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# REPORT ON THE CONFERENCE ON SUSTAINABLE LAND GOVERNANCE

## Strengthening Urban Resilience for Growth with Equity (SURGE) Project

CONTRACT NO. AID-492-H-15-00001

**MARCH 14, 2017**

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## Acronyms

ADR	Alternative Dispute Resolution
ADB	Asian Development Bank
ASSIST	Asia Society for Social Improvement and Sustainable Transformation
CDI	Cities Development Initiative
CDP	Comprehensive Development Plan
CLUP	Comprehensive Land Use Plans
CNUP	Comprehensive National Urban Policy
DENR	Department of Environment and Natural Resources
DCDB	Digital cadastral database
DRRM	Disaster risk reduction and management
DILG	Department of the Interior and Local Government
DOF	Department of Finance
DPWH	Department of Public Works and Highways
GDP	gross domestic product
GIS	Geographic information system
GLTN	Global land tool network
HUDCC	Housing and Urban Development Coordinating Council
ICMA	International City/County Management Association
IPRA	Indigenous Peoples' Rights Act
LAMS	Land Administrative and Management System
LCE	Local chief executives
LGI	Land and Governance Innovations Consultants
LGU	Local government units
LSDF	Land Sector Development Framework
NCC	National Competitiveness Council
NEDA	National Economic Development Authority
NLUMA	National Land Use and Management Act
PCE	Planned City Extensions
PDP	Philippine Development Plan
PFG	Partnership for Growth
PPP	Public-private partnership
RLTA	Rapid land tenure appraisal
RPT	Real property tax
SDGs	Sustainable Development Goals
SURGE	Strengthening Urban Resilience for Growth with Equity
ULIS	United land information system
UN-Habitat	United Nations Human Settlements Programme
USAID	United States Agency for International Development
USG	United States Government
VGGT	Voluntary Guidelines for the Good Governance of Tenure
WB	World Bank

## Executive Summary

One of the major activities of the United States Agency for International Development (USAID) Strengthening Urban Resilience for Growth with Equity (SURGE) Project is the Conference on Sustainable Land Governance that was held on February 8-9, 2017 at the Diamond Hotel Manila, Philippines. Through the Cities Development Initiative (CDI), USAID partners with the local institutions to bolster the role of secondary and tertiary cities as engines of inclusive, environmentally sustainable, and resilient growth. Land is a key asset that can drive economic development, food security, women's empowerment, natural resource management, and sustainable urbanization.

The conference gathered 60 international and local speakers, moderators and more than 300 participants from the national and local governments, international experts, development partners and from various stakeholders from the academe, the private sector, non-government organizations and students. The United States Ambassador to the Philippines, the US Agency for International Aid (USAID) Mission Director, the Secretary of the Department of Finance, the Program Director of the International City/County Management Association (ICMA) other officials from USAID, and other key government officials were also present.

The event promoted the sharing of good practices and new sustainable approaches to urban land administration. It facilitated multidisciplinary discussions on practical solutions to challenges in land governance in the Philippines among key partners. It was co-sponsored by the United Nations Human Settlements Programme (UN-Habitat) and the World Bank.

Other conference partners were: Department of the Interior and Local Government (DILG), the National Competitiveness Council of the Philippines (NCCP); the Bureau of Local Government Finance (BLGF), the Land Registration Authority (LRA); the Geodetic Engineers of the Philippines (GEP) and the League of Cities of the Philippines.

The SURGE Project employed the services of a sub-contractor, the Asia Society for Social Improvement and Sustainable Transformation (ASSIST) as the event organizer.

The discussions during the conference focused on 12 interactive streams of topics: (1) land administration and management and the challenges of urbanization; (2) land sector reforms in the Philippines; (3) alternative land dispute resolutions; (4) urban land constrictions; (5) asset management for local government units; (6) policy frameworks for land administration and management; (7) experiences in implementing land sector reforms; (8) technology solutions in land administration; (9) improving access to land records/information; (10) gender and social inclusion in property rights; (11) resilience land management; and (12) managing commercial pressures on land markets.

### Launch of the Sustainable Urban Land Coalition and Call to Action

The launch of the *Sustainable Urban Land Coalition* with representatives of various agencies, institutions and organizations was considered as the highlight of the conference. The coalition called for the adoption of a sustainable land governance to address the country's land sector development concerns.

Signed on February 9, 2017, the conference produced a *Call To Action* urging “responsible institutions take the lead in improving, streamlining, and making accessible national and local government land programs and services to fast track the development and adoption of policy and institutional reforms”, such as:

- streamline and rationalize the mandates of land related agencies;
- prioritize and direct the implementation of a massive national titling program involving all land related agencies;
- provide equal opportunities to women and men to acquire properties;
- issue a policy to link and harmonize land records and systems for a comprehensive, gender sensitive and cost efficient land-related database;
- strictly enforce compliance of local government units on property valuation regulations;
- issue a policy for the adoption of new technologies for surveying, mapping, adjudication and titling;
- address a responsive national land use policy;
- pass amendments to land laws to remove antiquated restrictions to land ownership;
- expedite resolution of land-related cases (e.g., conflicting land claims/titles, etc.); and
- support and advocate for the reforms in land administration and management.



Jonas George Soriano (foreground) and Adoracion Navarro (background) signed the Call to Action.

In his speech, Jonas George Soriano, Deputy Executive Director for the Performance and Projects Management Office of the Cabinet Secretary of the Philippine Government lauded the newly-formed coalition and assured that the administration of Philippine President Rodrigo Duterte supports the Call to Action. In fact, he announced at the conference that President Duterte will sign into law the Philippine Development Plan (PDP) and the National Security Policy which will be the basis of all plans and reforms in the government.

Undersecretary for Regional Development of the National Economic and Development Authority (NEDA) Adoracion

Navarro, on the other hand, said NEDA has reactivated the national land use committee which is responsible for tackling land governance issues in the country. Navarro encouraged the newly-formed coalition to aggressively work with the government to address land issues in the Philippines.

Based on the observations and result of the post-conference survey, the conference raised awareness on improving sustainable land governance both at the national and local levels. The knowledge-sharing, networking and partnerships during the conference were valuable in advancing urban land administration and reform in the Philippines.

For instance, conference participants realized the importance of asset management as a new systematic approach to increase the effective use of real property, owned or operated by a local government. Asset management involves a comprehensive inventory of all assets and an evaluation of each property to determine the best use for a local government. By addressing other property management issues, this multidisciplinary approach to managing assets results in improving local finances, service delivery and facilitates local economic development. SURGE Project Chief of Party Maris Mikelsons stressed that the project will assist CDI cities in implementing asset management with the League of Cities as the main partner and driver of institutionalizing it in the Philippines. An important task for this is the preparation of an Asset Management Manual for distribution to all local governments.

This report is presented through five major themes to avoid duplication, allow the ‘full story’ on land governance to be appreciated and let the readers focus on their areas of interest. These themes are shown in *Table 1*<sup>1</sup>:

**Table 1. Major Themes Discussed in the Conference**

No	Major Theme	Topic Sessions in the Conference	No of Speakers
1	Reform of Land Governance	• Land sector reforms	3
		• Experiences in land sector reforms	4
		• Policy frameworks	3
2	Social and Economic Impacts of Land Tenure	• ADR in land disputes	4
		• Commercial pressures on land	3
		• Gender and social inclusion	4
3	Local Government and Land Governance	• Asset management	3
4	Land Management	• Urban land management	2
		• Urban land constraints	4
		• Resilient land management	3
5	Land Information and Technology	• Technology solutions	3
		• Access to land information	3
6	Call to Action		

<sup>1</sup> The full conference programme, which includes keynote speeches and all presentations of the speakers, can be accessed at [www.surge.org.ph/landconference2017](http://www.surge.org.ph/landconference2017)

## I. Introduction

The Philippines' fast growing population places under pressure on land, a finite resource, and its rational and equitable allocation among competing uses. The Philippine government recognizes that land plays a central role in the country's development. Land administration and management and valuation reforms were included in the present administration's 10-point Socioeconomic Agenda<sup>2</sup>.

Land is a critical asset for both urban and rural poor communities across sectors. Land rights serve not only as a form of economic access to market opportunities but also provide essential links to social services needed at the household and community-level. Systematic gendered impacts of discrimination associated to the rights to land also affect rights to other local natural resources such as plants, animals, and water.

As the flagship project of the USAID's Cities Development Initiative (CDI), the Strengthening Urban Resilience for Growth with Equity (SURGE) Project helps foster the development conditions for broad-based, inclusive, and resilient economic growth. The SURGE Project works with national government agencies, local government units, and other partners to unlock the potential of land to stimulate investments through an efficient and robust land market. To date, USAID works with eight partner cities under the CDI. These cities are Batangas, Puerto Princesa and Legazpi in Luzon, Iloilo and Tagbilaran in the Visayas, and Cagayan de Oro, Zamboanga and General Santos in Mindanao.

In order to ramp up support to improved land administration and management for the economic growth of secondary cities, the SURGE Project organized the Conference on Sustainable Land Governance to promote the sharing of good practices and new sustainable approaches to urban land administration and reform. The SURGE Project also aims to facilitate multidisciplinary discussions on practical solutions to challenges in land governance in the Philippines among key partners.

The two-day conference was held on February 8-9, 2017 at the Diamond Hotel Manila, Philippines with more than 300 participants. It witnessed the launch of the Sustainable Urban Land Coalition represented by various agencies, institutions and organizations. The coalition calls for the "adoption of a sustainable land governance to address the country's land sector development concerns."

Ms. Ma. Lourdes Reyes, General Manager of the Land and Governance Innovations (LGI) Consultants Inc. led the formation of the coalition and the strong Call to Action for "responsible institutions to lead in improving, streamlining and making accessible national and local government land programs and services to fast track the development and adoption of policy and institutional reforms." Key stakeholders were then invited to sign the *Call To Action*.

This report, which contains the conference highlights, is being submitted in compliance with Output 2 – 2.3.04 -a under Activity 4. Organize a Land Tenure Conference.

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<sup>2</sup> The 10-point Socioeconomic Agenda of the Duterte Administration or the socioeconomic roadmap aims to address the challenges to inclusive growth. It was presented by the Department of Finance (DOF) and the National Economic and Development Authority (NEDA) in June 2016 during a consultative workshop with the business sector called "Sulong Pilipinas: Hakbang Tungo sa Kaunlaran."



## II. Design of the Conference

### A. Objectives

The Conference on Sustainable Land Governance is a priority activity of the SURGE Project to guide and assist secondary cities become key engines of sustainable and inclusive economic growth. The conference aims to provide a venue for multidisciplinary discussions among key partners in promoting public and private sector collaboration to achieve livable, safe, and economically vibrant cities. The conference specifically aims to:

- Provide an avenue for local planners, practitioners, experts, and students to gain wider networking and perspectives on land administration and reform;
- Discuss and exchange best practice approaches in addressing constraints, including Gender Equality and Social Inclusion (GESI) considerations in land administration and management; and
- Initiate multidisciplinary discussions on practical solutions to challenges in land governance in the Philippines among key partners in government, business and industry, the academe, and professional organizations to advocate for and influence policies and legislation.

### B. Organizers and Partners

The conference was organized in collaboration with the United Nations Human Settlements Programme (UN-Habitat), and the World Bank (WB).

Other conference partners were: the Department of the Interior and Local Government (DILG), the National Competitiveness Council of the Philippines (NCCP); the Bureau of Local Government Finance (BLGF), the Land Registration Authority (LRA); the Geodetic Engineers of the Philippines (GEP) and the League of Cities of the Philippines.

An exhibit space for the organizers, partners and sponsors were also provided for the participants.



## C. Media Exposure

The official media partners of the conference were ABS-CBN News Channel (ANC) and the *BusinessWorld*. Part of the partnership with ANC was a live guesting at morning show Mornings@ANC. The SURGE Project was represented by its Deputy Chief of Party, Sergio Andar Jr., and LGI Senior Land Administration and Management Specialist, Ian Lloyd, during the February 7 morning guesting. Along with the one-month daily announcements from ANC on conference details, the total media value from ANC was pegged at Php1,159,200.

The partnership with *BusinessWorld* included a colored printed one-fourth size advertisement of the conference banner that was published on January 30. The equivalent media value of the advertisement was Php58,500. The partnership also included BusinessWorld publishing an advancer news story that came out on February 7, and a two-day coverage of the conference that resulted in a post-event article published on February 9 and nearly 200 social media feeds.

The event produced 39 print and online news articles from various major media outlets such as *BusinessWorld*, *Philippine Daily Inquirer*, *Philippine Star*, *Manila Bulletin*, *Manila Times* and other news organizations. Television networks such as the ABS-CBN, GMA and CNN Philippines also covered the event (*Annex 1*). Through this activity, the project has gotten the highest number of media hits to date.

Conference participants were also encouraged to use social media like Facebook and Twitter during the event to facilitate knowledge sharing and stir public discussions in land governance. The SURGE Project Twitter handle (@USAID\_SURGE) was able to generate 101 tweets that gained 10,324 impressions with 44 retweets, 35 likes and seven link clicks. These interactions contributed to the doubling of the engagement rate. SURGE Project's Twitter profile attracted more than 500 visits, 17 new followers and 193 mentions. The conference used the hashtags #landconference2017, #landmatters and #landrights. The project also retweeted 121 tweets from its key partners, participants and the media from the *BusinessWorld*, *PHI News Plex*, *PHL News Insider*, ABS-CBN News Channel and CNN Philippines. Hashtags used by SURGE were #landconference2017, #landmatters and #landrights. USAID Philippines's fan page in Facebook, on the other hand, shared the conference poster, which was shared 12 times by followers and generated 31 likes.

## D. Program

The program for the two-day conference consisted of eight plenary sessions and five simultaneous break-out sessions covering many aspects of land administration and reform. William Althaus, Program Director of the International City/County Management Association (ICMA) welcomed the conference participants by highlighting the focus of the conference such as capacity, resilience, local economic development, urban-rural cooperation, gender equality, social inclusion and infrastructure. Althaus emphasized the importance of these issues in sustainable growth and increase prosperity for the people of the Philippines. He pointed to the continues assistance of the SURGE Project in addressing land issues to improve sustainable land governance.

Highlighting the common agenda of the conference in pursuing sustainable land governance in the Philippines, USAID's Mission Director Susan Brems introduced US Ambassador to the Philippines Sung Kim for his keynote address.

Ambassador Kim stressed in his keynote message that land tenure is a key issue in managing urban poor and reducing poverty in both rural and urban areas. He said various studies pointed out that countries with more secure property rights have higher average incomes. He said security of tenure has a powerful investment incentive that leads to more rapid economic growth and ultimately higher incomes.



The ambassador said USAID and its partner in development in the Philippines have been striving to promote land rights, particularly for the marginalized. USAID has also worked with the Philippines judiciary to improve efficiency in the adjudication cases, including land disputes. Through the Cities Development Initiative (CDI), USAID is also working with secondary and tertiary cities to improve their land tenure security and land management systems.

Ambassador Kim stressed that the Conference on Sustainable Land Governance was a great opportunity to learn new ideas and exchange experiences on how to address land and property rights.



Finance Secretary Carlos Dominguez, on the other hand, expressed his gratitude to USAID for extending its technical expertise in refining land policies and governance. He acknowledged the effort of the SURGE Project and its co-organizers in gathering land experts abreast with the state of land governance. He, however admitted that the country's policies regarding land governance are in urgent need for updating.

In his speech, the secretary stressed the need for Congress to finally act and pass a national Land Use Act which has been languishing in the legislature for several years now.

The passage and adoption of a comprehensive and harmonized National Land Use Plan would help spur development. The DOF urged all local government units to update their land valuations as a measure to discourage idle land and improve public revenues.

Dominguez hopes that the conference will help policymakers, planning experts, the private sector, academe and civil society groups upgrade the country's own land governance capacity and to come up with a set of practical recommendations on what can be done immediately.

He shared that most settlements in the country are vulnerable to various risks, with congested cities and forested areas used for human habitation. Dominguez said the Philippines is faced with a land governance crisis. He, however, said that the present administration is working to address this issue.

## Launching of the Sustainable Urban Land Coalition and Call to Action

The highlight of the conference was the launch of the *Sustainable Urban Land Coalition* wherein leaders and representatives from various organizations and government agencies strongly urged “responsible institutions to take the lead in improving, streamlining, and making accessible national and local government land programs and services to fast track the development and adoption of policy and institutional reforms” through the *Call To Action*. The formation of the coalition and the content of the call to action reads:

### SUSTAINABLE URBAN LAND COALITION

We, the leaders and representatives of various agencies, institutions and organizations from national and local government, private sector, civil society, and international development organizations call for the adoption of a sustainable land governance to address the country’s land sector development concerns.

#### Context

The land administration and management laws and institutions in the country are over a century old. Enabling laws, policies, procedures and good governance practices have been developed with a strong public participation in the formulation and monitoring of land policies. Yet, reforms in land administration and management have been slowly instituted and almost half of the people do not have tenure security nor equal access to land, land services and land tenure security. Hence, Philippine land sector still faces the following challenges:

- overlaps in mandates of key land agencies;
- inadequate integration of spatial planning processes (from national to local);
- absence of a responsive national land use policy;
- a large number of untitled lands (estimated at 11 million parcels) in urban/residential and rural areas;
- inadequate access to reliable land information;
- non-gender sensitive land records;
- inadequate protection to women’s claims on land;
- land use restrictions that inhibit expansion of land markets and access to credit;
- slow adoption of technologies for surveying, adjudication and titling; and
- outdated land valuation mechanisms that enable equitable sharing of benefits from increases in land value.

These challenges fostered land disputes, affected the efficiency in delivery of public services and eroded public confidence. Current practices also resulted in lost opportunities for revenues from real property that has the highest potential for local government financing its local development projects.

### CALL TO ACTION

We therefore call on responsible institutions to take the lead in improving, streamlining and making accessible national and local government land programs and services to fast track the development and adoption of policy and institutional reforms:

- streamline and rationalize the mandates of land related agencies;

- prioritize and direct the implementation of a massive national titling program involving all land related agencies;
- provide equal opportunities to women and men to acquire properties;
- issue a policy to link and harmonize land records and systems for a comprehensive, gender sensitive and cost efficient land-related database;
- strictly enforce compliance of local government units on property valuation regulations;
- issue a policy for the adoption of new technologies for surveying, mapping, adjudication and titling;
- address a responsive national land use policy;
- pass amendments to land laws to remove antiquated restrictions to land ownership;
- expedite resolution of land-related cases (e.g., conflicting land claims/titles, etc.); and
- support and advocate for the reforms in land administration and management.

*Annex 2* shows the schedule of the two-day event. The full conference programme can be viewed [here](http://www.surge.org.ph/landconference2017) and includes keynote speeches and all presentations of the speakers [www.surge.org.ph/landconference2017](http://www.surge.org.ph/landconference2017)

### III. Summary of Presentations and Discussions, Key Points

During the two-day conference, interesting and relevant topics on land management and reform were discussed. The detailed presentations and discussions during the panel and breakout sessions are presented in *Annex 3*.

#### Day 1

##### 1. Presentation on Sustainable Land Governance

Land governance has a far-reaching impact on the economy, social protection of the vulnerable and the government's fiscal position. This underscores the importance of improving and sustaining land governance as an effective instrument in addressing the interrelated issues affecting the land sector. This session presented insights on international benchmarks and the political and institutional dimensions of land governance.

**Speaker:** Heath Cosgrove, Director of Land Tenure and Resource Management, USAID

##### **Key Points/Recommendations:**

- Strengthening existing tenure types (formal, customary and informal rights) may be more appropriate and less costly than attempting large-scale formal land titles.
- Women's rights, indigenous peoples' rights, and rights of other vulnerable populations must be recognized, that is ensuring their voices are integrated into local decision-making on land and resource governance matters.
- City planners and stakeholders must recognize and take into consideration the significant impact of policy and planning beyond their immediate borders. Planning is key.
- Improve the living conditions for the urban poor, strengthen the legal and regulatory environment and increase the supply of affordable, legal shelter with secure land and property rights.
- Modern technology maybe an instrument to help cities develop well-functioning land markets, raise additional taxes, and have stable and sustainable source of revenue. This includes improving the systems, policies, and processes for everyone, from surveying to mapping, land registration, land valuation, and land taxation.
- Digitizing and securing land records can make a big difference in terms for resilience and promoting new investments. Technological solutions plus capacity development are important.



*Heath Cosgrove highlights the important role of technological solutions in supporting sustainable land governance.*

##### 2. Land Sector Reforms in the Philippines

The Philippines continues to face institutional and operational challenges in land management and administration in all levels of government. These challenges stem from overlapping land oversight mandates, outdated support systems leading to a huge titling gap, weak security of tenure and inadequate access to an updated land information system. This session presented



specific land sector reforms implemented in the Philippines from the perspective of the government and their development partners.

**Panelists:**

Analiza Teh, Undersecretary of the Department of Environment and Natural Resources (DENR)

Christopher Rollo, Country Programme Manager, UN-Habitat Philippines

Calixto Chikiamco, President of the Foundation for Economic Freedom

**Moderator:** Floradema Eleazar, Programme Manager for Inclusive and Sustainable Development, UNDP



*(Left to right) Floradema Eleazar moderates the panel discussion with Mr. Calixto Chikiamco, Usec. Analiza Teh and Mr. Christopher Rollo.*

**Key Points/Recommendations:**

- Integrate access to land information and Land Administrative and Management (LAM) services through data standardization with strong information technology support.
- Local government units must actively participate in boundary resolution, land survey and titling for planning purposes and investment which are beneficial to revenue generation and land development planning.
- Sustainable land administration systems should serve as a basis for climate change adaptation and mitigation.
- Lack of tools restrict solution-seeking efforts in urban finance and economy. Land-based finance training opened options available to LGUs.
- Varying levels of land maps and information. City should invest in GIS-enabled maps.
- The ingredients for effective DENR- LGU partnerships on public land titling: policies, resources, knowledge, political support and institutional base.

### 3. Land Administration and Management and the Challenges of Urbanization

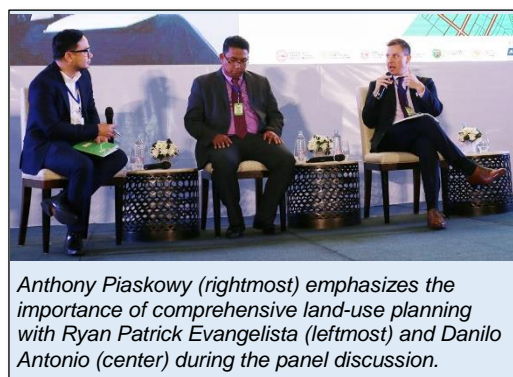
Access to land is an important means to promoting growth, equity and social justice. Changes in land policy should address societies' changing and emerging needs, and priorities especially on growing urbanization. With 145 cities, the Philippine urban landscape is fast evolving in light of increasing urbanization and resulting pressures on land use and environmental planning, housing services and financing. This panel presented experiences of inclusive urban land management from countries across the globe.

**Panelists:**

Mr. Anthony Piaskowy, Project Management and Evaluation, USAID

Mr. Danilo Antonio, Human Settlements Officer, Land and Global Land Tool Network, UN Habitat-Kenya

**Moderator:** Mr. Ryan Patrick Evangelista, Project Coordinator, Center for International Private Enterprise



*Anthony Piaskowy (rightmost) emphasizes the importance of comprehensive land-use planning with Ryan Patrick Evangelista (leftmost) and Danilo Antonio (center) during the panel discussion.*

### **Key Points/Recommendations:**

- Natural urban population growth will increase city size which we must be taken into account. Most of the growth is happening in secondary cities.
- Land use plans must accommodate population and city boundary growth. Secondary cities in the Philippines and worldwide have the opportunity and advantage not to make the mistakes that developed cities have made and prevent unplanned development.
- Rapid and integrated land-use planning is required. There is a need to integrate land information and management with sectors that have not traditionally done it such as: infrastructure, water and sanitation, energy, schools, hospitals, parks, open spaces, conservation areas.
- Rapid urbanization and urban growth requires new stakeholders to be at the table when it comes to land administration and management.
- Use geo-spatial technologies to help urban poor communities.
- For sustainability, adopt innovative land-based financing tools.

***“The conference brings to light problems that the Philippines is facing in land ownership. Disseminating information like this will help land owners make informed decisions regarding their property. The conference also helps in offering data-driven insights which the government can use in policy and planning.”***

**-- Danica Uy, BusinessWorld Reporter**

## **4. Alternative Land Dispute Resolutions**

Land conflicts are common and pervasive. Causes of these disagreements range from conflicting boundaries, to quarrel over inheritance, and to dispossession of ancestral claims. To ease clogging of cases in courts, the Philippine government promotes Alternative Dispute Resolution (ADR) to achieve speedy and impartial justice without prejudice to other ADR systems such as mediation, conciliation, arbitration or any combination through Republic Act 9285 Alternative Dispute Resolution (ADR) Act 2004. This plenary session highlighted state policy on ADR and experiences in land conflict resolution on the ground.

### **Panelists:**

Atty. Brenda J. Mendoza, Philippine Mediation Center

Engr. Randolph Vicente, Senior Vice President, ASEAN Foundation of Land Surveying and Geomatics

Engr. Winston Solite, Chief, Technical Services Division, DENR PENRO-Leyte

Engr. Kenneth S. Artes, EnP, Development Management Officer, Local Government of Bayawan City, Negros Oriental

**Moderator:** Atty. Bernadette C. Ongoco, Executive Director, Office for Alternative Dispute Resolution



*(Left to right) Atty. Bernadette C. Ongoco moderates the panel discussion with Atty. Brenda J. Mendoza, Engr. Randolph Vicente, Senior Vice President, Engr. Winston Solite, and Engr. Kenneth S. Artes.*

### **Key Points/Recommendations:**

- Through adequate and appropriate means, ADR can help “declog” court dockets of boundary and other land disputes.



- Support for development/policy studies in this area of land governance will be important and crucial towards achieving the goals of nation building.
- Land titling can provide land tenure security, but it can also trigger the emergence of latent land ownership and boundary disputes.
- Key to the land titling activities is the employment of the alternative dispute resolution or ADR mechanisms to fast track the land adjudication and patent processing. ADR by mediation is anchored on relationships and trust.
- Local players or operators and even community leaders and officials need to be trained to enhance or build their respective capacities in mediation, dispute resolution and appreciation of the importance of taking into consideration of the social and gender development aspect in land tenure security efforts.
- Land titling or tenure security is not an end in itself but an instrument for sustainable socio-economic growth.

## 5. Urban Land Constraints

Land constraints in urban areas pose major challenges to the resilient and inclusive growth of cities. With the accelerated urbanization rate, there are more urban dwellers competing for limited resources, services and opportunities concentrated in cities. Transforming urban areas into engines of growth require secure land rights to promote job creation, investments and financial markets. The panel discussed the outstanding issues of secondary Philippine cities and their growing urbanization.

### **Panelists:**

Ms. Makiko Watanabe, Senior Social Development Specialist, World Bank  
 Atty. Linda Malenab-Hornilla, Commissioner, Housing and Land Use Regulatory Board  
 Atty. Oscar S. Moreno, Mayor, Cagayan de Oro City  
 Ar. Maria Lourdes Domingo-Price, Philippine Action for Community-led Shelter Initiatives

**Moderator:** Engr. Ines Basaen, Executive Vice President and Academic Director, Gardner College, Quezon City



*Mayor Oscar S. Moreno (center) discusses the urbanization related challenges of Cagayan de Oro City with Engr. Ines Basaen, Atty. Linda Malenab-Hornilla, Arch. Maria Lourdes Domingo-Price and Ms. Makiko Watanabe (left to right).*

### **Key Points/Recommendations:**

- Enhance the role of Land Administration and Management (LAM). Secure property rights; good land use planning.
- Effective land information and registration system. These should feed into increased property values.
- Proper valuation and taxation; improved tax collection, and increased LGU investments.
- Secondary cities should learn from the issues of urban areas: urban poverty; vulnerability to climate change and disaster risk impacts; rapid and unplanned urbanization; high population growth rate; uncontrolled urban migration; emergence of small cities; and lopsided urbanization.

## 6. Asset Management for Local Government Units

Asset management introduces a new systematic approach to increase the effective use of real property, owned or operated by a local government. It involves a comprehensive inventory of all assets and an evaluation of each property to determine the best use for the local government. By addressing other property management issues, this multidisciplinary approach to managing assets results in improving local finances, service delivery and facilitates local economic development. This panel discussed how local governments can benefit from this approach.

### **Speakers:**

Maris Mikelsons, SURGE Project Chief of Party

Engr. Jose Arnold Tan, Deputy Director, Bureau of Local Government Finance

Atty. Eve Jiz, SURGE Project Component Lead

**Moderator:** Maria Concepcion Ordinario, Executive Assistant Office of the Governor Palawan



(Left to right) Atty. Eve Jiz, Maris Mikelsons and Engr. Jose Arnold Tan highlight how local governments can gain from asset management during a panel discussion moderated by Maria Concepcion Ordinario (rightmost).

### **Key Points/Recommendations:**

- Asset management helps increase revenue to fund public services and development projects of LGU. It improves revenue sources since the real property assets of local governments are often very large compared to their annual budget revenue or expenditures. It is also less demanding and risky politically compared to raising taxes and fees. Local governments usually have much more freedom of choice in handling local government assets and liabilities than they do municipal revenues.
- SURGE Project will help in implementing asset management in selected CDI cities.
- The League of Cities is seen as the main partner and driver of institutionalizing asset management in the Philippines.
- Empower *Sanggunians* to provide a mechanism and the appropriate funds to ensure the safety and protection of all local government property, public documents or records.
- Implement an Asset Management System in the local governments covering land and land improvements, buildings, machinery and equipment.
- Prepare an Asset Management Manual to guide local governments.
- Conduct extensive training of trainers and implementers initially for provinces, cities and 1st class municipalities.
- Create an asset management unit and pass the needed local ordinances and the Local Government Code.

***“The conference is a big help for the City Government of General Santos, especially the topic on land disputes. It was also the first time I heard the concept of asset management, where we could convert assets into resources. It was very timely and I am looking forward to the asset management software that we could access. I hope we can pilot it in General Santos where we are already at the process of inventory.”***

***-- Mary Ann Bacar, City Housing Officer, General Santos City***

## 7. Managing Commercial Pressures on Land Markets

As land is a finite resource, there are competing pressures on available land markets. This requires government land use and development plans to promote the best use of land, determine buildable areas and identify at-risk zones. Another imperative is the promulgation of zoning regulations and their compliance. This panel shared perspectives and insights from the public and private sector on how these pressures can be addressed.

### **Panelists:**

Mr. Nino Raymond Alvina, Executive Director, Bureau of Local Government Finance

Dr. Eduardo Ong, Chairman, Board of Real Estate Services, Professional Regulations Commission

Ms. Marissa Benitez, MRICS, Director, Colliers International Philippines

**Moderator:** Mr. Guillermo Luz, Private Sector Co-Chairman National Competitiveness Council



(Left to right) Dr. Eduardo Ong, Ms. Marissa Benitez and Mr. Nino Raymond Alvina discuss solutions to commercial pressures on the land market, which was moderated by Mr. Bill Luz (rightmost).

### **Key Points/Recommendations:**

- There are competing pressures on available land markets: population growth, requirements for residential, commercial, agricultural, industrial land, space for infra and public facilities, open space, natural reserves, avoidance of disaster prone areas. With all these requirements, it is imperative that land use and development plans must promote the best use of land.
- Good governance ensures tenurial rights, fair access to land, efficient property valuation and taxation and sustainable economic development.
- Real Property Tax is a progressive and stable source of revenues.
- There is a need to improve policy and process to address inefficiencies.
- The LGUs must capitalize on market movements by adjusting property valuation for taxation which could lead to increased tax collection.
- Government must continue the momentum gained in previous initiatives to improve land valuation and pursue much needed policy reforms.
- Key would be integration, cooperation, and continuity. Managing land is a governance issue.
- Key approaches to the development of environmentally sustainable communities are: sustainable urbanism; integrating land use and transportation decision making; and regional planning approach.

***“The conference was very organized. The topics discussed various aspects that gave participants a very broad understanding what’s happening in the country. In the asset management session, I found out that a lot of LGUs are not actually managing their asset but are mere custodians of the property.”***

***-- Gabby Barretto, Dean, Gardner College***

## **Day 2**

### **1. Policy Frameworks for Land Administration and Management**

The complex reforms towards developing inclusive and all-encompassing land administration and management cannot be staged in a single phase. A long-term programmatic approach is needed to formulate and adopt a relevant and comprehensive policy framework to serve as guideposts and national reference for the land sector. This plenary discussed a land policy framework that is a necessary condition for land policy to evolve and remain sustainable.

#### ***Panelists:***

Mr. Jose Christopher Belmonte, Chairperson,  
House of Representatives Committee on Land  
Use

Engr. Henry Pacis, Deputy Director, Land  
Management Bureau

Prof. Ernesto Serote, University of the Philippines  
School of Urban and Regional Planning

**Moderator:** Mr. William Althaus, Program  
Director, ICMA



(Left to right) Mr. William Althaus moderates the discussion on policy frameworks for land administration and management with Engr. Henry Pacis, Mr. Jose Christopher Belmonte and Prof. Ernesto Serote.

#### ***Key Points/Recommendations:***

- Sustainable development is the policy framework of effective land administration and management. Sustainable development demands that we reconcile two objectives: (1) meeting present needs and (2) protecting the ability of future generations to meet their own needs.
- The key to national development is proper use and management of land.
- The National Land Use and Management Act for Sustainable Development, and Land and Water Use must be consistent with equity, environmental integrity and social justice.

***“The conference tackled a lot of challenges faced by local governments, particularly in Cagayan de Oro where land tenure is a big issue. Land tenure is a complex problem that needs a multi-disciplinary lens and the involvement of all sectors of society.”***

***-- Tim Salera, Cagayan de Oro City Local Economic and Investments Promotion Office (LEIPO)***

### **2. Experiences in Implementing Land Sector Reforms**

The land sector in the Philippines has seen a mix of policies that resulted in the unequal distribution of land rights, vested interests and inefficiencies in the delivery of public services. The sector has benefitted from a number of development assistance programs, considerable national intervention and most recently, from locally-sourced initiatives and partnerships. These experiences provide a wealth of information on institutional infrastructures, lessons learned, and alliances forged. This session tackled the experiences in implementing these reforms at different levels.



**Panelists:**

Claudia Buentjen, Principal Public Management Specialist, Asian Development Bank

Ian Lloyd, Senior Land Administration and Management Specialist, Land Governance Innovations

Legaspi City Mayor Noel Rosal

Rene Sanapo, Senior Land and Credit Consultant, Foundation for Economic Freedom

**Moderator:** Atty. George Katigbak, Land Policy Specialist

**Key Points/Recommendations:**

- Continuing challenges include: 46 percent of 24.2 million land parcels in the Philippines remains untitled; land management institutions are fragmented; there is no unified land information system; 70 percent of cities have outdated property values; 55 percent of cities have outdated land use plans; revenues from RPT contribute a small amount to national and even local revenues.
- Land Governance is not inclusive. Half of the people do not have secure tenure and these are usually the bottom half of society. For instance, 45 percent of land parcels have never been titled. Of the 55 percent that have been titled, many landowners have not registered their land transfers.
- Efficiency and effectiveness is weak. A World Bank study, *Doing Business 2017*, ranks the Philippines at no. 112, ahead of Cambodia and Indonesia but behind others in the region. In fact, the Philippines has a high rate of land conflicts, with 40 percent of all ADR processes on land disputes.
- A roadmap for attaining the new targets, he said, must be established with a 10-year timeframe.
- There should only be one government agency to approve land surveys.
- New technology should be adopted to improve efficiency and ensure transparency.

