



**REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAY**

**FLOOD RISK MANAGEMENT PROJECT FOR  
CAGAYAN DE ORO RIVER  
(FRIMP-CDOR)**

**RESETTLEMENT ACTION PLAN**

**NOVEMBER 2013**

Flood Risk Management Project for  
Cagayan de Oro River  
(FRIMP-CDOR)

**Resettlement Action Plan**

**Table of Contents**

<b>Table of Contents .....</b>	<b>i</b>
<b>List of Tables and Figures .....</b>	<b>v</b>
<b>List of Appendices .....</b>	<b>vii</b>
<b>List of Acronyms and Abbreviation .....</b>	<b>vii</b>
<b>Chapter 1 Description of the Project.....</b>	<b>1</b>
1.1    Background of the Project .....	1
1.2    Project Location.....	1
1.3    Project Area.....	2
1.4    Project Objective.....	2
1.5    Project Components.....	2
1.5.1    Basic Measures of Flood Risk Management Plan.....	2
1.5.2    Location of Proposed Structural Measures .....	2
<b>Chapter 2 Objectives of Resettlement Plan.....</b>	<b>4</b>
2.1    Guidelines, Policies and Objectives of Resettlement Action Plan .....	4
2.1.1    JICA Guidelines and Policies.....	4
2.1.2    Principal Objective.....	4
2.1.3    Specific Objectives.....	4
2.2    Preventive Resettlement .....	5
2.2.1    Consideration of Disaster Risk Reduction and Management in the Project .....	5
2.2.3    Adaptation of Preventive Resettlement to the Project .....	5
2.3    Necessity of Resettlement under the Project.....	5

2.3.1	Relocation of People at Very High Flood Risk to Safe Place .....	5
2.3.2	Project Components Inducing Resettlement .....	6
2.3.3	Locations of Affected Areas .....	6
2.3.4	Extent of Project Affected Persons .....	7
2.3.5	Relevance with Project Affected Area .....	7
<b>Chapter 3 Impacts of the Project.....</b>		<b>9</b>
<b>3.1</b>	<b>River Boundary and Flood Risk.....</b>	<b>9</b>
3.1.1	Establishment of River Boundary .....	9
3.1.2	Assessment of Flood Risk Level .....	9
<b>3.2</b>	<b>Identification of Impacts by the Project.....</b>	<b>10</b>
3.2.1	Basic Concept of Flood Risk Management of the Project .....	10
3.2.2	Extent of Impacts by the Project .....	11
3.2.3	Coverage of Project Affected Households .....	11
<b>3.3</b>	<b>Scope of Resettlement Impact.....</b>	<b>12</b>
3.3.1	Number of Project Affected Units and Persons .....	12
3.3.2	Dimension of Project Affected Lands .....	13
3.3.3	Dimension of Project Affected Structures .....	13
3.3.4	Number of Project Affected Improvements .....	16
<b>Chapter 4 Outline of Socioeconomic Survey .....</b>		<b>19</b>
<b>4.1</b>	<b>Socioeconomic Survey .....</b>	<b>19</b>
<b>4.2</b>	<b>Key Results of Survey.....</b>	<b>19</b>
4.2.1	Outline of Key Results .....	19
4.2.2	Results Related to Entitlements.....	21
<b>4.3</b>	<b>Key Profile of Project Affected Households.....</b>	<b>21</b>
4.3.1	Profile of the Household Heads .....	21
4.3.2	Profile of the Households.....	24
4.3.3	Household and Living Condition of the Households .....	26
4.3.4	Awareness of the Households on the Project .....	27
4.3.5	Relocation and Income Restoration Option of the Households .....	29
4.3.6	Vulnerability of the Households .....	31
4.3.7	Skills, Business Interest and Preference of Employable Household Members.....	31
<b>Chapter 5 Legal Framework .....</b>		<b>34</b>
<b>5.1</b>	<b>Policy of JICA on Resettlement.....</b>	<b>34</b>
5.1.1	Key Principle of JICA Policy .....	34

5.1.2	Key Principle of WB Policy .....	35
<b>5.2</b>	<b>Gap Analysis between Philippine's Legal Framework and JICA Guideline .....</b>	<b>35</b>
<b>Chapter 6 Eligibility for Compensation and Other Entitlements.....</b>		<b>49</b>
<b>6.1</b>	<b>Key Principles of the Policy on Land Acquisition and Compensation .....</b>	<b>49</b>
6.1.1	Resettlement .....	49
6.1.2	Compensation and Land Acquisition .....	49
6.1.3	Disclosure, Community Participation and Monitoring .....	51
<b>6.2</b>	<b>Principle of Replacement Cost.....</b>	<b>51</b>
<b>6.3.</b>	<b>Cut-Off-Date of Eligibility .....</b>	<b>52</b>
<b>Chapter 7 Compensation and Assistance Measures .....</b>		<b>53</b>
<b>7.1.</b>	<b>Compensation for Loss of Assets .....</b>	<b>53</b>
<b>7.2</b>	<b>Other Types of Assistance or Entitlements .....</b>	<b>54</b>
7.2.1	Disturbance Compensation.....	54
7.2.2	Income Loss.....	54
7.2.3	Inconvenience Allowance .....	54
7.2.4	Rental Subsidy.....	54
7.2.5	Transportation Assistance .....	54
7.2.6	Livelihood Rehabilitation Assistance .....	54
<b>7.3</b>	<b>Assistance Measures .....</b>	<b>54</b>
7.3.1	Livelihood Restoration Assistance.....	54
7.3.2	Other Assistance.....	56
7.3.3	Arrangement and Implementation of Assistance Measures .....	57
<b>7.4</b>	<b>Entitlement Matrix .....</b>	<b>57</b>
<b>Chapter 8 Resettlement Site Plan .....</b>		<b>61</b>
<b>8.1.</b>	<b>Status of Resettlement Sites for TS Sendong-Affected Persons .....</b>	<b>61</b>
8.1.1	Existing Resettlement Sites .....	61
8.1.2	Proposed Resettlement Sites .....	62
8.1.3	Status of Provision of Housing Units .....	62
<b>8.2</b>	<b>Requirements of the Project .....</b>	<b>62</b>
8.2.1	PAPs Qualified for Resettlement Sites.....	62
8.2.2	Possible Options for PAPs Not Qualified for Resettlement Sites.....	63
<b>8.3</b>	<b>Candidates Resettlement Sites for the Project.....</b>	<b>63</b>
8.3.1	Candidate Resettlement Sites .....	63
8.3.3	Further Discussion and Agreement on Resettlement Sites .....	65

