

ANNEX 1: INTEGRATED SYSTEM TO ADDRESS LAND AND PROPERTY CLAIMS AND DISPUTES IN MARAWI (ILLUSTRATIVE)

DETERMINATION OF LEGITIMATE CLAIMANTS

Main Steps and Considerations:

- Collect and consolidate existing land-related documents
- Identify existing claimants
- Link land claims and related information with maps showing land parcels
- Identify and locate land parcel boundaries (at Barangay level):
 - Public notice
 - Evidence presented as foundation for claim (written and oral)
 - Validation of claimant information
- Resolve land and property disputes to determine owners and claimants
- Recognition of ownership and any other claimants
- Public notice: recognition of ownership and claimants, and disputes resolved
- Right to appeal (within the dispute resolution process)
- Final recognition of legitimate owners/claimants, and disputes resolved



REPARATION FOR LOSS OR DAMAGE OF PROPERTY DUE TO WAR

Main Steps and Considerations:

- Determine extent of property loss or damage (or determine only the value of the land parcel alone)
- Develop formulae for quick and efficient compensation of similar properties
- Identify government properties available as potential compensation
- Compensation in form of money or property



COMPENSATION FOR LOSS OF LAND AND PROPERTY DUE TO RE-CONSTRUCTION

Main Steps and Considerations:

- Expropriation of land and property as required
- Develop formulae for quick and efficient compensation of similar properties
- Compensation in form of money or property

ANNEX 2: TYPOLOGY OF LAND AND PROPERTY CLAIMS AND DISPUTES

PUBLIC LAND		
TYPE OF CLAIM/DISPUTE	SUB-TYPE OF CLAIM/DISPUTE	COMMENTS
1. Claims based on titled property within the military reservation or other reservations	Claimant has:	Occupied parcels of land within the military or other reservations that are covered by registered title
	a) Title Documents	
	b) No title documents because they were lost or destroyed	Occupied parcels of land within the military or other reservations that are covered by registered title but the Certificate of Title is lost or destroyed
2. Claims based on occupation without title on any public land in the MAA and non-MAA	Occurs on:	Occupation of parcels of land within the military reservation without any title
	a) A military reservation	
	b) Other reservations (e.g., MSU)	Occupation of parcels of land within other reservations without any title
	c) Any alienable and disposable land	Occupation of parcels of public land without any title
	d) On any timberland, national parks/protected areas or mineral lands	Occupation of parcels of land classified as timberland, mineral lands, or national parks/protected areas without any title
	e) Designated/identified geo-hazard zones	Occupation of parcels of land located in areas identified or designated as geo-hazard area
	f) Lands reserved for public housing purposes	Occupation of parcels of land proclaimed for housing purposes
3. Ancestral domain claims on public lands (in MAA and non-MAA).	a) Indigenous claim to land based on occupation since time immemorial	Occupation of parcels of land based on claims that the land has been occupied prior to any proclamation or titling and since time immemorial
4. Competing claims based on occupation of public land at different moments in time	This includes:	Claims between or among members of a clan on who has a better right based on occupation of public land at different moments in time
	a) Intra-clan competing claims	
	b) Inter-clan competing claims	Claims between or among members of different clans on who has a better right based on occupation of

PRIVATE LANDS		
TYPE OF CLAIM/DISPUTE	SUB-TYPE OF CLAIM/DISPUTE	COMMENTS
1. Competing claims based on title documents	This suggest either:	Documents that show overlapping claims either of an entire parcel or portions of a parcel
	a) Overlaps	
	b) Contradictions	Different versions of documents showing ownership of the same parcel of land
	c) Duplication	Several documents evidencing ownership of the same parcel of land
	d) Fraudulent, fake or spurious documentation	Title documents that have been manufactured, faked or that the contents thereof are not real
	e) Lost or destroyed documentation	Documents evidencing ownership has been lost or destroyed
2. Competing claims between a title document and other tenorial document (e.g., tax declaration, transfer deed, etc.).	This Include: a) Competing claims between a party that has a title document and another that has other documents that evidence actual possession	
3. Competing claims between and among multiple possessors of titled property brought about by informal or traditional subdivisions over generations or long periods of time		

TYPE OF CLAIM/DISPUTE	SUB-TYPE OF CLAIM/DISPUTE	COMMENTS
4. Occupation without title on private titled land	a) Occupants do not have permission (informal settlers)	When the occupant is in possession of the land without the permission of the registered owner of the land ☐Where title holder have never occupied the land and the possessor is in open and continuous occupation of the land
	b) Occupants are paying tenants with permission from land owner	When the basis of the occupation or possession of the land is a lease agreement or an agricultural tenancy arrangement
5. Ancestral domain claims on private lands	a) Indigenous claim to private land based on occupation since time immemorial	Occupation of parcels of land based on claims that the land has been occupied prior to any proclamation or titling and since time immemorial
6. Outstanding claims and concerns about lack of compensation paid people resettled as a result of the Agus River hydroelectric project	This includes: a) Pending compensation claims from the government in relation to the Agus River hydroelectric project that have not yet been settled	
7. Issues related to the application of rules on easements along the Agus River and Lake Lanao	This includes: a) Issues on the applicability of the rules and regulations on the easements along the river and the lake.	
8. Qualified claimants who have not applied for a patent or title document through administrative or judicial process.	This includes: a) Occupation of public lands that have not ripened into patents even though the possessor has all the qualifications for a land grant.	