### 3. Technology Solutions in Land Administration

Philippine public lands remain largely untitled, with incomplete cadastral information. The sector also suffers from inadequate access to shared accurate land information and inadequate funding for land tenure improvement. Good land governance requires better performance of Philippine land administration and management agencies and adoption of practical innovations and reforms. A diverse set of innovations, reforms, experiences and good practices have been implemented globally and locally to promote efficient land governance. The session presented some of the key practical technology solutions to land administration and management.

**Panelists:**

Eugene Alvin Villar, member, Board of Trustees of OpenStreetMap  
Ariel Blanco, chair, Geodetic Engineering Department, University of the Philippines  
Engr. Bonapart Masangcay, Land Information Specialist, Land Governance Innovations

**Moderator:** Engr. Virgilio Santos, President, Fil Geosolutions



(Left to right) Engr. Virgilio Santos moderates the discussion on technological solutions in land administration with Eugene Alvin Villar, Ariel Blanco and Engr. Bonapart Masangcay.

**Key Points/Recommendations:**

- Technologies are available to help collect, manage, analyze and publish land data and related documents (Open source, Open data, Crowdsourcing).
- A detailed resource assessment is needed to identify hazards and vulnerabilities that lead to disasters (loss of lives and properties, destruction of resources), which impacts poverty alleviation, food security, economic growth and energy supply.
- Together with Real Property System and GIS, drone technology can assist LGUs in titling and improve land records management.

***“The conference brought together a lot of people who are involved in land administration and management. It was nice to share what we have been doing and learn from one another. The presentations gave new insights and new technologies that can be used in land administration and management. It opens a lot of opportunities for practitioners and local government units.”***

**-- Rhea Delcea, Foundation for Economic Freedom**

#### 4. Improving Access to Land Records/Information

Incomplete and outdated records is one of the crucial barriers to unlocking the potential of land. With the high incidence of fake and double titles or rights recognition, there is a pressing need for an accessible source of consolidated land-related information of all parcels in the country. The discussion in this session focused on improving access to land records and information by national and local governments and by the transacting public.

**Panelists:**

Atty. Emelyne Talabis, Director, Land Management Bureau  
Atty. Robert Leyretana, Administrator, Land Registration Authority  
Benjamin Balais, Assistant Director, National Mapping and Resource Information Authority  
Ernesto Camarillo, Vice President, Land Registration Systems Inc

**Moderator:** Maria Concepcion Ordinario, Executive Assistant, Office of the Governor, Palawan



(Second to the left to the right) Atty. Emelyne Talabis, Mr. Ernesto Camarillo, Atty. Robert Leyretana and Mr. Benjamin Balais share solutions to improve access to land information during the panel discussion moderated by Maria Concepcion Ordinario (leftmost).

**Key Points/Recommendations:**

- To efficiently use GIS in improving access to land, there are five elements to consider: software, hardware, build data, procedures/criteria, and people who will use, operate, develop datasets. To make data more accessible, there is a need to use internet technology.
- Sharing and linking of data with LGUs, other national government agencies, Land Registration Authority / Register of Deeds, and private individuals is essential to have complete and easy access to data.

## 5. Gender and Social Inclusion in Property Rights

Land rights and ownership is essential to enhancing and sustaining economic opportunities especially among disadvantaged and marginalized communities. Institutional weakness, gender bias and exclusion practices affect women's rights to ownership and access to housing in informal settlers' housing and relocation programs. This session discussed and shared the gender and social inclusion challenge in accessing land and housing rights in urban areas, and efforts to address these.

**Speakers:**

Mr. Junefe Payot, Corporate Executive Officer, Socialized Housing Finance Corporation

Mr. Froilan Kampitan, Assistant General Manager, National Housing Authority

Ms. Ofelia Bagotlo, President, Homeless Peoples' Federation Philippines

Dr. Mary Racelis, Research Scientist, Institute of Philippine Culture, AdMU

**Moderator:** Dr. Jeanne Frances Illo, Gender Adviser USAID/ SURGE Project

**Key Points/Recommendations:**

- Land policy can contribute inadvertently to gender inequality and social inequalities by supporting individuals or groups who have the advantage because of wealth, power or tradition to the disadvantage of those who are poor and vulnerable. This is shown in many land conversion and land grabbing cases.
- Gender and social inequity can be diminished when non-discrimination is observed, when rights of women and other socially excluded groups are explicitly considered, and when socially excluded groups, particularly the women among them, participate in designing and implementing land policies, plans and programs.
- Explore gender equality and social inclusion not as intersecting concepts; look at the intersection between gender and other attributes of social exclusion.
- The citywide process can be a good mechanism for proper profiling and mapping of communities according to gender.
- Empower women through community organizing.



(Left to right) Dr. Jeanne Frances Illo moderates the discussion on the role of gender in improving sustainable land governance with Mr. Junefe Payot, Mr. Froilan Kampitan, Ms. Ofelia Bagotlo and Dr. Mary Racelis.

## 6. Resilient Land Management

Recognizing that the Philippines faces climate hazards and vulnerabilities, there is an urgency to mainstream climate and risk considerations in land use planning and zoning regulations and their enforcements. The session presented practical experiences on resilient land management and climate change adaptations.

### **Panelists:**

Leon Mayo, President and Principal Architect,  
Consultants for Comprehensive  
Environmental Planning

Oliver Cam, Chief Operating Officer,  
Welcome Home Leyte Holdings Inc

Nathaniel von Einsiedel, President, Alliance  
for Safe, Sustainable and Resilient  
Environments

Albert Zambrano, Professor, Architecture and  
Planning, Industrial Design, & Built  
Environment, Mapua Institute of Technology

**Moderator:** Ragene Andrea Palma, Planning  
Manager, Philippine Disaster Resilience  
Foundation



*(Second to the left to right) Albert Zambrano, Nathaniel von Einsiedel, Leon Mayo and Oliver Cam emphasize the importance of resilience in the context of land administration and management during a panel moderated by Ragene Andrea Palma (leftmost).*

### **Key Points/Recommendations:**

- Disasters result in the following: damage to lives and property; nutritional hardships; costly rebuilding effort; temporary housing; typical aid relief response; and recovery initiatives.
- Design solutions are not foremost considerations. Proper planning can provide resilient zoning that will prevent the loss of lives and property.
- There is a need for accurate mapping support in identifying risk zones. The strategies should be intertwined: safe shelter and basic nutrition that will tide people over the emergency.
- Use innovations in technology, such as for business mapping (geo-tagging): Google, OpenStreetMaps, global positioning system (GPS) on smart phones/ tablets.
- Push for changes in land use to include more industrial zones, post-Yolanda, for Tacloban and the Eastern Visayas.
- The development and redevelopment of land can be modeled after healthy systems, thereby increasing the ecosystem services they provide.



## IV. Synthesis: The Five Major Themes of the Conference

This section presents a synthesis of the five major themes.

### 1. Reforms in Land Governance

The present administration is already addressing a number of reform areas such as: (a) ensuring that people do not live in high-risk areas; (b) idle lands; (c) reform of estate taxes; (d) update of land valuations; (e) the urban nightmare of Metro Manila; and (f) compulsory land acquisition process. The keynote address of Finance Secretary Carlos Dominguez showed the deep understanding that the administration possesses on the limitations and problems in the land sector. These were carried forward to the Call to Action.

The conference speakers cited a number of internationally recognized standards as having applicability to some land governance issues in the country, such as:

- the voluntary guidelines for the good governance of tenure (VGGT);
- the Land Governance Assessment Framework of the World Bank;
- Doing Business of the World Bank;
- Guides of the Global Land Tool Network;
- Social Tenure Domain Model of UN Habitat; and
- International valuation standard

The DENR and other stakeholders prepared a Land Sector Development Framework (LSDF) in 2010. The LSDF is a 20-year vision with four mission statements, 16 policy directions in four thematic areas covering, public land administration, land administration, land information, land valuation and taxation. A number of milestones were achieved in the last six years which strengthened the governance of land such as: (a) completion of land surveys (1,634 cities and municipalities); (b) roll-out of the Land Administration Management System (LAMS) to the regional offices of DENR; (c) completion of computerization of Registry of Deeds (ROD) offices; and (d) administrative orders of the DENR Secretary on LGU – DENR partnerships in land sector and on standardization of land records in LAMS as well as a program for urban titling using the residential free patent law and on ADR in land disputes and resolution of land claims.

Even as there has been some progress, there is still an urgent need to reform and update the overall land governance performance and improve the rating of the land registration function in the World Bank's *Doing Business* study. The speakers saw the following essential reforms:

- Review/amend/repeal outdated laws and regulations; easier access to and sharing of land information;
- Remove duplication of approval of land surveys and making land maps;
- Retain land owners in the formal land registration system; issue land titles on remaining 11 million land lots;
- Establish a single leadership and management of government's land services; and
- Reduce cost of land registration; speed up land registration.

The speakers saw the land sector contributing to the government's efforts in climate change adaptation (CCA) and disaster risk reduction (DRR), partnerships with the local government,

better management of government property assets (central and local government), better planning.

In this context, better planning of city extensions was discussed as an opportunity to properly apply guidelines on the allocation of land area and better inclusion of all sectors of society into the spatial planning process. Poor decisions on city planning can make the living situation of a community much worse than it should be.

As an example of reform, the Residential Free Patent Act (Republic Act No. 10023) which institutionalized land titling of residential lands was passed in 2010. Prior to this, few urban lands were titled because it required the land owner to declare that the land was public land and making payment for the land. Since the bill was passed into law, the number of titles has increased to 50,000 per year nationwide. These titles are bankable. It was noted that the equivalent farmland titles (agricultural free patent) has a constraint since the title can be reclaimed by a seller within five years for the sale which makes the transfer of title less attractive.

Further, in the last two years, the DENR issued an Administrative Order to facilitate the titling of school property and the public use government lots. Other innovations include the partnerships of the central and local government which were developed, tested and implemented in the Land Administration and Management (LAMP) Project. Currently, this innovation was expanded to over 285 LGUs.

The requirement to complete the titling through a mass titling program is seen as a top priority by some speakers. At the same time, other speakers cautioned that the experience of the Comprehensive Agrarian Reform Program (CARP) was not ideal such as the creation of collective titles. It was proposed that all collective certificate of land ownership awards (CLOAs) be subdivided and each land owner issued with individual titles.

Nine basic considerations in land utilization were proposed:

- Protection over production;
- Preservation, conservation, rehabilitation, and protection of perpetuity prevails over conversion, disposition, intrusion, utilization, and development;
- Protection of forests and resources ensures environmental stability, biological diversity improving ecosystem functions and other long-term ecological benefits;
- Protection of forests and wetlands from infrastructure development is essential to economic development;
- Greater consideration given to human and tenurial rights of vulnerable groups in resolving conflicts;
- Prioritization of life and safety;
- Respect for existing customary rights and traditional land uses of indigenous cultural communities and indigenous people;
- Settlement areas should be properly identified with consideration to demand for land and access to employment and basic services; and
- Energy security and self-sufficiency.

The history of reform of the land use planning framework was discussed. It was based on the simple concept of all urban land being planned as follows:

*The Generic Goals of Physical Planning:*

- Achieve a rational distribution of population;

- Facilitate access of population to economic opportunity and social services;
- Guide public and private investments for optimum use of resources; and
- Protect and maintain the integrity of the environment.

*Four policy areas:*

- Protected area – area of no development;
- Settlement area – space for consumption;
- Production area – space for production; and
- Infrastructure area – exchange space.

Using this approach, the result has been an improved set of guidelines for land use planning. The National Physical Framework Plan (NPFP) was revised in 2000 and renamed National Framework for Physical Planning (NFPP) 2001-2030. The first draft of the National Land Use Committee (NLUC) Bill was filed in Congress in 1994. Now after 23 years, eight versions of the bill are still pending in both chambers of Congress. A second issue is the proper implementation of the existing guidelines by all LGUs.

Congressman Jose Christopher Belmonte, House of Representatives Committee on Land Use had a final word: *“We were used to old ways of doing things. Technology is there. It’s a matter of letting go of old systems.”*

The importance of the role of the Official Development Assistance (ODA) in innovation and partnership with the government was highlighted, and how reforms are difficult to implement and takes time. There is also a resistance. So the concept of ODA building on the work of earlier work by other ODA was emphasized such as with the Revenue Generation and Land Administration Reforms (REGALA) Project of the Asian Development Bank (ADB). This continued and further innovated on the linked processes of local government of land use planning/zoning/investment planning with other activities of land tenure, tax mapping and schedule of market values (SMV) and Real Property Tax (RPT), as well as umbrella tasks of spatial data management and sharing. A second case of building on the innovations of the Land Administration and Management Project (LAMP) was discussed emphasizing urban lands and issuing residential free patent in partnership with the LGUs.

Legazpi City Mayor Noel Rosal gave a glimpse of an LGU on the implementation of the land reforms under LAMP wherein ODA assistance was used to build local capacity and produce disaster risk measures and climate adaptation strategies in parallel with the development of the Comprehensive Land Use Plan (CLUP) and Comprehensive Development Plan (CDP). With the widening of the tax base, higher revenues were generated, too. The energy of the executive and council of the city was evident in the development initiatives explained.

One speaker suggested to focus on three actions: (1) develop effective land information access; (2) creation of Land Administration Management (LAM) office at the local level; and (3) Maximize effective communication between the national government, local government and the public.

The discussions on reform focused with a social view that: (1) tenure security should be available to all and not just those who are better off; (2) that there is little use in issuing land titles when the land owners do not register their subsequent transactions; and, (3) that land registration should be affordable, simple, accessible and transparent.

It was suggested that based on the last 16 years of experience and the major changes still needed, land agencies cannot reform themselves, and must be managed from the outside. It was suggested that open access to all land information such as through a Land Information System (LIS) could allow people to check and validate data accuracy through their smart devices.

## **2. Social and Economic Impacts of Land Tenure**

The mediation processes in the Philippines through the Philippines Mediation Center was discussed. The outstanding fact was that 40 percent of cases are land related, that is 1,065 of 2,685, in one year. The objective of land governance is to secure tenure and avoid disputes so clearly there is a problem with land governance in the Philippines as the figures show.

The case of political boundary disputes was explained citing incomplete and confusing land records causing problems not only for individuals but also for LGUs. In Leyte, disputes were commonly on lot boundaries and between heirs even as there were also cases of double sales. Disputes cause the land to be usually left idle for many years while the dispute is being processed except in the case of LAMP where mediation was built into the local adjudication process.

The approach of alternative dispute resolution (ADR) with professional technical staff and mediation staff is successful. It shows that it is better to resolve the issues on the ground and not in the office premises. This process was further explained in the case of Bayawan City which received ODA assistance under LAMP. Simultaneous titling and tax mapping was based on sound land adjudication process from the Leyte model but was then extended to be LGU-led with local surveys, local IEC, deputation of LGU staff as adjudicators, local mediators and LGU management of the process in coordination with the City Environment and Natural Resources Office (CENRO). Participation levels were high as the people obtained titles for a minimal cost and the LGU widened its tax base through the tax mapping of these parcels for the first time.

The lessons for the LGUs were: (1) partnership with DENR was very important; (2) capacity building by the ODA experts was vital; (3) land information sharing was able to fast track the tedious work; (4) the use of information technology for computerized tax records and GIS of land parcels and land use has made the work of the city assessor, city planner and city treasurer so much more accurate, complete, convenient and efficient.

The conference participants were reminded of the many pressures on access to land, such as: population pressure, land for environmental protection and water catchments, land for food and nutrition, land for industry, land for recreation and so on.

Land also needs to be serviced, such as: flood protection, access way creation, sub-division and estate development, crossed by water pipes, electricity lines, communication lines etc. which cost money and require investment by public and private sector.

Land has a value which rises after development. Revenues should be gained from land so government has funds for infrastructure investment. Land value capture is best achieved with an efficient property tax system. Such tax system should also recognize social goals too, such as protecting the poorest of the poor. It is imperative that land use and development plans must promote the best use of land.

With this background the speakers mentioned the challenges in the Philippines, such as: (1) RPT contributes only about 30 percent of LGUs' own income; (2) the property tax to GDP ratio has

been declining, from 0.45 percent to 0.36 percent in 2015; (3) there is also weak collection efficiency – averaging 57 to 60 percent in the last 10 years; (4) cities are using outdated property values – 172 cities (74 percent are outdated).

On the land use planning (2012), 12.5 percent of LGUs have no CLUP and that for those with CLUP, 51.6 percent are fairly current while 48.4 percent are severely outdated. If local governments are only valuing the properties correctly and are efficient in their collection, it could yield 18 billion annually, both at the local and national level.

The Local Government Code requires updates of the Schedule of Market Value (SMV) every three years but this has not happened even though the real estate market is increasing at a rate much higher than the gross domestic product (GDP), that is 6.8 percent GDP and 13.5 percent property values increase in 12 months. Some examples were given such as (*Market Value vs LGU value*):

- Ayala Avenue: SMV – Php40,000/m<sup>2</sup>; selling price is at Php150,000/ m<sup>2</sup>
- Tiendesitas, Pasig: SMV-Php950/m<sup>2</sup>; selling price is at Php40,000-80,000/m<sup>2</sup>
- Eastwood: SMV-Php2,000 / m<sup>2</sup>; selling price is at Php100,000 m<sup>2</sup>

Some of the other pressures are: international treaties which constrain actions; land grabbing by speculators, social and economic changes.

On the wider issue of dealing with pressures on land there was a suggestion that with respect to land conversion and regional planning, a that 25-year horizon is needed so that developers and bankers have a clearer idea on the future. The contentions on land protection under the Comprehensive Agrarian Reform Program (CARP) and land conversion for development were discussed. Recent planning efforts in the Philippines emphasized the need to implement climate adaptive and disaster risk measures considering spatial planning. Sustainable urban development must be balanced with sustainable rural areas. Sustainability principles associated with land use include: open space; sustainable water sources; walkability and connectivity; integration of diverse community features and a strong sense of place.

The role of local government in land use zoning was also agreed as a key activity in conjunction with business and civil society.

There was likewise recommendation for government to address the weak performance of the RPT, possible through the Valuation Reform Act (VRA) Bill proposed by the Secretary of Finance.

The session on commercial pressures finished with two issues that were raised for future discussions: *how to make land more bankable and how to reduce the amount of idle land?*

The presentations and discussions also covered the broad sphere of gender, social inclusiveness and access to land and housing. An analysis of the meaning of gender oriented and socially inclusive interventions was made. Lessons learned were shared by the presenters.

The many activities that address access to land and housing by the poor were shared mainly by NGO and community groups that also underlined assistance by government agencies. These groups have successfully worked with LGUs and created some impact. The city-wide planning approach is much more effective than addressing problems later or forcing the poor to the outskirts of the city.

The role of women in informal settlements is prominent thus to make programs inclusive there must be a clear entry program for women in the community. Other lessons and messages are:

(1) housing programs should not only be about houses but also about building communities; (2) city-wide slum upgrades should be based on city wide planning not only planning for slum upgrades; (3) community-led activities are more effective than isolated small groups; and (4) maintaining a good dialogue between civil society and government is important in housing and community development endeavors.

The formal roles of LGUs is important and one speaker highlighted it as follows:

- Make land available for social housing.
- Strengthen capacities of city planner, urban poor affairs office, social work and community development, health, barangay captain and councilors.
- Continue strengthening women's capacities.
- Encourage participation of NGOs.
- Foster income generation, livelihood, and employment.
- Improve local health programs.

Issues on law reform are less prominent in this panel discussion although earlier in the conference the bills on creating a housing department and a bill on national land use planning were mentioned.

This session illustrated well that land governance has more than one kind of impact, that is it impacts the social condition of the community (such as amount and severity of conflicts), the economic growth of the country (such as proper spatial and land use planning) and the financial position of both the central and local governments (such as through equitable property related taxation).

### **3. Local Government and Land Governance**

The key land-related data required by the local governments are lot-based data with survey description and mapping, information on land area, ownership improvements, especially buildings. Land market data is required for the three yearly schedule of market value (SMV) determination and the challenges in this task are overwhelming for many LGUs. The result is that LGUs lack records of all land and buildings, and that the ownership data is not updated. The LGUs also do not have enough staff to continually update the tax maps. Moreover, the SMVs of 70 percent of the LGUs are not updated. In addition to the resource and knowledge and technology requirements, another issue is the political approach taken towards the SMV by many mayors. To address these matters, the Bureau of Local Government Finance (BLGF) has engaged with ODA assistance to produce guidelines and training materials, and to issue standards and guides as well as conduct training courses.

Furthermore, assessors have been professionalized and a post-graduate course has been started. The roll-out of the new methods and new technology has started but only in a small number of LGUs.

A law to create a new body with powers to approve the process of each SMV by each LGU was submitted to Congress in 2007 but has not been passed (VRA Bill). In its absence each LGU can ignore the requirements of the Local Government Code on regular three yearly updates of the SMV aligned with the land market and in accordance with the valuation standard.

All LGUs have properties under their direct management, however, most LGUs do not manage the best use of these assets. Asset Management is a systematic, comprehensive approach to

increase the effective use of real property, owned or operated by a local government. A case study in Croatia resulted in an annual income of \$73 million.

Properties, plants and equipment (PPE) of LGUs comprise more than 60 percent of all LGU assets. LGU assets are, therefore, important resource-base that could be tapped for the implementation of development projects and service deliveries. No local government unit in the Philippines implements asset management and most do not practice any asset management activities. It should be very important in Metro Manila. It is seen that the existing database of properties which the assessor maintains should show all government-owned properties. For these properties their details on location, land area, building data, land use, occupier and economic and valuation data should be shown as basis for managing the assets better. As for titling these properties, DENR has long been issuing special patents. Republic Act 10023 and the DENR Administrative Order 2016-21 fast-tracks the issuance of land patents through the Provincial Environment and Natural Resources Office. The delegates seem interested with the discussion during the conference.

The recommendations in relation to asset management were: (1) prepare an Asset Management Manual for distribution to all LGUs; (2) develop an Asset Management software; (3) conduct extensive training of trainers and implementers initially for provinces, cities and 1st class municipalities.

#### **4. Land Management**

Inclusive city land management was an important topic in some of the other presentations, raising questions such as: *A city for people or a city for cars? and A city with walled sub-divisions and with poorer people on the outskirts or an inclusive city?*. The comments on Metro Manila led the conference participants to focus more attention on the secondary cities for relief by spurring faster economic growth in these centres.

The inherent advantages of cities are diminished by the challenges related to quality of life. Innovative forms of tenure security were proposed so that all may possess land tenure quickly and at a reasonable cost. Closeness to work was a matter not well enough addressed in the context of public transport and city wide planning. Urban expansion was also seen as both an opportunity for doing urban planning better than before but also a challenge in satisfying all stakeholders.

Across the world, there are countries where formal land tenure is very low, such as Nigeria with only 3 percent. In these countries the inequalities and land conflicts are extreme. Urban sprawl is the result of ineffective or absent land use planning. The rapidly rising value of land, corruption and weak and demoralized government agencies create a toxic situation in many developing countries. Good land governance is also a remote concept. Conventional land systems cannot deliver tenure security at the scale needed.

The land sector has responded with new tools which have: (1) low unit cost to implement and maintain; (2) simple and easy to understand; (3) local participatory processes for land tenure management; and (4) a continuum of land tenures that yield progressively increasing land tenure security.

In the context of titling the remaining 50 percent of lots in the Philippines and providing land services, there are lessons to learn from overseas experiences. The VGGT is a United Nations-endorsed guideline and the GLTN is a United Nations-sponsored network of resource material.

Obstacles to urban development from the land sector were identified: (1) increasing informality in land tenure; disjoint operation of land tenure functions of the LRA and DENR; (2) weak local property tax operations and lack of city-wide planning for all of the community; and (3) growing informal settlements. Solutions in the local context were seen as: integration of LRA and DENR land functions; public access to a Land Information System (LIS) of all land information online; city wide planning for all parts of society; strengthened LGU capacity and monitoring capacity of central government on RPT functions.

On urban land constraints, the views and emphasis were interestingly different depending on the background of the speaker. From civil society the issues were seen from the perspective of the poorer sectors of society as: (1) Prohibitive land value; (2) affordable land is usually in hazard-prone areas; (3) complex land management and land administration system; (4) lack of knowledge and lack of technical support for communities in land acquisition processes; (5) Lack of support from government units; (6) cost to communities of land transaction processes; and (7) Lengthy and complicated process in the Community Mortgage Program.

The government representative mentioned the following constraints: urban poverty; vulnerability to climate change and disaster risk impacts; rapid and unplanned urbanization; high population growth rate; uncontrolled urban-ward migration; emergence of small cities; and unbalanced urbanization.

The lessons for *secondary cities include the following*:

- Need for land tenure security;
- inefficient urban systems;
- rampant land use change and urban sprawl;
- poor urban planning and design;
- promotion of public spaces;
- encourage mixed use, mixed income developments;
- promote green building;
- use of renewable energy;
- climate and disaster risk assessment, CCA-DRR mainstreaming;
- transport connectivity, improved communications;
- create neighborhood unit;
- integrated transport and land use planning;
- urban-rural continuum;
- metropolitanization;
- planned city extensions;
- alternative tenure arrangements/ instruments;
- access to urban land;
- community-led planning, monitoring and evaluation; and
- free, open, and accessible information.

The problem of land conversion was discussed by several speakers especially as the Philippine President placed a two-year moratorium. This has impacted the LGUs by restricting their ability to resettle low income people from disaster prone areas. It can also have an impact on city expansion plans in the growing secondary cities.

This conference took place as the economic growth rates for the last year were released showing a rate of 6.8 percent. The agricultural sector, however, contracted by 1.5 percent.



The bigger picture was provided by the speaker from the World Bank:

- In 2015, the Philippines was 50 percent urbanized. It is expected to be 84 percent urbanized by 2050. Urban density is second highest in the region already.
- Cities generate more than 70 percent of the country's GDP, with Metro Manila contributing 36 percent of GDP in 2012.
- About 75 percent of jobs in the Philippines is informal.
- The term "congestion diseconomies" is very relevant. It means high land scarcity resulting in soaring land prices and increased demand for affordable and safe housing.
- In 2016, conservative estimates pegged Philippine housing needs at 750,000. In 2012, 2.2 million Filipinos, or 5.4 percent of total urban population, live in informal settlements. Many of these settlements are in climate-impacted zones.

The policy recommendations are:

- Strengthen the role of Land Administration and Management and secure property rights for all;
- Better land use planning;
- Effective land information and land registration system. These should feed into increased property values;
- Proper valuation and taxation;
- Improved tax collection;
- Increased and better coordinated LGU investments; and
- Address increasing informality in cities.

In the context of DRRM and CCA, several speakers discussed post-Yolanda support. As is well known, the theory of moving poor people from disaster prone areas to safe residential areas is difficult for many reasons: both economic (proximity to employment / occupation) and social (ties to the land, closeness to well-known support and friends and relatives etc). Proper preparation is needed and infrastructure must be put in place before moving people. Job generation must be in place as well as the provision of transport and relocation for employees.

Spatial and development planning is more complex in disaster prone locations such as in Leyte Province. In Tacloban City, the plan was to move about 40 percent of the population (75,000) to safer grounds. The planning process must consider hazard mapping and crop suitability mapping for sustaining livelihoods. A closer analysis of the value chain of commodities and crops is also important. Together with proper market analysis, innovative service and goods can be produced which would in turn create new jobs. These jobs can be offered to people interested to work and relocate to safer areas. Some speakers also discussed on creating an agro-industry in Leyte Province in the coconut industry and other industries.

With the increasing number and severity of natural disasters, planners are looking for better planning tools such as Ecosystem-Based Planning. The tool balances environmental, social and economic objectives for long-term sustainable development and it should be used in physical planning and design. For instance, smaller areas were allotted to open-spaces such as in subdivisions within the water basins, where they eventually get flooded or prone to erosion.

## **5. Land Information and Technology**

The conference was shown examples of the application of new technology. This is aimed at reducing cost and time of data capture in the field and subsequent data processing. Some

examples cited in the conference include using open source software which is available and promoted by donors (USAID, GLTN, UN Habitat, and United Nations Food and Agriculture Organization) as well as civil society. Hand held data capture and global positioning system (GPS) combined tablets are a good example of new technology which is now used in land surveys. A second kind of technology is access to free data such as Google maps, census data, open street map and Wiki. A third category is crowd sourcing where many people contribute live data on a particular topic such as a disaster or recovery operation for monitoring purposes. An exciting prospect is the use of drone aerial devices with various kinds of cameras / remote sensing devices to scan land areas quickly and in real time and relay images back to the user.

The Land and Governance Innovations (LGI) Consultants, Inc. showcased a good example of drone mapping in the Cagayan de Oro City. The whole setup and operation and results were projected in the screen during the conference. This is relevant to LGUs with specific tasks and development areas to be addressed such as in area master planning, participatory planning with communities, mapping and planning upgrade of informal settlements, monitoring of sensitive water sheds or forests or mangrove areas, encroachment surveys, among others.

Using Drone Mapping for two barangays, for instance showed that data is visualized in a more detailed manner. Assessor might see the area as one big lot, but based on drone mapping, there are several parcels in that area with a number of residents. Drone used was DJI Phantom 4 – built in GPS. Photos are geotagged (option to produce orthophoto maps and 3D models; use of iPad and tablet to do automated mapping). Orthophoto map – very detailed maps captured by the drone, 5 cm resolution, and positional accuracy of better than 1 meter without ground control points. Drones can also be used to support 3D mapping.

In Cagayan de Oro City, about 70 to 80 percent of lots are titled, about 20 percent have no titles constituting about 17,000 ha. of untitled parcels. The approach was:

- Coordination and sharing of data between departments within LGU: CENRO, PENRO, Planning, Assessors, Legal Offices:
  - 2 barangays selected: Pagatpat and Tumpagon
- Coordinated with NGAs: DENR, CENRO;
- Rapid Land Tenure Appraisal (RLTA): Process to obtain a clear picture of land tenure situation on the ground before any titling activity is undertaken.
  - We explain to the community the benefits of having lands titled.
- Ocular Inspection
- House-to-house visit to check if claimants have their actual occupation on the ground.
- Report updates and propose work plan.

A special case of using Light Detection and Ranging or LiDAR remote sensing method, with a drone or other air borne vehicle, was explained with applications in the urban context such as in vulnerability assessments.

The recording of land records in a database environment was explained in the case of DENR. Its LAMS system processes land survey submissions from the private sector for approval and integration into the land cadaster of the country. This is on a regional basis. Submission of electronic returns is permitted. The digital cadastral database (DCDB) of the land lots is the core of the system and conforms to world's best practices on modern land registration which places the land lot as the primary object of registration and not the land deed. In this way duplication and overlapping title can be avoided. The system also tracks all public land applications and issues to the client SMS messages on progress of their application. The DENR is in progress of mass data

capture into the LAMS. This was an example of successful technology transfer as LAMS was handed over to DENR from the LAMP Project in 2010.

The Land Registration Authority's (LRA) function covers only transaction on registered land. The LRA explained their land survey and GIS work in mapping the land lots of the country and providing chargeable services to the public, business and the government. In addition, the LRA coordinates with the Bureau of Internal Revenue (BIR) for verification of the certificate authorizing registration (CAR) to avoid losses in BIR taxes on land transactions such as the capital gains tax (CGT). The LRA offers a parcel verification service and a geo-spatial query service such as the identification of property owners adjacent to the Metro Manila Waterways.

As regards access to land information, this can be enhanced by:

- Mandate use of open formats for government data;
- Require public information to be posted online;
- Remove restrictions for accessing information;
- Remove restrictions on reuse of information;
- Require publishing metadata or other documentation;
- Mandate use of unique identifiers for data objects such as land lot;
- Require digitization and distribution of archival materials;
- Create portal or website devoted to data publication or policy;
- Publish bulk data;
- Create public API's for accessing information;
- Require electronic data filing;
- Mandate ongoing data publication updates; and
- Create permanent and lasting access to data.

The challenges in land information are based around the fact that the LRA and DENR information systems are incompatible. The public policy on free public access to land information is also not clear. In this situation the public have little access to land data and in turn, the government records get outdated without the public having the opportunity to identify errors, omissions and conflicting records. The lessons are:

- Together with a Real Property System and GIS, adding drone technology can assist LGUs in titling and improve its land records management. A number of sensors can be used in addition to visible light cameras, infra-red and LIDAR can be used.
- Drones can be used for various LGU operations:
  - Tax mapping by the Assessors' Office;
  - Post-disaster assessment by the DRRM office (floods, emergency response);
  - Orthophoto images of growth areas by the Planning Office;
  - Up-to-date Orthophoto maps for decision makers (mayor, *Sangguniang Panlungsod*).

The following limitations should be addressed:

- Linking the land records of DENR and LRA, as well as the National Commission on Indigenous Peoples (NCIP) and the National Mapping and Resource Information Authority (NAMRIA);
- Capture of land ownership and lot descriptions so that all records are up to date and consistent;

- Make the core land data available online to the public and business to build confidence and eliminate fake and spurious titles and land grabbing;
- Capacitate the land sector and mindsets of officials towards service delivery; and
- Set a policy gap that asserts land records of over 100 years old held by government belong to the people and not the assets of a particular government agency.

## V. Results of the Evaluation

Based on the results of the evaluation, the conference was positively received. Participants gave high ratings to the sessions, especially the following: (1) Managing commercial pressures on land markets; (2) Asset management for local government units; (3) Urban land constraints; (4) Gender and social inclusion in property rights; and (5) Resilient land management.

The topics presented were rated useful with 50 percent on the first day, and 50.9 percent on the second day. The expectations of the participants were also adequately met with 52.3 percent on the first day and 53.2 percent on the second day.

The break-out session on *Managing Commercial Pressures on Land Market* was deemed the most interesting session. It had 85.3 percent score on relevance of the topic, 81.7 percent score on effectiveness of the speakers, and 85.3 percent on applicability. The session discussed about how important for land use and development plans to promote the best use of land because of competing pressures on available land markets.

The participants also gave a high rating for the break-out session on *Asset Management for Local Government Units* with 83 percent relevance to the conference topic, 82 percent effectiveness of the resource speakers and 83 percent applicability to the participants. The speakers discussed about how local governments can benefit from this new systematic approach to increase the effective use of real property, owned or operated by a local government.

All the topics presented in the conference were deemed useful to the participants. Specifically, the participants welcomed the launching of the Sustainable Urban Land Coalition and their Call to Action for the adoption of a sustainable land governance to address the country's land sector development concerns.

Overall, the two-day conference, was deemed successful with participants giving it a high rating. They learned new ideas, insights, and solutions to common concerns on land administration and reform. Almost all the participants are looking forward to another valuable land conference in the future.

The details of the evaluation of the Conference on Sustainable Land Governance can be found in *Annex 4*.