<b>8.4</b>	<b>Efforts on Improvement of Housing Units and Resettlement Site.....</b>	<b>65</b>
<b>Chapter 9 Grievance Redress Mechanism.....</b>		<b>66</b>
<b>9.1</b>	<b>Policy of DPWH .....</b>	<b>66</b>
<b>9.2</b>	<b>Objectives of Grievance Redress Procedures.....</b>	<b>66</b>
<b>9.3</b>	<b>Grievance Redress Procedures .....</b>	<b>66</b>
<b>Chapter 10 Community Participation .....</b>		<b>69</b>
<b>10.1.</b>	<b>Framework for Community Participation in Resettlement Implementation .....</b>	<b>69</b>
<b>10.2</b>	<b>Community-Based Influx Management Program .....</b>	<b>70</b>
<b>10.3</b>	<b>Consultation Meeting with PAPs .....</b>	<b>71</b>
10.3.1	Overview of Consultation Meeting.....	71
10.3.2	Summary of Topics Explained and Points of Discussions.....	72
10.3.3	Points of Consultation Meeting.....	74
<b>Chapter 11 Institutional Framework .....</b>		<b>75</b>
<b>11.1</b>	<b>Organizational Framework for RAP Implementation and Key Responsibilities ....</b>	<b>75</b>
<b>11.2</b>	<b>Organization Related to Resettlement Implementation.....</b>	<b>76</b>
11.2.1	Concerned Offices of DPWH on Resettlement Implementation.....	76
11.2.2	Concerned Local and National Governments on Resettlement Implementation .....	77
<b>11.3</b>	<b>Organizational Responsibilities on Implementation of RAP .....</b>	<b>79</b>
<b>Chapter 12 Implementation Schedule .....</b>		<b>82</b>
<b>12.1.</b>	<b>Implementation Schedule of Construction .....</b>	<b>82</b>
<b>12.2</b>	<b>Implementation Schedule of RAP .....</b>	<b>82</b>
12.2.1	Arrangements for Implementation of RAP .....	82
12.2.2	Review and Update of RAP .....	82
12.2.3	Relocation of PAPs .....	82
12.2.4	Compensation and Other Assistance.....	82
12.2.5	Information Dissemination and Consultation.....	83
12.2.6	Grievances .....	83
12.2.7	Monitoring of Implementation of RAP .....	83
<b>Chapter 13 Cost and Budget .....</b>		<b>85</b>
<b>13.1.</b>	<b>Compensation Cost for Structures.....</b>	<b>85</b>
13.1.1	Replacement Cost Survey.....	85
13.1.2	Identification of Building Typology and Structure .....	85
13.1.3	Estimation of Unit Construction Cost .....	85
13.1.4	Number of Affected Structures by Typology and Barangay .....	85

13.1.5	Cost of Affected Structure by Typology .....	86
<b>13.2</b>	<b>Compensation Cost for Lands .....</b>	<b>86</b>
13.2.1	Identification and Area of Affected Lands.....	86
13.2.2	Cost of Affected Land by Barangay.....	87
<b>13.3</b>	<b>Total Estimated Cost of Resettlement.....</b>	<b>88</b>
<b>13.3.</b>	<b>Budget of Resettlement Cost.....</b>	<b>89</b>
13.3.1	Funds for RAP Implementation.....	89
13.3.2	Preparation RAP Budget Plan .....	89
13.3.3	Procedures for Flow of Funds .....	89
<b>Chapter 14</b>	<b>Monitoring and Evaluation .....</b>	<b>90</b>
<b>14.1.</b>	<b>Primary Purpose of RAP Monitoring.....</b>	<b>90</b>
<b>14.2</b>	<b>Implementation of Monitoring by DPWH .....</b>	<b>90</b>
14.2.1	Internal Monitoring .....	90
14.2.2	External Monitoring and Evaluation .....	90
<b>14.4</b>	<b>Framework of Monitoring Activities .....</b>	<b>91</b>
<b>14.5</b>	<b>Schedule of Implementation of RAP and Monitoring .....</b>	<b>92</b>
<b>14.6</b>	<b>Reporting .....</b>	<b>92</b>
<b>14.7</b>	<b>Monitoring Indicators.....</b>	<b>92</b>

## List of Tables and Figures

### Tables

Table 1-1	Flood Risk Management Measures of the Project	2
Table 3.1	Summary of Scope of Resettlement Impact	12
Table 3.2	Number of Project Affected Units and Persons	13
Table 3-3	Dimension of Project Affected Lands by Barangay	13
Table 3-4	Number of Project Affected Structures by Barangay	14
Table 3-5	Number of Project Affected Improvements and Trees by Barangay	16
Table 4-1	Project Affected Units under Census	19
Table 4.2	Summary of Results of Socioeconomic Survey	20
Table 4.3	Results of Socioeconomic Survey Related to Entitlements	21
Table 4.4	Place of Origin of Household Heads	22
Table 4.5	Gender of Household Heads	22
Table 4.6	Age of Household Heads	22
Table 4.7	Educational Attainment of Household Heads	22
Table 4.8	Primary Occupation and Source of Income of Household Heads	23
Table 4.9	Employment Status of Household Heads	23
Table 4.10	Fund Membership of Household Heads	24
Table 4.11	Land Tenurial Status of Household Heads	24
Table 4.12	Number of Households per Structure	24
Table 4.13	Number and Gender of Household Members	24

Table 4.14	Age of Household Members	25
Table 4.15	Educational Attainment of Household Members	25
Table 4.16	Primary Occupation and Source of Income of Household Members	25
Table 4.17	Employment Status of Household Members	26
Table 4.18	Schooling Status of Household Members	26
Table 4.19	Length of Stay of Households	27
Table 4.20	Monthly Income of Households	27
Table 4.21	Access to Utilities of Households	27
Table 4.22	Awareness of the Project	28
Table 4.23	Source of Information on the Project	28
Table 4.24	Positive Reasons for Perception of the Project	28
Table 4.25	Negative Reasons for Perception of the Project	28
Table 4.26	Number of Households Willing to be Relocated	29
Table 4.27	Reasons for Not Wanting to be Relocated	29
Table 4.28	Preferred Relocation Option	29
Table 4.29	Preferred Relocation Type	30
Table 4.30	Preferred Assistance for Livelihood and Income Restoration	30
Table 4.31	Most Desired Basic Services and Facilities in Relocation Site	30
Table 4.32	Use of Compensation	31
Table 4.33	Vulnerability of Households	31
Table 4.34	Existing Skills of Employable Household Members	32
Table 4.35	Preferred Skills of Employable Household Members	32
Table 4.36	Preferred Business of Employable Household Members	33
Table 5-1	Description of Replacement Cost	34
Table 5-2	GAP Analysis	37
Table 7.1	Possible Intervention for Livelihood Restoration	55
Table 7.2	Overview of Livelihood Programs of Concerned Agencies	55
Table 7.3	Entitlement Matrix	58
Table 8.1	Existing Resettlement Sites (as of August 31, 2013)	61
Table 8.2	Proposed Resettlement Sites (as of August 31, 2013)	62
Table 8.3	Possible Candidate Resettlement Sites	64
Table 9.1	Steps in Filling Grievances and Grievance Redress Structure	67
Table 10.1	Framework for Community Participation in Resettlement Implementation	69
Table 10.2	Community-Based Influx Management Program	70
Table 10.3	Overview of Consultation Meeting with PAPs	71
Table 10.4	Outline of Topics Explained to PAPs	72
Table 10.5	Summarized Points of Discussion with PAPs	72
Table 11-1	Offices of DPWH Related to Implementation of Resettlement	76
Table 11-2	Concerned Local and National Governments on Resettlement Implementation	77
Table 11-3	Summary of Organizational Responsibilities	79
Table 12-1	Contract Packages of Construction	82
Table 12-2	Implementation Schedule of RAP	84
Table 13.1	Estimated Unit Construction Cost by Typology	85
Table 13.2	Number of Affected Structures by Typology and Barangay	86
Table 13.3	Cost of Affected Structures by Typology	86
Table 13.4	Area of Affected Lands by Barangay	87
Table 13.5	Market Value of Land for Affected Area by Barangay	87
Table 13.6	Latest Zonal Value of Affected Lands by Barangay	88
Table 13.7	Total Estimated Resettlement Cost	89
Table 14.1	Monitoring Activities and Frequency	91
Table 14.2	Monitoring Indicators and Frequency for IMA	92
Table 14.3	Monitoring Indicators and Frequency for EMA	94

