

Written Submission on Asian Development Bank's (ADB) September 2023 Draft Environmental and Social Framework (ESF)

Submission from Asian NGO Coalition for Agrarian Reform and
Rural Development

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Draft ESS 5: Land Acquisition and Land Use Restriction

The inclusion of ESS 5 on Land Acquisition and Land Use Restriction (LA/LUR) will be instrumental in addressing land governance issues. For further discussion during the consultation, it will be much appreciated if more information can be provided on the following issues:

Land Tenure

- Given the sectoral mandates of government agencies on land tenure (e.g. DENR for forest lands, NCIP for ancestral domain, DAR for agricultural land, etc.) and the ensuing overlapping jurisdiction of these agencies, how will the ADB-funded projects address overlapping tenurial concerns?
- Will affected communities be given priorities in the consultation process?

Land Use

- What are the assurances that land use and development will contribute to environmental conservation and resiliency?
- Will government agency mandated to ensure environmental conservation be involved even if it is not the implementing agency?

Land Dispute Resolution

- Given the long process of land dispute resolution in the Philippines, will the alternative dispute mechanisms of the project be above the official legal processes?

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