# Annexes

## Annex 1. Media Placements

### Land Conference Media Monitoring

No.	Date	Media Company	Media Type	Title	Author	Page/URL
1	30-Jan-17	BusinessWorld	Print advertisement	Conference on Sustainable Land Governance		4/S2
2	7-Feb-17	mornings @ ANC	video	Sustainable Land Governance	ANC	
3	7-Feb-17	ICMA	online news	Conference on Sustainable Land Governance	ICMA	<a href="http://icma.org/en/icma/events/CalendarEvent/101538/Conference_on_Sustainable_Land_Governance">http://icma.org/en/icma/events/CalendarEvent/101538/Conference_on_Sustainable_Land_Governance</a>
4	7-Feb-17	BusinessWorld	online news	USAID to stage sustainable land use conference	Danica M. Uy	<a href="http://www.bworldonline.com/content.php?section=Economy&amp;title=usaid-to-stage-sustainable-land-use-conference&amp;id=140211">http://www.bworldonline.com/content.php?section=Economy&amp;title=usaid-to-stage-sustainable-land-use-conference&amp;id=140211</a>
5	7-Feb-17	BusinessWorld	print news	USAID to stage sustainable land use conference	Danica M. Uy	4/S1
6	7-Feb-17	ABS CBN	online news	Land Registration Woes Setting Back Philippine Economy		<a href="http://news.abs-cbn.com/business/02/07/17/land-registration-woes-setting-back-philippine-economy">http://news.abs-cbn.com/business/02/07/17/land-registration-woes-setting-back-philippine-economy</a>
7	8-Feb-17	ABS CBN	online news	Philippines faces land governance crisis, says Dominguez		<a href="http://news.abs-cbn.com/business/02/08/17/philippines-faces-land-governance-crisis-says-dominguez">http://news.abs-cbn.com/business/02/08/17/philippines-faces-land-governance-crisis-says-dominguez</a>
8	8-Feb-17	Department of Finance	Post	Land governance policy overhaul to prevent spread of Metro Manila's 'urban nightmare,' says Dominguez	Department of Finance	<a href="http://www.dof.gov.ph/index.php/land-governance-policy-overhaul-to-prevent-spread-of-metro-manilas-urban-nightmare-says-dominguez/">http://www.dof.gov.ph/index.php/land-governance-policy-overhaul-to-prevent-spread-of-metro-manilas-urban-nightmare-says-dominguez/</a>
9	8-Feb-17	Makati News	online news	Philippines faces land governance crisis, says Dominguez	Makati News	<a href="http://www.makatinews.com/philippines-faces-land-governance-crisis-says-dominguez/">http://www.makatinews.com/philippines-faces-land-governance-crisis-says-dominguez/</a>
10	8-Feb-17	CNN Philippines	Video	Landless families live in danger zones	Claire Jiao	<a href="http://cnnphilippines.com/videos/2017/02/08/Landless-families-live-in-danger-zones.html">http://cnnphilippines.com/videos/2017/02/08/Landless-families-live-in-danger-zones.html</a>
11	8-Feb-17	GMA News Online	online news	DOF wants Metro Manila 'urban nightmare' stopped from spreading	Ted Cordero	<a href="http://www.gmanetwork.com/news/story/598761/money/economy/dof-wants-metro-manila-urban-nightmare-stopped-from-spreading">http://www.gmanetwork.com/news/story/598761/money/economy/dof-wants-metro-manila-urban-nightmare-stopped-from-spreading</a>
12	8-Feb-17	Manila Times	online news	Land security to boost PH economy – US envoy	Michael Joe T. Delizo, TMT	<a href="http://www.manilatimes.net/land-security-boost-ph-economy-us-envoy/311225/">http://www.manilatimes.net/land-security-boost-ph-economy-us-envoy/311225/</a>
13	9-Feb-17	Pressreader	online news	Land security to boost PH economy – US envoy	Manila Times	<a href="https://www.pressreader.com/philippines/manila-times/20170209/281530815764773">https://www.pressreader.com/philippines/manila-times/20170209/281530815764773</a>
14	9-Feb-17	BusinessWorld	online news	Improved land governance seen encouraging investment	Danica M. Uy	<a href="http://www.bworldonline.com/content.php?section=Economy&amp;title=improved-land-governance-seen-encouraging-investment&amp;id=140368">http://www.bworldonline.com/content.php?section=Economy&amp;title=improved-land-governance-seen-encouraging-investment&amp;id=140368</a>
15	9-Feb-17	Manila Bulletin	online news	PH faces land governance crisis — Dominguez	Chino S. Leyco	<a href="http://business.mb.com.ph/2017/02/09/ph-faces-land-governance-crisis-dominguez/">http://business.mb.com.ph/2017/02/09/ph-faces-land-governance-crisis-dominguez/</a>
16	9-Feb-17	CDO Dev	online news	Cagayan de Oro attends 2017 Conference on Sustainable Land Governance	CDODev.com	<a href="http://www.cdodev.com/2017/02/09/cagayan-de-oro-attends-2017-conference-on-sustainable-land-governance/">http://www.cdodev.com/2017/02/09/cagayan-de-oro-attends-2017-conference-on-sustainable-land-governance/</a>
17	9-Feb-17	Manila Metro	online news	Land governance policy overhaul to prevent spread of Metro Manila's urban nightmare says Dominguez	PIA	<a href="http://www.manilametro.com/index.php/sid/251561453">http://www.manilametro.com/index.php/sid/251561453</a>
18	9-Feb-17	Philippine Information Agency	online news	Land governance policy overhaul to prevent spread of Metro Manila's urban nightmare says Dominguez	PIA	<a href="http://news.pia.gov.ph/article/view/1141486561674/land-governance-policy-overhaul-to-prevent-spread-of-metro-manila-s-urban-nightmare-says-dominguez">http://news.pia.gov.ph/article/view/1141486561674/land-governance-policy-overhaul-to-prevent-spread-of-metro-manila-s-urban-nightmare-says-dominguez</a>

19	9-Feb-17	Malaya Business Insight	online news	URBAN NIGHTMARE; Govt told to crack whip on land planning	Angela Celis	<a href="http://malaya.com.ph/business-news/business/urban-nightmare-govt-told-crack-whip-land-planning">http://malaya.com.ph/business-news/business/urban-nightmare-govt-told-crack-whip-land-planning</a>
20	9-Feb-17	Tribune	online news	Land Tenure Security Boosts RP's Economy	Joyce Anne Rocamora	<a href="http://www.tribune.net.ph/nation/land-tenure-security-boosts-rp-s-economy">http://www.tribune.net.ph/nation/land-tenure-security-boosts-rp-s-economy</a>
21	9-Feb-17	Manila Standard	online news	Govt welcomes \$49-m Surge city devt project	Vito Barcelo	<a href="http://www.thestandard.com.ph/news/-main-stories/top-stories/228866/govt-welcomes-49-m-surge-city-devt-project.html">http://www.thestandard.com.ph/news/-main-stories/top-stories/228866/govt-welcomes-49-m-surge-city-devt-project.html</a>
22	9-Feb-17	Manila Standard	print news	Govt welcomes \$49-m Surge city devt project	Vito Barcelo	A6
23	9-Feb-17	Manila Times	print news	Land Governance	Roger Rañada	A1
24	9-Feb-17	Manila Times	print news	Land security to boost PH economy – US envoy	Michael Joe T. Delizo, TMT	A2
25	9-Feb-17	Manila Times	online news	Department of Finance urges overhaul land policy to stop 'urban nightmare'	Mayvelin U. Caraballo, TMT	<a href="http://www.manilatimes.net/overhaul-land-policy-stop-urban-nightmare/311259/">http://www.manilatimes.net/overhaul-land-policy-stop-urban-nightmare/311259/</a>
26	9-Feb-17	Manila Times	print news	Department of Finance urges overhaul land policy to stop 'urban nightmare'	Mayvelin U. Caraballo, TMT	B1-B2
27	9-Feb-17	United Nations Public Administration Network	online news	Overhaul land policy to stop 'urban nightmare'	Manila Times	<a href="http://www.unpan.org/Regions/AsiaPacific/PublicAdministrationNews/tabid/115/mctl/ArticleView/ModuleId/1467/articleId/53331/Overhaul-land-policy-to-stop-urban-nightmare.aspx">http://www.unpan.org/Regions/AsiaPacific/PublicAdministrationNews/tabid/115/mctl/ArticleView/ModuleId/1467/articleId/53331/Overhaul-land-policy-to-stop-urban-nightmare.aspx</a>
28	9-Feb-17	The Philippine Star	online news	DOF to overhaul land governance policies	Mary Grace Padin	<a href="http://www.philstar.com/business/2017/02/09/1670295/dof-overhaul-land-governance-policies">http://www.philstar.com/business/2017/02/09/1670295/dof-overhaul-land-governance-policies</a>
29	9-Feb-17	The Philippine Star	print news	DOF to overhaul land governance policies	Mary Grace Padin	B-3
30	10-Feb-17	Manila Times	print news	Land sector reforms	Roger Rañada	B3
31	10-Feb-17	Foundation for Economic Freedom	online news	Land security to boost PH economy – US envoy	Michael Joe T. Delizo TMT   Manila Times	<a href="http://www.fef.org.ph/fef/land-security-to-boost-ph-economy-us-envoy/">http://www.fef.org.ph/fef/land-security-to-boost-ph-economy-us-envoy/</a>
32	12-Feb-17	Market Monitor	online news	Relocation of Government Seat Eyed to Decongest NCR	Luis Leoncio	<a href="http://marketmonitor.com.ph/relocation-government-seat-eyed-decongest-ncr/">http://marketmonitor.com.ph/relocation-government-seat-eyed-decongest-ncr/</a>
33	13-Feb-17	Daily Star PH	online news	Coalition seeks overhaul of land governance policies	Dailystarph.com	<a href="http://www.dailystarph.com/coalition-seeks-overhaul-of-land-governance-policies/">http://www.dailystarph.com/coalition-seeks-overhaul-of-land-governance-policies/</a>
34	13-Feb-17	Philippine News Now	online news	Coalition seeks overhaul of land governance policies	Inquirer	<a href="https://www.philippinenewsnow.com/coalition-seeks-overhaul-of-land-governance-policies/">https://www.philippinenewsnow.com/coalition-seeks-overhaul-of-land-governance-policies/</a>
35	14-Feb-17	Philippine Daily Inquirer	online news	Coalition seeks overhaul of land governance policies	Krixia Subingsubing and Matthew Reysio-Cruz	<a href="http://newsinfo.inquirer.net/871221/coalition-seeks-overhaul-of-land-governance-policies">http://newsinfo.inquirer.net/871221/coalition-seeks-overhaul-of-land-governance-policies</a>
36	14-Feb-17	Philippine Daily Inquirer	print news	Coalition seeks overhaul of land governance policies	Krixia Subingsubing and Matthew Reysio-Cruz	A8

37	14-Feb-17	Pressreader	online news	Coalition seeks overhaul of land governance policies	Krixia Subingsubing and Matthew Reysio-Cruz Inquirer.net	<a href="https://www.pressreader.com/philippines/philippine-daily-inquirer/20170214/281672549694734">https://www.pressreader.com/philippines/philippine-daily-inquirer/20170214/281672549694734</a>
38	14-Feb-17	Daily Balita	online news	Coalition seeks overhaul of land governance policies	Inquirer.net	<a href="http://s161639508.onlinehome.us/?p=134928">http://s161639508.onlinehome.us/?p=134928</a>
39	17-Feb-17	Manila Standard	online news	Group urges improved land policies	Manila Standard	<a href="http://thestandard.com.ph/news/national/229564/group-urges-improved-land-policies.html">http://thestandard.com.ph/news/national/229564/group-urges-improved-land-policies.html</a>



## Annex 2. Program

### CONFERENCE ON SUSTAINABLE LAND GOVERNANCE

February 8-9, 2017, Diamond Hotel Manila, Philippines

#### Day 1 – February 8, 2017

Time	Activity
8:00 – 8:30	Registration
8:30 – 8:45	Opening Activities <ul style="list-style-type: none"> <li>- National Anthem: Ms. Mitsuko Cabillada</li> <li>- Opening Remarks - Mr. William Althaus, Program Director, International City/County Management Association (ICMA)</li> </ul>
8:45 – 9:15	<b>Welcome Remarks and Introduction of the Keynote Speaker</b> <ul style="list-style-type: none"> <li>- Dr. Susan Brems, Mission Director, United States Agency for International Development (USAID) Philippines</li> </ul> <b>Keynote Messages</b> <ul style="list-style-type: none"> <li>- Hon. Sung Y. Kim, U.S. Ambassador to the Philippines</li> <li>- Mr. Carlos Dominguez, Secretary, Department of Finance</li> </ul>
9:15 – 9:35	<b>Presentation on Sustainable Land Governance</b> <ul style="list-style-type: none"> <li>- Mr. Heath Cosgrove, Director of Land Tenure and Resource Management, USAID</li> </ul>
9:35 – 9:45	Open Forum
9:45 – 10:00	Coffee break
10:00 – 11:00	<b>Land Sector Reforms in the Philippines</b> Panelists: <ul style="list-style-type: none"> <li>- Atty. Analiza Teh, Undersecretary, Department of Environment and Natural Resources</li> <li>- Mr. Christopher Rollo, Country Programme Manager, UN-Habitat Philippines</li> <li>- Mr. Calixto Chikiamco, Foundation for Economic Freedom</li> </ul> Moderator: Ms. Floradema Eleazar, Programme Manager for Inclusive and Sustainable Development, United Nations Development Programme (UNDP) Manila
11:00 – 11:15	Open Forum
11:15 – 12:00	<b>Land Administration and Management and the Challenges of Urbanization</b> Panelists: <ul style="list-style-type: none"> <li>- Mr. Anthony Piaskowy, Project Management and Evaluation, USAID</li> <li>- Mr. Danilo Antonio, Human Settlements Officer, Land and Global Land Tool Network, UN Habitat-Kenya</li> </ul> Moderator: Mr. Ryan Patrick Evangelista, Project Coordinator, Center for International Private Enterprise
12:00 – 12:15	Open Forum
12:15 – 1:15	Lunch
1:15 – 2:15	<b>Alternative Land Dispute Resolutions</b> Panelists: <ul style="list-style-type: none"> <li>- Atty. Brenda Jay Angeles-Mendoza, Chief, Philippine Mediation Center</li> <li>- Engr. Randolph Vicente, Senior Vice President, ASEAN Federation of Land Surveying and Geomatics</li> <li>- Engr. Winston Solite, OIC Chief, Surveys Division Land Management Service, DENR Leyte</li> </ul>

	- Engr. Kenneth Artes, Development Management Officer, Local Government of Bayawan City, Negros Oriental Moderator: Atty. Bernadette C. Ongoco, Executive Director, Office for Alternative Dispute Resolution		
2:15 – 2:30	Open Forum		
2:30 – 2:45	Move to breakout sessions		
2:45 – 3:45	<b>Diamond Ballroom</b>  <b>Urban Land Constraints</b>  Panelists: - Ms. Makiko Watanabe, Senior Social Development Specialist, World Bank - Atty. Linda Malenab-Hornilla, Commissioner, Housing and Land Use Regulatory Board - Mr. Oscar Moreno, Mayor, Cagayan de Oro - Ms. Maria Lourdes Domingo-Price, Philippine Action for Community-led Shelter Initiatives   Moderator: Engr. Ines Basaen, EVP and Academic Director, Gardner College, Quezon City	<b>Ruby Function Room</b>  <b>Asset Management for Local Government Units</b>  Panelists: - Mr. Maris Mikelsons, Chief of Party, USAID Strengthening Urban Resilience for Growth with Equity (SURGE) Project - Engr. Jose Arnold Tan, Deputy Director, Bureau of Local Government Finance - Evelyn Jiz, Component 2 Lead, SURGE Project   Moderator: Ms. Maria Concepcion Ordinario, Executive Assistant, Office of the Governor, Palawan	<b>Amethyst Function Room</b>  <b>Managing Commercial Pressures on Land Markets</b>  Panelists: - Mr. Niño Raymond Alvina, Executive Director, Bureau of Local Government Finance - Dr. Eduardo Ong, Chairman, Board of Real Estate Services, Professional Regulations Commission - Ms. Marissa Benitez, MRICS Director, Colliers International Philippines   Moderator: Mr. Guillermo Luz, Private Sector Co-Chairman, National Competitiveness Council
3:45 – 4:00	Open Forum		
4:00	End of Day 1		

**Day 2 – February 9, 2017**

<b>Time</b>	<b>Activity</b>	
8:00 – 8:20	Registration	
8:20 – 8:30	<b>Opening Remarks</b> Mr. William Althaus, Program Director, ICMA (c)	
8:30 – 9:30	<b>Policy Frameworks for Land Administration and Management</b> Panelists: <ul style="list-style-type: none"> <li>- Mr. Jose Christopher Belmonte, Chairperson, House of Representatives Committee on Land Use</li> <li>- Dr. Gilberto Llanto, President, Philippine Institute for Development Studies</li> <li>- Engr. Henry Pacis, Deputy Director, Land Management Bureau</li> <li>- Professor Ernesto Serote, University of the Philippines School of Urban and Regional Planning</li> </ul> Moderator: Mr. William Althaus, Program Director, ICMA	
9:30 – 9:45	Open Forum	
9:45 – 10:45	<b>Experiences in Implementing Land Sector Reforms</b> Panelists: <ul style="list-style-type: none"> <li>- Dr. Claudia Buentjen, Principal Public Management Specialist, Asian Development Bank</li> <li>- Mr. Ian Lloyd, Senior Land Administration and Management Specialist, Land Governance Innovations</li> <li>- Mr. Noel Rosal, Mayor, Legazpi City</li> <li>- Mr. Rene Sanapo, Senior Land and Credit Consultant, Foundation for Economic Freedom</li> </ul> Moderator: Atty. George Katigbak, Land Policy Specialist, LGI	
10:45 -11:00	Open Forum	
11:00 – 12:00	<b>Technology Solutions in Land Administration</b> Panelists: <ul style="list-style-type: none"> <li>- Mr. Eugene Alvin Villar, Member, Board of Trustees, OpenStreetMap</li> <li>- Dr. Ariel Blanco, Chair, Geodetic Engineering Department, University of the Philippines</li> <li>- Engr. Bonapart Masangcay, Land Information Specialist, Land Governance Innovations</li> </ul> Moderator: Engr. Virgilio Santos, President, Fil Geosolutions Inc.	
12:00 -12:15	Open Forum	
12:15 – 1:00	Lunch	
1:00 – 1:15	Attendees of Gender session move to breakout	
1:15 – 2:15	<b>Diamond Ballroom</b>	<b>Ruby Function Room</b>
	<b>Improving Access to Land Records/ Information</b> Panelists: <ul style="list-style-type: none"> <li>- Atty. Emelyne Talabis, Director, Land Management Bureau</li> <li>- Atty. Robert Leyretana, Administrator, Land Registration Authority</li> </ul>	<b>Gender and Social Inclusion in Property Rights</b> Panelists: <ul style="list-style-type: none"> <li>- Ms. Ma. Ana Oliveros, President, Socialized Housing Finance Corporation</li> <li>- Mr. Froilan Kampitan, Assistant General Manager, National Housing Authority</li> </ul>

	<ul style="list-style-type: none"> <li>- Mr. Benjamin Balais, Assistant Director, National Mapping and Resource Information Authority</li> <li>- Mr. Ernesto Camarillo, Vice President, Land Registration Systems Inc.</li> </ul> <p>Moderator: Ms. Maria Concepcion Ordinario, Executive Assistant, Office of the Governor, Palawan</p>	<ul style="list-style-type: none"> <li>- Ms. Ofelia Bagotlo, President, Homeless Peoples' Federation Philippines</li> <li>- Dr. Mary Racelis, Research Scientist, Institute of Philippine Culture, Ateneo de Manila University</li> </ul> <p>Moderator: Dr. Jeanne Frances Illo, Gender Adviser, USAID/SURGE Project</p>
2:15 – 2:30	Open Forum	
2:30 – 2:45	Move back to plenary	
2:45 – 3:45	<p><b>Resilient Land Management</b></p> <p>Panelists:</p> <ul style="list-style-type: none"> <li>- Mr. Leon Mayo, President and Principal Architect, Consultants for Comprehensive Environmental Planning</li> <li>- Mr. Oliver Cam, Chief Operating Officer, Welcome Home Leyte Holdings Inc.</li> <li>- Mr. Nathaniel Von Einsiedel, President, Alliance for Safe, Sustainable and Resilient Environments</li> </ul> <p>Moderator: Ms. Ragene Andrea Palma, Planning Manager, Philippine Disaster Resilience Foundation</p>	
3:45 – 4:00	Open Forum	
4:00 – 5:00	<p><b>Conference Call to Action</b>  <b>Launching of Urban Land Tenure Coalition</b>  Ms. Ma. Lourdes Reyes, General Manager, LGI</p> <p><b>Closing Remarks:</b></p> <ul style="list-style-type: none"> <li>- Mr. Jonas George Soriano, Deputy Executive Director for the Performance and Projects Management Office, Office of the Cabinet Secretary</li> <li>- Ms. Adoracion Navarro, Undersecretary for Regional Development, National Economic and Development Authority</li> </ul> <p>Moderator: Mr. William Althaus, Program Director, ICMA</p>	

## **Annex 3. Conference Highlights**

### **CONFERENCE HIGHLIGHTS FOR DAY 1**

#### **A. Opening Ceremony**

The Conference on Sustainable Land Governance held on February 8 – 9, 2016 at the Diamond Hotel in Manila promotes the sharing of good practices and new sustainable approaches to urban land administration and reform. It facilitated multi-disciplinary discussions on practical solutions to challenges in land governance in the Philippines.

The two-day conference was supported by several national government agencies involved in land governance with almost 300 international and local experts and delegates who joined the event. The conference brought together leaders from the national and local government, business, civil society groups and other sectors to commit a multi-sectoral coalition, which is envisioned to pursue a common agenda on improving sustainable land governance both at the national and local levels.

USAID's Strengthening Urban Resilience for Growth with Equity (SURGE) Project's conference co-organizers are the UN-Habitat and the World Bank.

William Althaus, Program Director of the International City/County Management Association (ICMA) welcomed the conference participants, highlighting that the conference will focus on the capacity, resilience, local economic development, urban-rural cooperation, gender equity, social inclusion and infrastructure. He emphasized the importance of these issues in sustainable growth and increase prosperity for the people of the Philippines. He pointed to the continues assistance of the SURGE Project in addressing land issues to improve sustainable land governance.

Althaus also urged the participants – composed of experts on land issues both in the Philippines and internationally, government officials, diplomats, public administrations, civil society leaders, academics, international donors, bankers, business leaders and technical experts – to work on a common plan and commit to a call to action on land governance that is thoughtful, credible and acceptable to all.

He expressed his gratitude to all the speakers, participants and organizers of the Conference on Sustainable Land Governance.

#### **Keynote Address of US Ambassador to the Philippines Sung Kim**

Highlighting the common agenda of the conference in pursuing sustainable land governance in the Philippines, USAID's Mission Director Susan Brems introduced US Ambassador to the Philippines Sung Kim for his keynote address.

Land tenure is a key issue in managing urban poor and reducing poverty in both rural and urban areas, Ambassador Kim stressed in his keynote message. He said stronger property rights regimes are closely associated with higher incomes, more investment and a rise in global economic growth.

The ambassador stated that various studies pointed out that countries with more secure property lands have higher average incomes. He said security of tenure has a powerful investment incentive that leads to more rapid economic growth and ultimately higher incomes.

USAID has worked in 24 countries to build effective land markets, facilitate land titling and streamline in real property registration. Ambassador Kim added that this has contributed to improve land and natural resource governance and to strengthen property rights for all members of the society, including women.

USAID and its partner in development in the Philippines, he said, have been striving to promote land rights, particularly for the marginalized. USAID has also worked with the Philippines judiciary to improve efficiency in the adjudication cases, including land disputes. In the past years, USAID has helped more than 250, 000 land titles in areas affected by 2013 Typhoon Haiyan. Ambassador Kim said USAID is also tapping landing institutions to build their capacity to assist small and medium enterprises in securing land titles under the Residential Free Patent Act. Ambassador Kim pointed out that since the passage of the act, the number of residential titles issued in the Philippines increased from 5,000 land titles to an average of 60, 000 land titles a year.

Through the Cities Development Initiative (CDI), USAID is also working with secondary and tertiary cities to improve their land tenure security and land management systems, the ambassador said.

Ambassador Kim acknowledged the effort of the present administration in prioritizing land tenure security and efficiency in land management and administration in social economic development agenda. He assured the Philippines that the United States is committed to continue its support in unlocking the potential of land to stimulate investment and growth.

In this context, Ambassador Kim stressed that the Conference on Sustainable Land Governance is a great opportunity to learn new ideas and exchange experiences on how to address land and property rights.

### **Key Note Message of Department of Finance Secretary Carlos Dominguez**

Secretary Dominguez expressed his gratitude to USAID for extending its technical expertise in refining land policies and governance.

Dominguez acknowledge the effort of the SURGE Project and its co-organizers in gathering land experts abreast with a state of the art in land governance. He, however admitted that the country's policies regarding land governance are in urgent need for updating.

In his speech, the secretary stressed the need for the Congress to finally act and pass a national Land Use Act which has been languishing in the legislative mill for several years now. Passage and adoption of a comprehensive, harmonized and orderly land use plan law would help promote faster development.

There is a need to bring coherence to the conflictive provisions between remedial pieces of legislation such as the Indigenous Peoples Rights Act (IPRA) and other existing property rights, Dominguez said, adding that there must be a clear policy regarding habitation in danger zones. Dominguez stressed the importance of looking into the agrarian reform in light with the continuing

backwardness of our agriculture in the Philippines. Recently, the Department of Finance has begun to design a program to reduce estate taxes to encourage documentation of land assets and freedom act for productive use. The DOF urged all local government units to update their land valuations as a measure to discourage idle land as much as to improve public revenues.

Despite of being an archipelago, Dominguez said that the Philippines has less arable land per unit of population compare to the neighboring countries of Vietnam, Indonesia, Myanmar, Laos, Thailand and Cambodia.

He said the government must look into balancing the demands of agriculture lands and the requirements of an increasingly urban population. As the population of the country increase rapidly over the last few decades with land policies hardly keeping pace, the phenomenal of landlessness has become more severe, he said, adding that settlements are pushed to the most terrible places like steeps prone to landslides, shorelines prone to storm surges, and riverbanks that are always flooded during heavy downpour.

Dominguez said that country has to also plan for settlement areas to address housing backlog estimated at over three million units.

He added that over the next few years, the Philippines will face intensifying competition for land from commercial developers, agricultural estates, industrial for export processing zones, as well for extractive industries, he said. The competition will likely encourage land prices to spiral unless the country improves its land governance.

If land becomes too expensive it will be inaccessible to the homeless and raise the cost of production, thereby diminishing our competitiveness, Dominguez said. He cited Metro Manila as the most severe case of poor land governance.

“This is an urban nightmare, a metropolis that grew without planning. Right now, high land cost prevents us from acquiring property to build schools and hospitals. Right of way has becomes a costly proposition for public works. No provisions were in place for road widening. The situation inhibits government’s response to worsening problems associated with urban congestion,” Dominguez said, emphasizing the need for the country to rapidly upgrade its land governance.

Dominguez hopes that the conference will help policymakers, planning experts, private sectors, academe and civil society groups upgrade the country’s own land governance capacity and to come up with a set of practical recommendations on what can be done immediately.

He lamented that most settlements in the country are vulnerable to various risks, with cities congested and forested areas have been increasingly used for human habitation. Dominguez said the Philippines is faced with a land governance crisis. He, however, said, the present administration is working on how it can effectively address this issue.

## **B. Plenary 1: Presentation on Sustainable Land Governance**

Land governance has far-reaching impact on the economy, social protection of the vulnerable and the government's fiscal position. This underscores the importance of improving and sustaining land governance as an effective instrument in addressing the interrelated issues affecting the land sector. This session presented insights on international benchmarks and the political and institutional dimensions of land governance.

**Speaker: Heath Cosgrove, Director of Land Tenure and Resource Management, USAID**

The speaker, who is responsible for USAID's global advisory and learning services that advance good governance through improving land and resource governance and strengthening property rights, tackled the global policy coordination on land tenure.

In the challenging context of good land governance, Cosgrove said the Voluntary Guidelines for the Good Governance of Tenure (VGGGT) was endorsed in 2012 by the United Nations Committee on World Food Security with the aim to strengthen land governance and provide guidelines to governments, international development organization and other concerned stakeholders.

The Philippines and the United States, as well as 91 other countries were signatories to the VGGGT. A key component of the VGGGT, he said, is a recognition of a variety of tenure rights - not just formal rights but also customary and informal land rights.

In many cases, strengthening existing tenure types may be more appropriate and less costly than attempting large-scale formal land titles, Cosgrove stated. The benefits of stronger tenure, such as incentives to invest and conserve resources, can often accrue once a person feels secure enough that their rights are legitimate and protected regardless of the type of documentation they have.

He, however, said that in the Philippines, formal type of rights is more appropriate in order to address land tenure issues.

Cosgrove emphasized in his presentation that the VGGGT is a catalyst to bring the global community together around land issues. The broad and inclusive participatory process of negotiating the VGGGT helped organize and focus a wide coalition of stakeholders working toward a common vision of improved land governance.

Following on from the international mobilization for land security, Cosgrove said the global land donor community formed the Global Donor Working Group on Land (GDWGL) in 2013. The working group aims to improve land governance and enhance transparency and coordination of its 21 donors/members such as the USAID, World Bank and other members. The working group is implementing about 630 programs in 119 countries with a total budget of \$4.1 billion.

Cosgrove said that the inclusion of land governance and property rights in the Sustainable Development Goals (SDGs), was an effort of the global community.



Land, he said, is increasingly recognized as a key part of the broader global development agenda. In the SDGs, land and resource rights are considered as a key measure of progress on ending extreme poverty and ensuring gender equality.

**Other important points Cosgrove mentioned in his presentation are:**

- A new urban agenda was formulated at the Habitat III cities conference in Quito, Ecuador in 2016 which seeks to create a mutually reinforcing relationship between urbanization and development. It emphasizes the importance of securing land tenure and property rights for sustainable urbanization and to facilitate business and public-private investments and livelihood opportunities for all.
- Women's rights, indigenous peoples' rights, and rights of other vulnerable populations must be recognized, that is ensuring their voices are integrated into local decision-making on land and resource governance matters. Recognition of the importance of land rights is not just limited to the development community. For both private and public investors, insecure land and property rights is increasingly seen as a risk factor in investment decisions. Insecure land rights can damage their finances and also their reputations.
- USAID is working with partner governments, the donor community, the private sector, and civil society to develop practical guidance on a range of issues, including best practices in making land investments more inclusive, responsible, and sustainable.
- Urbanization is one of the most important trends affecting land and property rights in the world today. By 2030, 60 percent of the world's population will live in urban areas, compared to 30 percent in 1950. Asia and Africa, which currently own 90 percent of the world's rural population, are urbanizing faster than any other regions in the world and will be 56 percent and 64 percent urban, respectively, by 2050.
- Urban areas are the primary engines of innovation and economic growth. They account for 70 percent of the world's gross domestic product (GDP). There is a correlation between urban economic growth and world development, and USAID is focusing on that here in the Philippines.

**Challenges / Recommendations to consider in better land governance:**

- City planners and stakeholders must recognize and take into consideration the significant impact of policy and planning beyond their immediate borders.
- Planning is key. Increases in the urban population is inevitable and can drive economic opportunity, without the proper and forward-looking plan, housing competition and increases in urban land property prices, can create adverse economic and social effects.
- Improve the living conditions for the urban poor, strengthen the legal and regulatory environment and increase the supply of affordable, legal shelter with secure land and property rights.
- Modern technology maybe an instrument to help cities develop well-functioning land markets, raise additional taxes, and have stable and sustainable source of revenue. This includes improving the systems, policies, and processes for everyone, from surveying to mapping, land registration, land valuation, and land taxation.
- One exciting trend driving change in this area is the rapid innovations in technology. In recent years, a number of smartphone-based mapping tools have been released. These easy-to-use, multipurpose, low-cost, open-sourced tools are making land administration services more accessible to many.
- USAID has developed a suite of local applications to secure tenure. These allow communities to map, document, register, and administer their rights to land for the first

time ever within this context. Falling costs and rapid innovations in unmanned aerial vehicles and satellite imagery is making it easier to obtain high-quality geospatial data in imaging remote areas and dense urban settlements.

- Digitizing and securing land records can make a big difference in terms for resilience and promoting new investments.
- Technological solutions plus capacity development are important.

## **OPEN FORUM**

Atty. Kim Millado, Zamboanga City

*Question: The Badjaos live on water. Is there a system in providing title to water or coastal habitation?*

**Cosgrove:** We do have such a system for marine tenure issues and coastal cities. For example, Vietnam. We recognize customary rights and tenure.

*Question: Indigenous Peoples have nothing to show for their land claims?*

**Cosgrove:** USAID and the donor communities recognize customary systems. There are ways to address vulnerable populations and their rights.

Libio Zarabia, Tagbilaran City

*Questions: In our experience, the issuance of titles for subdivisions takes three to four months.*

**Cosgrove:** I'm not quite sure how to address this within the Philippines. Perhaps this foregrounds the necessity of cloud-based servers. Historically, surveyors are inaccessible or costly. New technology allows for inexpensive mobile mapping. The cloud then reports data to the land office, which then issues land certificates. This goes for formal tenure or customary rights.

*Question: The Register of Deeds takes six months to act on a request purportedly because the system provided cannot respond fast enough.*

**Cosgrove:** Streamlining the issuance of titles requires a lot of will by the local communities and officials.

## **C. Plenary 2: Land Sector Reforms in the Philippines**

The Philippines continues to face institutional and operational challenges in land management and administration at all levels of the government. These challenges stem from overlapping land oversight mandates, outdated support systems leading to a huge titling gap, a weak security of tenure and inadequate access to updated land information system. This session presented specific land sector reforms implemented in the Philippines from the perspective of the government and their development partners.

### **Panelists:**

Analiza Teh, Undersecretary of the Department of Environment and Natural Resources (DENR)

Christopher Rollo, Country Programme Manager, UN-Habitat Philippines  
Calixto Chikiamco, President of the Foundation for Economic Freedom

**Moderator:** Floradema Eleazar, Programme Manager for Inclusive and Sustainable Development, UNDP

## KEY POINTS

### **Speaker 1: Analiza Teh, Undersecretary of the Department of Environment and Natural Resources (DENR)**

- Land and Administration Management (LAM) has been highlighted under the present administration's draft Harmonized Development and Security Agenda 20 @ 22. It stressed the security of land tenure to encourage investments, and address bottlenecks in land management and titling agencies
- The five Cabinet Cluster Adaptation and Mitigation (CCAM) and disaster risk reduction (DRR) focused on: (1) agriculture and rural development; (2) land administration and management; (3) ecological integrity; (4) state security and civil protection; and (5) international relations
- CCAM-DRR harmonization workshop outputs: (1) ensure completion of CARP land distribution, security of land tenure (particularly of agrarian reform beneficiaries and other smallholders to encourage investments, and address bottlenecks in land management and titling agencies); and (2) enhanced land reform program for possible land amortization-free implementation
- The Land Sector Development Framework (LSDF) was formulated in June 2010 and serves as a roadmap in identifying major programs for reforms in the land sector. LSDF also provides as a strategic guide for the government in unifying the effort and resources of land agencies towards a common vision and in identifying areas of future intervention in the sector. LSDF provides policy directions and long-term strategies on: land management, land information management, land administration (land survey, titling and registration including dispute resolution) and valuation, and taxation.