## **Figures**

Figure 1.1	Cagayan de Oro River Basin	1
Figure 1.2	Project Area Downstream of Cagayan de Oro River	1
Figure 1.3	Locations of Proposed Structural Measures of the Project	3
Figure 2.1	Locations of Affected Areas of the Project	6
Figure 3.1	Base Map of for Study of River Boundary in Cagayan de Oro	9
Figure 3.2	Criteria for Assessment of Flood Risk Level	10
Figure 3.3	Conceptual Illustration of Flood Risk Management of the Project	10
Figure 3.4	Coverage of Project Affected Households	11
Figure 8.1	Location Map of Possible Candidate Resettlement Sites	65
Figure 11.1	RAP Implementation Concerned Agencies and Key Responsibilities	75

## **List of Appendices**

Appendix-A	Philippine Laws and Regulations Related to Resettlement	
Appendix-B	Executive Order No. 020-13 of the City Mayor of the Cagayan de Oro City for an Order Creating the Shelter and Housing Development Multi-Sectoral Task Force	
Appendix-C	Executive Order No. 039-13 of the City Mayor of the Cagayan de Oro City for an Order Reorganizing the Cagayan de Oro Housing Board, Reconstituting the Membership thereof and Defining it's Powers and Functions and for Other Purposes	
Appendix-D	Survey Questionnaire for the Census, Socioeconomic, and Resettlement Assistance Needs Surveys	
Appendix-E	Minutes of Meeting of Consultation Meeting with PAPs	
Appendix-F	Attendance List of Consultation Meeting with PAPs	
Appendix-G	Photos of Consultation Meeting with PAPs	

## **List of Acronyms and Abbreviation**

BMAT	Barangay Influx Management Action Team
BIR	Bureau of Internal Revenue
CA	Commonwealth Act
CARA	Comprehensive Agrarian Reform Act
CBEs	Commercial Business Enterprises
CDOR	Cagayan de Oro River
CEMD	City Estate Management Division
CLOA	Certificate of Land Ownership Award
CLUP	Comprehensive Land Use Plan
COSs	Community Owned Structures
CPDO	City Planning and Development Office
CSWDO	City Social Welfare and Development Office
DAO	Department Administrative Order
D/D	Detail Design
DENR	Department of Environment and Natural Resources
DepEd	Department of Education
DILG	Department of Interior and Local Government
DOLE	Department of Labour and Employment
DPWH	Department of Public Works and Highways
DSWD	Department of Social Welfare and Development
DTI	Department of Trade and Industry
EIS	Environmental Impact Statement
EMA	External Monitoring Agent

ESSD	Environmental and Social Safeguard Division
FCMD	Flood Control Management Division
FRIMP	Flood Mitigation Management Project
F/S	Feasibility Study
GSIS	Government Service Insurance System
HLURB	Housing and Land Use Regulatory Board
IEC	Information, Education and Communication
IMA	Internal Monitoring Agent
IR	Involuntary Resettlement
IROW	Infrastructure Right-of-Way
JICA	Japan International Cooperation Agency
LARR	Land Acquisition, Resettlement and Rehabilitation Policy
LAPRAP	Land Acquisition Plan and Resettlement Action Plan
LARRIPP	Land Acquisition, Resettlement, Rehabilitation and Indigenous People's Policy
LGU	Local Government Unit
LHB	Local Housing Board
LIAC	Local Inter Agency Committee
MOA	Memorandum of Agreement
M/P	Master Plan
NBZ	No Build Zone
NC	National Certification
NEDA	National Economic Development Authority
NHA	National Housing Authority
OCD	Office of Civil Defense
OP	Operational Policies
PAFs	Project Affected Families
PAPs	Project Affected Persons
PAUs	Project Affected Units
PCUP	Presidential Commission on Urban Poor
PESO	Public Employment Service Office
PMO	Project Management Office
PWDs	Persons with Disabilities
RA	Republic Act
RAP	Resettlement Action Plan
RDC	Regional Development Council
RIC	Resettlement Implementation Committee
SSS	Social Security System
TCT	Transfer Certificate of Title
TESDA	Technical Education and Skills Development Authority
TS	Tropical Storm
TY	Typhoon
UPMO	Unified Project Management Office
WB	World Bank

## Chapter 1 Description of the Project

### 1.1 Background of the Project

The Government of the Philippines has set measures for flood mitigation as one of the important policies in the Philippine Development Plan (2011-2016). The Cagayan de Oro River Basin was selected from 56 priority river basins in “Nationwide Flood Risk Evaluation and Flood Damage Mitigation Plan in Selected River Basin, 2006-2008” by the Department of Public Works and Highways (DPWH) under a technical assistance of the Japan International Cooperation Agency (JICA). Due to urgent need, DPWH conducted a Master Plan (M/P) and a Feasibility Study (F/S) for the Cagayan de Oro River Basin in June 2011.

Tropical Storm (TS) Sendong in December 2011 brought about serious damages in the Northern Mindanao Region. About 1,170 thousand people were affected and about 1,250 persons were lost. One of the seriously damaged cities was the Cagayan de Oro City located at downstream of the Cagayan de Oro River Basin with population of about 600,000. Further, the Cagayan de Oro City was hit again by Typhoon (TY) Pablo in December 2012. Under such circumstances, DPWH and JICA agreed to conduct a technical assistance of JICA on the Preparatory Survey for Flood Risk Management Project for the Cagayan de Oro River (the JICA Survey) to review and update M/P and F/S of DPWH and to formulate a Yen loan project for the Cagayan de Oro River Basin. In the JICA Survey, a revised M/P was formulated, and the priority project (the Project) was selected and recommended to implement.

### 1.2 Project Location

The Project location is situated in the Cagayan de Oro River Basin in the Northern Mindanao Region located over the Cagayan de Oro City and three municipalities of Talakag, Baungon and Libona in Bukidnon and Iligan City as presented in Figure 1.1.

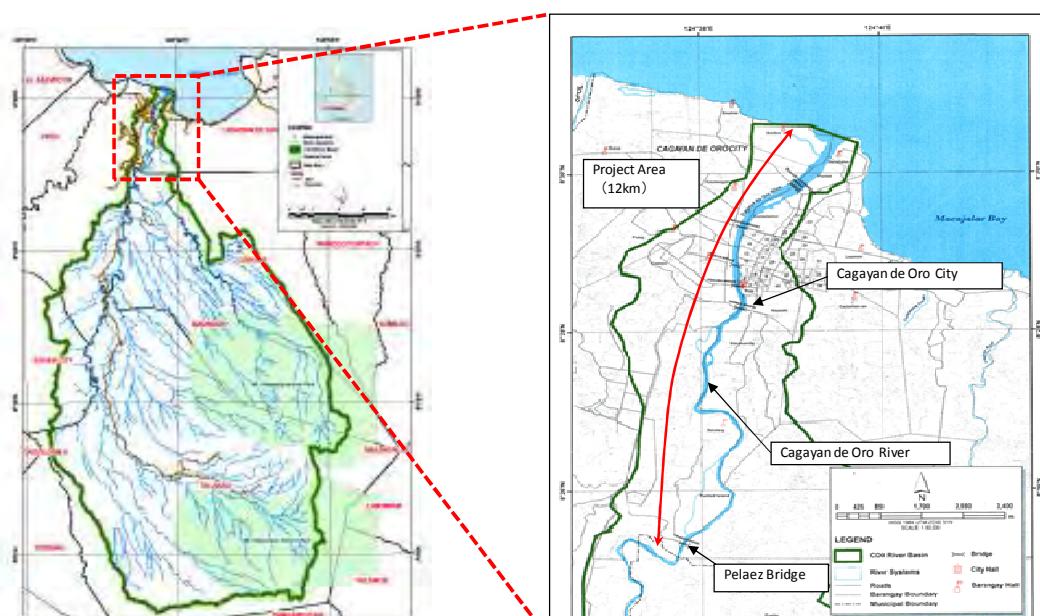


Figure 1.1  
Cagayan de Oro River Basin

Figure 1.2 Project Area  
Downstream of Cagayan de Oro River

### 1.3 Project Area

The Project area is located in the most downstream of the Cagayan de Oro River and its stretch from the Macajalar Bay to the Pelaez Bridge located at 12 km upstream from the river mouth as shown in Figure 1.2.

