder?</i> • <i>How many members are employed/ benefited?</i> • <i>How much does the PO earn from these activities annually?</i> • <i>Is the operation sustainable?</i> • <i>Is it viable?</i> • <i>What are potential non-forest based livelihood opportunities in area?</i> • <i>What other livelihood support can tenure holder provide?</i> • <i>What constrains the</i> 	<p>With small-scale non-forest based livelihood activities (e.g., credit scheme, handicraft, general store, food processing, agroforestry, etc), with or without forest-based livelihood activities</p> <ul style="list-style-type: none"> • <i>What non-forest-based and forest-based livelihood activities are being supported by tenure holder?</i> • <i>How much does the PO earn from these activities annually?</i> • <i>What measures are being taken to sustain the non-forest-based livelihood activities?</i> • <i>How many members are benefited from non-forest based activities and how are they benefiting from it?</i> 	<p>PO income largely dependent on non-forest-based livelihood (i.e., small-scale activities, eco-tourism, agroforestry and forest tree plantations)</p> <ul style="list-style-type: none"> • <i>What non-forest-based livelihood activities are being supported by tenure holder?</i> • <i>What measures are being taken to sustain these livelihood activities?</i> • <i>How many members are benefited and how are they benefiting from it?</i> • <i>What percent of PO incomes comes from this activity?</i> • <i>Are there other potential non-forest based livelihood opportunities in area?</i> 	<p>Financial reports of livelihood operations (forest-based and non-forest-based); Payroll (to determine employment of members); Feasibility studies</p>

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
		<i>tenure holder from going into non-forest-based livelihood?</i>	<ul style="list-style-type: none"> • <i>Are there other potential non-forest based livelihood opportunities in area?</i> 		
Answers and Additional Comments					
Rating:					
9. Working conflict resolution mechanism	No formal mechanism for conflict resolution; conflicts not being addressed	Uses informal mechanism for conflict resolution <ul style="list-style-type: none"> • <i>How are internal conflicts resolved?</i> • <i>Ask for an example of a conflict resolved through this process. Who are involved in the process?</i> • <i>Are member/staff aware of and follow the informal system?</i> • <i>Is it considered effective?</i> 	Formal mechanism established but not in use <ul style="list-style-type: none"> • <i>How was the formal mechanism established (e.g., written policy or memo; flowchart developed)?</i> • <i>Why is formal mechanism not in use?</i> • <i>How are internal conflicts then resolved?</i> • <i>Ask for an example</i> 	Mechanism formally established and regularly used <ul style="list-style-type: none"> • <i>How was the formal mechanism established (e.g., written policy or memo; flowchart developed)?</i> • <i>How are internal conflicts resolved through this system?</i> • <i>What types of conflicts are resolved through</i> 	Policy on conflict resolution; Evidences of conflicts resolved through existing system (formal or informal)

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
			<i>of a conflict resolved through this process. Who are involved in the process?</i> <ul style="list-style-type: none"> • Are member/staff aware of and follow the informal system? • Is it considered more effective? 	<i>this process?</i> <ul style="list-style-type: none"> • Who are involved in this process? • Are member/staff aware of and follow the formal system? • Is it considered effective? 	
Answers and Additional Comments					
Rating:					

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
10. External linkages established	<p>Linkage with DENR only</p> <p><i>What services are being provided to the tenure holder by DENR?</i></p> <p><i>What services does the tenure holder expect from DENR?</i></p>	<p>Linkage with DENR plus informal linkages with LGU and other resource institutions (NGOs, training institutions, etc)</p> <ul style="list-style-type: none"> • <i>What services are being provided to the tenure holder by DENR?</i> • <i>What services does the tenure holder expect from DENR?</i> • <i>What support does the LGU provide the tenure holder?</i> • <i>Are there other institutions which have supported the tenure holder in the last five years?</i> • <i>What services have they provided?</i> • <i>Are these services still being provided?</i> • <i>Why are arrangements not formalized?</i> • <i>What other services would the tenure holder want to</i> 	<p>Formal linkages established with DENR, LGU and other resource institutions for technical assistance and small grants</p> <ul style="list-style-type: none"> • <i>What services are being provided by/expected from DENR and LGU?</i> • <i>What type of support do other institutions provide?</i> • <i>How was the tenure holder able to access these institutions?</i> • <i>How were commitments formalized (e.g., MOAs)?</i> • <i>What other services would you want to access?</i> • <i>What arrangements in the agreements need to be reviewed /amended?</i> 	<p>Formal linkages established with DENR, LGU, other resource institutions and markets/buyers, processors and investors.</p> <ul style="list-style-type: none"> • <i>What services are being provided by/expected from DENR and LGU?</i> • <i>What type of support have other institutions provided the tenure holder in the last five years?</i> • <i>What services have they provided?</i> • <i>Are these services still being provided?</i> • <i>What types of agreements are existing with buyers/investors/processors?</i> • <i>What other services/resources would you want to access?</i> • <i>What arrangements in the agreements</i> 	<p>MOAs, contracts with LGUs, resource institutions, buyers, investors; Relevant reports and communications</p>