### **DENR Accomplishments based on Land Sector Development Framework (LSDF)**

1. On Land Administration
  - Adoption of the Systematic Adjudication Approach in Land Titling in Partnership with the LGUs - Mass titling at the barangay level
  - Disposition of 2.5M hectares of agricultural lands committed by DENR to the Comprehensive Agrarian Reform Program (CARP) in December 2015
  - The DENR has completed the cadastral survey of 1,634 cities and municipalities nationwide as of June 2015. This include the 118 cities and municipalities of the ARMM and the 1,516 non ARMM cities and municipalities. With this, the approximate total land area is 29,704,230 hectares including ARMM. While the resolution of political boundary conflicts is not expected to be resolved anytime soon, the output map serve as good starting point to LGUs to talk. DBM may also then reduce the IRA allotted based on the bloated 34 million ha area.
  - On-going computerization of DENR land records. This aims to transform all land records into digital format for speedy, easy access, retrieval and storage of data in conformance with the Land Administrative and Management System (LAMS)

specifications.

2. On Land Information Management

- Adoption of Land Administration and Management System (LAMS) Philippines. Its objective is to improve the access to land records thereby realizing the delivery of quality land administration services. Its latest version was officially launched on September 2, 2016.

3. Other Developments

- On-going implementation of the Land Titling Computerization Project - Computerization of DENR land records (inventory, sorting, grooming)
- NAMRIA geospatial project

4. New Developments

- DAO 2016-30: it aims to integrate Alternative Dispute Resolution in land management and disposition in order to achieve efficient, speedy and economical procedure in the resolution of claims and conflicts cases and unclog the case dockets.
- DAO 2016-31: provides a comprehensive procedure and workflow for the expeditious investigation and resolution of land claims and conflicts cases and complaints for reversion under the new Organizational Structure of the regional and Field Offices pursuant to DAO No. 2014-01.

### **Lessons/ Strategies**

- A more aggressive advocacy (social media, AVP, forums) should be adopted at the legislative, institutional and public level in pursuing LAM reforms
  - Technical issues should be 'laymanized' for wider understanding
  - Impacts of problems should be highlighted (waste of resources, and time in accessing services, etc.)
- Given the archipelagic set up of the Philippines, integrated access to land information and LAM services through data standardization with strong IT support is the right direction
  - Unified mapping amongst agencies. Completeness as priority over accuracy.
- Active LGU participation in boundary resolution, land survey and titling for planning purposes and investment – beneficial to revenue generation and land development planning
- Good management of NGA resources, international and private groups support for local government to enhance governance and financial management and towards more economically competitive, equitable and environment-friendly LGUs, support from both NGAs and private sector initiatives on LAM should be maximized
  - Criteria: demand driven, willingness to work together in clusters to resolve boundary disputes, availability of data from NGAs

### **Challenges in Land Governance and Climate Change**

- Sustainable land administration systems should serve as a basis for climate change adaptation and mitigation;
- Natural disasters resulting from climate change can be enhanced through building and maintenance of appropriate LAMS
- Adaptation of climate change through building sustainable and spatially enabled land administration and management system (LAMS)
- Systems to identify vulnerable areas to prevent impact of climate change

## **Next Steps**

- Completion of the Digital Cadastral Database (DCDB) which is an integrated database of textual, scanned documents, and special records. This will be done through the conduct of massive reconstruction of survey records towards the development of a three-dimensional (3D) Cadastre.
- Completion of the computerization of all land records, which will facilitate the full implementation and operationalization of online land transactions and the full implementation of National Spatial Data Infrastructure
- Pursue approval of proposed legislations on Land Sector Reforms
- Pursue proposed legislation (LARA, NLUA, Valuation Reform)
- Development of a policy on the management of state-held assets with consideration to economic development opportunities and sustainability
- Progressive capacitation of LGUs in land management

## **Speaker 2: Christopher Rollo, Country Programme Manager, UN-Habitat Philippines**

- One of the programs and projects of the UN-Habitat is on sustainable urban development, particularly on Achieving Sustainable Urban Development (ASUD)

### **Achieving Sustainable Urban Development (ASUD) Principles:**

- Adequate public space (50 percent) and connectivity – well-connected grid: 18 km/sq km
- Proper and well-designed density – 150 persons/hectare
- Mixed Land Uses – 40 percent of floor space for economic uses
- Limit strict single function zones
- Social mix – Reduce segregating communities (high end area / poor area)
- Urban Resiliency – climate change and DRRM

### **Planned City Extensions (PCE)**

- PCEs of Iloilo, Silay, Cagayan and Zamboanga: aimed to improve the ASUD principles in each city (in terms of street area, street density, public space and density).
- Growth areas identified in City's Land Use Plans, areas that need planning to direct growth in that area. Cities can lead in planning growth areas so that those areas are prepared for growth.
- Growth areas: mixed lands (private, CARP, public, etc.)

1000 hectares within city extensions

### **Sustainable Urban Development and Land Governance: Constraints and Issues**

- Adequate Public Space
  - Private developers (for subdivisions) are only required to allocate 30 percent of the buildable land for streets and open spaces
  - No city-wide rule for open public spaces
  - Some high-end public subdivisions (gated communities) provide more than the 30 percent minimum open space
- Mixed Use
  - Current zoning ordinances tend to encourage exclusive uses

- Land conversion issues regarding decrease in food security due to conversion
- Land use has been traditionally mixed in the Philippines
- Social Mix
  - The current practice is segregation (separating socialized housing with economic and low-density housing)
  - Culture issue
  - Urban divide
- Proper Efficient Density
  - Housing culture: individual plots and dwelling units
  - Low-rise: preferred in socialized housing projects due to affordability
- Connectivity (walkability)
  - CLUP guideline on road development: population-based rather than spatial-based
  - Lack of comprehensive and integrated road network/ transport planning and implementation in all levels
  - Private sector drives land development due to lack of guide to citywide planning

### **Lessons Learned**

- Some of the ASUD principles are difficult to adopt to the current cultural and policy milieu.
- Lack of tools constrained solution-seeking in urban finance and economy. Land-based Finance training opened options available to LGUs.
- Varying levels of land maps and information. City should invest in GIS-enabled maps.
- Need to improve urban database especially on information not currently collected like public space, urban fabric, FAR, street area (not just length or width), etc.
- 3-pronged approach (legal, urban planning, urban economy and finance): encouraged LGU to look into land issues and policy reforms needed to make PCE possible as a city team
- Technical capacity of city team in urban planning, sustainable design, GIS mapping, etc.

### **Speaker 3: Calixto Chikiamco, President of the Foundation for Economic Freedom**

The speaker focused on the Policy Reform Measures. He said that about 50 percent of land parcels are untitled. About 6 to 8 million of untitled lands are residential parcels.

#### **Residential Free Patent Act (RA 10023)**

- Administrative procedure for titling (not judicial)
- Approval by provincial government, not central
- Results:
  - Reduced titling time (to 3-5 days)
  - Increased residential patents – increased by 2011 due to the law

#### **Titling of School Sites and Government Lands**

- DAO 2015-01: Titling for state universities and colleges
- DAO 2016-21: National and local government land for public use/ purposes

#### **DENR – LGU partnerships on land titling**

- LGU: most concern with land (titling, land management, revenue, urban planning)
- DAO 2011-006 – allows DENR to partner with LGUs

### **Agriculture Free Patent Reform**

- Remove two restrictions that contribute to low productivity in rural areas:
  - o 5- year restriction on mortgage and sale
  - o 5-year right to repurchase
- Legislation already submitted in Congress and Senate by Salceda and Gordon and other lawmakers

### **National Land Titling Program with DENR-LMB**

- To complete original titling of alienable and disposable lands – dead capital

### **No to CARP Extension**

- CARP: low agriculture productivity
  - o Land ownership beyond 5 hectares: not allowed
  - o Government should break up collective CLOAs – more than half of CLOAs issued are collective – collective beneficiaries don't pay real property taxes.
- Against extension but we are for removing restrictions on CARP land
- CARP beneficiaries: Should be allowed to lease their land to allow land consolidation

### **Conclusion**

1. Simple policy reforms can create big impact.
2. The political economy and economic conditions constantly change. Learn to adapt and innovate.
3. Build Strong relationships and a wide network of partners.
4. Ingredients for effective DENR- LGU partnerships on public land titling: policies, resources, knowledge, political support and institutional base

## **OPEN FORUM**

**Moderated by: Floradema Eleazar (Moderator and Programme Manager, UNDP Inclusive and Sustainable Development)**

**Question:** *How critical is it to achieve LSDF?*

**DENR Usec Teh:** With growing population and conflict on use of natural resources, reforms are badly needed. Basic problems of resource use should be priority. Unity among stakeholders by having harmonized land use institution.

**Chikiamco:** Land sector reform: high impact because everyone's affected by land. Land reform will improve economic welfare of Filipinos. Once you have your land title, you want to protect your rights. Secure titles are fundamental to democracy.

**Rollo:** Challenge is to convince people to go beyond individual and private interest but to go for common good. Urban planning. Leadership from government and participation of people.

**Question:** *How do you encourage mixed use communities amidst fear on security and safety?*

**Rollo:** Studies show that gated and segregated communities leads to higher crime due to dissatisfaction and discontent. The city must lead in development and planning for the city and encourage developers. Government and policies can improve the situation.



**Question:** *How soon will resolution in boundary conflicts be resolved?*

Teh: We need to build consensus to avoid judicial or court.

*Question: 80 percent of our area is agriculture. Highest coverage in terms of agrarian reform. Two problems on CARP and CLOA – (1.) RPT Collection (Most CLOA holders don't pay RPT; More than half of CLOA holders don't till their land. (2.) Use of land (You can't convert agriculture land to housing.). How do we address this? How can LCEs approach this?*

Teh: CLOAs should be registered with Register of Deeds so they can pay RPT. LGUs can come up with CLUP to determine zones for residential, food security, etc. LGUs can issue ordinance to register patents within a certain period of time. Ordinance will compel owners to register titles, but this is only for individual CLOAs.

Chikiamco: Collective CLOAs should be broken down.

Teh: DAR should facilitate the CLOAs to be individualized.

*Question: Does UN Habitat develop programs with LGUs to ease up onsite relocation?*

Rollo: The Social Housing Finance Corporation (SHFC) is working with them on the expansion of mortgage program; high-density housing project in the city. Because of moratorium on land conversion, we are looking at alternatives such as high density housing and public rental.

## **D. Plenary 3: Land Administration and Management and the Challenges of Urbanization**

Access to land is an important means to promoting growth, equity and social justice. Changes in land policy should address societies' changing and emerging needs, and priorities especially on growing urbanization. With 145 cities, the Philippine urban landscape is fast evolving in light of increasing urbanization and the resultant pressures on land use and environmental planning, housing services and financing. This panel presented the experiences of inclusive urban land management from countries across the globe.

### **Panelists:**

Mr. Anthony Piaskowy, Project Management and Evaluation, USAID

Mr. Danilo Antonio, Human Settlements Officer, Land and Global Land Tool Network, UN Habitat-Kenya

**Moderator:** Mr. Ryan Patrick Evangelista, Project Coordinator, Center for International Private Enterprise

## **KEY POINTS**

### **Speaker 1: Mr. Anthony Piaskowy, Project Management and Evaluation, USAID**

- Natural urban population growth will increase city size which we must take into account
- Most of growth is happening in secondary cities

## **Four Opportunities for Urbanization in the Land Management Sector:**

### *1. Rapid Implementation and Behavior Change*

Cities are centers of innovation, information and knowledge exchange and we need to take advantage in land management activities. Implement reform changes a bit quicker in the cities. For example, implement joint titling for men and women such as in Haiti and Burkina Fasso's urban and peri-urban areas. Cities have the ability to adapt technology. Land administration systems can be modernized at the city level and rolled out in a shorter period of time.

### *2. Additional means to secure tenure*

Rental agreements, condominium law, cooperative housing are things that can happen in cities. What is necessary are changes in policy to accommodate these arrangements. These can be explored for growth to occur. Set aside areas for multi-family housing. The graphic on the screen is from a publication of USAID which outlines a continuum of urban tenure types. On the left side, is a pavement dweller (very insecure tenure); on the right side is the free holder who has ultimate security; but somewhere in the middle comes our job as development practitioners. We need to identify where people are in the continuum and move them towards greater security.

### *3. Creation, Harmonization of Foundational Data for Land Use Planning*

Capturing records and spatial data, collecting revenues to conduct planning lays the foundation for sustainable development by strengthening tenure. Data in land information systems can and should be accessible to the public, other government agencies at the national and local level. The linkages will result in greater amount of success in implementation and enforcement.

### *4. Promise of Economic Growth, New Investment and Development Models*

The last opportunity refers to the cities' ability to attract development proposals, new investment, and how that plays out in development. Cities need to attract interest by creating new models like benefit sharing schemes where maybe there's a private owner and a squatter and there could be an arrangement potentially where they both have benefits. USAID has done this successfully in Mozambique and Ghana.

## **Challenges as a Result of Rapid Urbanization**

### *1. Expansion of Urban Boundaries into Rural lands, Creation of Peri-Urban Spaces*

As a city expands, there are some land policy implications and harmonization that needs to take place. Urban and rural places are not two distinct entities. Where we are meeting is in the middle, the peri-urban areas where there is greater complexity. There should be cooperation with non-traditional partners in terms of straightening out the issues. USAID is working in Ethiopia to look at ways where multiple tenure categories have a spatial development plan that's harmonized.

### *2. Provision of Adequate Space for Growing Population*

Land use plans must accommodate population and city boundary growth. Secondary cities in the Philippines and worldwide have the opportunity and advantage not to make the mistakes that developed cities have made and prevent unplanned development. Part of that is enforcement.

### *3. Place and Complexity Requires Rapid and Integrated Land Use Planning*

The third challenge is integration and having responses that are quick and nimble. This requires us to be quick in planning and enforcement. It requires us to integrate land information and management with sectors that we have not traditionally done so like infrastructure, water and sanitation, energy, schools, hospitals, parks, open spaces, conservation areas. The land information system should happen and happens more easily when data is accessible to the public.

USAID has done this in Iraq and Afghanistan.

#### *4. Increasing Demands on Local Governance and Local Actors*

Rapid urbanization and urban growth requires new stakeholders to be at the table when it comes to land administration and management. Oftentimes, we are operating at the national level but urbanization requires work at the sub-national level. When information is transparent and publicly available, the private sector can play a role in enforcement. If you get the chambers of commerce on board with your planning initiatives, they can do some of the enforcement. Communities and civic groups can also play a role in enforcement if they are involved in land management planning processes. USAID has seen this in the Middle East, North Africa, in Jordan and the West Bank Settlements.

### **Speaker 2: Mr. Danilo Antonio, Human Settlements Officer, Land and Global Land Tool Network, UN Habitat-Kenya**

The speaker believes that land administration management is one of the solutions to rapid urbanization.

On the global challenges, the speaker pointed out that: (1) Land is critical to address all challenges; (2) Land is becoming a governance issue than a technical issue; and (3) The specific global challenges are: poverty, food, water and energy insecurity; conflict, climate change, rapid urbanization, and corruption.

On land governance challenges, the speaker enumerated the following:

- Land governance is key to sustainable development. Land is a core human right. Tenure Security is key to this.
- At the global level, only 30 percent are covered by formal documentation; Nigeria is only 3 percent covered by cadaster.
- Poor communities are in a place where tenure rights are complex; including indigenous peoples and those living in coastal areas
- There are systemic inequalities- including women's access to land, and still very much patriarchal in nature.
- Rapid urbanization is contributing to climate change; we are contributing to rapid degradation.
- Food insecurity and pressures on agricultural land.
- Corruption in the land sector – third most corrupt sector
- Conventional land systems cannot deliver tenure security at SCALE.

The Global Land Tool Network (GLTN) is an alliance of global, regional, and national partners contributing to poverty alleviation through land reform, improved land management, and security of tenure, particularly through the development and dissemination of pro-poor and gender-sensitive land tools. Through GLTN, the UN-Habitat continues to work towards this with various partners. The main objective of GLTN therefore is to contribute to poverty alleviation.

The speaker said urban divide is not just about human settlements as housing but about people's lives through improved tenure security through improved land administration.

#### Land in the Global Agenda

- Human Rights Declaration – right to housing and food; but we can't do housing and food without land
- Governance of Tenure – blueprint for governance in tenure, including fisheries
  - Fighting Poverty – For people to fight poverty, we must address the land issues

#### Land in the New Urban Agenda

- Member states agreed that land is a vehicle for financing
- Land management and governance to improve environmental and land use

#### *Opportunities for Systemic Change:*

1. Continuum of land rights: not just one solution but a number of solutions to be innovative
  - Usufruct (Quezon City) – local government is managing the land
  - Agricultural leases that are not being tapped. i.e Munich, 85 percent are tenants
  - There is no single solution.
2. Place Women at the Center of Urban Development
3. Implement the Fit for Purpose Land Administration
  - We must fit solutions in a country context; We need to find ways that are affordable and sustainable
  - National Land Use Bill – still pending in Congress; why can't we pass it? In Africa, it allows them to move faster.
  - Reforms take a lot of time but we can start somewhere.
4. Use geo-spatial technologies to help urban poor communities.
  - Cheap and easy to use and technology that can be customized
  - Colleagues from the NGOs are working on this tool.
5. Urban Planning and City Extensions Require Participation
  - Requires mid to long term policy decision making
  - In Germany, it took 7 years. The implementation part is even more difficult because compensation required.
6. For sustainability, adopt innovative land-based financing tools.
  - There could be taxes and fees without burdening the people.
  - There are other ways of producing the fees.
  - Land value sharing. For instance, in Roxas Boulevard in Manila, there were many owners, then the value increased. They were able to capture increase in values. How do you then share the incremental value with others?

#### **Conclusion**

1. Land is increasingly a governance issue.
2. Urbanization means progress but quality of growth is at stake.
3. Global frameworks reiterate the importance of land
4. Frameworks guide policy, plans, practice.
5. Capacity development
6. For systemic change, adopt a pro-poor, gender response, fit for purpose and inclusive land governance tools and approaches.

## **OPEN FORUM**

**Question:** *Urbanization is always equated with industrialization or economic development. Sometimes local governments think that the way forward means forgoing traditional sectors such as agriculture. Does this assumption make sense? If this is not correct, how can we create a balance between the goals of economic development and the goals of transitioning to new industries while making sure that agriculture food industries remain planned?*

**Piaskowy:** We live in a world that isn't urban or rural. It's a symbiotic relationship where ideas, knowledge and exchanges happen in cities. The linkages between those two areas is important to recognize and accommodate. I don't feel that urbanization requires or should pivot away from agriculture. There are opportunities in light of urbanization to enhance food security, modernize agriculture, both production and the processing and distribution of goods. Cities play a crucial role in that and we are going to be required to understand and link the two geographies. They really aren't separate but one and the same.

**Antonio:** In the last two decades, the focus is on economy. Urbanization, in many ways, contributes to it. But there are consequences. If you remember industrialization has led to pollution and environmental degradation. What we're trying to do now, it's good to be economically viable and globally competitive. But there are three pillars of sustainable development: ecology, environmental management, and social equity. We need to focus also on this. Issues around urban/ rural should not be separated. We are all interconnected. We need to see things as a whole because in many ways, we are affected. We need to see solutions as an integrated approach.

**Question:** *Both your presentations noted the need to continuously analyze data and monitor. In some smaller cities and bigger cities, there appears to be a lack of urban planners, city development planners, and some invest on outsourcing the demand for expertise. Do you think it's high time that local expertise is embedded in the local government system, as part of day to day city planning initiative, that could also play a role in positioning relevant development programs in the city? What's your perspective on this?*

**Piaskowsky:** It's a critical one. The capacity to deliver high quality services even in small towns is something that governments struggle with all over the world. I would suggest that part of that can be addressed without new resources, in different kind of engagement, specifically with civil society groups and with the private sector, who support initiatives for professional development services and advocate. It's not just a role that government plays. Communities have a supportive role. It has to be done in a participatory role.

**Antonio:** There is no lack of adequate professionals. In fact, we do have many. We have UP SURP, an internationally known institute. The problem is we try to get an expert outside and let them do the job. The external person does not know exactly what is happening on the ground.

Let's do the bottom up approach. The Philippines is set up organizationally at the village level. We have a means by which we can consult the people. The community knows the problem. They might not have the whole solution but that's where the mayors, local government, experts fill in the gaps to provide guidance. The citizens have the potential solutions to the problems and we need to facilitate that. Technology, knowledge and capacity is there.

**Question:** *I heard earlier about the complexity of land rights, claims and records. How do we solve this? There are many land agencies who are allowed to issue land titles – courts, DENR, Land Registration Authority and Department of Agrarian Reform, and because of this, there is a problem of complexity.*

**Antonio:** You have heard about these reforms. i.e Land Use Bill, Land Registration Reform Act proposes to merge the agencies and functions of the agencies. At some point, it was raised to the Senators, Congressmen and LEDAC, and was a priority. This potentially would address the many institutions trying to manage land and tenure instruments. The biggest issue was the courts. The courts can issue titles and also mediate which is a conflict of interest because it's the law. There are laws that need to be changed. One of the issues in the last 10 years is that we have not passed a law that is institutional in nature.

**Question:** *There's a saying that it's better to light a candle in your home than go far away and light frankincense. WB/ JICA report said that Metro Manila will sink. DENR Secretary said last March, Philippine waters sinking five times faster. By 2020, water will go up worldwide by 18 inches. Effectively, MOA will be gone. What is the solution? In the East Coast, when it's high tide, nobody can pass, so coastal flooding has arrived. WB/ NY times front page. If this happens, about 100K hectares of land in Central Luzon will disappear. Are we planning for this? Can you comment?*

**Piakoswsky:** We can do scenario modeling and analysis of flooding. No building in flood zones or within certain proximity in coastal zones. We can use technology to help cities understand the impact of policies. Sometimes, more appropriate solutions are climate-resilient infrastructure and materials. We (should) design our communities in ways that recognize that flooding will happen but impact can be minimized.

**Antonio:** We can address creating public space. There are two scenarios in that context. If there's coastal land, you can plan it. You can make development out of it like eco-tourism. The more difficult one is if people are already there. One of the solution is to create a space so that it's easy for government to move people. In the Philippines, we know where the hazards are. We have a national hazard map. Consultations during the process is critical because you can't move people unless they volunteer to move. When people got titles, it became difficult for the government even for health or environmental reasons to take them out. Maybe one of the solutions is to provide a long-term lease. In Africa, there's 100-150 years lease. We're not even thinking about that. A potential entry point is legislation so it's easier for government and decision makers.

**Question:** *From a global perspective, why is there so much inequity and inefficiency in our public land management? What would be your proposed solutions?*

**Antonio:** What you're seeing is the surface of the problem. Land is a commodity that is mostly corrupted. If you have land, you have the power. At the global level, that's normal. Public land is like an open access land where everybody can enter, grab it and take it forward. People say it's politicized; it's not politicized. They see land as a powerful tool, to gain constituency. It's really

problematic. What I'm proposing is, where are the open lands? Let's make it transparent. Where there is freedom of information executive order that allows every citizen to ask the government.

Are we managing it properly? Nobody knows. It's a finite resource that we need to manage. The root cause is people see land as power. How do we change that? Education, capacity development, registration. At the center of it all is transparency. Our land management in the country is not yet open.

You would not consider the inefficiency in land management attributable to our Spanish colonial legacy of too much concentration in a presidency that is imperial Manila and the dispensation of wealth to logging rights, mining rights, land rights concentrated in the hands of a president elected because of political debts he dispenses these concessions to a favored few here in Manila. And therefore the solution to me is perhaps the president has it right, that we have to federalize to improve efficiency. I don't know if you agree.

**Antonio:** I think that's a political question and I'm not able to answer you.

Evangelista: In ending, I'll wrap it up in four elements with respect to land management urbanization. One, interplay between regulatory and governance aspects. Second, show capacity down to local level to implement solutions that cater to their needs. We need strong public-private partnership that should emanate from the ground. The social, cultural, economic aspect should always be taken into consideration in this area.

## **E. Plenary 4: Alternative Land Dispute Resolutions**

Land conflicts are common and pervasive. Causes of these disagreements range from conflicting boundaries, to quarrel over inheritance, and to dispossession of ancestral claims. To alleviate the clogged courts, the Philippine government promotes Alternative Dispute Resolution (ADR) as an important means to achieve speedy and impartial justice without prejudice to other ADR systems such as mediation, conciliation, arbitration or any combination through Republic Act 9285 Alternative Dispute Resolution Act 2004. This plenary session highlighted state policy on ADR and experiences in land conflict resolution on the ground.

### **Panelists:**

*Atty. Brenda J. Mendoza, Philippine Mediation Center*

*Engr. Randolph Vicente, Senior Vice President, ASEAN Foundation of Land Surveying and Geomatics*

*Engr. Winston Solite, Chief, Technical Services Division, DENR PENRO-Leyte*

*Engr. Kenneth S. Artes, EnP, Development Management Officer, Local Government of Bayawan City, Negros Oriental*

**Moderator:** *Atty. Bernadette C. Ongoco, Executive Director, Office for Alternative Dispute Resolution*

## **KEY POINTS**

**Speaker 1: Atty. Brenda J. Mendoza, Philippine Mediation Center**

**“Court Alternative Dispute Resolutions and Land Disputes”**



The speaker focused her presentation on the Philippine Judicial Academy (PHILJA), saying that it began as the training center for the Supreme Court of the Philippines. In 2001, the Supreme Court designated the PHILJA to handle court-referred, court-related mediation cases and other alternative dispute resolution (ADR) mechanisms.

- The point of ADR is to help de-clog the courts and speed up dispute resolutions. ADR mechanism can only be availed once a case is filed in the courts. The objective of ADR is to end pending litigation through a settlement by the parties.
- Four main ADR mechanisms and their success rate as of 2016:
  1. Court-Annexed Mediation (CAM) (62 %)
  2. Judicial Dispute Resolution (JDR) – If CAM and MCAM fail, then judges will take off their robes to become mediators and not just as adjudicators. (32 %)
  3. Appellate Court Mediation (ACM) (35%)
  4. Mobile Court-Annexed Mediation (MCAM) (91 %)
- Land-related cases referred to the Court-Annexed Mediation: Unlawful detainer, Ejectment, Recovery of possession, Annulment of title/cancellation of title, Forcible entry, Partition, Quieting of title, Judicial partition, Foreclosure, Recovery of ownership, Reconveyance, Cancellation of adverse claim, Expropriation, Easement of right of way, Other civil cases
- Out of 2, 685 civil cases referred to CAM in the National Criminal Justice Reference (NCJR) as of December 2016, about 1,035 cases involve land disputes. On the other hand, 2,101 civil cases referred to JDR in NCJR as of December 2016 with 565 cases involve land disputes.
- CAM registered 20% success rate for land disputes, while JRD has 16% success rate.

**Speaker 2: Engr. Randolph Vicente, Senior Vice President, ASEAN Foundation of Land Surveying and Geomatics**

While this presentation is in the context of Dilasag in the Province of Aurora, a non-urban setting, it may yield lessons for urban settings. The speaker focused his presentation on alternative dispute resolution in resolving boundary conflicts.

- The first cadastral survey project in the Philippines started in 1909 covering Pilar, Bataan. In 1913, the Cadastral Act 2259 was passed, requiring registration of all landholdings covered by cadastral survey. The Lands Management Bureau of the Department of the Environment and Natural Resources (LMB-DENR) has the mandate over cadastral surveys. The DENR targeted 2016 for the completion of cadastral survey.
- A cadastral survey on the establishment of control points and re-establishment of political boundaries was conducted in Dilasag and Casiguran towns in Aurora. Dilasag, Aurora is one of the 11 sites covered by the National Program Support for Environment and Natural Resources Management Project (NPS-ENRMP). The project is a cadastral survey project, principally the establishment of control points and the re-establishment of political boundaries.
- Pertinent documents were obtained, such as Act No. 3133, approved in March 1924, establishing the boundary between the Province of Tayabas and the Provinces of Isabela, Nueva Ecija, and Nueva Vizcaya. A 1950s map was also procured. These documents helped define the westernmost boundary.

- IECs were conducted not just in Dilasag but also in the neighboring towns of Casiguran, Aurora; Dinapigue, Isabela; and the provincial capitol of Aurora.
- There were barangay and purok-level IEC campaigns and stakeouts; confirmation of monuments and markers; and reconnaissance and recovery of monuments.
- These field work are in consonance with R.A. 9285 (April 2004), or the Alternative Dispute Resolution (ADR) Act of 2004, which articulates the role of ADR in cadastral survey activities. While ADR is not part of the cadastral survey process, the ADR helps make the process efficient. In this case, two gaps were discovered: a gap of 1,000 hectares and another gap of 700 hectares.
- The role of the geodetic engineer in ADR is to serve as a neutral third party evaluator. He can also be a conciliator or mediator. He can also offer early neutral evaluation. In pre-court mediation, his initiatives may be considered part of “mobile” court-annexed mediation (MCAM).

## CONCLUSION

1. ADR scheme is not part of cadastral survey process.
2. In a way, the Geodetic Engineer-Contractor performed the basic functions as neutral evaluator or conciliator involving boundary disputes.
3. Courts can appoint professionals duly regulated by the IBP or PRC to act as resource persons or expert witnesses.
4. Putting the right person in the job will result to better results.
5. Through adequate and appropriate means, ADR can help minimize “declog” court dockets of political boundary disputes.
6. Support for development/policy studies in this area of land governance will be important and crucial towards achieving the goals of nation building.

### **Speaker 3: Engr. Winston N. Solite, Chief, Technical Services Division, DENR PENRO-Leyte**

Land Conflict is a consequence in systematic adjudication. It is a given reality that land conflicts already existed even before adjudication commence or crops up during and after adjudication has been completed. LAMP has anticipated these problems and the land dispute resolution mechanism was provided to guide implementers in dealing with this situation.

Under the LAMP project, titles were provided to 33 of 40 municipalities – and three cities – in Leyte Province.

***Lesson from the LAMP project:*** Land titling can provide land tenure security, but it can also trigger the emergence of latent land ownership and boundary disputes.

***Nature of land disputes:*** ownership, the hardest of land disputes to settle; and boundary conflict, where adjoining owners disagree on where to put community markers. Also challenging are political boundary conflicts.

- The multi-stakeholder implementers of LAMP were also involved in land conflict resolution. The Lupong Tagapamayapa played a vital role.
- There are four situational models in resolving land disputes under LAMP:

1. Identification of land conflicts in pre-adjudication phase;

2. Disputes during actual adjudication;
  3. Protest filed by walk-in clients; and
  4. Protest filed after patent was issued.
- Benefits of having a land conflict resolution mechanism:
    1. Land disputes encountered and the mediation efforts made by the Systematic Adjudication team (SAT) are documented and recorded for future reference.
    2. Mediation is conducted on unresolved land disputes either by the project staff or the Lupong Tagapamayapa before being excluded from the titling process and indorsed for formal hearing and investigation.
    3. Participatory municipal mechanism for receiving, analyzing and responding complaints are established;
    4. Reports of mediations from the SAT staff or Lupong Tagapamayapa at the barangay forms part of regular project reports.
    5. Beneficiaries are informed and satisfied with the way land disputes are handled based on M&E reports.
    6. Additional Cost on the part of the contending parties in terms of hiring legal counsel can be avoided, if not, at least minimized.

**Speaker 4: Engr. Kenneth S. Artes, EnP, Development Management Officer, Local Government of Bayawan City, Negros Oriental**

The speaker focused his discussion on the dispute resolution in LGU-led Land Titling, looking at the Bayawan City experience. In 2007, the LGU in collaboration with the DENR, DAR and ROD embarked on an LGU-led and managed land tenure security improvement project as part of the Philippine Land Administration Reform Program with technical and financial assistance from AusAID – Innovation Support Fund.

**It derived and adopted the LAMP Leyte-model on free patent titling and placed in innovation such as:**

- (1) doing simultaneous land adjudication and tax mapping – basically working on improving land tenure security while expanding tax base;
- (2) deputation of local assessor personnel to increase reach and capacity of the local DENR in land adjudication;
- (3) use of appropriate GIS and information technology;
- (4) interagency sharing of capabilities and land information; and
- (5) infusing social and gender development by leveraging on community involvement and participation such that of the barangay councils, Lupong Tagapamayapa, and Sitio Leaders or Elders.

Engineer Artes said the project during its closure was able to survey 3,853 lot parcels, and generated 3,157 public land applications, and 2,814 land titles via homestead, miscellaneous sales, agricultural and residential free patents. After the project, the LGU and its partner national agencies have continued to work progressively in forwarding land tenure security and land administration reform.

## Why ADR works in LGU-led Land Titling?

According to the speaker, key to the land titling activities is the employment of the alternative dispute resolution or ADR mechanisms to fast track the land adjudication and patent processing. ADR by mediation is anchored on relationships and trust.

- Generally, Bayawan City's communities and barangays are built-up of households of mostly related people who are close-knit and family-related. Elected barangay officials, sitio leaders and community leaders are generally respected members of the community and typically elders whom everyone sought for advice, help and assistance. Deputized assessor personnel as land investigators are locals and are properly introduced and made known to the communities. Hence, when these in-place social structures and mechanisms are tapped and coupled with technical instruments (i.e. appropriate surveying instruments, approach and methodology), issues or disputes on land claims are often easily resolved.
- The speaker elaborated on the experience of Bayawan LGU, especially its field operators which yielded at least 80 percent success rate in mediating erring land claimants during the land titling activities. Successes in mediation are built on relationship, trust and stakeholder's consensus-building. There is no general process template but the key is in exploring into and knowing the community's structure of influence and leveraging it to achieve understanding and consensus among the key stakeholders. Sincere and transparent technical guidance or inputs also helps a lot in clarifying certain issues in order to come up with agreements.
- The model of the local deputized land investigators is highly replicable as a way to facilitate mediation in land investigations while expanding the capacity and reach of the field workers of the DENR, hence the coming up of the DENR Administrative Order No. 2011-06 entitled "Prescribing the guidelines for the implementation of public land titling in partnership with local government units".

## CONCLUSION

- Mediation is anchored on Relationship and Trust. Thus, it is very important for agencies and development workers to leverage on the local community's social structure of influence.
- Local players or operators and even community leaders and officials need to be trained to enhance or build their respective capacities in mediation, dispute resolution and appreciation of the importance of consciously taking in consideration of the social and gender development aspect in land tenure security efforts.
- Land titling or tenure security is not the end in itself but rather as an instrument for sustainable socio-economic growth. When communal good and the higher purpose of things are constantly highlighted, individual interests seem to be tempered such that indifference and conflict fades.

## **OPEN FORUM**

*Rommel Fausal, City Assessor's Office*

*LGU Cotabato City*

**Question:** *When a law creates a city and another law creates a municipality adjoining that city, there is boundary conflict. Which law will prevail in this boundary conflict between these two LGUs?*

**Vicente:** The subject area should be amended, or voided. The previous survey should not prejudice the new survey. Regarding the Republic Act creating Cotabato City, some areas of the city have been occupied by the newly created adjacent municipality.

**Question:** *This is regarding Cadastral Survey 295. In 1995, a tripartite session was conducted by three LGUs: the Province of Misamis Oriental, Gingoog City, and the Municipality of Claveria. They decided on a certain boundary between Gingoog City and Claveria. They issued a tripartite resolution regarding this, but there was no consultation with the constituents. Is this legal? There has been no ground survey yet.*

**Engr. Solite:** A ground survey needs to be conducted first.

**Ongoco:** We have to look at viable solutions. However, with respect to procedures in Congress and enactments of laws, we have the TWG. In cases like this, documents have to be submitted to them so we can verify and come up with the best way of checking the procedure.

**Question:** *The City of General Santos shares the same concern expressed by Cotabato City about boundary conflicts. Can such boundary conflicts be resolved by alternative land disputes?*

**Vicente:** According to RA 9285, there are exceptions to the application of ADR. The resolution of boundary conflicts is not included there. But we are looking at the possibility of utilizing ADR in resolving boundary conflicts. For instance, while we wait for the dispute to be discussed by the Sangguniang Panlalawigan, which is the formal way of resolving the dispute, ADR may be tapped.