### 1.4 Project Objective

The primary objective of the Project is to mitigate flood risk in the Cagayan de Oro River Basin through construction of flood mitigation measures and also implementation of non-structural measures.

### 1.5 Project Components

#### 1.5.1 Basic Measures of Flood Risk Management Plan

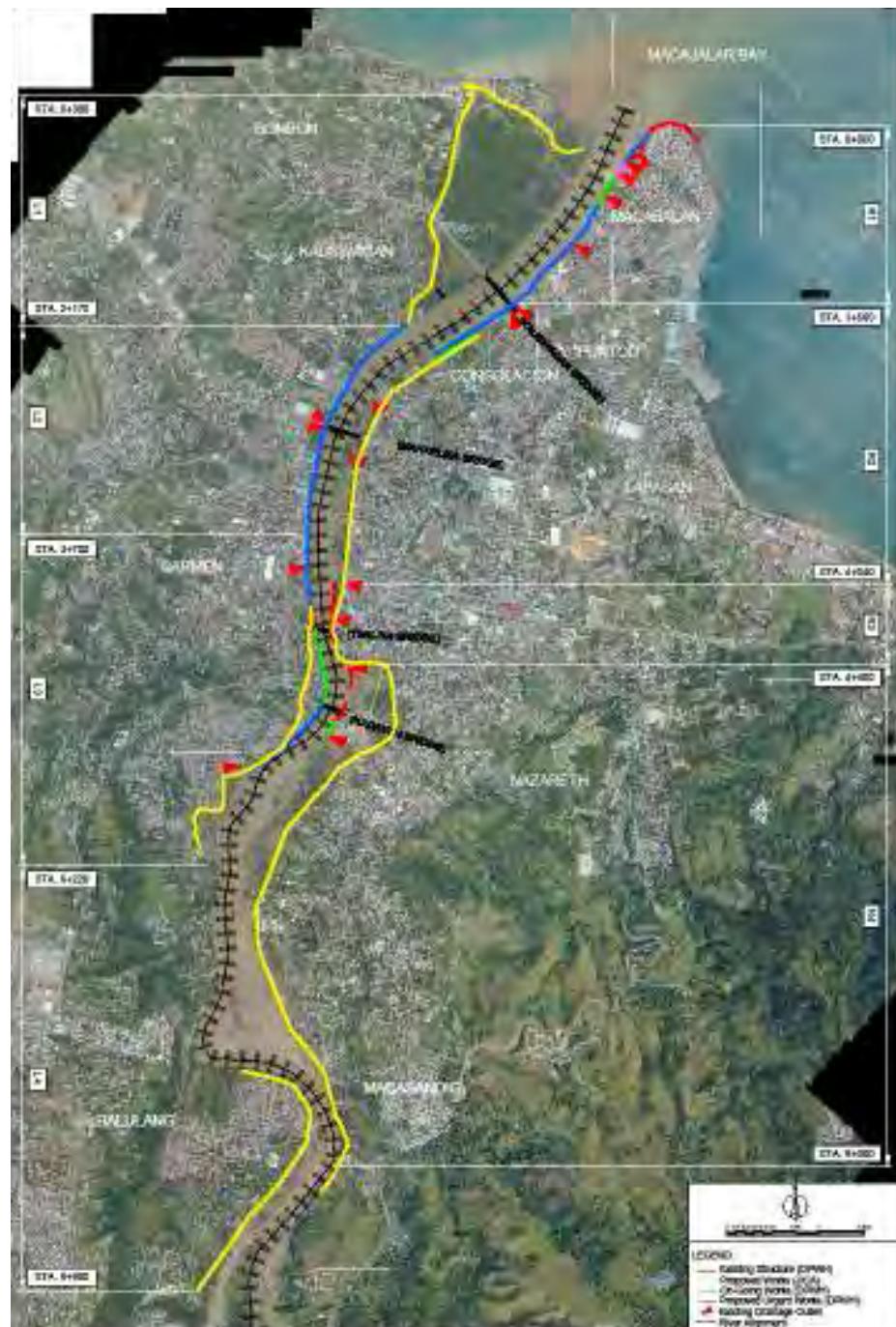
Among the proposed measures in the M/P for flood risk management formulated in the JICA Survey, the following measures were selected as the priority project which should be implemented in a short-mid-term to effectively mitigate flood risks in the Cagayan de Oro River Basin and are composed of structural and non-structural measures.

**Table 1.1 Flood Risk Management Measures of the Project**

Measures	Terms	Contents
Structural Measures	Short-Mid Term	<p>River Improvement in downstream (for floods of 25- Year Probability)</p> <ul style="list-style-type: none"><li>(1) Construction of New Dike/ Retaining Wall</li><li>(2) Installation of Gate and Drainage Outlets</li><li>(3) Construction of New Road/Raising of Existing Road for Evacuation</li><li>(4) Improvement of Kagayan Bridge</li><li>(5) Construction of Retarding Basin</li></ul>
	Maintenance Work	<ul style="list-style-type: none"><li>(6) Periodical Monitoring of River Cross Section and Regular Maintenance Dredging / Channel Excavation</li></ul>
Non-Structural Measures	Short-Mid Term	<ul style="list-style-type: none"><li>(1) Preparation/Update of Flood Hazard Map, Evacuation Planning</li><li>(2) FFWS (Initial Stage for Full Spec)</li><li>(3) Community Based Flood Early Warning System (CBFEWS)</li><li>(4) Information Campaign and Publicity for the Project (Structural Measures)</li><li>(5) Technical Assistance for Land Use Regulation for Habitual Inundation Area</li><li>(6) Technical Assistance for Riparian Forest Establishment in the Agricultural Lands</li><li>(7) Technical Assistance for Mangrove Forest Establishment along the Coastal Areas</li></ul>

#### 1.5.2 Location of Proposed Structural Measures

The locations of proposed structural measures of the Project are indicated by yellow colored lines in Figure 1.3. The figure also show the existing structural measures including planned and on-going construction work of DPWH as mitigation measures after TS Sendong.



**Figure 1.3 Locations of Proposed Structural Measures of the Project**

## Chapter 2 Objectives of Resettlement Plan

### 2.1 Guidelines, Policies and Objectives of Resettlement Action Plan

#### 2.1.1 JICA Guidelines and Policies

A Resettlement Action Plan (RAP) of the Project is prepared in accordance with the following: (a) the JICA Guideline for Environmental and Social Considerations (April 2010), (b) the World Bank (WB) Safeguard Policy (Operational Policies (OP) 4.12 Annex A), and (c) the Philippine laws, regulations, executive orders, policies and department orders.