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
		<i>access?</i>		<i>need to be reviewed/amended?</i>	
Answers and Additional Comments					
Rating:					
Other Considerations (Criteria 11-12)					
11. Development of forest production systems by establishing and properly maintaining tree farms, tree plantations or orchards, or agro-forestry areas	<p>Production forest lands (excluding second growth forests) within tenured area have been identified, but no forest production activities (i.e., tree plantation, agro-forestry), were carried out. Production areas mostly planted to annual agriculture crops.</p> <ul style="list-style-type: none"> • <i>How big is the</i> 	<p>Limited/small scale development of forest production areas, mostly initiated by external donors, or mainly by individual occupants or IPR holders, i.e., establishment of agro-forestry, or orchards.</p> <ul style="list-style-type: none"> • <i>How big is the potential production forest lands within tenured area?</i> 	<p>Significant areas of identified forest production areas have been developed and maintained/ protected by individual occupants or IPR holders and collectively by the tenure holder (e.g., in the case of CBFM, through reforestation contracts, grants, to POs).</p>	<p>Significant areas of forest production areas have been developed, protected and maintained through private sector investments (e.g., joint venture, etc)</p> <ul style="list-style-type: none"> • <i>How much of the original potential production forest lands within tenured area have been</i> 	<p>Resource management plan; Map showing potential production areas; Forest production plan ; Reforestation contracts; Contracts with private sector; Financial statements</p>

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
	<p><i>potential production forest lands within tenured area?</i></p> <ul style="list-style-type: none"> • <i>What are plans for these?</i> • <i>How come no forest development has been undertaken?</i> • <i>What agroicultural crops are being planted?</i> • <i>Are soil and water conservation measure being adopted?</i> 	<ul style="list-style-type: none"> • <i>How big is the area that have yet to be developed?</i> • <i>What are plans for these?</i> • <i>What are incentives of individual occupants to develop their respective areas?</i> 	<ul style="list-style-type: none"> • <i>How much of the original potential production forest lands within tenured area have been developed and are being maintained?</i> • <i>Is the development of these areas according to the resource management plan?</i> • <i>What are incentives of individual occupants to develop their respective areas?</i> 	<p><i>developed and are being maintained?</i></p> <ul style="list-style-type: none"> • <i>Is the development of these areas according to the resource management plan?</i> • <i>What incentives have been provided to encourage private investment?</i> • <i>How much private investments in the tenured area have been generated?</i> • <i>What are benefits to tenure holder?</i> 	
Answers and Additional Comments					
Rating:					

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
12. Participation of women in forest management	<p>Women have no active participation in forest management</p> <ul style="list-style-type: none"> • <i>How many persons are involved in forest management (includes office/ management and field operations)?</i> • <i>Why are no women involved?</i> 	<p>Most women who are involved are performing staff/ administrative support roles (e.g., clerical/ secretarial, custodial)</p> <ul style="list-style-type: none"> • <i>How many men and women members are involved in forest management (includes office/ management and field operations)?</i> • <i>How many women are in staff/administrative support positions?</i> • <i>What are the positions of other women in the organization?</i> • <i>Why are women confined to these types of roles?</i> 	<p>There are women who are active in implementation/field activities such as operation of nurseries, patrolling/forest protection, IEC, extension, operation of livelihood activities, etc.</p> <ul style="list-style-type: none"> • <i>How many men and women members are involved in forest management (includes office/management and field operations)?</i> • <i>How many women are involved in implementation activities/field operations?</i> • <i>What enabled them to actively participate in these activities?</i> 	<p>There are women who are involved in mgt decision-making (e.g., officer of the PO/ company, BOD member, chair of committee, head of specific operations like manager of coop store, manager of sawmill)</p> <ul style="list-style-type: none"> • <i>How many men and women members are involved in forest management (includes office/ management and field operations)?</i> • <i>How many men and women are involved in management decision-making?</i> • <i>What are the positions occupied by women?</i> • <i>Were they elected or appointed?</i> 	List of members/officers; Payroll (to show list of women employed)
Answers and Additional Comments					

Criteria	Level of Performance/Guide Questions for Assessment				Documentary Evidence
	1	2	3	4	
Rating:					

ANNEX B.