**Question:** *Are we saying that we can use the ADR previous to the formal judicial process?*

**Vicente:** All these technicalities will have to be gathered. There must be a compilation of references – the maps, surveys done over the years. The documents presented must be subjected to review by a group of competent experts or resource persons. We can also invite the elderly living in the area for so long a time; their inputs might shed light on the matter. For the ADR process on boundary disputes, you have to undergo the same process as the formal resolution.

**Mendoza:** ADR offers us alternative mechanisms for dispute resolution. While we would want the parties to conform to the provisions of the law, there are instances such as boundary issues. One party would have a title, but sometimes they go beyond their legal entitlements, because the conflict goes beyond that, like they are family members or neighbors, and the conflict is deeply rooted. ADR may allow them to agree on certain terms that will work for their mutual benefit. But I'm not sure if that applies to larger contexts

**Question:** *The problem is that there are legal procedures in place. There are two laws with specific technical provisions. This is an actual case our city is embroiled in with another LGU. Our issue is if we try ADR, is it only a preliminary step before going to formal procedures? Are there*

*any procedures to resolve this without going to court? Our mayor and housing chief are here and we wish to be guided on what steps to take. We would like to settle it.*

**Solite:** Attorney, yours is not isolated case. In Leyte, there was a boundary issue whose resolution could not be implemented on the ground. The best way to seek resolution regarding this without going to court is to seek the intervention of the Department of the Environment and Natural Resources (DENR). They can provide technical assistance and define what particular areas in your LGU are involved in this to isolate the area of conflict. But it should really be the LGU who has to resolve the issue, not the DENR. The easiest way would be for the area to be divided equally, and the resolution submitted to the Land Management Bureau, which will issue a certificate. And that is now the basis for Internal Revenue Allotment (IRA) claim.

## F. BREAKOUT SESSIONS

### 1. Urban Land Constraints

Land constraints in urban areas pose major challenges to the resilient and inclusive growth of cities. With the accelerated urbanization rate, there are more urban dwellers competing for limited resources, services and opportunities concentrated in cities. Transforming urban areas into engines of growth require secure land rights to promote job creation, investments and financial markets. The panel discussed the outstanding issues of secondary Philippine cities and their growing urbanization.

**Panelists:**

*Ms. Makiko Watanabe, Senior Social Development Specialist, World Bank*

*Atty. Linda Malenab-Hornilla, Commissioner, Housing and Land Use Regulatory Board*

*Atty. Oscar S. Moreno, Mayor, Cagayan de Oro City*

*Ar. Maria Lourdes Domingo-Price, Philippine Action for Community-led Shelter Initiatives*

**Moderator:** *Engr. Ines Basaen, Executive Vice President and Academic Director, Gardner College, Quezon City*

## KEY POINTS

**Speaker 1: Ms. Makiko Watanabe, Senior Social Development Specialist, World Bank**

The speaker presented the Philippines Urbanization Review with a focus on urban land constraints. Here are some of the highlights:

- Consistent with growth trends in Asia and Africa, the Philippines is urbanizing at a fast rate. In 2015, the Philippines is 50 percent urbanized. It is expected to be 84 percent urbanized by 2050. Urban density is second highest in the region. Cities generate more than 70 percent of the country's GDP, with Metro Manila contributing 36 percent of GDP in 2012. Yet, urbanization benefits are not fully realized in the Philippines. Its GDP grew only by 2 percent, small compared even to India with 6 percent, Vietnam with 8 percent, and Thailand with 10 percent.

- About 75% of jobs in the Philippines is informal.
- The term “congestion diseconomies” -- high land scarcity and land prices; high and growing demand for affordable and safe housing.
- In 2016, conservative estimates pegged Philippine housing needs at 750,000. In 2012, 2.2 million Filipinos, or 5.4% of total urban population, live in informal settlements. Many of these settlements are in climate-impacted zones.

***Underlying causes and impacts of congestion diseconomies:***

- Weak land administration and management (LAM) system
- Poor land use planning
- Uncoordinated infrastructure investment
- LGUs' limited capacity in property taxation and valuation
- Ad hoc urban growth without coordinated infrastructure development
- Unaffordable land and increasing informality

***Policy recommendations:***

- Enhance the role of LAM. Secure property rights;
- good land use planning;
- effective land information and registration system. These should feed into increased property values;
- proper valuation and taxation; improved tax collection; and
- increased LGU investments. Address increasing informality in cities.

**Speaker 2: Atty. Linda Malenab-Hornilla, Commissioner Housing and Land Use Regulatory Board**

The speaker tackled urban land constraints in the context of the National Urban Development and Housing Framework (NUDHF). NUDHF is a development framework for urban and urbanizable areas aimed at achieving the objectives of the Urban Development and Housing Act (UDHA). It is a medium-term plan that is now part of the Philippine Development Plan (PDP). NUDHF 2016-2022 has this vision: Better, greener, smarter urban systems in a more inclusive Philippines.

Hornilla said ***secondary cities should learn from the issues of urban areas, such as the following:*** urban poverty; vulnerability to climate change and disaster risk impacts; rapid and unplanned urbanization; high population growth rate; uncontrolled urban-ward migration; emergence of small cities; and lopsided urbanization.

- **Constraints to urban land:** land tenure; access to affordable housing; inefficient urban systems; rampant land use change and urban sprawl; lack of urban planning and design; diminishing public spaces; and urban heat effect.
- **Urbanization as a catalyst for inclusive development:** urban development database; efficient urban densities; population development policy; promotion of public spaces; and mixed use, mixed income developments.
- **Resilience as a base for spatial structuring and sectoral development:** open spaces, recharge areas, buffer zones; ecosystem-based planning approach; circulation system; appropriate housing standards, green building; renewable energy; climate and disaster risk assessment, CCA-DRR mainstreaming.



- **Spatially and thematically integrated settlements within coherent and efficient urban systems and forms across scales:** mixed use and mixed income development, inclusive mobility, transport connectivity, communications, power; neighborhood unit; integrated transport and land use planning; urban-rural continuum; metropolitanization; planned city extensions; network of economic activities; compact, connected, coordinated settlements.
- **Urban areas as accessible platforms for social and economic opportunity, cultural expression, and innovation:** culture-sensitive/ culturally appropriate urban and housing design; social enterprises, cooperatives, informal sector; alternative tenure arrangements/ instruments; access to urban land and related resources; community-based, culturally unique enterprises; and housing finance.
- **People's participation and empowerment, and capacity as foundations of urban governance, facilitating sustainable resource use, planning, management, and finance:** community-led planning, monitoring and evaluation; free, open, and accessible information; PPP; continuing professional development; synchronized planning; metropolitan governance; urban managers; watershed management.

### **Speaker 3: Mayor Oscar S. Moreno, Cagayan de Oro City**

Cagayan de Oro City has a population of almost 700,000. But the city's population increased to about 1.5 million during the day, considering that people from Bukidnon, Camiguin, Lanao, and Misamis Occidental travel come to city to do shopping or conduct business.

The city's total land area is 57,850 hectares, but only 20 percent of that is considered urban. Interestingly, 90 percent of its population is occupying 20 percent of the land area.

Considering the strategic significance of Cagayan de Oro City in Northern Mindanao, Mayor Moreno said the city government is planning to establish Metropolitan Cagayan de Oro.

The NEDA definition of Metro CDO includes nine towns in Misamis Oriental and six towns in Bukidnon whose residents consider CDO their home since they go to school in the city and many of them work in the city, too.

- The city is a major gateway to Mindanao and has the only transshipment hub in Mindanao. It is also a key educational center in Mindanao.
- Cagayan de Oro City's principal advantage: accessibility through the waters. But it is also the city's disadvantage.
- The urban area of CDO happens to be flood plains. Water is our boon and bane. Mt. Kitanglad and Mt. Kalatungan, both major watersheds in Bukidnon, provide water all the way down to downtown Cagayan de Oro. Even though there is no bad weather in CDO, but if it rains heavily in Bukidnon, the waters arrive at our doorsteps.
- One of the problems in the city is that the flood plains and old waterways have been converted into built-up areas.
- To ensure the health, management, and viability of the CDO River Basin that will ensure our city's climate resilience, we have established the CDO River Basin Management Council. It is headed by Archbishop Antonio Ledesma, S.J.
- The river basin has eight tributaries from six municipalities – and they are not in CDO. Hence, the push for metropolitanization and inter-LGU collaboration.

- The city is studying the planned development that will strategically diffuse population concentrations while allowing easy, all-weather movement.
- The city's shelter plan objectives (2014-2022) call for the development of 658 hectares for housing and resettlement to relocate climate refugees in 35,000 households – and provide them with security of tenure.

**Speaker 4: Maria Lourdes Domingo-Price, Philippine Action for Community-led Shelter Initiatives**

The speaker focused her presentation about urban land constraints with emphasis on the peoples' organization experiences and solutions. The speaker, introduced the Homeless Peoples' Federation Philippines, Inc. (HPFPI) as a network of 102 urban poor associations. It undertakes land acquisition, savings mobilization, mapping and surveys, disaster risk reduction activities, and community-driven upgrading, including housing construction.

**Key urban land constraints as experienced by HPFPI communities:**

- Prohibitive land value; affordable land is usually in hazard-prone areas
- Limited access to immediate resource
- Complex land management and administration system
- Lack of knowledge by and lack of technical support for communities in land acquisition processes
- Lack of support from government units
- Process cost to communities
- Long CMP process and tedious requirements

**How ISF communities of HPFPI acquire land:**

*For onsite on private land:* donation; purchase by HDE/ mixed income development; direct purchase; and CMP.

*For offsite on private land:* direct purchase; CMP; and usufruct.

*For onsite on public land:* presidential proclamation and residential free patent.

*For offsite on public land:* government relocation (LGU, NGA).

**OPEN FORUM**

*Councilor Jimenez of Zamboanga City*

**Question:** *May we know what is really the status or the program of government with regard to presidential proclamations regarding the conversion of public land for our housing associations. In Zamboanga City, our problem is that it has been ten years since a particular public land has been given a presidential proclamation, and yet nothing has happened.*

**Mayor Moreno:** I think the Councilor is referring to presidential proclamations converting public land for resettlement purposes. We tried that in Misamis Oriental, when I was the governor. When we were constructing Laguindingan Airport, we had to look for a resettlement site for the farmers who were affected by the construction project. We identified public land nearby. The result was, we got a presidential proclamation for 36 hectares. Eventually, only six hectares were made available to us for the resettlement project and we built duplexes totaling 290 units. But we were afraid we might end up like Paranaque: the area would be fenced off to hide these quarters during state visits and the like. The government allocated Php35M for the construction of the housing units. And so, yes, I think public land can be declared for housing purposes.

**Question:** *Right now we are finishing our Comprehensive Land Use Plan (CLUP). Recently, the Duterte Administration announced a moratorium on the conversion of agricultural land. But shouldn't this be allowed in Mindanao cities, which are expanding? We really need to be allowed to use agricultural land, say, for our government facilities?*

**Malenab-Hornilla:** I think the President's stand on the conversion of agricultural land was brought about by his realization that a lot of irrigated land are being converted unnecessarily. The E.O. is clear that it will only be for a two-year period. They need to find out how much agricultural land has been converted.

As stated in our Constitution, food security is of paramount importance. This holds against unduly fast land conversion. NEDA has prepared a position paper on this.

*Engineer Stella of Tagbilaran City*

**Question:** *Mayor Moreno, I presume that among your constituents who are being brought to resettlement sites are fishermen. How are you going to relocate them?*

**Mayor Moreno:** Onsite would be best. Now there is an ongoing coastal road project from Barangay Gusa to Barangay Bulua (including Barangay Puntod). A lot of fishermen are going to be dislocated. Unfortunately, the coastal road was designed without talking to the fishermen. So there are no provisions for their welfare.

But onsite relocation is very expensive. Also, you will be using the land not to its maximum economic benefit. There's no fixed answer there.

The thing is, you need to show good results. I have realized that the most difficult public service is housing. Education, health – very tough but easy to address. Housing is difficult because every housing project is like a city in itself. You are not just talking of housing but everything else. My suggestion is to perform well on the relocation projects; those projects will themselves be their own arguments. These have to be community solutions. And you must factor in the climate change aspect.

*April Canlas from Tarlac City*

**Question:** *We have to implement the Manila Bay Supreme Court mandamus. That is, the clearing out of permanent illegal structures and informal settlements along waterways and easements. I'm curious about the presentation on Valenzuela. Was it successful, Architect Mae?*

**Domingo-Price:** We're really talking of water world here. But there are technical solutions. One that has been done is to landfill the site. We can also opt for incremental solutions. Maybe we can just build footpaths first, and then floating houses. Later on, the community could probably have land. Of course, all solutions are according to their financial capacity. The community bought the land; they have the title to it. And they have the recognition by and support from the LGU for developing the site.

**Malenab-Hornilla:** Which interests would be paramount, local or national? If you look at your CLUPs, they embody not just local but also national interests. The CLUPs and zoning ordinances are supposed to be subjected to public hearings. And that is where the local interests come in. Where there are national interests at stake, that is when the LGU will balance its act with local interests: how to comply with the national laws without eroding the welfare of local multi-stakeholders.

*Mayor Jed Patrick Mabilog of Iloilo City*

**Question:** *Before I direct my question to Commissioner Hornilla, I would like to tell the lady from Tarlac that we in Iloilo City have a successful story of removing 1,000 informal settlers from waterways. We started this in 2011 and have completed the relocation now. We were able to explain the rationale for the relocation to the community, and we did not face any protest.*

*The Lina Law states that the LGU and NHA are responsible for providing relocation sites. Yes, we do land banking. In Iloilo, we used to have 25,000 informal settler families (ISFs). Now we're down to 14,000.*

*Our problem is the moratorium on the conversion of agricultural land to residential land. In our experience, the LGU provides the land and the NHA builds the houses. Yes, we recognize the problem of food security. But the issue on agricultural land conversion is that it has been abused by private land developers. Perhaps LGU projects for informal housing can be given an exemption to the current moratorium?*

**Malenab-Hornilla:** Mayor Mabilog, I congratulate you and your city for making big efforts in transforming Iloilo City. The esplanade and the ISFs voluntarily giving up their homes are wonderful.

As for your question on agricultural land conversion for LGU housing, that is a question that many LGUs are asking. But this is my take on the matter. When you do your CLUP, you already identify your housing needs. When you zone them, we can enforce them as residential. But based on our observation, some agri-converted land remain declared as agricultural land to escape high residential taxes.

**Question:** *This question is for Ms. Watanabe and the Commissioner. Regarding the problems of urbanization, what is the next step for HLURB for solving the problems you presented?*

**Malenab-Hornilla:** My presentation offers a framework, with strategies. The next step is for LGUs to use the framework. But please note that we do not have a coercive power for LGUs to use them.

**Ms. Makiko Watanabe:** I hope we're able to provide solutions, not just identify problems. If you will recall, my presentation offers recommendations. The ball is in the government's hands. The recommendations have been prioritized, with identified primary and secondary agencies which may be the responsible entities for implementation. Disseminating these issues and recommendations is a way trying to influence the government to act on them.

I would just like to make a comment on ISF housing. There are innovative measures worth considering. For instance, densifying through mixed uses and utilizing mixed incomes so you can cross-subsidize the ISFs. Or land sharing – giving up parcels of land for the road right-of-way. The reduced area is equivalent in monetary value to the original land area: even though the land area diminishes, the actual land value goes up due to increased land value brought about by the new accessibility. This is one way of optimizing the uses of land.

**Malenab-Hornilla:** The Urban Development and Housing Act (UDHA) of 1992 includes a balancing provision. Every high-end subdivision has to have a 30% provision for low-cost housing. The law at the time did not include condominiums. But there is a new law that calls for the application of the 30% balanced housing proviso for condominium projects. This means that mixed-income families will live within condo projects, allowing for social integration.

**Question:** Ms. Watanabe, in your presentation, you pointed out inter-agency rivalry which leads to inefficiency. You missed out on one land agency, though: the Land Registration Authority (LRA).

*I have to propose that you also include the National Commission for Indigenous Peoples (NCIP). It also issues land certificates that are recognized by the government. And it is not sharing its database.*

*It is this inter-agency competition that results in inefficiencies.*

**Watanabe:** I didn't mention the NCIP because we are talking of urban land.

But there is indeed a need to streamline or consolidate into one single agency that can offer a one-stop shop on land information system and services.

**Ines Basaen:** I come from Baguio City. We have a lot of land being claimed to be part of the ancestral domain. It is clear that the answer to these land issues is the LGU. Of course, in partnership with civil society.

## 2. Asset Management for Local Government Units

Asset management introduces a new systematic approach to increase the effective use of real property, owned or operated by a local government. It involves a comprehensive inventory of all assets and an evaluation of each property to determine the best use for a local government. By addressing other property management issues, this multidisciplinary approach to managing assets results in improving local finances, service delivery and facilitates local economic development. This panel discussed how local governments can benefit from this approach.

### Speakers:

Maris Mikelsons, SURGE Project Chief of Party

Engr. Jose Arnold Tan, Deputy Director, Bureau of Local Government Finance

Atty. Eve Jiz, SURGE Project Component Lead

**Moderator:** Maria Concepcion Ordinario, Executive Assistant Office of the Governor Palawan

### KEY POINTS

#### **Speaker 1: Maris Mikelsons, SURGE Project Chief of Party**

The speaker started his presentation by defining "asset management." He defined Asset Management as a new systematic, comprehensive approach to increase the effective use of real property, owned or operated by a local government.

- Comprehensive inventory → followed by evaluation of each property to determine best use (classification)
- Analysis of property: reveals issues on permitting, valuation, etc. → multidisciplinary approach will address property management issues → results in improved:
  - o local finances (more revenue)
  - o public service delivery (more revenue = more funds for public service, since some mandates are not being implemented by LGUs due to lack of funds)
  - o local economic development (jobs and opportunities from investments)

#### **Why asset management for local governments?**

- Helps to increase revenue to fund public services with good quality standards

- Improves revenue sources since the real property assets of local governments are often very large compared to their annual budget revenue or expenditures.
- Less demanding and risky politically compared to raising taxes and fees. Local governments usually have much more freedom of choice in handling local government assets and liabilities than they do municipal revenues.

**The Croatia Case Study.** The speaker cited the asset management procedures introduced in five major Croatian cities (moderate size from 200,000-500,000 persons per city). Some of the highlights of the discussions are:

- Results: \$2.3 billion of inventoried assets generating \$73 million of revenues for city budgets on an annual basis
  - Needs transformation of internal organizations and capacity development
  - In some cases: formed new asset management departments that developed asset management plans, linked to budget and investment plans
- Revenues from: lease of property (\$44 million) and the sale of land and buildings (\$33.5 million)
  - Much of these properties moved from passive to active use, resulting in a rise in private employment, and the revenues were used in municipal budgets to pay for additional public services.
- New procedures for centralizing inventory control and systematic approach to analyzing and managing real property will have a lasting effect on how cities manage their property for the benefit of their citizens.
  - Philippines: Ad hoc real property management, no systematic approach
  - Australia and New Zealand: good examples where local governments implement asset management, support is provided for local governments in asset management planning

#### **Important Notes on this:**

- SURGE Project will help in implementing asset management in selected CDI cities.
- The League of Cities are seen as the main partner and driver of institutionalizing asset management in the Philippines.

#### **Speaker 2: Engr. Jose Arnold Tan, Deputy Director, Bureau of Local Government Finance**

The speaker discussed about the Local Asset Management in the Philippines. His presentation was based on the study conducted under the Asian Development Bank (ADB) Technical Assistance 4778 (ADB TA 4778) in 2015. Some of the important points are:

- Properties, plants and equipment (PPE) of LGUs comprise more than 60 percent of all LGU assets. LGU assets are therefore important resource base that could be tapped for the implementation of development projects and service deliveries.
- Not one local government implements asset management and most (a few does) do not practice asset management activities

#### **Legal Framework of Local Asset Management**

The Local Government Code (LGC) empowers LGUs to conduct asset management functions with accounting and auditing guidelines issued by the Commission on Audit (COA). COA's chart of accounts is compatible with asset management.

- Many LGUs: not aware of this mandate and consider asset management as a simple accounting, bookkeeping and recording of assets rather than the use of assets as an investment tool.

- General Services Office: supposed to be the one in charge of inventory of assets (*take custody of and be accountable for all properties, real and personal owned by the LGU*), but this is only optional for municipalities. Inventory is sometimes lodged with treasurer's office.
- Empower Sanggunians to provide a mechanism and the appropriate funds to ensure the safety and protection of all local government property, public documents or records.

### **Why Local Asset Management?**

- Limited financial resources for devolved LGU functions. LGUs often demand for higher IRA. While there are already bills being deliberated in Congress, in the meantime LGUs need to be creative in sourcing revenue.
- Assets: significant in value compared to budget revenue or expenditures; expensive in terms of both capital value and annual cost of upkeep; need to be managed to ensure best value
- It takes time to determine carefully new property needs and to procure and provide them.

### **Recommendations**

1. Implement Asset Management system in the local governments covering Land and Land Improvements, Buildings, Machinery and Equipment and Transportation Prepare an Asset Management Manual for distribution to all local governments.
  - Executive Order OR a Joint Memorandum Circular to be issued by DILG, DOF and DBM providing for the creation of an Asset Management Unit
2. Prepare an Asset Management Manual for distribution to all LGUs.
3. Develop Asset Management software.
4. Conduct extensive training of trainers and implementers initially for provinces, cities and 1st class municipalities.
5. Create an asset management unit and amend the local ordinances and the Local Government Code, specifically to shift in the assignment of primary and secondary accountability.

### **Speaker 3: Atty. Eve Jiz, SURGE Project Component Lead**

The speaker discussed about the legal mandate of the Local Government Code. She said the LGC defines corporate power of local governments wherein “authority for local governments to acquire, develop, lease, encumber, alienate or otherwise dispose of real or personal properties.” The LGC’s objective, she said, is to be self-reliant local governments.

On revenue generation, she pointed out the following:

- LGUs cannot keep on relying to usual sources of revenue (e.g.t axes, charges). We need to be entrepreneurial in managing our assets and think how we can unleash the potentials of assets, especially real property assets to fund vital services for our constituents.
- We’re sitting on wealth we don’t even recognize. Many of real properties of cities are not known to them or titled.
- Local Development Investment Program and Annual Investment Plan: don’t consider land for them to build schools and other public facilities, although there has been budget allocated.
- Some governments acquire land for “future needs,” but these needs take a long while to afford, so acquired land remains idle. Idle land is lost opportunity.
  - Options: Short term leases, rentals, equity for PPP

On Asset Management, the speaker said there are some management in place, but not too systematic. There is also a need for a dedicated unit to do asset management. There is no urgency in creating a unit but the General Services Office and the Assessor's Office can be assisted to discuss on this matter.

- GSO: custodial and safekeeping of assets, but no asset management mindset
- Assessor's Office: valuation part, mindset: valuation for taxation purposes

## **OPEN FORUM**

*Question: If you use assets for public financing (e.g. loans), in the event that the LGU can't pay for the loan, will the property be foreclosed?*

**Tan:** Yes, part of the corporate powers of the local government.

Ronnel Bausal (Assessor's Office, Cotabato City)

**Question:** *Why isn't there a memo from BLGF based on the Local Government Code prescribing the rules, policies, regulation for uniform implementation? Why not include COA in the Joint Memorandum Circular (JMC)?*

**Tan:** EO and JMC were part of the recommendations. COA is an independent body, but they can be resource persons for the technical working group.

**Jiz:** COA is the ultimate agency that determines COA-bility of transaction. They can't sign the JMC because they might be pre-empted.

Francis Palanca (Mayor, Victoria City, Negros Occidental)

*Comment: Sometimes we are discouraged to loo*

*When you just come in as local chief executive and you try to do the inventory and find these assets, some of these are nil. You put in record that it's not accountable and you have to look for it. If you don't look for it, the ombudsman will come knocking at your door. You are accountable when you are the one sitting. Usually, you cannot see the records anymore and it is difficult to find the records.*

Godie Amper (LGI Consultants)

Suggestion: Include DENR-LMB in JMC

Atty. Evelyn Talabis (Director, DENR-LMB)

DENR has long been issuing special patents. RA 10023 and DAO 2016-21 fast-tracks issuance of land patents through the Provincial ENRO. These are in the DENR website. LGUs can coordinate with CENROs, who have also been instructed to coordinate with LGUs.

Gabriel Barretto (Dean of Real Estate Management in Gardiner College)

**Question:** *Assuming that there is no EO or JMC, is there a legal impediment that prevents governors or mayors to be entrepreneurial or proactive?*

**Tan:** No. In local ordinances by *Sanggunians*, there have been provisions on user charges for lease of equipment/ property. I would like to emphasize the need for asset management, especially in Metro Manila. Some LGUs are not doing anything to protect the property, such that developments are delayed because informal settlers are dwelling in properties. LGUs must protect areas from informal settlers.

**Question:** *As to asset custodians, do they need to be regular officials or bonded officers?*



**Tan:** Bonded officer, as per LGC

*Florence Galleon (UP Geodetic Engineering)*

**Question:** *How do you determine best use of asset particularly land or real estate? Have you considered technology in managing assets (ex: GIS)?*

Tan: HABU – Highest and Best Use of Property – used in projecting valuation standards, patterned after ASEAN standards. This is the procedure. Appraisers know about HABU. One recommendation of the study is a database software for LGUs. We are proposing it to this project (SURGE) aside from the Manual – an asset management software.

**Question:** *Will there be a bottom-up approach? Public/ social acceptability?*

Tan: Yes. Projects require public consultation. All concerns of affected stakeholders must be considered.

*Willie Lorenzo (Ilocos IT Office)*

**Question:** *Should open-source IT solutions be used?*

**Mikelsons:** We already have a manual. We'll be modifying that manual to the context of the Philippines. We'll test the manual to see what works best. We'll move towards software development as well. Based on my experience in Croatia, it doesn't have to be a sophisticated software to manage assets. You can start with Excel as a starting point for inventory, classification, analysis (key of asset management). We'll be looking at open-source as well. This is to be explored and we'll explore every option we possibly can.

### **3. Managing Commercial Pressures on Land Markets**

As land is a finite resource, there are competing pressures on available land markets. This requires government land use and development plans to promote the best use of land, determine buildable areas and identify at-risk zones. Another imperative is the promulgation of zoning regulations and their compliance. This panel shared perspectives and insights from the public and private sector on how these pressures can be addressed.

#### **Panelists:**

Mr. Nino Raymond Alvina, Executive Director, Bureau of Local Government Finance

Dr. Eduardo Ong, Chairman, Board of Real Estate Services, Professional Regulations Commission

Ms. Marissa Benitez, MRICS, Director, Colliers International Philippines

**Moderator:** Mr. Guillermo Luz, Private Sector Co-Chairman National Competitiveness Council

#### **KEY POINTS:**

#### ***Mr. Guillermo Luz, Private Sector Co-Chairman National Competitiveness Council***

There are competing pressures on available land markets: population growth, requirements for residential, commercial, agricultural, industrial land, space for infra and public facilities, open space, natural reserves, deduct disaster prone areas. With all these requirements, it is imperative that land use and development plans must promote the best use of land. We must optimize this finite resource. This will require very smart, appropriate and savvy land use and planning and

zoning and a balancing act and coordination between the NGAs, LGUs, the private sector and the community. This afternoon's breakout group is on exploring how this balancing act will work.

**Speaker 1: Mr. Nino Raymond Alvina, Executive Director, Bureau of Local Government Finance**

"How local governments should be optimizing land for revenue generation purposes"

*Land Governance*

- A major issue in many parts of the world
- Underpins economic development, political economy and social justice

*Good Governance*

- How to address the problems in land at the local and national level
- Must ensure tenurial rights, fair access to land, efficient property valuation and taxation and sustainable economic development

RPT is an important asset of individuals – a progressive and stable source of revenues. Unfortunately, RPT contributes only about 30 percent of LGUs' own income. Property tax to GDP has been declining, from 0.45 percent to 0.36 percent in 2015. Aside from problems on valuation, this is also due to poor collection efficiency – averaging 57 to 60 percent in the last 10 years. This is because cities are using outdated values – 172 cities (74 percent) are outdated. On the land use planning (2012), 12.5 percent of LGUs have no CLUP; for those with CLUP, 51.6 percent are fairly current while 48.4 percent are severely outdated.

Factors that influence property values are social forces such as 100M population and 5.7M units housing backlog; economic forces such as rise of new commercial districts and business centers, more Filipinos getting jobs through BPOs and unemployment rate at 4.7 percent (Oct 2016); environmental influences- housing in Cavite which is close to MOA and Makati office and resort homes; and governmental factor-investors in the Asian region and increase in foreign arrivals. Changes in "influencers": 10-point economic agenda; beefing up infrastructure projects, 14 PPPs worth Php239 billion nationwide.

How active is the market now? Philippines's GDP FY 2015 is 6.8 percent. There was an increase in real estate prices to 13.30 percent

*Land Use Conversion* – DAR was able to decide on 142 applications for land conversion, 41 were denied and 101 were approved.

*Urbanization and Land Development*

- Gaming Hub – development of the gaming and tourism sectors attract visitors and investors
- Active Participation of Developers – helped resolve the housing backlog
- Commercialization –as malls proliferate, development in area grows
- Demand for Office Space – projected to decline in fringe areas due to scarcity of land

*Market Value vs LGU value*

- Ayala Avenue: SMV – Php40,000/m<sup>2</sup>; selling price is at Php150,000/ m<sup>2</sup>
- Tiendesitas, Pasig: SMV-Php950/m<sup>2</sup>; selling price is at Php40,000-80,000/m<sup>2</sup>
- Eastwood: SMV-Php2,000 / m<sup>2</sup>; selling price is at Php100,000 m<sup>2</sup>

## Conclusion

- Failure of government to capture the market value of land due to the wrong view that valuations are not urgent, unpopular, unfriendly to elections. It has become convenient to defer revaluation of property values
- When government collects tax, undervaluation persists. When government pays, overvaluation happens.
- There is a need to improve policy and process to address inefficiencies.

## Recommendation

- Important that LGUs are informed on trends in the land governance so they are guided in making decisions.
- LGUs must capitalize on market movements by adjusting property valuation for taxation which could lead to increased tax collection.
- Government must continue momentum gained in previous initiatives to improve land valuation and pursue needed policy reforms.

## **Speaker 2: Ms. Marissa Benitez, MRICS, Director, Colliers International Philippines**

**What are the commercial pressures?** 1) a matter of the increasing land values – does not impact alone on the private sector but on public coffers; 2) increasing the coffers of private developers – it's imperative for them to perpetuate the business and this puts pressure on land markets; 3) increase in local government revenue – they which to be reclassified as a higher government unit.

How do we respond? Land Use Conversion/ Reclassification

- Land Conversion is changing the use of land – from industrial to residential, or agricultural to residential or industrial land. There's conversion because there's demand. Conversion will mean higher market values for those properties.
- Land use reclassification refers to the act of allocating lands to different activities or classes of land uses, evolved and enacted through the town planning and zoning processes taking into account the needs of inhabitants for space, housing, industrial, commercial, other non-agricultural uses.
- Both determine whether a parcel of land should be used for agricultural or other purposes, but they are different in approach. Reclassification is a power exercised by municipal or city governments through the town planning process taking into account the needs of the inhabitants for space; housing, industrial, commercial and other non-agricultural uses.
- Conversion goes through government mandated (usually by law) evaluation process which takes into account tenants and farm workers, if any, on the landholding including the payment of disturbance compensation.
- An issue in land conversion, if you're an investor, a question that you would ask is how much would it take to convert from one land use to another? It varies from one LGU to the next. It's one of the questions that needs to be addressed in the long run.

## *Land Use Conversion*

- Exemption refers to lands which are not to begin with considered as agricultural and therefore not convertible. Examples are those under the CARP which have a slope of more than 18 percent and are underdeveloped.

### *Effects of Land Use Conversion/ Reclassification*

- What are the potential economic, social, environmental impacts of land use changes?
- How does land use change affect agricultural and rural communities?
- What are the important economic and environmental implications for commodity production and trade, water and soil conservation, open space preservation, and other policy issues?
- But more than anything, how do we manage the commercial pressures on land markets?
- Example: Moratorium on Land Conversion – a two-year moratorium which was a public sector initiative; If implemented, it will apply to all awarded agricultural lands under RA 6657, PD 27. What's wrong with the moratorium? It ran counters to what the president said that urbanization should go to the rural areas.

S	O	W	T
security of food production	segregate productive and non-productive land	Continuity, influence peddling	Implementation will be subject to political will  Distorted land values due to supply and demand in the short run  Runs counter to another government initiative to decongest Metro Manila

### *Comprehensive Land Use Planning- Public/Private Sector Initiative*

- Comprehensive Land Use Plans (CLUPs) is one of the fundamental tools for local governance and decision making
- Some are quite impressive but the question is, are they implementable?
- Investors want to know what's up ahead, 25 years down the road. What are the opportunities?

S	O	W	T
informative if properly prepared	for investors, it is also useful to identify market potential	lacks consistency from one LGU to another	non-implementation due to change in local governance

**Conclusion:** Key would be integration, cooperation, and continuity. Managing land is a governance issue.

**Speaker 3: Dr. Eduardo Ong, Chairman, Board of Real Estate Services, Professional Regulations Commission**

We, in the Board of Real Estate Services, are managing 42,000 professionals – brokers, appraisers, consultants.

**What are the commercial pressures on land?**

1. Land grabbing – cuts across families and communities; it is linked to growing land scarcity
2. The commodity slide – socio-economic change at both national and local levels
3. Land footprint of international economic treaties – land rights are increasingly affected by international treaties governing investment and trade

**The markets for certain goods and services driving the phenomenon:**

1. Agrofuels – depend on public policies of certain states that make it mandatory to include a percentage of these products in the fuel used for transport
2. Staple foods – the prices of the principal food products rose sharply in the previous years for various reasons including notably the growth of agrofuels, weather problems in previous years, a reduction in security stores, and an increase in demand among the middle classes of some emerging countries.
3. Forest resources
  - a. Timber and non-wood forest products – demand has increased with growth of emerging countries
  - b. Environmental services – markets for pollution rights, carbon credits
4. Tourism – increasing interest in coastal zones
5. Urbanization – large increase in population living in cities, spilling over onto farm lands

**Addressing the commercial pressures on land markets through land use plan:**

- The regulation of land use is a primary function of local governments.
- Local governments rely on zoning.