The policy of DPWH on resettlement was originally formulated and adopted in 1999 as the Land Acquisition, Resettlement and Rehabilitation Policy (LARR). The LARR was revised twice in 2004 and 2006, and the latest revision was made in 2007 and called the Land Acquisition, Resettlement, Rehabilitation and Indigenous People's Policy (LARRIPP). The LARRIPP includes: (a) the principles and objectives of the resettlement policy, (b) the legal framework, (c) the eligibility, compensation and entitlements, (d) the indigenous people's policy framework, (e) the implementation procedures that ensure complaints are processed, (e) the public support and participation and (f) the provision of internal and external monitoring of the implementation of RAP and safeguard instrument for indigenous people.

#### 2.1.2 Principal Objective

The preventive resettlement is applied to the Project by safeguarding people's lives and assets from flood disaster. Resettlement is, however, a complex and multi-dimensional process with potential negative impacts. The principal objective of RAP of the Project is to ensure that resettlement activities of the Project are properly planned so that resettlement becomes an opportunity for project affected persons (PAPs), in order to re-establish and/or improve living conditions in a safe place and reduce exposure to flood disaster risk.

#### 2.1.3 Specific Objectives

Specific objectives of the Project RAP are as follows.

- To identify necessity of resettlement of the Project. (Chapter 2)
- To identify impacts and scale of resettlement of the Project. (Chapter 3)
- To assess socioeconomic characteristics of PAPs of the Project, including socioeconomic status, magnitude and extent of loss of PAPs (Chapter 4).
- To provide legal framework of the Project, including policies and gap analysis of resettlement and land acquisition of the Project. (Chapter 5)
- To provide policies on eligibility for compensation and entitlements, including definition of PAPs, eligibility for compensation and assistance measures, inventory of loss with valuation method for compensation for loss (Chapters 6 & 7).
- To provide resettlement site plan, including assessment of existing resettlement sites, site

selection, and assessment and plan for necessary houses, facilities (Chapter 8).

- To ensure participation of community (Chapter 9).
- To provide grievance redress mechanism of resettlement of the Project (Chapter 10).
- To provide institutional framework of the Project, organizational framework and responsibilities of resettlement implementation of the Project. (Chapter 11)
- To provide implementation schedule of resettlement of the Project (Chapter 12).
- To provide cost and budget of resettlement of the Project (Chapter 13).
- To provide monitoring and evaluation procedures of the Project (Chapter 14).

## **2.2 Preventive Resettlement**

### **2.2.1 Consideration of Disaster Risk Reduction and Management in the Project**

Considering that the Philippines is known as one of the most disaster-prone countries in the world, particularly under prevailing phenomenon of climate change observed over the country in the past years, the Government of the Philippines enacted the Philippine Disaster Risk Reduction and Management Act (Republic Act [RA] 101211) in May 2010, which basically emphasizes preventive measures to reduce people's and infrastructure's exposure to natural hazards and is, therefore, applied to the Project from the viewpoint of flood disasters.

### **2.2.2 Flood Risk Management of the Project as Preventive Measure**

As stated in the Section 2.2.1, the basic concept of flood risk management is applied to the Project as a key preventive measure to reduce exposure to flood disasters, considering that two large-scale floods caused by TS Sendong and TY Pablo hit Cagayan de Oro City in two consecutive years in 2011 and 2012, respectively.

### **2.2.3 Adaptation of Preventive Resettlement to the Project**

In regard with resettlement, the preventive resettlement is applied to the Project, in order to protect human lives and assets of persons at very high flood risk and to provide opportunities for improving or at least restoring their living conditions, unlike planned resettlement often associated with development projects that is usually not necessarily implemented for benefits of the population to be resettled. With adaptation of preventive resettlement, the resettlement of the Project is seen as a positive alternative.

## **2.3 Necessity of Resettlement under the Project**

### **2.3.1 Relocation of People at Very High Flood Risk to Safe Place**

Having adapted preventive resettlement to the Project, the people living in the area where very high flood risk is identified are to be protected and relocated to a safe place where these people are provided with support in rebuilding their livelihoods, which include not only permanent housing at resettlement sites, but also necessary facilities, services, and livelihood improvement measures, in order to restore standard of living and normal development and to ensure sustainability of living at new settlement.

### 2.3.2 Project Components Inducing Resettlement

The components of the Project to induce resettlement are flood control structures such as dike and floodwall, which are constructed at the river boundary and required a right-of-way acquisition of lands with a certain width. The people living at houses and/or structures located on the lands are necessary to be relocated. Aside from the above, lands which become river areas at very high flood risk after construction of structures of the Project need to be acquired. The people living at houses and/or structures on the lands are, therefore, required to be relocated, regardless of project components.

### 2.3.3 Locations of Affected Areas

The map Figure 2.1 shows locations of affected areas of the Project, specifically as follows that: (a) the areas required for construction of structures are the right-of-way areas indicated between yellow lines and (b) the areas which become the river area at high flood risk after

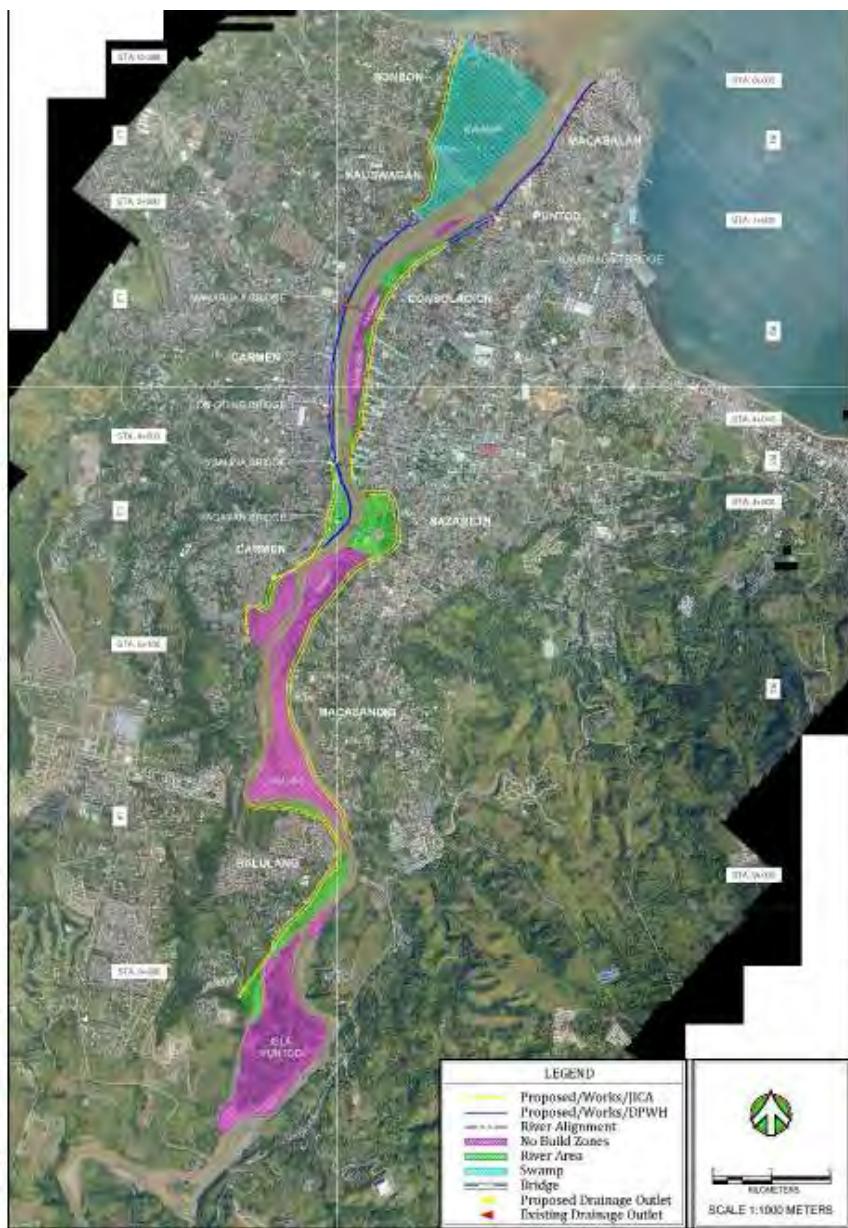


Figure 2.1 Locations of Affected Areas of the Project

construction of structures are indicated in a greenish color. The area indicated in a light blue color is a natural swamp area, and the areas indicated in a purple color are the No Build Zone (NBZ) proposed by the Cagayan de Oro City.