TRAINING ON TENURE ASSESSMENT

Training on Tenure Assessment
(EcoGov Region)
(Date)
(Venue)

Time	Topic or Activity	Presenter/ Responsible Persons
(Day 1) Concepts and Definitions		
08:00-09:00	Registration and Opening Ceremonies	Local Officials, Regional Team
09:00-09:15	Rationale of Tenure Assessment and Training Flow	FFM Regional Specialist
09:20-09:50	Lecture 1 - <i>FLUP Implementation Processes and Overview of Effective Forest Lands Management</i>	
09:50-10:10	Coffee Break	
10:15-10:45	Lecture 2 - <i>Tenure Assessment Criteria as Explanatory Elements for Effective Forest Lands Management</i>	FFM Sector Leader
10:50-11:20	Lecture 3 - <i>Tenure Instruments, Rights and Responsibilities for Effective Forest Lands Management</i>	FFM Regional Specialist
11:00-12:00	Open Forum	Training Facilitator
12:00-01:15	Lunch Break	
01:30-02:30	Group Workshop 1 – <i>Understanding the Tenure Assessment Criteria and Levels of Assessment</i>	FFM Sector Leader
02:30-02:50	Coffee Break	
02:50-03:50	Group Workshop 2 – <i>Framing questions for tenure assessment</i>	Training Facilitator
04:00-04:30	Group Workshop 3 – <i>Group Planning for the Tenure Assessment Practicum</i>	Training Facilitator
Day 1 Moderator: Assisting Professional		
(Day 2) Field Practicum		
08:00-08:30	Orientation with tenure holders	Assessment Team Leaders
08:30-11:30	Group Workshop 4 – <i>Interview of Tenure Holder</i>	Trainees
11:30-12:00	Group Workshop 5 - <i>Review of available documents for the tenure</i>	Trainees
12:00-01:00	Lunch Break	

Draft for review

01:00-02:00	Travel back to Training Venue	Facilitator
03:00-04:00	Group Workshop 6 – Completing, consolidating Tenure Instrument and Gap Identification	Facilitator
04:00-04:15	Group Workshop 7 - Summarizing results of assessment	FFM Regional Specialist
04:15-05:00	Plenary Presentation 1 – Presentation of Consolidated Gaps Statements per Tenure Holder	Group Presenters

Day 2 Moderator: Assisting Professional

(Day 3) Summary, Analysis & Action Plans

08:30-09:00	Lecture 4 - Analysis of the completed assessment	FFM Sector Leader
09:00-09:15	Coffee Break	
09:15-09:45	Lecture 5 - Framing recommendations to DENR, LGUs and other Offices	FFM Regional Specialist
09:45-10:00	Lecture 6 - Preparing a report of the results of analysis	FFM Sector Leader
12:00-01:00	Lunch Break	
01:00-01:30	Group Workshop 8 - Preparing for assignments to conduct the Assessment	FFM Regional Specialist
01:30-02:00	Group Workshop 9 - Developing work plans for the assessment	FFM Regional Specialist
02:00-02:15	Coffee Break	
02:15-03:15	Plenary Presentation 2 – Presentation of Tenure Assessment Action Plan by LGU	LGU Presenters
03:15-04:00	Lecture 7 - Performance Monitoring and Evaluation	FFM Sector Leader
04:00-05:00	Post-training Evaluation and Closing Ceremonies	Training Facilitator

Day 3 Moderator: Assisting Professional

ANNEX C.

TENURE ASSESSMENT CRITERIA

Annex Table 1. Tenure Assessment Criteria, Current Assessment Level and Gap Statements Per Tenure Holder

TENURE NAME:

Criteria	Current Level of Assessment	Acceptable Level	Gap Statements	Comments
Primary Areas of Assessment (Criteria 1-6)				
1. Approved resource management plan is current (i.e., the present resource management plan covers 2005)		3		
2. There is budget for plan implementation covering overhead costs, protection and enforcement, and investments		3		
3. Functional management structure of tenure holder		4		
4. IPR adoption		3		
5. Year-round conduct of protection and enforcement activities		3		
6. Compliance with existing policies and regulations		3		
Secondary Areas of Assessment (Criteria 7-10)				
7. Functioning M and E systems		4		
8. Support to non- forest-based livelihood activities (for community-based tenure/allocation instruments only)		3		
9. Working conflict resolution mechanism		4		
10. External linkages established		3		
Other Considerations (Criteria 11-12)				
11. Development of forest production systems by establishing tree farms, tree plantations or orchards, or agro-forestry, or other sustainable uses		2		
12. Participation of women and men in all aspects of forest management		3		
Overall rating		38		

Annex Table 2. Number of Tenure Holders by Region and Local Government Unit Covered by the Assessment

EcoGov Region	LGU	Total
Northern Luzon	Aglipay	12
	Baler	9
	Cabarroguis	8
	Diffun	14
	Dupax del Sur	13
	Maddela	11
	Nagtipunan	10
	Quezon	11
Northern Luzon Total		88
Central Visayas	Alcoy	7
	Bais City	7
	Bayawan City	11
	Dalaguete	8
	Dauin	5
	La Libertad	3
	San Miguel	1
	Sta Catalina	9
	Talibon	9
	Tanjay City	7
	Toledo City	2
Central Visayas Total		69
Southern Mindanao	Alabel	1
	Davao City	47
	Glan	2
	Kalamansig	6
	Kiamba	3
	Kidapawan	3
	Lebak	6
	Maasim	14
	Maitum	4
	Makilala	1
	Malungon	2
	Wao	1
Southern Mindanao Total		90
Western Mindanao	Isabela City	5
	Lamitan	5
Western Mindanao Total		10
Grand Total		257