In terms of traditional approaches, the following are the primary types of municipal zones used to guide community development:

- Residential Zones
- Commercial Zones
- Civic Zones
- Industrial Zones
- Open Space Zones
- Agricultural Land Zones

Some of the environmental challenges associated with land use are:

- Air Pollution
- Water Pollution
- Land Consumption
- Transportation Choices
- Limited Connectivity
- Weak support for mixed use development

Sustainability Principles associated with land use are:

- Open space
- Sustainable water sources
- Walkability and connectivity

- Integration of diverse community features
- Strong sense of place

General Sustainability Principles applicable to land use are:

- Dedicate sustainability staff
- Set sustainability goals
- Track performance
- Take a holistic approach
- Build partnerships
- Share knowledge

Three key approaches to the development of environmentally sustainable communities are:

- Sustainable Urbanism – sustainability and livability
- Integrating Land Use and Transportation Decision Making
- Regional Planning Approach

## **OPEN FORUM:**

Jun Quilian, Rural Bankers Association of the Philippines

*Question: Your studies show and it was mentioned that the average size of agricultural lands is not even 2 hectares. That statistics/ info shows that what we have in our country is a multitude of small farmers. They lack the adequate resources to finance their production. Taxation is not a direct cost of production but it still adds to the financial burden of small farmers. We are looking at the possible removal of taxes for agricultural lands that are 2 hectares and below, like other neighboring countries. Earlier, you mentioned that only 30% come for RPT. If there such a proposition, will it cost that much dislocation in the revenue generation of LGUs?*

**Alvina:** We don't want to emphasize on the size but the value of the property. It may be small size but high value property depending on the yield and circumstances surrounding the property. That proposal, if you will be pursuing it, we will be happy to comment on it. Currently, we will have to study what it will entail in terms of foregone revenues. It depends also on the political decision of the elected officials. Even if you set the values correctly, if the local *Sanggunian* is sensitive to the plight of the taxpayers, they have all the means to adjust it. They could even rate it to 0 percent, if they so decide to forego revenues from real property whether commercial, residential, agricultural. That's a political decision. That also entails foregoing so much revenues.

**Jun Quilian:** *We expect strong opposition against that proposition. But if we are talking about inclusive growth, maybe it's one thing that we should consider for the benefit of small farmers.*  
**Lidio Sarabia, city assessor, Tagbilaran City:** *Conversion is very hard for land owners. We received a Memorandum Circular (MC) 32-2017 dated December 18, 2015 signed by Jocelyn T. Pendon, Executive Director that we are going to reclassify based on actual use of the land even without DAR clearance. Is this memorandum still effective today?*

**Alvina:** The context of that memorandum is reclassification. Assessors will value/assess based on actual use. So only in that context but not in the context of conversion. Because converting these agricultural properties will require legal process. It's not only at the level of the LGU but it goes through other government offices. For example, if it's agricultural land and the actual use is commercial in nature. Or a commercial land which is already being used for residential purposes. That's the context of that MC.

**Lidio Sarabia:** I also have to annotate in the tax declaration, when I reclassify based on our regional director, “the reclassification and reassessment is made solely for RPT pursuant to Section 217 of RA 7116 and should not be construed as conversion as contemplated under RA 6657”. Can I use this?

**Alvina:** Yes, sir that’s the context. Yes, definitely.

**Sam Quinana of PARA:** I want to know the updates on VRA – the Valuation Reform Act since 2011. It said there that there will be a national valuation authority who will have the authority in implementing the taxation.

**Alvina:** On the proposed VRA, what is really being corrected is the valuation side. The taxation side still remains with the local governments, still remains with the BIR on the national level. As a matter of update, this is part of the priority bills of the secretary of the DOF. We are really pushing for this reform. As I have mentioned earlier, if local governments are only valuing the properties correctly and are efficient in their collection, it could yield 18 billion annually, both at the local and national level. We count on the continued support of our stakeholders in helping us to shepherd this bill into enactment.

*Ferdinand Armone, city assessor, Negros Occidental: Two questions - the approval of SMV from LGU to the national agencies. Feedback from the local executives is that they are happy because they will be relieved of the role. Taxation is very unpopular for politicians. Only a few updated their SMV because of political implications. An issue is the removal of the appointing authority from LCE and transfer to DOF (which the LCEs don’t want). In the present bill, did you remove that provision to transfer from LCE to the DOF?*

**Alvina:** I think it’s no longer in the bill. We’ll have to double check. In principle, we have no aversion to getting it back to the national government under the principle of local autonomy. What we want to pursue is to ensure that the appointment process is not politicized in consideration of RA 9646 (RESA law). The proposal there is to ensure that if a municipal assessor is appointed, it could be from the municipality and from within the province; or if it’s a provincial assessor, from the province or within the region.

**PARA:** Just like the VRA, is there a possibility that we can consolidate the reclassification and conversion into one umbrella. As you know the reclassification from the LGU level is costlier than the conversion of the national level. Sometimes it’s two or three times higher than the conversion. Is there a possibility that only one agency will handle the conversion and classification?

**Alvina:** Let’s see. Under the proposed LARA (Land Administration Reform Act) bill, I’m not certain if that’s part of the functions. If you have a proposal, then we will be happy to study. Remember in the reclassification, there are restrictions in the local government code depending on the type of LGU – if you are highly urbanized, low income, a middle or high income class LGU. It depends, sir. Maybe you can check the latest version of the LARA bill.

**Luz:** *To close, I’d like you to think about four questions. 1) With all these pressures of population and market demand and uses, what’s our preference for urban sprawl vs high density growth? Do we go vertical or horizontal? 2) How coordinated are CLUPS with infrastructure planners at the national government agency level? That has an impact on our urban sprawl versus high density question? 3) How do we make more land more bankable? Finally, if there’s so much commercial pressure, there seems to be idle land? What is the policy on idle land?*

## CONFERENCE HIGHLIGHTS FOR DAY 2

### **A. Opening Remarks by William Althaus, ICMA Program Director**

On conference day two, a short opening and introduction was given by William Althaus, ICMA Program Director.

After hearing presentations on day 1, Althaus gave his brief perspective saying that through the conference, he was convinced that the issue on land governance is important to the Filipino people.

The first day of the conference covered the global look on land governance issues around the world. The breakout sessions gave the participants the opportunity to deal with specific issues that concerns the Philippines.

Althaus cited the Asset Management session as an interesting and effective tool to manage, maximize the use and gain revenue from the assets, real property, vehicles and equipment. Being a city mayor in the US, Althaus emphasized the importance of an effective land governance that will benefit the people. He stressed that to be able to do public service, governments must instill sustainable practices, equity, transparency and fairness.

He said that a sustainable urban land coalition will be formed at the end of the second day of the conference to call for the adoption of a sustainable land governance to address Philippines' land sector development concerns. This coalition, he said, will push the present administration to take the lead in calling for effective land policy and institutional reforms.

### **B. Policy Frameworks for Land Administration and Management**

The complex reforms towards developing inclusive and all-encompassing land administration and management cannot be staged in a single phase. Long-term programmatic approach is needed to formulate and adopt relevant and comprehensive policy framework to serve as guideposts and national reference for the land sector. This plenary discussed a land policy framework that is a necessary condition for land policy to evolve and remain sustainable.

#### **Panelists:**

Mr. Jose Christopher Belmonte, Chairperson, House of Representatives Committee on Land Use

Dr. Gilberto Llanto, President, Philippine Institute for Development Studies

Engr. Henry Pacis, Deputy Director, Land Management Bureau

Prof. Ernesto Serote, University of the Philippines School of Urban and Regional Planning

**Moderator:** Mr. William Althaus, Program Director, ICMA



## KEY POINTS

### **Speaker 1: Jose Christopher Belmonte, Chairperson, House of Representatives Committee on Land Use**

- Sustainable development is the policy framework of effective land administration and management. Sustainable development demands that we reconcile two actions: (1) meeting present needs and (2) protecting the ability of future generations to meet their own needs.
- Sustainable development is basic to the policy framework of the proposed National Land Use and Management Act.
- Three premises of the National Land Use and Management Act:
  - Human population increases while land resources remain finite;
  - Habitable area is finite and scarce. Land is more than an economic object; and
  - Climate change, food and water crises, and land disputes are all inter-connected, and to solve these issues proper utilization and management of land is necessary.
- The key to national development is proper use and management of land.

#### **9 basic considerations in land utilization:**

- Protection over production
- Preservation, conservation, rehabilitation, and protection of perpetuity prevails over conversion, disposition, intrusion, utilization, and development
- Protection of forests and resources ensures environmental stability, biological diversity improving ecosystem functions and other long-term ecological benefits
- Protection of forests and wetlands from infrastructure development is essential to economic development
- Greater consideration given to human and tenurial rights of vulnerable groups in resolving conflicts
- Prioritization of life and safety
- Respect for existing customary rights and traditional land uses of indigenous cultural communities and indigenous people
- Settlement areas should be properly identified with consideration to demand for land and access to employment and basic services
- Energy security and self-sufficiency

The speaker presented that the national land use and management act, if passed, will create a National Land Use Policy Council (NLUPC) that would amend the composition of the National Economic and Development Authority (NEDA) Board and create a coordinating relationship in the city, municipal, provincial and regional levels.

Belmonte stressed that policies need to be harmonized. He ended his presentation stating that the national land use and management act for sustainable development, and land and water use consistent with equity, environmental integrity and social justice.

## **Speaker 2: Engr. Henry Pacis, Deputy Director, Land Management Bureau**

The speaker asked the audience, “Have we really improved?” He then presented some important points in his presentation.

On Framework, there is a need to address the following:

- Population and Culture
- Investment & Development Technology
- Access
- Environment
- Food Security
- Housing
- Taxation and Revenues

All affect land management and land administration

Land Administration Agencies

- overlapping functions
- gaps

Some of the major challenges encountered are:

- Access to complete, updated spatially referenced land info
- Efficiency and effectiveness in providing LAM services

Yesterday’s Situation

- Clients and users of the LA system: delays, high costs, fake and spurious titles, conflicts, court litigation, low investment, low economic growth, graft and corruption
- Inconsistent and outdated land laws and policy
- Ineffective and inefficient coordination of land administration institutions
- Unnecessary steps

Land Sector Development Framework (LSDF)

- 20-year vision
- 4 mission statements
- 16 policy directions in 4 thematic areas: public land administration, land administration, land information, land valuation and taxation.

Government Initiatives aligned with LSDF policy statements and strategies

- Residential free patents- 1,000 to 50K a year
- Policies on simplifying special patents, ADR and claims and conflict resolution
- Systematic titling, partnerships between DENR & LGUs
- DENR CARP Scope completed, cadastral survey completed last June 2015
- Computerization efforts
- Updating of SMV

Global Guidelines and Best Practices

- Responsible governance of tenure in 2012
- Spatially enabled land governance
- Fit-for-purpose land administration

- Land tools
- Sustainable Development Goals
- Geospatial Technologies

Critical Decision Point for Government/ Congress

- What level of improvement do we want to achieve in LAM? Agenda #6
- LGU/ CSO partnership in LA
- National Land Titling Program/ Another Land Reform?
- Expanded Cadastre or 3D- ridge to reef masterplans

Some Simple Strategies

- Develop effective information
- Creation of LAM office at the local level
- Maximize effective communication NGA-LGU-public

**Speaker 3: Prof. Ernesto Serote, University of the Philippines School of Urban and Regional Planning**

The speaker lamented that whenever the country is struck by a disaster, some government officials blame the absence of a national land use policy over the national media/TV.

The speaker then asked, “Do we really have no land use policy?” He then proceeded with the background of the national land use plan policy.

*National Land Use Committee*

- Created Aug 2, 1983 by Pres Ferdinand Marcos
- Rationale: to fill a major gap in integrated development planning, namely, the absence of a government entity responsible for the allocation of land resources.
- Intended to serve as the coordinating mechanism to prepare and revise an integrated National Physical Framework Plan

*Functions*

- Prepare and revise the NPFP
- Develop, compile, reconcile actual and indicative national and regional land use plans
- Coordinate and integrate
- Coordinate related agencies

*What has the National Land Use Committee (NLUC) done?*

- Prepared the draft NPFP and approved by the Marcos regime
- After EDSA, new NLUC members decided to refine the draft
- Re-conceptualization of content, approach and process
- NLUC adopts four land use policy areas and four generic goals of physical planning

The speaker pointed out the four Land Use Policy Areas, namely: Settlements, Production areas, Infrastructure areas and Protection areas

*The Generic Goals of Physical Planning*

- Achieve a rational distribution of population
- Facilitate access of population to economic opportunity and social services
- Guide public and private investments for optimum use of resources
- Protect and maintain integrity of the environment

*Conflation of two systems gave rise to four policy areas*

- Protected area – area of no development
- Settlement area – space for consumption
- Production area – space for production
- Infrastructure area – exchange space

*After the NLUC Adoption*

- Training of all regions on RPFP preparation 1988-1990
- Scale up of RPFP to NPFP
- NPFP revised in 2000 and renamed NFPP 2001-2030
- 1994 NLUC filed the first draft of the National Land Use Bill in Congress
- Now after 23 years, 8 versions of the bill are languishing in both houses of Congress
- Each version of the bill carries the four policy areas

The last speaker ended his presentation by going back to the question if the Philippines have no land use policy in place. He then explained that we need it if we consider the adoption by the NLUC a sufficient act of legitimization. However, he pointed out that if we consider the act of Congress to establish a national policy, then indeed, we don't have one yet.

## **OPEN FORUM**

*Althaus asked: Is there an elephant in the room? Is that elephant political will?*

**Belmonte:** It's so strange. When I was co-author of the bill, it took us the whole three years to get it out. There were so many interest groups. If you talk about political will among the advocates, there are a lot of us who have political will. It took us one session to get the bill out of the committee. Then the bill has to go to appropriation, rules then it sleeps for a bit. The elephant is in the details. There are too many vested interests, conflicting views on how they want land use to be managed. We're hoping that in this Congress we can get it out. The present administration is interested in pushing for this.

*Raul Reyes, Catbalogan City*

**Question:** *Environment is the land that we stay. If we have fragmented institutions, we have a fragmented culture. How can we know where we are now if we don't have a cadastral map? Where are we going to be? How can we do the action plan if we don't know where we are now and where we are going to be?*

**Pacis:** Technology and the systems are there. From my perspective, if we are building a car, the major components are there. Are we seeing the right direction? If we are, we are getting there. This could be a pivotal year. We just need to communicate effectively.

*Raul, Tagbilaran City*

**Question:** *Where can we get the cadastral maps? I'm a GIS operator. In Tagbilaran City, we don't have that kind of map.*

**Pacis:** We're done with the cadastral survey. We have a records reconstruction activity this year. If the records are lost, it's going to be a target in terms of reconstruction.

**Belmonte:** We were used to old ways of doing things. Technology is there. It's a matter of letting go of old systems.

**Question:** *I'm concerned about NAMRIA. There is supposed to be mapping center with a big budget.*

**Pacis:** NAMRIA has a geoportal project. NAMRIA deals with the macro information. Cadastre is with the regional offices of the DENR. Everything has been scanned except for the old ones. Once these have been converted to a digital cadastral database, the policy of sharing it will the LGU is already being done.

**Question:** *How would the proposed land use policy be affected by federalism?*

**Belmonte:** We are not versed with the version of federalism that they are pushing for. Using the general framework, there shouldn't be a problem. Even now, there is a local government code that provides local autonomy to LGUs.

**Serote:** I don't endorse federalism. I'm optimistic that if it succeeds, one very important matter about land use planning that represents a weakness is that under our present practice, out of the four transactions on land that the state is supposed to regulate— acquisition, ownership, use and disposition, only the regulation of use is devolved to local governments. The other three are retained by the national government. How can a local government that has nothing to do with regulating ownership, acquisition and disposition be able to successfully regulate the use of property?

**Question:** *I wasn't able to see research and development (R&D) as a strategy? Are there any R&Ds conducted through your policies and regulations?*

**Pacis:** On the land administration side, we have so many. We have this risk of repeating the studies. How do we make the studies accessible to many? On the land management, they are more focused on land administration but they are refocusing their efforts on land management, especially asset management. We are also embarking on 3D cadaster.

**Serote:** You don't have to have a huge body of literature on the technical qualities of land. What you need are the existing laws, regulations and practices. We have many laws on land, land use, land regulation but they are not consolidated. We need an overarching concept that will organize the existing laws.

**Question:** *You were talking about a framework. Why don't we use the province as the framework? Let's bring down the national land use policies to the level of the province. Let Congress tackle the national as we do work at the local level. Then it's easier for the municipalities to formulate the ridge to reef CLUPs.*

**Serote:** I agree with you. I hope you will help me push this. I wrote my first book in 2004 where I put all of these vertical integration of all physical plans from the national down to the municipal

level. Unfortunately, somewhere at the provincial level, the scheme was disturbed. There was a break at the provincial level. I agree that the province is a critical, strategic point of intervention.

## C. Experiences in Implementing Land Sector Reforms

The land sector in the Philippines has seen a mix of policies that resulted in the unequal distribution of land rights, vested interests and inefficiencies in the delivery of public services. The sector has benefitted from a number of development assistance programs, considerable national intervention and most recently, from locally-sourced initiatives and partnerships. These experiences provide a wealth of information on institutional infrastructures developed, practical lessons learned, and alliances forged to foster greater sustainability. This session tackled the experiences in implementing these reforms at different levels.

### Panelists:

Claudia Buentjen, Principal Public Management Specialist, Asian Development Bank  
Ian Lloyd, Senior Land Administration and Management Specialist, Land Governance Innovations  
Legaspi City Mayor Noel Rosal  
Rene Sanapo, Senior Land and Credit Consultant, Foundation for Economic Freedom  
**Moderator:** George Katigbak, Land Policy Specialist

## KEY POINTS

### **Speaker 1: Dr. Claudia-Buentjen, Principal Public Management Specialist, Asian Development Bank**

The speaker introduced the REGALA Project which is a two-year \$1.5-million technical assistance grant from 2011 to 2013, with additional \$0.75 million implemented from 2013-2015. The project focus was on local revenue generation, land use planning, and reform of land management functions.

### **Five REGALA outputs:**

1. Close coordination with the National Government and LGUs
  2. Unified land information systems in participating LGUs and partner agencies
  3. Updated property valuation policies and practices in participating LGUs
  4. Participatory updating of zoning plans and comprehensive land use plans in participating LGUs
  5. Assessment of land tenure status and appropriate land tenure improvement and financing strategies and plans in participating LGUs
- A supplementary technical component on gender in Bayawan and San Jose de Buenavista had a budget of \$120,000 from the grant.
  - Participating LGUs: Alaminos, Bayawan, Legazpi, San Carlos, Tayabas, Alaminos, Ligao, San Jose de Buenavista, Ilocos Norte (Sarrat, Piddig, Pagudpud, Marcos, San Nicolas). In Ilocos Norte, we had very good support from the governor.
  - The innovative change management approach hinged on multi-agency coordination, with the Bureau of Local Government Finance in the Department of Finance as lead agency

involved in field activities. For the LGUs, the innovation was pushed by learning by doing and by mature LGUs mentoring other LGUs.

- The project had short-term and long-term results. Short-term results: substantive increase in local tax revenues; sustainable land management, revenue generation processes, and land use planning processes in several LGUs; and greater tenure security. Long-term results: better service delivery and local economic growth and job creation.

**Continuing challenges include:** 46% of 24.2 million land parcels in the Philippines remains untitled; land management institutions are fragmented; there is no unified land information system; 70% of cities have outdated property values; 55% of cities have outdated land use plans; revenues from RPT contribute a small amount to national and even LGU revenues.

### **Speaker 2: Ian Lloyd, Senior Land Administration and Management Specialist, LGI**

The speaker focused his presentation on the “era of strengthening land administration and management in the Philippines.” The scope of the program was land registration, land titling, land surveys and digital mapping, property valuation and RPT, electronic records management, and LIS.

#### **Three layers of interventions:**

1. DENR [DFAT & WB; USAID] – LAMP Project; Innovation Support Fund; LAMS database; contract land surveys; land record conversion; Res FP
2. BLGF & LGUs [WB, DFAT, ADB] – LAMP, REGALA, SURGE
3. LRA [BOO] – LTCP computerization project nationwide

#### **The program resulted in these changes:**

1. Innovations, i.e., new processes and relationships, new work instructions, three new courses at educational institutions; training curricula, systems software
2. Two new laws passed: RESA and Residential Free Patent

### **Lessons learned**

1. **Land Governance is not inclusive.** Half of the people don’t have secure tenure and these are usually the bottom half of society. For instance, 45% of land parcels have never been titled. Of the 55% that have been titled, many landowners have not registered their land transfers.
2. **Efficiency and Effectiveness is weak.** World Bank Doing Business 2017 ranks the Philippines at no. 112, ahead of Cambodia and Indonesia but behind others in the region. In fact, the Philippines has a high rate of land conflicts, with 40% of all ADR processes pertaining to land disputes.

Lloyd emphasized that land disputes thrive in a poorly informed society. A roadmap for attaining the new targets, he said, must be established with a 10-year timeframe. Principally, there should only be one government agency to approve land surveys. **New technology** should be adopted to ensure transparency.

### **Speaker 3: Legazpi City Mayor Noel Rosal**

Legazpi City Mayor Noel Rosal discussed the experience of Legazpi City in implementing land sector reforms. He started by stressing that the city's land sector reforms began in 2007 when the city received an AusAID grant through LAMP2. In 2010, the city began full implementation of ETRACS, which was connected to the city's GIS. Up to now, Legazpi City is still expanding reforms.

He said key to the city's success is the people's sense of ownership of the project.

Two major LAM issues:

- (1) Inefficient land administration and infrastructure. This includes inefficient land record system and poor coordination with the various agencies and, in particular, the land administration.
- (2) Highly politicized tax system. Taxes are poorly implemented. The schedule of market values needs a lot of intervention.

To address these issues, the city conducted the following:

- Used the grant money to automate the system through the ETRACS.
- Ensured proper and timely coordination and networking with LAM agency partners.
- Revised the city's schedule of market values;
- Ensured efficient land valuation; and
- Pursued aggressive tax collection.

All these activities helped the city to move for an integrated change agenda, such as: revenue generation, land use and resiliency planning, and investment planning.

The mayor said Legazpi City increased its spending for socio-economic development programs. In the last five years, the city has invested Php5 billion in infrastructure development, social services, and peace and order.

Mayor Rosal also said the city has been receiving recognitions such as the best in the country in terms of climate resiliency, maintaining zero casualty. That is due to the city's integrated approach factored climate change in our CLUP.

He said that in order to pursue proper land governance reforms, you have to set up a steering committee composed of the LGU, DENR, and other LAM agencies.

***Tangible proofs of innovations in Legazpi City include:*** housing for vulnerable sectors; a Php1.3 billion pumping station project that serves as a drainage system for flood control; widened four-lane bridges; road concreting of a mega highway to the planned international airport; the extension of Legazpi Boulevard to Sto. Domingo, Albay; and the new Legazpi City Convention Center. This convention center was a PPP initiative.

### **Speaker 4: Mr. Rene Sanapo, Senior Land and Credit Consultant, Foundation for Economic Freedom**



The speaker said that when RA 10023 or the Free Patent Act was introduced in March 2010, titling was fast-tracked, with 50 titles issued per year. That's a significant increase. But at that rate, we will be done with the backlog in 160 years.

**Two alternative strategies to address this concern:** (1) a national land titling program, and (2) DENR-LGU partnerships.

**Why will DENR work with LGUs?** LGUs can deputize at least three LGU staff to work with DENR. If so many cities and municipalities will partner with DENR in one province, then the DENR will have so many additional manpower. Besides, differences in names involved in certificates can be sorted out in the localities since the issuance of titles is registered in the locality.

In 2011-2012, there were 110 DENR-LGU partnerships. In 2014, only 30 to 40 remained operational. Many operational partnerships were in Bohol and Surigao del Sur. The lesson here is that provincial-level partnerships were helpful. The governor can use his political clout to secure the cooperation of PENROs, CENROs, and a number of mayors. The governor can also mobilize provincial officials and staff to monitor the progress.

#### **Some important points:**

- In subdivision surveys, which are expensive, the province and the municipality in Surigao del Sur shared the cost 50%-50%. The lot owner was expected to repay the municipality when the title was issued.
- In Cordova, Cebu, surveying was done cheaply and faster through the use of drone technology. Drones could capture images within 5 cm of current survey technology, meaning its accuracy meets Philippine government standards.
- In Bohol, the provincial LGU provided funds to the PENRO produced 5,000 more titles above DENR targets. The province has earmarked Php3.5 million a year for the next six years, to result in 40,000 titles.
- In the CARAGA region, LGUs are assigning staff to the DENR Regional Office to encode land records into the electronic system.

The fifth innovation is that the DENR Regional Core Management Team deployed dedicated personnel to work with LGUs on titling. This is now being institutionalized. These DENR-LGU partnerships for public land titling can lead to significant increases in titling.

## **OPEN FORUM**

**Question:** *I would like to begin the Open Forum by asking the first question. Mayor Rosal, in your experience, can the LGU do all these innovations without external financial support?*

**Mayor Noel Rosal:** Yes, of course. These grants are only to support the funding for these purposes. But I do believe that LGUs now can go directly to financial institutions to ask for a loan. Whatever investment you will be putting up, the return on investment will be a thousand. A lot of LGUs do not maximize the potential income, like real property taxes. Under the Regala system, there are grants for small cities.

**Ian Lloyd:** I think there are two cases here. One is the performance of the real property tax and the other is land tenure security.

On land tenure security, I think there are still reforms required. You can be issued a title, and the system is not updated. For many people, the system is too complex, too expensive. And people feel afraid to go to the land tenure office. In many cases, there is a culture wherein people who work in land tenure system to make the process difficult.

There is a need for change. This requires a lot of capacity building. There should also be a new form for titling so that with a lower cost and a fast turnover, we can achieve the titling of 8 to 12 million backlogs in a couple of years.

On RPT, LGUs can adopt reforms, like Legazpi. But many local chief executives (LCEs) are not aware or motivated enough. This is their responsibility. It has been 25 years since the Local Government Code has been enacted and so inaction in this regard is not acceptable. There is also a need to support LGUs accordingly.

**Dr. Claudia-Buentjen:** There has to be a review of the schedule of market values. Such a review needs to be financed. LGUs have to scale up to a necessary level. But it can be done. LGUs need to link up with existing programs and initiatives. Institutionalization requires much more, country wide.

**Question:** *You mentioned mainstreaming gender in the LAM program. I read the ADB study on the provision of technical assistance in promoting women's equality. Does ADB have a plan to replicate this concern? And what is the status of carrying out the recommendation in the study?*

*For Mayor Roxas, how was gender integrated in the implementation of the LAM?*

**Dr. Claudia-Buentjen:** The specific project has ended. It's up to the Philippine government to proceed with it or not. We identified nine implementing agencies. I have no idea on the current state of implementation. You can go to our Philippine country office. Or you can do your own research and copy me on that.

**Mayor Noel Rosal:** We do not have a focus on gender. But in our experience, our women are vocal, more aggressive to secure rights to their land. When we call meetings, 90% of the attendees are women. So we are still very young in this regard. We hope GAD will play a key role as we try to reach our goals in the coming years.

*Johnson Melo, Representative, Rural Bankers Association of the Philippines*

**Question:** *We are also an advocate of residential pre-patent. We have a lending program to support those who would like to have their properties titled. We face many challenges, particularly in relation to the Land Registration Authority. It takes them so much time to act on a request. It takes a year or two before it will release a title. This makes it very hard for us to specify the costs because it differs from one Register of Deeds to another. The CENRO sometimes jokes: Why are they charging so much when they will just register the title but we are the ones giving the titles?*

**Rene Sanapo:** I cannot speak for the Register of Deeds, but the Register of Deeds costs are based on their internal pricing mechanisms. Usually, there's a registration fee. For residential fee patents which are less than 200 meters, that's usually around Php48. That's not expensive. Then

there is an ICT fee of Php1,900. So more or less that's Php2,000. The amount differs according to the size of the land. But I think it's transparent enough because they always show a computation for how much you are going to pay.

***Fides Bagasao from Community Organizers Motivers***

*Question: First of all, I would like to thank Mr. Lloyd for highlighting that land governance must be inclusive.*

*I would like to talk about a community in Taguig, Lower Bicutan, Upper Signal Village, and Western Bicutan composed of workers, farmers, and military personnel both retired and in active service. In 1986, they secured Presidential Proclamation 172 for 423 hectares of land. To date, only half of that land area has been issued titles. This is an illustration of how people made efforts to secure their tenure, paying Php70 per square meter, but in the end many of them were not able to secure their tenure. The government has to do its part in issuing titles to this proclamation. And so I pose this challenge to the government agencies responsible for this.*

*Another initiative I was involved in was more successful. When I was with IPC, we worked in Payatas. Some families were able to secure their tenure. And our work opened a Pandora's box. We uncovered fake titles and double titles.*

**Ian Lloyd:** Thank you for your question, which I think revolves around the performance of the land system of the Philippines. To manage the land sector is to manage the service delivery. One of the recommendations that I have coming out of this conference is for the government to initiate reforms.

## **D. Technology Solutions in Land Administration**

Philippine public lands remain largely untitled, with incomplete cadastral information. The sector also suffers from inadequate access to shared accurate land information and inadequate funding for land tenure improvement. Good land governance requires better performance of Philippine land administration and management agencies and adoption of practical innovations and reforms. A diverse set of innovations, reforms, experiences and good practices have been implemented globally and locally to promote efficient land governance. The session presented some of the key practical technology solutions to land administration and management.

**Panelists:**

Eugene Alvin Villar, member, Board of Trustees of OpenStreetMap

Ariel Blanco, chair, Geodetic Engineering Department, University of the Philippines

Engr. Bonapart Masangcay, Land Information Specialist, Land Governance Innovations

**Moderator:** Engr. Virgilio Santos, President, Fil Geosolutions

## **KEY POINTS**

**Speaker 1: Engr. Eugene Alvin Villar (Member of the Board of Trustees, OpenStreetMap)**

The speaker focused on the technology of sharing data/information on land matters. He pointed out that digitization of land records is important. He emphasized that people are using technology

to manage records to make systems more efficient. The speaker pointed out that technologies are available to help collect, manage, analyze and publish land data and related documents.

### **Key items to consider when choosing technology solutions**

1. *Open source* – You can edit the source code to make it fit for your use and to provide updates back to the public.
2. *Open data* – Data, information and knowledge should be freely shared to everybody so they can do their analysis and create their own solutions.
3. *Crowdsourcing* – Wisdom of crowd is valuable in certain cases. Crowdsourcing allows faster collation and analysis of data, which would otherwise be expensive if only a selective few are doing it.

### **Why Open Source?**

1. More affordable than proprietary solutions. Money saved from proprietary solutions can be used to spend for training people.
2. Allows data migration to other systems (together with using open data formats) – in case current system is not good enough. Proprietary solutions can get data locked up, which results to further expenses. Open source does not beholden you to other providers.
3. Examples:
  - USAID'S MAST: Data collection system that replaces paper-based forms (collecting info from households) through the use of tablets and mobile phones to input data. If there is Internet connection, data can be relayed straight to internet servers.
  - UN-HABITAT STDM Tool: Manage land records in QGIS
  - FAO's SOLA: Suite of software and apps that lets you collect, analyze and manage land records
  - Cadastral Platform: Cloud system in recording and managing data
  - QGIS, Geo OpenDataKit, PostgreSQL/GIS, GeoNode
4. Source Codes: Available online for free to download and install.

### **Why Open Data?**

1. Data: more valuable when more people have free access to it
2. Transparency, innovation, empowerment of people (public and stakeholders)
3. Need to balance openness with privacy
4. Examples:
  - US Federal Government: Free studies and data online
  - UK: data.gov.uk: Datasets online from UK Government; no need for letters
  - UN Statistics Division: Free for global community
  - DOST's Project NOAH: Champion of open data in the Philippines; released hazard, weather and climate maps online; no need for letters
  - OpenStreetMap, Wikidata

### **Why Crowdsourcing?**

1. Cheaper and faster data collection (in some cases) – not everything needs licensed surveyor
2. Enables public participation
3. Examples:
  - a. OpenStreetMaps, Wikidata, Wikipedia, Mapillary, OpenStreetCam
  - b. Google Waze: Leverage driving community for updated traffic information
  - c. Philippine Senate's Magna Carta for Philippine Internet Freedom Bill: crowdsourced project. Instead of senators writing the law, why not include the public in generating the law themselves?

- d. Rappler's Project Agos: Attempts to collect weather impact, news and info

**Speaker 2: Dr. Ariel Blanco (Geodetic Engineering Department, University of the Philippines)**

The speaker focused on the geospatial technology and applications for sustainable development. He explained that "remote sensing" refers to the activities of obtaining information about objects or areas from a distance, usually from aircraft or satellite.

University of the Philippines' Disaster Risk and Exposure Assessment for Mitigation (DREAM) Light Detection and Ranging (LiDAR) main products are:

- Orthoimage
- Digital Surface Model (with above ground features)
- Digital Terrain Model (bare earth)

Aside from using new technology to map Philippine flood-prone areas, DREAM LiDAR Project also detailed the flood advisory system which shows flood levels in different rainfall scenarios.

**Need for Detailed Resource Assessment**

- Identifying hazards exposes vulnerabilities that lead to disasters (loss of lives and properties, destruction of resources), which impacts poverty alleviation, food security, economic growth and energy supply.
- Information Needed to Mitigate Disasters:
  - What resources exist where?
  - Characteristics and status of these resources?
  - Which resources are exposed to vulnerable hazards?
  - How to protect and conserve resources?
- The detailed information is useful for government agencies and LGUs for better planning and decision making.

**The Phil-LiDAR 2 Program** provides reliable information through detailed resource maps:

- National Resource Inventory of the Philippines using LIDAR and other Remotely-Sensed Data
- Resources extracted:
  - Agricultural resources – detailed agricultural land cover that produced geodatabases, vulnerability assessment maps (drought, flood, seawater intrusion) – produced at national and municipal levels in partnership with 15 universities
  - Aquatic Resources – vulnerability assessments, climate change hazards (sea level rise, increasing ocean temperature, extreme rainfall) – analysis by barangay
  - Forest Resources – derivatives, classification, estimation
  - Philippine Hydrologic Dataset for Watersheds
  - Philippine Renewable Energy Resources Mapping – solar, hydropower, wind, biomass
- Data (free satellite images) available on <https://lipad.dream.upd.edu.ph>

**Community natural resource mapping**

- Community-based, engages locals within the community in creating land use maps
- Powerful tools that create opportunities for stakeholders' participation and capture relevant info

- Major issue: validity (participant expertise and familiarity with their resources)

### **Unmanned Aerial System**

- Sensors platform, software
- Pix4D, simactive
- Issue: delivery time and resolution
  - Satellite → manned aircraft → mini UAV (where the gap is) → terrestrial means
- Typical products: Digital Surface Model (DSM) and Orthomosaic

### **GIS: Geographic Information Systems**

- Integrates different elements
- Components: hardware, software, data, methods, people
- Under-utilized. It is not just a mapping software. More benefits can be derived through spatial analysis and modelling.
- We have to invest more in people.
- Can be used for GIS-based Assessment and Modelling of Urban Environmental Conditions

### **Community Based Monitoring System (CBMS) Data**

- aims to design and pilot community-based systems for monitoring poverty in its multidimensional sense
- CBMS provides:
  - Local-level census of poverty indicators
  - Detailed measurement of many dimensions of poverty
  - Identification of households that are poor in each dimension
  - Systematic source of data
- Data can be used for analysis of social development aspects. You can record and model data and measure indices.

### **Decision Support System for CLUP**

- Current proposal with DOST; Tool for LGUs to facilitate production of CLUP
- Argument: Use of different model to guide LGUs in allocating spaces where areas should be considering hazards and suitability of lands.

### **Summary and Conclusion**

- Lots of data are available for free and many more are becoming available.
- Methodologies (and tool kits) for various applications are available.
- However, for us to truly benefit from geospatial systems, these should be embedded within organizations (e.g., LGUs):
  - Capable personnel dedicated for geospatial decision support
  - Part of protocols and process flows
  - Organizational structure clarified
  - Institutional arrangements in place

**Speaker 3: Engr. Bonapart Masangcay, Land Information Specialist, Land Governance Innovations**

The speaker focused his presentation on the SURGE Project land tenure work in Cagayan de Oro City on the use of technology in gathering and sharing of data/information. He explained the use of Open Source and drone technology, as well as other software applications to get more data in the local areas.