#### 2.3.4 Extent of Project Affected Persons

Based on the affected areas of the Project stated in Section 2.3.3, the extent of PAPs of the Project is defined to include the persons residing in the following areas: (a) the right-of-way area of the Project and (b) the areas which becomes the river area after the construction of the structures of the Project including some PAPs in the NBZ. However, among persons residing in the above project affected areas, the persons who are awardees of the city resettlement project for TS Sendong-affected persons are excluded from PAPs of the Project.

#### 2.3.5 Relevance with Project Affected Area

##### ■ Status of No Build Zone

As the information relevant to affected areas of the Project, the status of the NBZ is explained in terms of land use and zoning regulations. The Cagayan de Oro City is in the process of preparing the Comprehensive Land Use Plan (CLUP) and the Zoning Ordinance (ZO) in consultation with concerned national government agencies such as the National Economic Development Authority (NEDA) and the Housing and Land Use Regulatory Board (HLURB). The CLUP and the ZO are expected to regulate danger areas such as the NBZ along the Cagayan de Oro River from the viewpoint of the disaster risk reduction and management by not allowing development, particularly intended for residential, commercial, institutional and industrial purposes, and also establishment of permanent structures on floodways.

The NBZ areas are being proposed by the Cagayan de Oro City, but need to be further defined, surveyed and delineated, in order to implement and enforce land use and zoning regulations. The CLUP and the ZO need to be, therefore, completed and approved by the City Council of the Cagayan de Oro City through its City Council Resolution and City Ordinance to be officially implemented and enforced, particularly in danger areas along the Cagayan de Oro River such as the NBZ. According to the City Planning and Development Office (CPDO) of the Cagayan de Oro City, the CLUP and the ZO are targeted to be completed by November 2013 at present. It is noted that the draft of the CLUP and the ZO were presented to the Regional Land Use Committee of the Regional Development Council 10 on October 9, 2013 and the City Development Council of the Cagayan de Oro City on October 14, 2013 for an update of status towards endorsement.

Posterior to the approval of the CLUP and the ZO by the City Council of the Cagayan de Oro City, the public hearings (3 times) and the deliberation in the City Council are required be held. Further, the CLUP and the ZO need to be approved by the Regional Land Use Committee of the Regional Development Council 10 (RDC-10) and the HLURB if land use plan and its standard of the RDC-10 and the HLURB are complied in the CLUP and the ZO.

##### ■ Status of Resettlement Project for TS Sendong-Affected Persons

The City Mayor of the Cagayan de Oro City established the Local Inter-Agency Committee (LIAC) on Permanent Housing in Sustainable Communities for affected persons of TS

Sendong including ones in the NBZ in February 2012, in coordination with concerned national and local government agencies and private sectors. The LIAC chaired by the City Mayor is composed of four sub-committees, such as: (a) Social Preparation, (b) Beneficiary Selection, Arbitration and Awards, (c) Resettlement Project Sites and (d) Relocation and Transfer to Permanent Housing. Each sub-committee is chaired by the City Social Welfare Development Office, the City Estate Management Division (CEMD), the National Housing Authority (NHA) and the CPDO with the CEMD, respectively.

The LIAC has provided housing units for affected persons of TS Sendong including ones in NBZ up to now since its establishment and is still in the process of constructing housing units and providing awards for affected persons of TS Sendong. As of August 31, 2013, the LIAC is scheduled to construct total housing units of 9,585 over 21 existing resettlement sites established within the jurisdiction of the Cagayan de Oro City, except two sites located in the Opol Municipality of the Misamis Oriental Province (See Table 9.1 Existing Resettlement Sites in Chapter 9 Resettlement Site Plan) and has completed 5,138 units. Out of the completed units, 4,097 units have been occupied. In terms of providing housing units, key agencies in the LIAC are the Cagayan de Oro City, the NHA and the non-governmental organizations, particularly religious groups. It is noted that some of the 21 resettlement sites had been already established even before TS Sendong occurred as the Socialized Housing Program of the Cagayan de Oro City started in 2005.

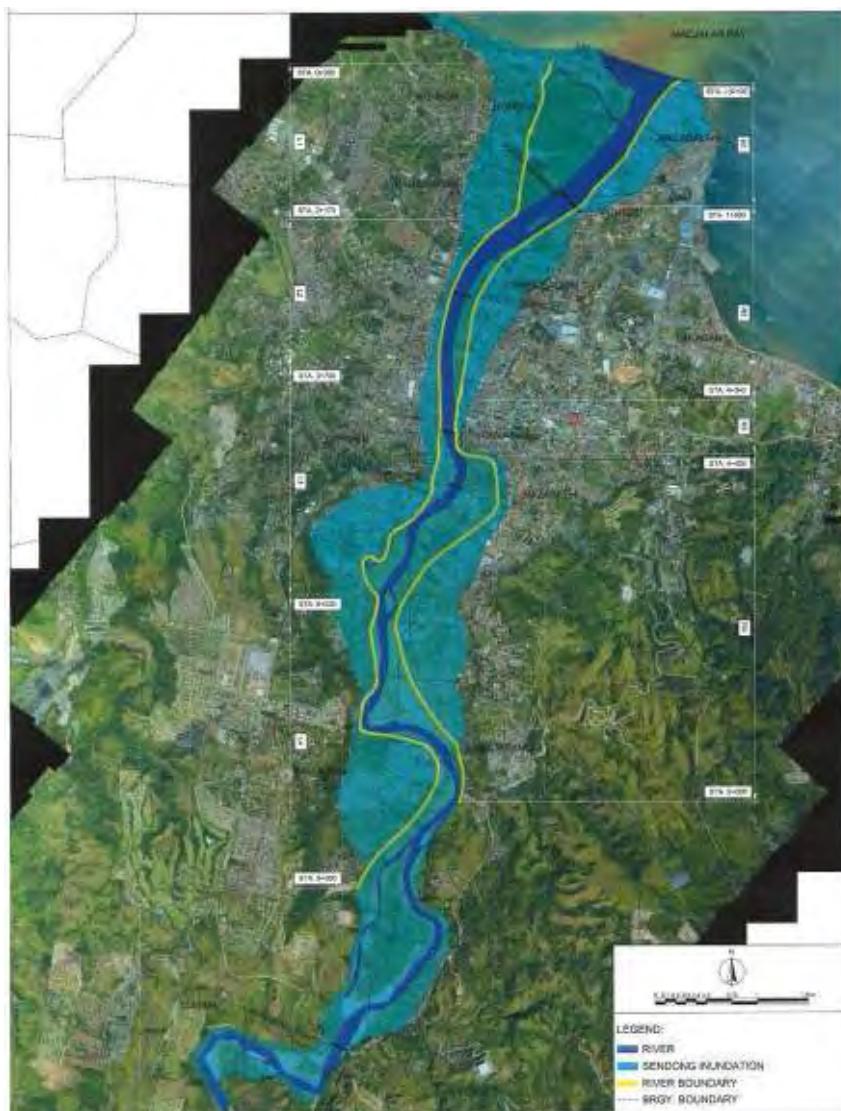
Application, screening and awarding of the resettlement project for affected persons of the TS Sendong are currently still on-going as of November 2013. Accordingly, construction of housing units is also still on-going as well.

