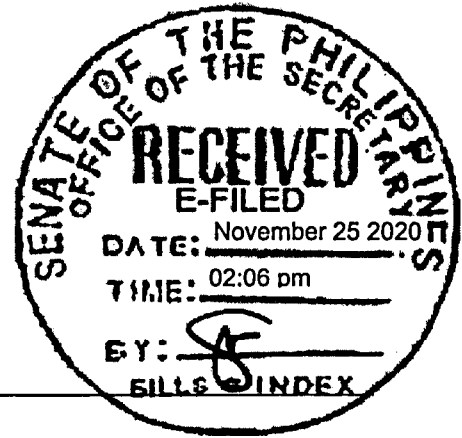


EIGHTEENTH CONGRESS OF THE)  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )

SENATE  
P.S. Resolution No. 582



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Introduced by **SENATOR IMEE R. MARCOS**

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**RESOLUTION**  
**DIRECTING THE COMMITTEE ON AGRICULTURE, FOOD, AND AGRARIAN REFORM TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE DELAY, CONFUSION, AND DUPLICATION IN LAND TITLING UNDER THE DEPARTMENT OF AGRARIAN REFORM AND OTHER AGENCIES**

***WHEREAS***, Article XII, Section 6 of the 1987 Constitution provides that "*the use of property bears a social function, and all economic agents shall contribute to the common good*";

***WHEREAS***, the system of land registration, particularly the Torrens system, provides enormous benefits, not only to the registered owner, but also to all persons dealing with the registered property and to the society as a whole;

***WHEREAS***, the title of the property once registered and brought under the system cannot be impugned, altered, changed, modified, enlarged, or diminished except in some direct proceeding permitted by law;

***WHEREAS***, in a study conducted by the Philippine Institute for Development Studies entitled, "*Land Issues in Poverty Reduction Strategies and the Development Agenda*" it noted that land administration infrastructure, including the land information system in the country remain poor and inadequate. Information about land ownership, location, boundaries, actual land uses and land values cannot be provided systematically in many local governments. One result is fraud in land titling that yields land ownership conflicts, which takes years to resolve;

***WHEREAS***, over the past three decades, the Comprehensive Agrarian Reform Program (CARP) has distributed 4.8 million hectares – 16% of the nation's land – to almost three million beneficiaries, with a mere 53% of said land individual titles, instead from the Department of Agrarian Reform (DAR) issued collective land

ownership awards or CLOAs in large part to speed up land distribution, with the long-forgotten intention of subdividing and titling them individually at a future time;

**WHEREAS**, the Philippine government has embarked on a renewed push for individual titling to hasten transformation and modernization in rural areas through the World Bank Board which has approved a US\$370 million "*Support to Parcelization of Lands for Individual Titling Project (SPLIT)*" designed to accelerate the subdivision of collective Certificates of Land Ownership Award and generate individual titles on lands awarded under the CARP. Implemented by the DAR, to support the government's on-going efforts for parcelization and individual titling through the adoption of improved technologies and digital platforms, improvements in regulations, streamlining of procedures in the titling process, and enhanced consultations with beneficiaries. World Bank Acting Country Director for Brunei, Malaysia, Philippines and Thailand, Achim Fock, said that the improved land tenure security would contribute to poverty reduction and rural economic growth especially strengthen the resilience of farmers against impacts of the COVID-19 pandemic;

**WHEREAS**, the DAR has been mandated to be the lead agency in the implementation of the CARP, with public and private agricultural landholdings acquired by the government to be distributed to tenants, farmers, farmworkers, and/or other tillers qualified to become agrarian reform beneficiaries in the form of individual certificate or collective ownership;

**WHEREAS**, the Land Registration Authority (LRA), under the Department of Justice, is responsible for issuing decrees of registration and certificates of title and register documents, patents and other land transactions for the benefit of landowners, agrarian-reform beneficiaries and the registering public in general;

**WHEREAS**, on the other hand, the Land Management Bureau of the Department of Environment and Natural Resources (DENR-LMB) is directed to advise the Secretary of DENR on matters pertaining to rational land classification management and disposition;

**WHEREAS**, the National Commission on Indigenous People (NCIP) is also mandated to recognize and establish the issuance of Certificate of Ancestral Domain Title and Certificate of Ancestral Land Title for lands under the ancestral domain;

**WHEREAS**, numerous agencies are involved in land administration neither integrate or coordinate programs resulting in fragmentation of responsibilities, overlapping of functions, and duplication in many cases;

**WHEREAS**, a major reorganization and legal reform in land administration and registration, as well as the resolution of land related controversies and disputes should be initiated centralized enhancing LRA quasi-judicial power to decide land-related disputes and to consolidate within its functions the issuance of patents, surveys, mapping and related works, to ensure coherent policies in land administration, thereby consolidating these functions of DAR, DENR-LMB, and NCIP divergent;

**NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED**, directing the Committee on Agriculture, Food, and Agrarian Reform to conduct an inquiry, in aid of legislation, into the delay, confusion, and duplication in land titling under the Department of Agrarian Reform and other agencies.

*Adopted,*

  
**IMEE R. MARCOS**