In Cagayan de Oro City, about 70 to 80 percent of lots are titled, about 20 percent have no titles constituting about 17,000 ha. of untitled parcels.

**Approach:**

1. Coordination and sharing of data between departments within LGU: CENRO, PENRO, Planning, Assessors, Legal Offices
  - Series of meetings to choose which barangays to pilot for the LGU-led titling.
  - We explained to them the benefits of LGU-led titling. The good thing is that CDO LGU departments were willing to share data (ex: Planning Office shared parcel-based data).
  - 2 barangays selected: Pagatpat and Tumpagon
2. Coordinated with NGAs: DENR, CENRO Initao
3. Rapid Land Tenure Appraisal (RLTA): Process to obtain a clear picture of land tenure situation on the ground before any titling activity is undertaken.
  - We explain to the community the benefits of having lands titled. We try to bring government services closer to the community. We asked them to fill out forms about their land (Is it titled? Are you interested? How long have you been staying?).
4. Ocular Inspection
  - House-to-house visit to check if claimants have their actual occupation on the ground.
5. Report updates to Mayor Oscar Moreno on updates and seek for guidance and direction (Should we proceed with titling?)

**How can technology assist LGUs in titling and land records management?**

Drone Mapping for 2 barangays: Data is visualized in a more detailed manner.

- Assessor might see the area as one big lot, but based on drone mapping, there are several parcels in that area with a number of residents.
  - Drone used: DJI Phantom 4 – built in GPS, so photos are geotagged; option to produce orthophoto maps and 3D models; use of iPad and tablet to do automated mapping
- Orthophotomap – very detailed maps captured by the drone, 5cm resolution, positional accuracy of less than 1 meter
  - Location of Monuments as Ground Control Points – for consistency (with help from DAR surveyor)
- Drones: can also do 3D mapping – allows you to see depth, etc.

**United Land Information System (ULIS):** aims to consolidate all land-related information of all parcels of land within an LGU. To operationalize a ULIS for an LGU, GIS is an essential platform.

- Example: LGI used quantum geographic information system (QGIS) to consolidate different data from DENR's parcel-based mapping and from the Planning Office's data
  - 49 lots in one barangay

**Conclusion**

- Together with Real Property System and GIS, adding drone technology can assist LGUs in titling and improve its land records management.
- Drones can be used for various LGU operations:
  - Tax mapping by Assessors Office

- Post-disaster assessment by the DRRM office (floods, emergency response)
- Orthophoto images of growth areas by Planning Office
- Up-to-date Orthophoto maps for decision makers (Mayor, Sangguniang Panlungsod)

## **OPEN FORUM**

*Engr. Virgilio Santos (Moderator and President of Fil Geosolutions)*

**Question:** *What are the important considerations in using technology?*

**Blanco:** Establish ground control points for accuracy.

**Villar:** Main decision point is fit-for-purpose. Don't just buy a tool because it's cool or espoused by someone. Assess whether the technology is appropriate for your needs together with price, licensing, etc. Invest in training people to use these technologies. For example, you may opt to invest in smart phone applications to make it easier to collect data because many people know how to use smart phones. Training will be on how to use the app, rather than on how to use a specialized equipment.

**Masangcay:** In an LGU context, sharing of information is critical. There are three components in using technology: You need a software, hardware, human-ware. If you lack one, technology won't work.

**Question:** *Cosgrove mentioned technology being linked with human solutions. What's your perspective on this?*

**Blanco:** Bring down technologies to the ground at the community-based level. This gives independence on the part of the community. Immediate updates might be needed after disasters rather than every 5 years.

**Villar:** A lot of initiatives at the local level on barangay-based mapping, etc. You should empower constituents to help you help them. Governance should not be dictatorial but a two-way street where citizens help you update records. In turn, government will provide much needed services to citizens themselves. Citizens should not be standing idle waiting for things to happen.

## **E. BREAKOUT SESSIONS**

### **1. Improving Access to Land Records / Information**

Incomplete and outdated records is one of the crucial barriers to unlocking the potential of land. With the high incidence of fake and double titles or rights recognition, there is a pressing need for an accessible source of consolidated land-related information of all parcels in the country. The discussion in this session focused on improving access to land records and information by national and local governments and by the transacting public.

**Panelists:**

Atty. Emelyne Talabis, Director, Land Management Bureau



Atty. Robert Leyretana, Administrator, Land Registration Authority  
Benjamin Balais, Assistant Director, National Mapping and Resource Information Authority  
Ernesto Camarillo, Vice President, Land Registration Systems Inc  
**Moderator:** Maria Conception Ordinario, Executive Assistant, Office of the Governor, Palawan

## KEY POINTS

### **Speaker 1: Atty. Emelyne Talabis, Director, Land Management Bureau**

#### **Department of Environment and Natural Resources**

- Government agency charged to dispose, survey, and classify public, alienable, and disposable land. More than 100 years.
- Land information: public core to the functioning of other government sectors, automatic contributor to economic growth and poverty eradication.
- Land records/ information generated by DENR: cadastral maps, projection maps, land classification maps, boundary maps, thematic maps, lot data computation, isolated survey plans, PLA documents, survey documents

#### **DENR Land Information System**

- DAO 2010-18 June 23, 2010
- Land Administration and Management System (LAMS) Philippines: information system designed to provide effective management of land records and efficient delivery of land transactions and information services to the public. Provides for automated LAM Services.

#### **Objectives**

- Access to Land Information through LAMS Philippines
- Increased efficiency
- Avoid double titling
- Improved land records management and maintain updated information through linkage with other land info systems
- Accurate land information to LGUs to support their land resource/ development planning and tax mapping

#### **1. IVAS – Inspection, Verification, Approval of Survey**

- Automate and track verification and approval process of land surveys at DENR
- Special GIS functionalities to facilitate automated checks that aid in automated verification process
- Reduced verification from up to 6 months to only **5 days**

#### **2. PLA – Public Land Applications**

- Database application with customized transaction tracking system to monitor and track stages followed during processing of public land application.
- Tailored for efficient monitoring of PLA in all PENROs and CENROs. It serves as monitoring system of all ongoing and pending applications in PENROs and CENROs.
- People responsible in each stage of the application are held accountable on how fast they process that stage.

#### **3. E-Survey Plans**

- Digital submission of survey returns. No need to submit hard copy with handwritten data.

4. **Digital Cadastral Database (BCDB)**

- Database of land records containing textual, scanned documents, maps and spatial data created and stored within LAMS
- Creates thematic layers on maps

5. **SMS (text messaging)**

- System-generated message informing the client of the status of the survey plan and/or PLA

6. **Online LAMS Monitoring**

- LMB website

**Future Plans**

1. **DENR Land Records Data Capture**

- All relevant information to be captured from hundreds of sheets to be scanned and stored
- DENR requires all relevant information on existing approved survey, parcel and public land applications.

2. We envision **sharing and linking of data** with LGUs, other NGAs, Land Registration Authority / Register of Deeds, and private individuals to have complete and easy access of data.

**Challenges**

1. Connectivity between Regional and Field Offices to LMB and to Central Office to link and provide complete and accurate information
  - a. Ex: LRA has its own different systems. DENR offers data for free. Government initiative. Every time we title, we ask LRA. That's why there is double titling. Court orders might be there but DENR doesn't know it. Double approval of surveys. Double issuance.
2. Completing DCDB by linking land info of other agencies such as LRA and NCIP
3. Link and sharing of DCDB to LGUs and NGAs
4. Completion of data capture activity
5. Full implementation of lams – how much data do we release to the public. How much can we show? – there is private component in land transactions – up to what extent
  - a. Process applications using LAMS
  - b. Online payment application
  - c. Online access of survey and PLA info
  - d. Online filing and acceptance of application
6. Change in mindset (paradigm shift, behavior)
  - a. IT is a tool but success depends on the users

**Speaker 2: Atty. Robert Leyretana (OIC-Administrator, DOJ-Land Registration Authority)**

The speaker discussed on how to improve access to land records/ information using the Land Registration Authority's Land Titling Computerization Project.

### **Land Registration Authority**

- Records titles from DENR and repository of these titles
- Two ways to get original title:
  - Administrative – DENR (public land titles), DAR (CARP), NCIP (CADT, CALT)
  - Judicial– Petition in court, hearing, court orders LRA to issue original title pursuant to that
- The moment we accept these titles, these become part of the Torrens system. We don't dispose, manage or administer lands. We merely register titles and keep a record of it. We are the vanguard of the Torrens system.
- LRA has been opposing moves to integrate land management agencies into one. We think that LRA should be separate from all other agencies.

### **LRA and the Land Title Computerization Project**

- Nationwide computerization project of LRA: All certificate of titles in one database
- Converted 24M+ titles into digital format (encoded technical description) to capture description and layered in a single map – critical info for our access

### **A2A Services**

- Capability to request for Certified-True-Copy (CTC) of a Title from any “live” Registry of Deeds nationwide
- Future services: CTC of supporting documents, Registration of Deeds
- Annotation and e-Title

### **LRA linkages project with other government agencies**

- BIR-CAR Verification System (LRA Confirms receipt of eCAR details)
- LRA-HDMF Linkage: Machine-readable Documents with HDMF to make the processes with LRA more efficient and accurate

### **LRA Mapping Solution**

- Parcel Verification Service: configuration of the lot parcel, location, and determine whether the lines are adjoined
- Geo-spatial Query Service: identification of property owners abutting Metro Manila Waterways

### **Speaker 3: Mr. Benjamis Balais (Assistant Director, DENR-National Mapping and Resource Information Authority)**

The speaker emphasized that technology has “changed the way we do things”. This includes mapping. The following are some of the key points discussed during the session.

### **Use Technology: GIS Component Perspective – How?**

1. To efficiently use GIS in improving access to land, you need to consider 5 elements: software, hardware, build data, procedures/criteria, and people who will use, operate, develop datasets. To make data more accessible and fast, there is a need to use internet technology.
2. Behavior and Policy Matters (Willingness to share): Attitude - Open Data as government policy

### **Open Data**

- Current administration is adopting it under FOI bill.

- Make certain data freely available for everyone to use and publish as they wish without copyright. Subject at most to attribution.
- Conditions:
  - Must be digital and accessible to web
  - Allow distribution of data
  - Re-use
  - Absence of technological restrictions
  - Attribution
  - Integrity
  - No discrimination against persons or groups
  - No-discrimination against fields or endeavors
  - License Not specific to a package

### **Exemptions from Open Data**

Proactive Disclosure Exemption Criteria: personal info or info that will lead to identification of applicant or other persons, harm relations with nation, another government or business investments

### **How to Make Data Public**

- Mandate open formats for government data
- Require public information to be posted online
- Remove restrictions for accessing information
- Remove restrictions on reuse of information
- Require publishing metadata or other documentation
- Mandate use of unique identifiers
- Require digitization and distribution of archival materials
- Create portal or website devoted for data publication or policy
- Publish bulk data
- Create public API's for accessing information
- Mandate electronic data filing
- Mandate ongoing data publication updates
- Create permanent and lasting access to data

### **Data Sharing Options: It is your choice.**

- All Rights Reserved
- All Rights Reversed
- Some Rights Reserved (creative commons)

## **OPEN FORUM**

Maricon Ordinario (Moderator)

**Question:** *How do you feel about unifying agencies into one department?*

**Talabis:** This has been pursued for many years through the LARA Bill. We need to review these reforms. We may not need one agency anymore. We can mandate data sharing. What's important is that there is one set of data that is not in conflict with each other.

**Leytretana:** LRA does not deal with public lands and domain. We deal with titled properties. Although there are transactions accepted in our book of registrations, these are limited. Major transaction of LRA is to register transactions pertaining to titled properties. Our stakeholders are not LAMP applicants, but banks who are trying to register loan mortgage. We register CADTs and CALTs for DAR/ NCIP. The point is not conflict of interest – we have a distinctly separate function.

**Balais:** NAMRIA has the responsibility to ensure that other data generated by other agencies are accurate. If you are a visitor to our website, our banner says: One nation, one map. We don't intend to interfere with mandates of other government agencies.

**Leyretana:** We want LRA to be stand alone because only one agency can approve original surveys. Any technical error in approval of survey will affect titled properties. Those titles given to us. LTCP project is important to detect errors in technical description on approved surveys approved by DENR/ NCIP/ DAR.

**Question:** *To Leyretana - Data sharing may be possible. What is your stand on that? How about open data? You deal with provider? Are you open to open data?*

**Leyretana:** *We from LRA welcome that. That is now the direction. We are now talking with DAR. Because we told them if you want to issue titles, why not link with us and kami na mag process? Kami na magprint ng titulo?*

**Question:** *For both lawyers - We are aware that both of you are accepting subdivision surveys for approval. There are cases in our LGU where a parcel of land covered by CARP. Owner subdivided it into smaller parcels and had it approved at LRA. CARP covered process is also approved with Bureau of Lands. When CLOA was issued, there was already subdivided titles because LRA approval came first. When the CLOA was issued, they couldn't register it anymore. Conflict. How will you reconcile that?*

**Leyretana:** LRA approves simple subdivision plans – resulting titles of which would not exceed 9 lots and not intended for sale to public. Whereas DENR's function with respect to subdivision approvals are complex subdivision plans and public untitled land. In relation to DAR CLOAs – They also approve CLOA because they're not supposed to be made on sale.

**Talabis:** This zeroes in on the duplication of functions between DENR and DOJ, but not really duplication because they have the mandate only on simple subdivision plan. In DENR, we also approve titled lands. In that case, there was duplication. It's clear there. Precisely we are espousing implementation of data sharing and linking. Just to avoid double titling or double survey. We seek clearance from LRA to check if they have approved this certain land. We always ask each other. Judicially issued titles go to LRA. Our data is not updated.

**Moderator:** *How does the court intervene?*

**Talabis:** We are espousing data sharing and linking. One control map → called by different names (ULIS) → one intention to have a unified single control map to reflect all the data by all agencies so that we are not doubling efforts. If we don't do this, these problems will continue to hound us.

**Question:** *We have groups who will apply for land titles. 1<sup>st</sup> title, 2<sup>nd</sup> title. Because of the fire that affected QC a while back, we are at a loss at getting back titles. What should we do?*

**Leyretana:** *There is a remedy in our present law for getting 2<sup>nd</sup> title by way of judicial reconstitution. In Quezon City where entire RD was gutted by fire, there was another law passed - Administrative reconstitution.*

## 2. Gender and Social Inclusion in Property Rights

Land rights and ownership is essential to enhancing and sustaining economic opportunities especially among disadvantaged and marginalized communities. Institutional weakness, gender bias and exclusion practices affect women's rights to ownership and access to housing in informal settlers' housing and relocation programs. This session discussed and shared gender and social inclusion challenge in accessing land and housing rights in urban areas, and efforts to address these.

### **Speakers:**

Ms. Ma Ana Oliveros, President, Socialized Housing Finance Corporation

Mr. Froilan Kampitan, Assistant General Manager, National Housing Authority

Ms. Ofelia Bagotlo, President, Homeless Peoples' Federation Philippines

Dr. Mary Racelis, Research Scientist, Institute of Philippine Culture, AdMU

**Moderator:** Dr. Jeanne Frances Illo, Gender Adviser USAID/ SURGE Project

### **KEY POINTS**

The moderator, Dr Illo stated that the discussion will also look into two government programs that have high potential to be socially inclusive and two community-based cases, one from the NGO/academe and a peoples' organization leader from the Homeless People's Federation. Land policy can contribute inadvertently to gender inequality and social inequalities by supporting individuals or groups who are already advantaged by wealth, power or tradition to the disadvantage of those who are poor and vulnerable. This is shown in many land conversion and land grabbing cases.

Gender and social inequity can be diminished when non-discrimination is observed, when rights of women and other socially excluded groups are explicitly considered, and when socially excluded groups, particularly the women among them, participate in designing and implementing land policy plans and programs. This panel brings together experts and practitioners, and a people's organization leader to discuss and share gender and social inclusion challenges in accessing land and housing rights in urban areas and efforts to address these.

One of the challenges is to explore gender equality and social inclusion not as separate concepts, not as intersecting concepts, but looking at the intersection between gender and other attributes of social exclusion.

### ***Speaker 1: Junefe Payot (representing Ana Oliveros)***

#### *On Social Housing Finance Corporation*

- SHFC is a government shelter agency; mandate is to implement social housing programs
- SHFC's clients rely on irregular and low-paying jobs

#### *Principles guiding SHFC's Programs*

- Housing is a basic human right.
- Housing entails building sustainable communities, not just houses.

- Housing is essential to poverty reduction
- Crucial nexus between housing and climate change
- An instrument of peace building
- Housing finance must be inclusive
- The role of the LGU is crucial.
- Multi-stakeholder and multi-disciplinary partnerships are indispensable.

#### *Strategy: Citywide Slum Upgrading*

- Looks at city as a whole
- More programmatic and proactive approach
- Entails mapping all the ISFs within a city
- Decentralized
- Demand-driven and participatory
- A good mechanism for proper profiling and mapping of communities according to gender

#### *Socially Inclusive Housing Programs*

- Affordable: Community Mortgage Program (CMP) and High Density Housing Program (HDH)- for Metro Manila only for those living in danger zones
- Community driven/ participatory: communities organize themselves and are involved
- In-city/ near city: preserves the access of family to jobs and the community support networks; projects are in QC, Pasay, Caloocan
- Social empowerment/ capacity building: develop the community through capacity building – financial literacy, business development etc.
- Innovations for underserved groups – culturally sensitive housing finance, families affected by disasters and eviction, housing for fisher folk

#### *Women-led shelter: the case of Pawa HOA (Capiz)*

- Many HOAs led by women
- PAWA HOA in Capiz – for 96 Yolanda affected families – 68% are female and 31% male

#### *Gender disaggregation in CMP Projects (2016 Takeouts)*

- In total, 50% female and 49% male in CMP projects (2016).

#### *Challenges and opportunities in gender inclusive housing*

- More proactive intervention to protect women's rights
- Since many are women, much room to promote gender inclusion
- There are opportunities to ensure gender inclusion through capacity building.
- The citywide process can be a good mechanism for proper profiling and mapping of communities according to gender.

### **Speaker 2: Froilan Kampitan, Assistant General Manager, National Housing Authority**

**What is gender and social inclusion?** An overlap in these concepts

## Role of NHA in gender development

### Gender and Development Defined (NHA-ascribed MCs)

- Stresses the role of men and women
- Men and women are active agents

Gender and Devt	Social Inclusion
Gender and mainstreaming in resettlement programs	Housing for the homeless and underprivileged
Capacity building of NHA personnel through gender-sensitive programs	Data gathering activities with emphasis on target beneficiaries
Gender in NHA's property rights	Capacity building and values formation
	Strengthening of communities

- Becoming more conscious about women's participation
- Reviewing contracts to ensure that there is no discrimination – to ensure equal right to property

### *NHA Situationer: GAD perspective*

- Some are not aware that they have set roles
- Capacity building for women in housing programs
- Issues that need to be addressed – limited access to housing of women, complicated housing procedure requiring documentation, matching affordability levels
- Design of housing units that addresses the activities of women in terms of space utilization
- Lack of consideration for facilities
- Low acceptance of women in the housing industry

### *NHA Initiatives on Gender Mainstreaming*

- Integrating gender principles into the program

### *Women Empowerment and Development for Gender Equality (WEDGE)*

- Ownership
- Acceptable, affordable, safe, climate resilient and gender-responsive
- Women's organized involvement in consultation

### *NHA Initiatives on Gender Mainstreaming*

- Women in rural and urban areas are engaged

### *NHA programs on Human Resource Development*

- Gender education
- Gender balance
- Wellness

Classification of NHA Awardees: Single, Married, Co-habitation, Single parent

## ***Speaker 3: Ofelia Bagotlo, President Homeless Peoples' Federation Philippines***

“Security of tenure for the poor through participatory and inclusive development” (Homeless People's Federation Philippines)



#### *The Urban Poor - a marginalized sector*

- Absence of security of tenure

#### *Vulnerabilities of the urban poor*

- Health risks due to poor housing conditions and inadequate basic services

#### *The Homeless People's Federation Philippines*

- Working for the urban poor since the 1990s

#### *The Philippine Alliance*

- HPFP works with an NGO, PACSII
- HPFP bought land on which to build homes
- TAMPEI provided technical assistance, LinkBuild, Core-ACS

#### *Community Savings: Community finance*

- Community finance as tool to attain security of tenure and attain social capital
- Community savings to directly finance community investments such as land and housing
- Community savings empowers the poor

#### *Community Mapping*

- Community mapping is an effective tool to determine the actual needs, situation, aspirations of informal settlement communities.
- With information, the communities can participate in the planning of their cities

#### *Community-led land Acquisition*

- Collective efforts in attaining tenure security and in settlements planning/ design
- Empowers poor communities as they learn to negotiate with landowners and the government

#### *Community-led Upgrading*

- Collective efforts in improving basic services and living conditions
- Promotes inclusive development because it provides poor communities access to basic services and develop/ improve their areas

#### *Other strategies to participatory and inclusive development*

- Forming community networks and alliances
- Collaborating with the government

#### ***Some challenges and lessons learned***

- Challenge of disseminating information or convening members all at once
- Government agencies are not always open to views or results of community mapping.
- Some members will not always be able to afford the price of the lot or their share of payment to the upgrading project.

#### **Speaker 4: Dr. Mary Racelis, Research Scientist, Institute of Philippine Culture, AdMU**

#### *The Power of Community Organizing*

- Women leaders have been at the forefront of these efforts
- Most have been organized by NGOs; others by political left parties
- Many examples NGO-organized Metro Manila successes – Zone One Tondo (ZOTO), BASECO, Gulod Urban Poor Alliance (GUPA), etc.

*Why women are the major leaders in informal settlements*

- Reasons: intimate knowledge of neighborhood, high motivation, participation, availability of flexible time periods, negotiating skills especially with authority figures, readily form demonstrations
- Culturally learned roles: self-discipline, attention to detail, patience, perseverance, restraint, home management skills, money management
- Estero de San Miguel – insisted on onsite housing and been able to do so with assistance of DILG, NHA etc.

*NGO-encountered VALUES supportive of women's leadership and membership*

- Honesty, integrity, trustworthiness, mutual respect, commitment, etc.

*Moving into the formal system: Learning new skills*

- New phase once struggle for land is acquired:
  - Legal requirements
  - Community savings management
  - Doing surveys, forms
  - Book keeping, ledgering, accounting
  - Drafting project proposals
  - Monitoring and evaluation
  - Housing design and construction
  - Estate management
  - Disaster risk management

*Women's sources of STRENGTH as leaders*

- Empowerment through community organizing

*TRADEOFFS at home and in the family*

- Marital tensions
- Disapproving husband may restrain wife from participation
- Potential jealousy or ire of husband at interacting with mixed groups

*Facilitating roles of local government units (LGUs)*

- Make land available for social housing.
- Strengthen capacities of city planner, urban poor affairs office, social work and community development, health, barangay captain and councilors.
- Continue strengthening women's capacities.
- Encourage participation of NGOs.
- Foster income generation, livelihood, and employment.
- Improve local health programs.

*Supporting roles for national government*

- Accelerate the implementation of Presidential Proclamations on land allocated to urban poor
- Stop off-city resettlement to fringe cities and municipalities unprepared to accept them

- Systematize mandates and programs of national government agencies with links to land for social housing
- Allocate budgetary funding for housing the urban poor

Women are very interested and involved. They also know when to bring the men. The end product is sustainability. When women have a strong commitment to something, you can be sure that this is going to continue indefinitely because they want their children to have a better life than they had.

## **OPEN FORUM**

**Question:** *Who are entitled to CMLPs? Whether or not it is acceptable is if the couple is of the same sex?*

**Kampitan:** It is actually evolving, currently in process. One of them can be a solo parent, head of the family. There is a way to ensure that if they are a household, NHA will accept.

**Illo:** I think it's going to be a while to get into LBGT, especially in contracts.

**Kampitan:** One can be a household head.

**Payot:** We don't deal with households. There are some NGOs that ensure that unmarried women are protected by advising them that they put their name as the beneficiary in the MBLA (Master list of Beneficiaries Loan Apportionment).

*Gabriel Barretto, Gardner College*

**Question:** *I liked the presentation on the group of informal settlers who empowered themselves. How true is it that there is a syndicate in the urban poor setting?*

**Bagotlo:** Yes, it's true that there are syndicates and it's the Bgy Captains who connive with them. Although when we try to seek help, we need to have evidence.

**Racelis:** Studying these issues, in the 60s-70s, they were squatters, they had no right to be there. Then came the syndicates who solved their problem – get them a piece of land and protect them. From the point of view of informal settlers when government was the enemy, these people were helping them find a place in the city. As the society has changed its orientation to be more supportive, then the syndicates will become less powerful. We see that now.

*Mr. Condo, Iloilo City*

**Question:** *We have 21 subdivisions. Our mayor doesn't want to call it relocation site. This year, our target is to purchase 10 hectares. Iloilo is small because of progressive development. Why is high density concentrated in Metro Manila? Why not medium rise? We want to partner with you and the NHA. To NHA, what happened to your Central Bank property? Hopefully we can have meetings in Iloilo City. We have a problem in HLURB because of payment schemes. We are issuing contract to sell. We can't issue a deed of sale because we need to get a license from the HLURB.*

**Payot:** Mayor Mabilog is very proactive. I've seen some of those subdivisions. We were there last year for a city-wide approach. We are open to a partnership with you. We want to do HDH nationwide. We will pilot vertical CMP in Visayas and Mindanao. The amount of loan will remain

the same (250). I hope we can partner with Iloilo. On HLURB, that's also one of the problems we face. We're arguing that there's no sale, just a distribution among the members of the HOA.

**Kampitan:** I'd like to confirm the partnership. We look forward to working with Iloilo.

## F. Plenary 4: Resilient Land Management

Recognizing that the Philippines faces climate hazards and vulnerabilities, there is an urgency to mainstream climate and risk considerations in land use planning and zoning regulations and their enforcements. The session presented practical experiences on resilient land management and climate change adaptations.

### Panelists:

Leon Mayo, President and Principal Architect, Consultants for Comprehensive Environmental Planning

Oliver Cam, Chief Operating Officer, Welcome Home Leyte Holdings Inc

Nathaniel von Einsiedel, President, Alliance for Safe, Sustainable and Resilient Environments

Albert Zambrano, Professor, Architecture and Planning, Industrial Design, & Built Environment, Mapua Institute of Technology

**Moderator:** Ragene Andrea Palma, Planning Manager, Philippine Disaster Resilience Foundation

## KEY POINTS

### **Speaker 1: Leon Mayo, President and Principal Architect Consultants for Comprehensive Environmental Planning, Inc.**

The speaker focused his presentation regarding risk-informed land use planning for rural local government units in the Philippines. He cited that in the Yolanda Corridor, natural calamity is something they live with. The *poblacions* of Eastern Visayas contain the major social and physical infrastructure of the towns – and they happen to be primary danger zones.

**Disasters result in the following:** damage to lives and property; nutritional hardships; costly rebuilding effort; temporary housing; typical aid relief response; and recovery initiatives.

- Design solutions are not foremost considerations. Proper planning can provide resilient zoning that will prevent loss of lives and property.
- A model for a sustainable local food stock store which can stock emergency rations must keep in mind that it be designed as the core of retail shopping in uptown areas, resulting in resilient development. Food aid problems are avoided if you are in a safe place to begin with. This also ensures sustainable food stock, or food security.
- When government restores damaged infrastructure, rebuilding is rarely attuned to the future requirements of the locality. Why rebuild a two-lane highway when what is needed would probably be a four-lane road?
- Temporary housing is done in a slapdash way. For the poor, temporary housing becomes permanent housing, and that is counter-productive.

- Lasting solutions will do away with emergency coping and recovery every time there is a disaster.
- Mass relocation takes some time, even one generation.
- From my catalytic point of view, the speaker said there is a need for accurate mapping support in identifying risk zones. The strategies should be intertwined: safe shelter and basic nutrition that will tide people over the emergency.

**Speaker 2: Mr. Oliver Cam, Chief Operating Officer, Welcome Home Leyte Holdings**

The speaker tackled the climate-adaptive of economic activities in Tacloban City and Eastern Visayas which were hardly hit by 2013 Super Typhoon Yolanda.

**Four lessons from Typhoon Yolanda:**

1. Refocus on more competitive climate-adaptive agricultural/fisheries investments for the Eastern Visayas. We need to use updated science-based hazard/vulnerability maps, such as color-coded agriculture maps and crop-suitability maps. The available maps are outdated by several decades. This also calls for crop diversification and cycling based on the regional climate/weather profile. And we have to look into integrated natural farming (Crop Diversification, Livestock, Agriculture, Inputs)
2. Value Chain Approach may help reach various markets (local, regional, national, foreign). Businesses have to try to make sure, without affecting competitiveness, to source locally because this feeds back to our business cycle.
3. Use innovations in technology, such as for business mapping (geo-tagging): Google. OpenStreetMaps. GPS on smart phones/ tablets.
4. Push for changes in land use to include more industrial zones, post-Yolanda, for Tacloban and the Eastern Visayas. We're pushing heavily for three sites: Tacloban North Light Agro-Industrial zone, Leyte Ecological Industrial Zone in Northwest Leyte, and Sky city Project in Catbalogan City.

Cam said that the city's greatest challenge is to move 75,000 people to safe zones up north by 2015-2018, which compromise of about 40% of Tacloban's population.

He said that in order to achieve the vision of a linked north, there is a need to transition and expand economic activity into the north-western area. This entails a combination of initiatives in tourism, agriculture, telecoms, mass transport, and agro-fisheries.

**Next Steps**

- Local Business/Market Mapping. Updated Consolidated Business Registry Database based on the Philippine Standard Industrial Classification (PSIC). GPS/Geo-Tags per Business Establishment (Registered and Non-Registered).
- Proposed Food Commodity Trading System (FCTS).

### **Speaker 3: Nathaniel von Einsindel, President, Alliance for Safe and Sustainable Reconstruction**

The speaker started his presentation by defining what an ecosystem-based land design is? He said that an ecosystem-based land design considers the impact of human activities on the natural environment, balancing environmental and economic goals

**Why is it necessary?** In our age of climate change, disasters are mainstays. But a close look at disasters reveals that disaster impacts are brought about by other drivers, such as inappropriate uses and development of land; unsustainable farming methods; and poor governance.

These and other drivers imperil our ecosystems. Consequently, ecosystem services are affected. Ecosystem services include:

#### **Global climate regulation**

- Maintaining healthy air quality
- Sequestering carbon

#### **Local climate regulation**

- Regulating local temperature, precipitation, and humidity thru shading, evapotranspiration, and windbreaks

#### **Air and water cleansing**

- Removing and reducing pollutants in air and water

#### **Water supply retention**

- Storing and conserving water within watersheds and aquifers

#### **Erosion and sediment control**

- Retaining soil within an ecosystem
- Preventing damage from erosion and siltation

#### **Hazard Mitigation**

- Reducing vulnerability to damage from flooding, storm surge, wildlife, and drought

#### **Pollination**

- Providing for the reproduction of crops and other plants

#### **Habitat functions**

- Providing refuge and reproduction habitat to plants and animals, contributing to the conservation of biological and genetic diversity and evolutionary processes

#### **Pollination**

- Providing for the reproduction of crops and other plants

#### **Habitat functions**

- Providing refuge and reproduction habitat to plants and animals, contributing to the conservation of biological and genetic diversity and evolutionary processes

#### **Food and renewable non-food products**

- Producing food, fuel, energy, medicine, of other products for human use

#### **Cultural benefits**

- Enhancing cultural, educational, aesthetic, and spiritual experience as a result of interaction with nature

The speaker explained that the development and redevelopment of land can be modeled after healthy systems, thereby increasing the ecosystem services they provide.

### **Speaker 4: Albert Zambrano, Professor, Architecture and Planning, Industrial Design, & Built Environment, Mapua Institute of Technology**

Zambrano spoke about poverty alleviation, climate change mitigation and disaster prevention with urban integration. He started by saying that urban integration is the opposite of segregation and exclusion.

For instance, he said that the continuing demolition and relocation of low-income groups to marginal areas create problems. The poor, as a sector, is a large untapped resource for development.

Two projects, the Estero de San Miguel Pilot Project and the Estero de San Miguel High Density Housing, are showcases of urban renewal. They showcase inclusionary housing. It is development in-city, within the property, and within the same building.

The housing features include innovative architectural solutions such as raising the dwelling quarters way above the ground for flood mitigation; the ground floor as commercial spaces; natural light and cross-ventilation for energy efficiency; green wall for urban agriculture; reusing of grey water and rainwater collection for water efficiency; and home-based enterprises for the community's sustainability.

This development was done incrementally, gradually, but with the community's participation, it was done. Today, what was an informal settlement along a flood-prone waterway is now a model for urban integration.

## **OPEN FORUM**

**Question:** *Is creating multiple centers a tool for urban integration? Is social housing another core for urban integration? Say, one township in one building?*

**Zambrano:** Yes. Growth poles outside Metro Manila will contribute to decongestion. That's happening now for the middle class in condominium projects. We can do that for the lower classes.

**Einsiendel:** Perhaps the Philippine Government can take the lead in this regard. For instance, a number of former military bases have been converted into high-end multi-use development projects. There's the BGC, Newport, Alabang Town Center, and others. But they do not provide socialized housing. You find a large number of the employees, security guards, and janitors living across C5 in Barangay Rizal, which sits on the Marikina Fault. There are no building permits in Brgy. Rizal, so many landowners build multi-rise buildings incrementally, without the benefit of sound structural engineering.

Now, the government is talking about doing something about Camp Aguinaldo. Socialized housing must be integrated into whatever development is being planned there. But if you ask me, we need to include more public open spaces.

**Question:** *I think we've found the solution already to Leyte. It's hard to relocate people. But Zambrano is saying that investments should come in first, and people will come whether we like it or not.*

**Mayo:** We have to be aware of the distinction between urban and rural populations. The crucial difference is the work that they do. In rural communities, they are more attuned to traditional livelihoods, especially site-specific or directly related to the surrounding environment, such as

farming or fishing. They're not used to living in high rises. And there is a cultural resistance to common facilities.

But in both rural and urban contexts, they want to go to their places of work.

And let us strive to find profitable uses for the old areas, which they are leaving for the resettlement sites.

**Oliver Cam:** Right after Super Typhoon Yolanda, the instinctive response was to move those in danger zones to relocation sites in the north of Tacloban City because no one knew which land parcels were available for these people. In short, the non-availability of land data forced the community to take risks. We in the business community have since done what we could. We mapped businesses in the city and we also mapped idle land. Up-to-date land data is key in determining and preparing near-site or on-site relocation.

**Einsiendel:** It is important to collect the land information determining who owns what, what is public or private. It's all about land management. Sadly, not many LGUs do land banking. As a result, relocation sites are too far away. The excuse very often is that there is no money, but how come Cagayan de Oro was able to do it?

*Mayor Francis Frederick P. Palanca of Victorias City*

**Question:** *Disaster/climate refugees delay the opening or re-opening of schools after disasters. A number of them are fishermen and their families. My question is, when you relocate them elsewhere, how do you transfer skills or livelihoods? Can fishermen become construction workers? They have no skills except to swim and do the nets.*

**Oliver Cam:** What we did and are still doing now is, we actually interviewed all the beneficiaries for the resettlement. We engaged a lot of NGOs, volunteers, including the DSWD, the city housing office. We were interested to find out what people actually do every day. If you're a fisherman, how often do you go out to the sea in a week? We found out that many of them go fishing only three days a week. We wanted to know what they did the rest of the week. On their spare time, some of them drive a jeepney or a tricycle. We asked each one of them how they make ends meet.