## Chapter 3 Impacts of the Project

### 3.1 River Boundary and Flood Risk

### 3.1.1 Establishment of River Boundary

The river boundary along the Cagayan de Oro River was established, in consideration with existence of wider flood-prone area than the NBZ declared after TS Sending, and based on results of studies for river morphology, inundation analysis and flood risk assessment. The river boundary is shown in Figure 3.1 below.



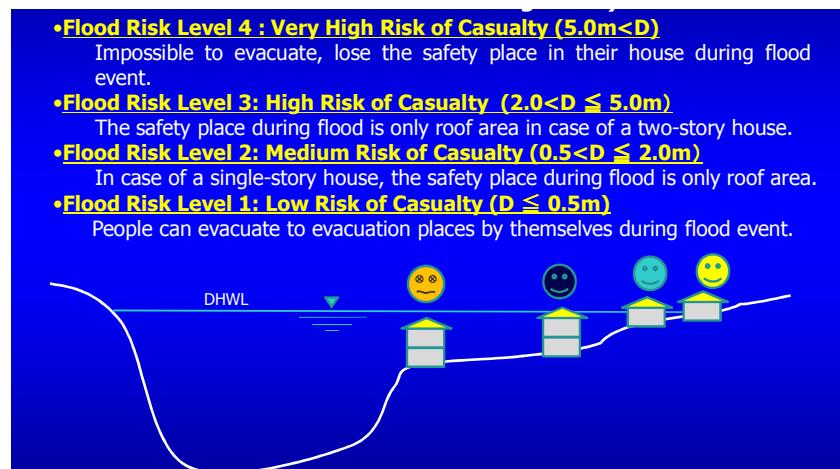
**Figure 3.1 Base Map for Study of River Boundary in Cagayan de Oro River**

### 3.1.2 Assessment of Flood Risk Level

The flood risk was assessed in reference to the evaluation criteria adapted by the WB Study on the Flood Management Master Plan for Metro Manila and Surrounding Areas (2010). The criteria for assessment of flood risk level is shown in Figure 3.2 and classified into 4 levels:

Flood Risk Level 4 (Very High Risk of Casualty:  $5.0 \text{ m} < D$ ), Flood Risk Level 3 (High Risk of Casualty:  $2.0 \text{ m} < D \leq 5.0 \text{ m}$ ), Flood Risk Level 2 (Medium Risk of Casualty:  $0.5 \text{ m} < D \leq 2.0 \text{ m}$ ), Flood Risk Level 1 (Low Risk of Casualty ( $D \leq 0.5 \text{ m}$ )).

According to the assessment of flood risk level, the river boundary is set along the outer line of the Flood Risk Level 4 where local residents are impossible to evacuate, lose the safety place in their house during flood event. The area of Flood Risk Level 4 was seriously damaged by recent floods repeatedly.



Source: WB Flood Management M/P for Metro Manila & Surrounding Areas (2010)

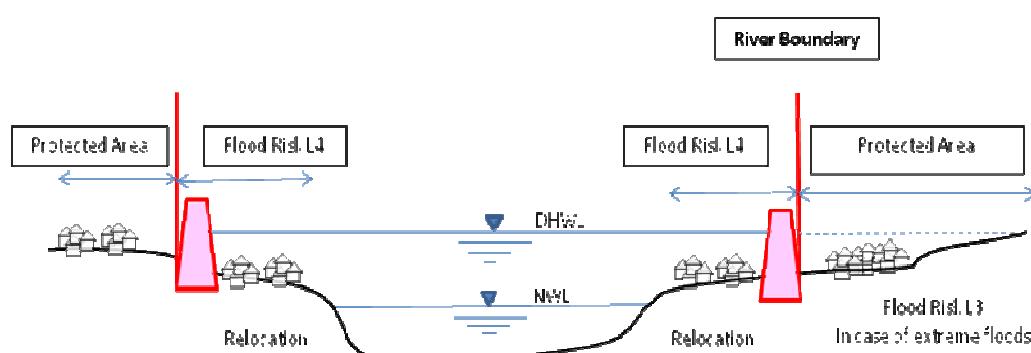
**Figure 3.2 Criteria for Assessment of Flood Risk Level**

### 3.2 Identification of Impacts by the Project

#### 3.2.1 Basic Concept of Flood Risk Management of the Project

As stated in the above sections, the area of the Flood Risk Level 4 is not the safe place where people can live and, therefore, it is highly recommended for people not to live and put any structure in this area. The basic concept of flood risk management of the Project is, therefore, to relocate people living in the area of the Flood Risk Level 4 to safe place and to protect people in the Flood Risk Levels 1 to 3, as shown in Figure 3.3.

In case of breaching of dike by extreme floods like TS Sendong, this basic concept will protect human lives in the Flood Risk Levels 1 to 3 from serious flooding, in combination with flood forecasting and early warning systems and evacuation system.



**Figure 3.3 Conceptual Illustration of Flood Risk Management of the Project**

### 3.2.2 Extent of Impacts by the Project

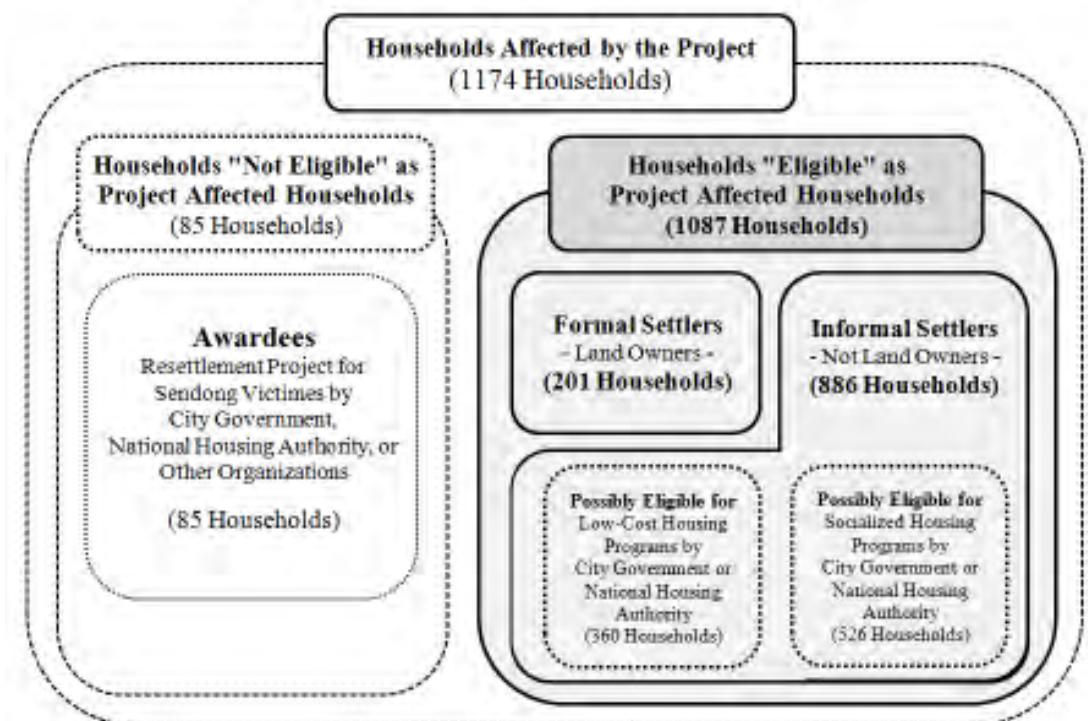
Based on the basic concept of flood risk management of the Project, extent of major impacts of the Project was identified and is outlined below.