At the time of Yolanda, we were the second poorest city in the country. Many of us were underemployed. We earned little from our main livelihood and had to do other things. We tried to find out people's ideas on how to survive.

The data we gathered helped us create workable livelihood packages. It helped that the resettlement sites are near the San Juanico Strait. So there is only a slight displacement: instead of living on the shore, they walk a kilometer to go to the shore. We worked on the social dimension, providing a lot of re-orientation.

But the thing was, even before the disaster, they were already engaged in survival tactics in terms of multiple livelihoods to ensure food for their families. All we needed to do was ask each one of them how they can be productive. And then, we turned to economies of scale: we grouped them into similar interests/livelihoods. And we took it from there.

**Mayo:** Ultimately, we have to impress on each relocation family that it's their life and livelihoods at stake.



*Mayor Francis Frederick P. Palanca of Victorias City*

**Question:** *My problem is the management side.*

**Mayo:** Having said all that, I would like to go back to my suggestion that we also need to still find the usefulness of the danger zones. Disasters do not happen every day, they can still be utilized for some purpose or other. Let us look at engineering solutions to explore and maximize their continuing usefulness.

## **G. Call to Action and Launching of Sustainable Urban Land Coalition**

At the end of the two-days Conference, the Sustainable Urban Land Coalition was formed composed of leaders and representatives from various agencies, institutions and organizations from national and local government, private sector, civil society, and international development organizations. The coalition calls for the “adoption of a sustainable land governance to address the country’s land sector development concerns.”

Ms. Ma. Lourdes Reyes, General Manager of the Land Governance Innovations led the formation of the coalition and the strong Call to Action on “responsible institutions to lead in improving, streamlining and making accessible national and local government land programs and services to fast track the development and adoption of policy and institutional reforms.” The participants were invited to sign the “call to action”.

The formation of the coalition and the content of the call to action reads:

### **SUSTAINABLE URBAN LAND COALITION**

We, the leaders and representatives of various agencies, institutions and organizations from national and local government, private sector, civil society, and international development organizations call for the adoption of a sustainable land governance to address the country’s land sector development concerns.

#### **Context**

The land administration and management laws and institutions in the country are over a century old. Enabling laws, policies, procedures and good governance practices have been developed with a strong public participation in the formulation and monitoring of land policies. Yet, reforms in land administration and management have been slowly instituted and almost half of the people do not have tenure security nor equal access to land, land services and land tenure security. Hence, Philippine land sector still faces the following challenges:

- overlaps in mandates of key land agencies;
- inadequate integration of spatial planning processes (from national to local);
- absence of a responsive national land use policy;
- a large number of untitled lands (estimated at 11 million parcels) in urban/residential and rural areas;
- inadequate access to reliable land information;

- non-gender sensitive land records;
- inadequate protection to women's claims on land;
- land use restrictions that inhibit expansion of land markets and access to credit;
- slow adoption of technologies for surveying, adjudication and titling; and
- outdated land valuation mechanisms that enable equitable sharing of benefits from increases in land value.

These challenges fostered land disputes, affected the efficiency in delivery of public services and eroded public confidence. Current practices also resulted in lost opportunities for revenues from real property that has the highest potential for local government financing its local development projects.

## **CALL TO ACTION**

**We therefore call on responsible institutions to take the lead in improving, streamlining and making accessible national and local government land programs and services to fast track the development and adoption of policy and institutional reforms:**

- streamline and rationalize the mandates of land related agencies;
- prioritize and direct the implementation of a massive national titling program involving all land related agencies;
- provide equal opportunities to women and men to acquire properties;
- issue a policy to link and harmonize land records and systems for a comprehensive, gender sensitive and cost efficient land-related database;
- strictly enforce compliance of local government units on property valuation regulations;
- issue a policy for the adoption of new technologies for surveying, mapping, adjudication and titling;
- address a responsive national land use policy;
- pass amendments to land laws to remove antiquated restrictions to land ownership;
- expedite resolution of land-related cases (e.g., conflicting land claims/titles, etc.); and
- support and advocate for the reforms in land administration and management.

Signed in the City of Manila, Philippines, on the 9<sup>th</sup> day of February 2017.

## **H. Closing Remarks:**

**Closing Remarks: Jonas George Soriano, Deputy Executive Director for the Performance and Projects Management Office, Office of the Cabinet Secretary**

Soriano, who is from the Office of the Cabinet Secretary of the Philippine Government encouraged the coalition to push for this initiative as Philippine President Rodrigo Duterte will support this

initiative. He announced that the President will sign into law, in the coming days, the Philippine Development Plan (PDP) and the national Security Policy which will be the basis of all plans and reforms in the government.

He challenged the local government units to consider the impact or outcome of every government project in their locality as the directive of the President is to streamline and re-engineer government development and security efforts to ensure that government resources are spent wisely and the outcomes are felt on the ground. The present administration's thrust, he said, is looking at the government's programs and projects that will benefit the people. For the new administration, he said, its platform moves toward "*malasakit at pagbabago tungo sa kaunlaran at katiwasayan*" (compassion and real change).

With the newly formed coalition on sustainable urban land, it may choose to move forward toward strengthening six cabinet clusters: economic development, human development and poverty reduction, security cluster, climate change mitigation and disaster risk reduction, infrastructure and participatory governance.

Soriano said the call to action is timely as the new government is moving towards all the points raised in the adoption of a sustainable land governance to address the country's land sector development concerns.

#### **Closing Remarks: Adoracion Navarro, Undersecretary for Regional Development, National Economic and Development Authority (NEDA)**

Navarro announced that Philippine President Duterte will sign the executive order on the new Philippine Development Plan (2017-2022) which is now ready for presentation to the NEDA board.

She explained that PDP contains development goals and objectives, strategic framework the executive order will give the directive to all the branches of government to adopt the PDP in implementing or to be guided in implementing their programs and projects. The PDF also lays down the foundation for the new administrations ambition 2040 that is, more inclusive growth, a highly society and global competitive knowledge economy.

Adoracion said participants were able to broaden their knowledge on most of the solution-oriented sessions, and the need to take advantage of technologies to improve management and access to land information, knowledge on data transfer among agencies, on how computer-assisted disaster-risk models can assist in land use management decisions at the local levels.

NEDA has reactivated the national land use committee wherein they will be responsible to tackle land governance issues in the country. In the housing sectors for instance, one of the huge challenges is land use conversion to address the housing needs of informal settler families, that is from 1.5 million in 2011 to projected increase of 6.79 million in 2017.

Adoracion emphasized that there have been contrasting views even within the cabinet about the land use conversion moratorium. This, she said, is to support the demand of growing population. Agriculture lands have been diminishing from a total area of 9.97 million hectares in 1991 to 7.19 million hectares in 2012. Applications for land use conversion are for other industrial uses, institutional and commercial uses. She said such concerns indeed raised the need to strike a balance among different socio-economic and development objectives of the country.

She said there is a need to strictly implement existing rules for effective land administration such as timely titling of lands and taxing idle lands sufficiently so that owners will put these lands to appropriate uses, which until now remains a big challenge. Institutional challenges on the other hand, also remains a challenge, such as multiple administration agencies, multiple laws, multiple land processes and multiple standards in land valuation.

Adoracion stressed that many of these problems identified in 2012 are still present and some of them have been magnified. She encouraged the participants to be motivated in implementing change at the grassroots level.

## Annex 4. Evaluation of the Conference (Day 1 and Day 2)

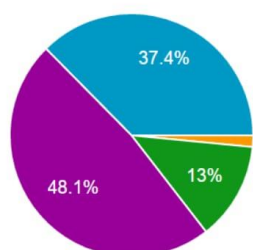
### DAY 1



#### CONFERENCE ON SUSTAINABLE LAND GOVERNANCE EVALUATION

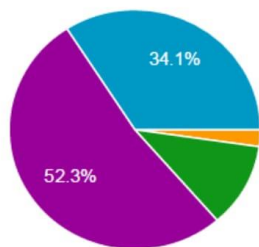
February 8, 2017, Diamond Hotel, Manila, Philippines

##### A. CONFERENCE OBJECTIVES



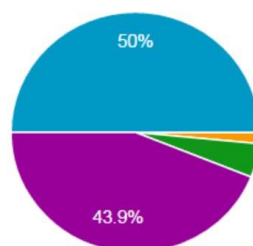
1	0	0%
2	0	0%
3	2	1.5%
4	17	13%
5	63	48.1%
6	49	37.4%

##### B. CONFERENCE EXPECTATIONS



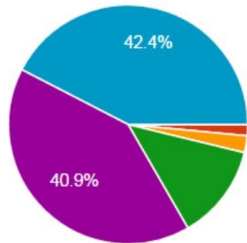
1	0	0%
2	0	0%
3	3	2.3%
4	15	11.4%
5	69	52.3%
6	45	34.1%

##### C. USEFULNESS OF TOPICS



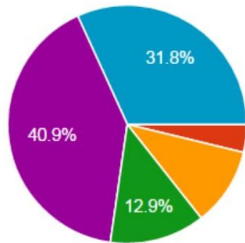
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6	66	50%

**D. ORGANIZATION OF CONFERENCE ACTIVITIES**



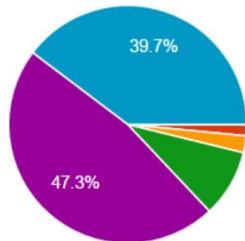
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**E. LENGTH OF ACTIVITY**



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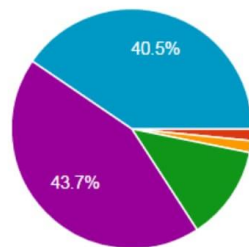
**F. METHODOLOGY PRESENTATION**



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6	52	39.7%



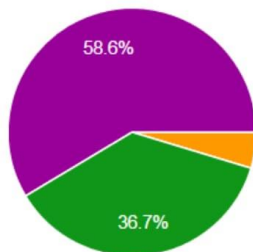
#### SMALL GROUP DISCUSSION



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6	51	40.5%

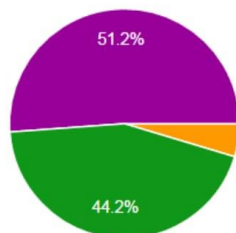
**Topic 1: *Presentation on Sustainable Land Governance*** (Mr. Heath Cosgrove, Director of Land Tenure and Resource Management, USAID)

#### Relevance of Topic



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4	47	36.7%
5	75	58.6%

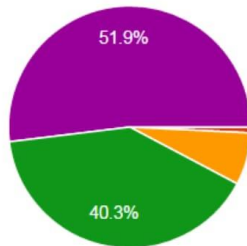
#### Effectiveness of resource person



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4	57	44.2%
5	66	51.2%



#### Applicability



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5	67	51.9%

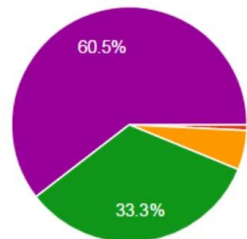
#### Topic 2: *Land Sector Reforms in the Philippines*

Panelists: 1. Atty. Analiza Teh, Undersecretary, Department of Environment and Natural Resources

2. Mr. Christopher Rollo, Country Programme Manager, UN-Habitat Philippines

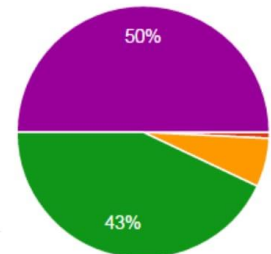
3. Mr. Calixto Chikiamco, President, Foundation for Economic Freedom

#### Relevance of Topic



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4	43	33.3%
5	78	60.5%

#### Effectiveness of resource person



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3	8	6.3%
4	55	43%
5	64	50%





#### Applicability



#### Topic 3: Land Administration and Management and the Challenges of Urbanization

Panelists: 1. Mr. Anthony Piaskowy, Project Management and Evaluation, USAID  
 1. Mr. Danilo Antonio, Human Settlements Officer, Land & Global Land Tool Network, UN Habitat-Kenya

#### Relevance of Topic

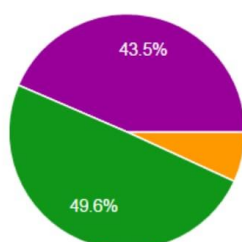


#### Effectiveness of resource person





#### Applicability



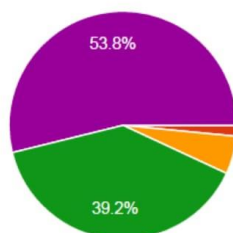
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5	57	43.5%

#### Topic 4: Alternative Land Dispute Resolutions

Panelists:

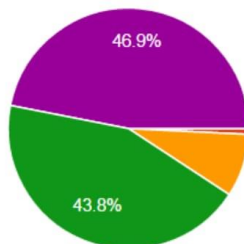
1. Atty. Brenda Jay Angeles-Mendoza, Chief, Philippine Mediation Center
2. Engr. Randolph Vicente, Senior Vice President, ASEAN Federation of Land Surveying and Geomatics
3. Engr. Winston Solite, Chief, Technical Services Division, Provincial Environment and Natural Resources Office, Leyte
4. Engr. Kenneth Artes, Development Management Officer, Local Government of Bayawan City, Negros Oriental

#### Relevance of Topic



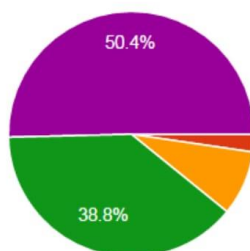
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4	51	39.2%
5	70	53.8%

#### Effectiveness of resource person



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3	11	8.5%
4	57	43.8%
5	61	46.9%

#### Applicability



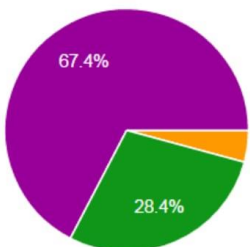
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5	65	50.4%

#### Topic 5a: Urban Land Constraints

Panelists:

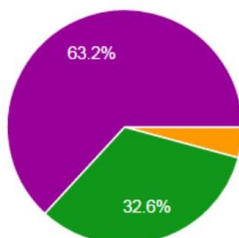
1. Ms. Makiko Watanabe, Senior Social Development Specialist, World Bank
2. Atty. Linda Malenab-Hornilla, Commissioner, Housing and Land Use Regulatory Board
3. Mr. Oscar Moreno, Mayor, Cagayan de Oro City
4. Ms. Maria Lourdes Domingo-Price, Philippine Action for Community-led Shelter Initiatives

#### Relevance of Topic



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2	0	0%
3	4	4.2%
4	27	28.4%
5	64	67.4%

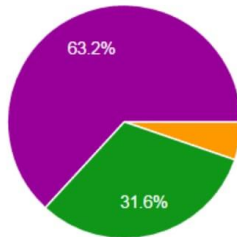
#### Effectiveness of resource person



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4	31	32.6%
5	60	63.2%



#### Applicability



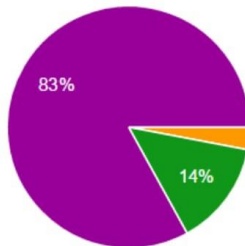
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5	60	63.2%

#### Topic 5b: Asset Management for Local Government Units

Panelists:

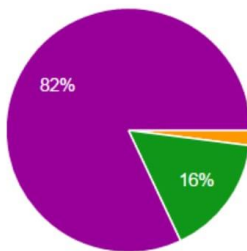
1. Mr. Maris Mikelsons, Chief of Party, USAID SURGE Project
2. Engr. Jose Arnold Tan, Deputy Director, Bureau of Local Government Finance

#### Relevance of Topic



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3	3	3%
4	14	14%
5	83	83%

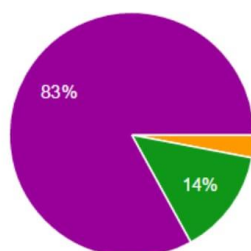
#### Effectiveness of resource person



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5	82	82%



### Applicability



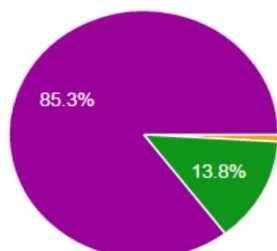
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### Topic 5c: Managing Commercial Pressures on Land Markets

Panelists:

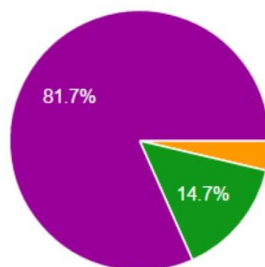
1. Mr. Niño Raymond Alvina, Executive Director, Bureau of Local Government Finance
2. Dr. Eduardo Ong, Chairman, Board of Real Estate Services, Professional Regulations Commission
3. Ms. Marissa Benitez, MRICS Director, Colliers International Philippines

### Relevance of Topic



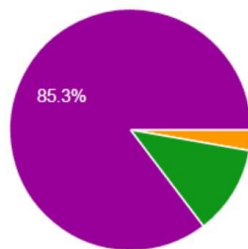
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3	1	0.9%
4	15	13.8%
5	93	85.3%

### Effectiveness of resource person



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4	16	14.7%
5	89	81.7%

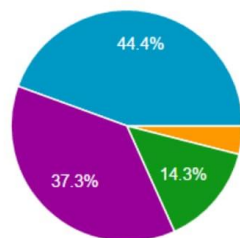
#### Applicability



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4	13	11.9%
5	93	85.3%

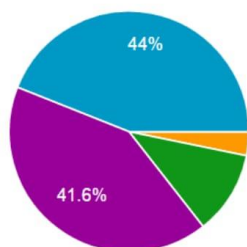
#### H. PHYSICAL ARRANGEMENT

##### Conference site/venue



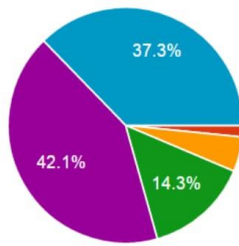
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5	47	37.3%
6	56	44.4%

##### Conference Facilities



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5	52	41.6%
6	55	44%

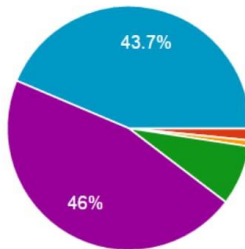
## Food



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5	53	42.1%
6	47	37.3%

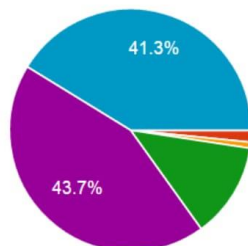
## I. LEARNING OF PARTICIPANTS

### Degree of learning acquired



1	0	0%
2	2	1.6%
3	1	0.8%
4	10	7.9%
5	58	46%
6	55	43.7%

### Expectations were adequately met



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2	2	1.6%
3	1	0.8%
4	16	12.7%
5	55	43.7%
6	52	41.3%



#### Actively involved in the learning process



#### OTHER COMMENTS / SUGGESTIONS

- Looking forward for another conference in the near future.
- Additional time for speakers may be allowed likewise with the open forum.
- DAR would have been good reference; Asset Management Course for LGUs training for analysis and evaluation of assets etc.
- Thank you!
- Poor coordination and communication on the part of the organizers /invitation & communication with pax.
- More time to discussed further next time.
- Keep it up!
- Very informative topics. Thank you
- Please implement SURGE to ARMM cities.
- Your event organizer SUCKS!
- more time to discuss with resource speakers crowd is too big, all questions /clarifications wasn't raised. Break out session is manageable, though limited time for open forum.
- most of the topics are very well delivered and presentations were able to answer/ address most of the concerns.
- The event organization is a bit disorganized. Event secretariat should have been ready for extra number of attendees and how to accommodate them in the venue (many didn't have seats on tables in the morning session) Also, despite pre-registration, event ID's had the wrong name printed. Event secretariat was also not responsive t e-mails during pre-event and pre-registration. These also should have been ushers to assist on the event floor itself, instead of relying on hotel staff.





- More conferences on other related matters on government management specifically for LGUs should be given. LGU personnel would be more than happy and thankful for that.
- excellent 1st day
- Time management
- Missing out topics due to breakout sessions
- This conference must also be advised to our local executives sanggunian bayan members to be known to them its importance.
- Length of the activity is quite short
- Perhaps next time Q and A portions could be significantly cut down by asking others to cut the chase. This would also allow more people to participate by the foreseen, Speakers should also be enjoyed to welcome questions after their talk.
- Some slide fonts are too small to see.
- very informative ,educational; and very timely to the needs of LGUs
- More accessible foods
- I suggest that the invitation for the next conference will be nearly as the schedule is concern because like us that there are coming from places cant hardly to attend.
- Conference venue, facilities and food, kinda crowded.
- Thank you very much for the conference!!! I learned a lot, It will help me finalize my UPOU Thesis.
- There should be more ideas for replicability in local setting.
- Establish house rules, no taking calls inside the venue because it's very distracting to others. Avoid loud chat while someone is presenting on stage. Improve/enhance response of secretariat on queue during the registration period. (nobody replied to the email I sent) It would be good to have a bigger venue for a crowd such as this indoor to the sound technician expert that the speaker do not sync on the sound system I want to commend with Mr. Ian Lloyd for giving his honest assessment on our land issues.

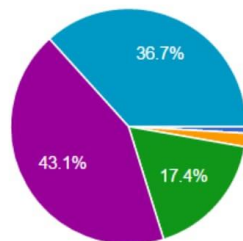
## Day 2



### CONFERENCE ON SUSTAINABLE LAND GOVERNANCE EVALUATION

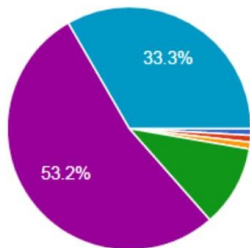
February 9, 2017, Diamond Hotel, Manila, Philippines

#### A. CONFERENCE OBJECTIVES



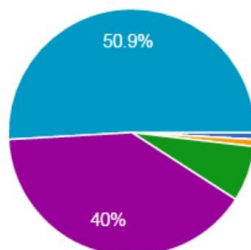
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#### B. CONFERENCE EXPECTATIONS



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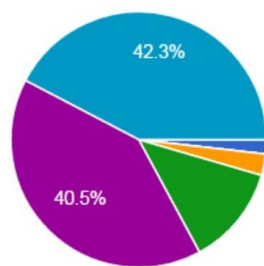
#### C. USEFULNESS OF TOPICS



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6	56	50.9%

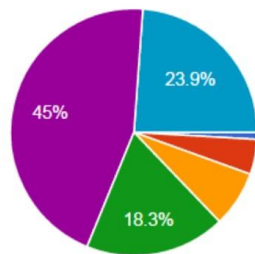


#### D. ORGANIZATION OF CONFERENCE ACTIVITIES



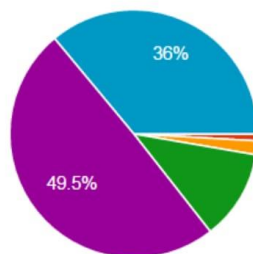
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#### E. LENGTH OF ACTIVITY



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6	26	23.9%

#### F. METHODOLOGY PRESENTATION



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3	2	1.8%
4	13	11.7%
5	55	49.5%
6	40	36%



#### SMALL GROUP DISCUSSION



#### Topic 1: *Policy Framework for Land Administration and Management*

##### Panelists:

1. Mr. Jose Christopher Belmonte, Chairperson, House of Representatives Committee on Land Use
2. Dr. Gilberto Llanto, President, Philippine Institute for Development Studies
3. Engr. Henry Pacis, Deputy Director, Land Management Bureau
4. Prof. Ernesto Serote, University of the Philippines School of Urban and Regional Planning

#### Relevance of Topic



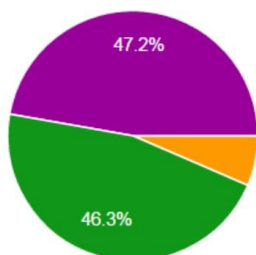
#### Effectiveness of resource person



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#### Applicability



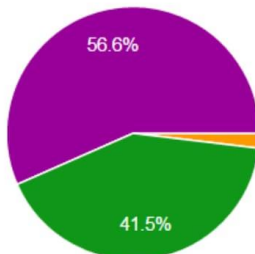
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5	51	47.2%

#### Topic 2: Experiences in Implementing Land Sector Reforms

Panelists:

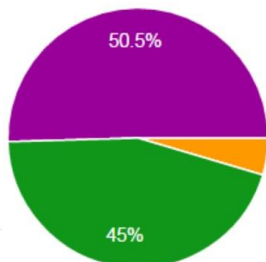
1. Dr. Claudia Buentjen, Principal Public Management Specialist, Asian Development Bank
2. Mr. Ian Lloyd, Senior Land Administration and Management Specialist, Land Governance Innovations
3. Mr. Noel Rosal, Mayor, Legazpi City
4. Mr. Rene Sanapo, Senior Land and Credit Consultant, Foundation for Economic Freedom

#### Relevance of Topic



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5	60	56.6%

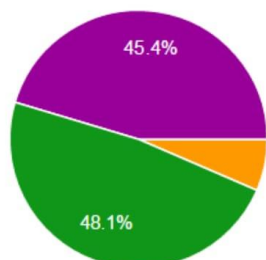
#### Effectiveness of resource person



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5	55	50.5%



#### Applicability



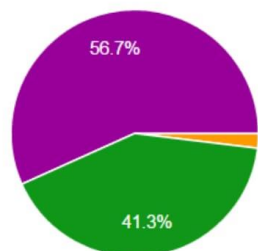
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5	49	45.4%

#### Topic 3: Technology Solutions in Land Administration

Panelists:

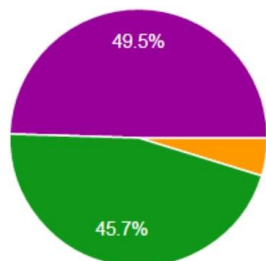
1. Mr. Eugene Alvin Villar, Member, Board of Trustees, OpenStreetMap
2. Dr. Ariel Blanco, Chair, Geodetic Engineering Department, University of the Philippines
3. Engr. Bonapart Masangcay, Land Information Specialist, LGI

#### Relevance of Topic



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4	43	41.3%
5	59	56.7%

#### Effectiveness of resource person



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3	5	4.8%
4	48	45.7%
5	52	49.5%



#### Applicability



#### Topic 4a: Improving Access to Land Records/ Information

##### Panelists:

1. Atty. Emelyne Talabis, Director, Land Management Bureau
2. Atty. Robert Leyretana, Administrator, Land Registration Authority
3. Mr. Benjamin Balais, Assistant Director, NAMRIA
4. Mr. Ernesto Camarillo, Vice President, Land Registration Systems Inc.

#### Relevance of Topic

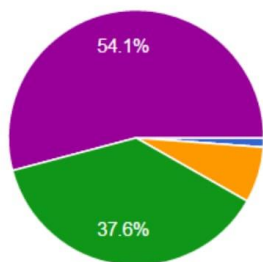


#### Effectiveness of resource person





#### Applicability



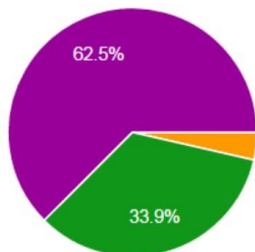
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5	46	54.1%

#### Topic 4b: Gender and Social Inclusion in Property Rights

Panelists:

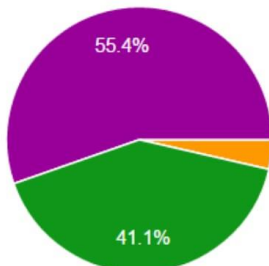
1. Ms. Ma. Ana Oliveros, President, Social Housing Finance Corporation
2. Mr. Froilan Kampitan, Assistant General Manager, National Housing Authority
3. Ms. Ofelia Bagotlo, President, Homeless Peoples' Federation Philippines
4. Dr. Mary Racelis, Research Scientist, Institute of Philippine Culture, Ateneo de Manila University

#### Relevance of Topic



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5	35	62.5%

#### Effectiveness of resource person

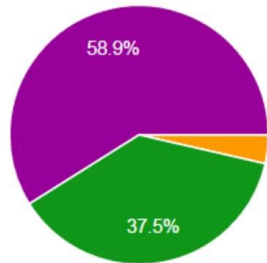


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5	31	55.4%





#### Applicability



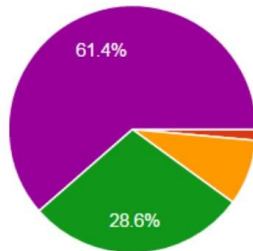
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5	33	58.9%

#### Topic 5: Resilient Land Management

Panelists:

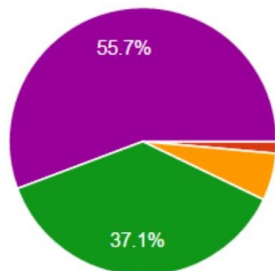
1. Mr. Leon Mayo, President, Consultants for Comprehensive Environmental Planning
2. Mr. Oliver Cam, Chief Operating Officer, Welcome Home Leyte Holdings Inc.
3. Mr. Nathaniel von Einsiedel, President, Alliance for Safe, Sustainable and Resilient Environments

#### Relevance of Topic



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2	1	1.4%
3	6	8.6%
4	20	28.6%
5	43	61.4%

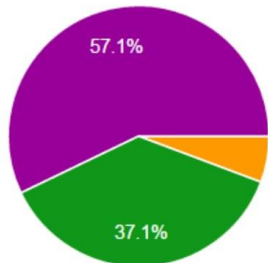
#### Effectiveness of resource person



1	0	0%
2	1	1.4%
3	4	5.7%
4	26	37.1%
5	39	55.7%



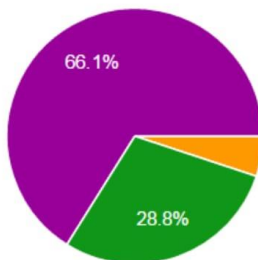
#### Applicability



1	0	0%
2	0	0%
3	4	5.7%
4	26	37.1%
5	40	57.1%

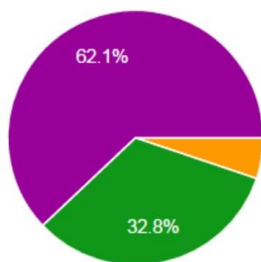
#### Topic 6: Launching of Urban Land Tenure Coalition

##### Relevance of Topic



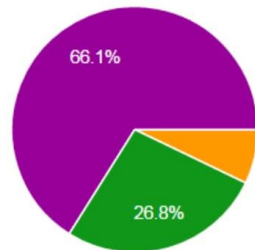
1	0	0%
2	0	0%
3	3	5.1%
4	17	28.8%
5	39	66.1%

##### Effectiveness of resource person



1	0	0%
2	0	0%
3	3	5.2%
4	19	32.8%
5	36	62.1%

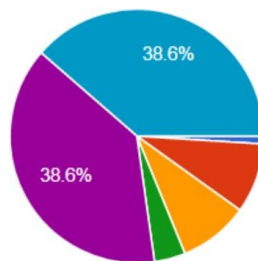
### Applicability



1	0	0%
2	0	0%
3	4	7.1%
4	15	26.8%
5	37	66.1%

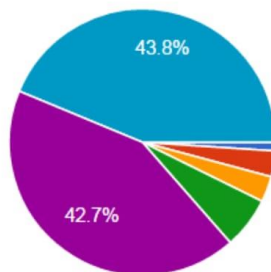
### G. PHYSICAL ARRANGEMENTS

#### Conference site/ venue



1	1	1.1%
3	9	9.8%
3	9	9.8%
4	4	4.3%
5	39	42.4%
6	39	42.4%

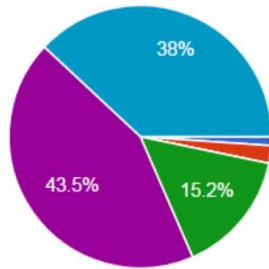
#### Conference Facilities



1	1	1.1%
3	3	3.2%
3	3	3.2%
4	6	6.5%
5	41	44.1%
6	42	45.2%



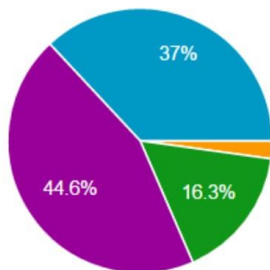
#### Food



1	1	1.1%
2	2	2.2%
3	0	0%
4	14	15.2%
5	40	43.5%
6	35	38%

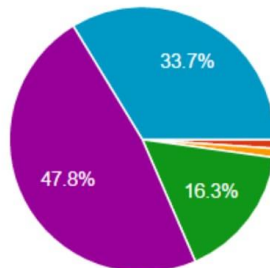
#### H. LEARNING OF PARTICIPANTS

##### Degree of Learning Acquired



1	0	0%
2	0	0%
3	2	2.2%
4	15	16.3%
5	41	44.6%
6	34	37%

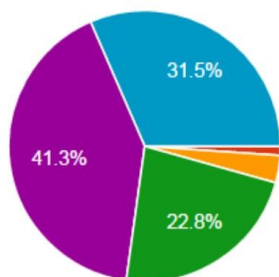
##### Expectations were adequately met



1	0	0%
2	1	1.1%
3	1	1.1%
4	15	16.3%
5	44	47.8%
6	31	33.7%



Actively involved in the learning process



1	0	0%
2	1	1.1%
3	3	3.3%
4	21	22.8%
5	38	41.3%
6	29	31.5%

#### I. OTHER COMMENTS / SUGGESTIONS

- More power, more conference
- Very nice.
- Very good, more time for questions.
- Fastrack & implement all good. Practice with people's participation on the ground from the planning up to the end of the development. People must be part on every development
- No waiting table for topic 3 TEchnology Solutions in Land Administration. Presentations and discussion are very informative. Learned a lot on land governance, urban planning, and government programs in relation to gender and development & economic growth
- The event should have been done in a large venue considering the large number of participants. Also, the topics are interesting but are given in very short period of time. Either some topics/speakers should have been lessened or the conference done for a longer period.
- My heartfelt appreciation to the USAID UN Habitat, World Bank for coming up with an edifying conference. It was a good 2-day exco----- the public/government policy or the lack of it on Land Management. An inter-pleader should be now forwarded to the Congress to support and advocate the reforms on Land Management.
- Technical assistance to LGU Bayombong, Nueva Viscaya
- Focus on the real issues to benefit the majority of Filipinos
- 2 days are not enough. All topics are relevant
- Thank you. Improve gender balance of speakers/resource persons.
- Congratulations, everything seems to properly falls into place. The conference is very well managed. My learning has been 100% compounded which I will share.



- Thanks for enlightening us on the issues and concerns of land use and the need for coordinated efforts of all agencies/institutions involved.
- Food and services should be improved.
- Localize the conference to benefit more LGUs. Congratulations and keep up the good work. Thank you to the USA and its citizens for helping the Philippines
- More info, training on GAD
- Looking forward for another conference like this perhaps to another country for foreign setting/application and observation
- Too cold
- Main conference hall was too cold
- Follow-up activity to include other topics related to land, culture, urban open and public spaces, heritage
- In behalf of the LGU City of Mati, I am grateful and pleased of what transpired during the 2-day conference. We hope there will be more future conferences like this. Thanks.
- Faster response should be better and recommended
- Need to have a training for technical persons for every LGU in order to digitize the maps.
- Very limited time during the small group discussions
- "No ID no food policy". If you lost your ID, you will not be served. No effort has been done by the food server.
- More food and coffee/tea variation
- Assist organizer should be precluded from handling the registration/confirmation of delegates/attendees.
- The persons in-charge in the registration are so disrespectful to the Mayor who traveled all the way from Mindanao. She refused to serve lunch to him. Nissa Toledo should not just be reprimanded but be given a disciplinary action. Heard so much complaints against her.
- Too many speakers or time limit