- Impacts on people – There are two kinds of people to be affected by the Project in principle: (a) people who reside in the project affected area and have a title or tax declaration on lands and (b) people who reside in the project affected area and have no title or no tax declaration on lands. The former is termed as formal settlers, and the later is termed as informal settlers.
- Impacts on land – There are two kinds of land to be acquired for the Project in principle: (a) lands required for the right-of-way of construction of structures of the Project such as dike and floodwall and (b) lands which become river area at very high flood risk after structures of the Project are constructed.
- Impacts on structures – There are structures required to be relocated for the Project such as residential, commercial, institutional, and any other kind of structures which are located in the right-of-way area and the river area.
- Impacts on improvements, trees and crops – There are improvements to be affected by the Project such as sheds, toilets, fences, storerooms, other structures and trees.

### 3.2.3 Coverage of Project Affected Households

The coverage of the project affected households is illustrated based on the scope of resettlement impact described in the following section.

**Figure 3.4 Coverage of Project Affected Households**



### 3.3 Scope of Resettlement Impact

Based on the extent of major impacts of the Project, scope of resettlement was identified and summarized in Table 3.1 below.

**Table 3.1 Summary of Scope of Resettlement Impact**

Affected Units	Type / Use	Sub-Total	Total
Household	No. of Household	Formal	201
		Informal	886
	No. of Members	Formal	867
		Informal	3876
Commercial Business Enterprises (CBEs) and Community Owned Structures (COSSs)	No. of CBEs and COSSs	Formal	14
		Informal	58
	No. of Persons Living in CBEs and COSSs	Formal	21
		Informal	85
Land	Area of Land (m <sup>2</sup> )	Residential	-
Structure	Residential	Shanty / Hut	13
		Wooden / Timber	299
		Semi-Concrete	324
		Concrete	311
		Steel	2
		<b>Sub-Total</b>	<b>949</b>
	Private	Commercial	34
		RC Mixed Use	70
		Warehouse	13
		<b>Sub-Total</b>	<b>117</b>
	Public	School	5
		Health	6
		Covered Court	12
		Barangay Facilities	5
		Religious	4
		Shed	30
		<b>Sub-Total</b>	<b>62</b>
Improvements & Trees	Shed	84	4197
	Toilet	170	
	Fence	171	
	Storeroom	34	
	Other Structures	15	
	Trees (Fruit Bearing)	3572	
	Trees (Non-Fruit Bearing)	151	

#### 3.3.1 Number of Project Affected Units and Persons

The number of project affected units (PAUs) and PAPs is summarized in Table 3.2 below. All PAUs and PAPs are required for displacement. It is noted that there are staff identified living in some of commercial business enterprises and community owned structures.

**Table 3.2 Number of Project Affected Units and Persons**

Type of Unit	Type of Loss	No. of PAUs			No. of PAPs		
		Formal	Informal	Total	Formal	Informal	Total
Household	Land owners on public land	0	0	0	0	0	0
	Land owners on private land	201	0	201	867	0	867
	Occupants with permission	0	366	366	0	1650	1650
	Occupants without permission	0	336	336	0	1502	1502
	Renters	0	154	154	0	634	634
	Sharers	0	14	14	0	53	53
	Caretakers	0	16	16	0	37	37
	Encroachers	0	0	0	0	0	0
	<b>Sub-Total</b>	<b>201</b>	<b>886</b>	<b>1087</b>	<b>867</b>	<b>3876</b>	<b>4743</b>
Business, Community Facilities	CBEs Land owners on public land	0	6	6	0	8	8
	CBEs Land owners on private land	12	27	39	16	49	65
	COSs Community owned structures	2	25	27	5	28	33
	<b>Sub-Total</b>	<b>14</b>	<b>58</b>	<b>72</b>	<b>21</b>	<b>85</b>	<b>106</b>
<b>Grand Total</b>		<b>215</b>	<b>944</b>	<b>1159</b>	<b>888</b>	<b>3961</b>	<b>4849</b>

### 3.3.2 Dimension of Project Affected Lands

The area of project affected lands is summarized in Table 3.3 below.

**Table 3.3 Dimension of Project Affected Lands by Barangay**

No.	Location	Type of Land	Area (m2)
1	Barangay Bon-Bon	Residential	28,194
2	Barangay Kauswagan	Residential	19,950
3	Barangay Carmen	Residential	82,692
4	Barangay Balulang	Residential	237,422
5	Barangay Consolacion	Residential	74,129
6	Barangay 17	Residential	8,815
7	Barangay 15	Residential	14,913
8	Barangay 13	Residential	8,943
9	Barangay 10	Residential	6,383
10	Barangay 7	Residential	13,005
11	Barangay 6	Residential	4,507
12	Barangay 2	Residential	1,500
13	Barangay 1	Residential	1,133
14	Barangay Nazareth	Residential	100,070
15	Barangay Macasandig	Residential	145,639
<b>Total</b>			<b>747,296</b>

### 3.3.3 Dimension of Project Affected Structures

The total number of project affected structures by barangay is summarized in Table 3.4

**Table 3.4 Dimension of Project Affected Structures by Barangay**

No.	Location	Use of Building	Type of Building	Sub-Total	Total
1	Barangay Bon-Bon	Residential	Shanty / Hut	0	90
			Wooden / Timber	36	
			Semi-Concrete	26	
			Concrete	12	
			Steel	0	
		Private	RC Mixed Use	1	
			Warehouse	5	
		Public	School	4	
			Covered Court	2	
			Shed	4	
2	Barangay Kauswagan	Residential	Shanty / Hut	0	3
			Wooden / Timber	3	
			Semi-Concrete	0	
			Concrete	0	
			Steel	0	
3	Barangay Carmen	Residential	Shanty / Hut	3	245
			Wooden / Timber	23	
			Semi-Concrete	85	
			Concrete	93	
			Steel	1	
		Private	Commercial	11	
			RC Mixed Use	18	
			Warehouse	4	
		Public	Health	1	
			Covered Court	1	
			Religious	1	
			Shed	4	
4	Barangay Balulang	Residential	Shanty / Hut	0	42
			Wooden / Timber	8	
			Semi-Concrete	7	
			Concrete	24	
			Steel	0	
		Public	Shed	3	
5	Barangay Consolacion	Residential	Shanty / Hut	0	368
			Wooden / Timber	141	
			Semi-Concrete	82	
			Concrete	99	
			Steel	0	
		Private	Commercial	7	
			RC Mixed Use	26	
			Warehouse	2	
		Public	School	1	
			Health	2	
			Covered Court	4	
			Barangay Facilities	1	
			Religious	1	
			Shed	2	
6	Barangay 17	Residential	Shanty / Hut	0	48
			Wooden / Timber	20	
			Semi-Concrete	19	

**Table 3.4 Dimension of Project Affected Structures by Barangay**

No.	Location	Use of Building	Type of Building	Sub-Total	Total
		Private	Concrete	5	
			Steel	1	
			RC Mixed Use	3	
7	Barangay 15	Residential	Shanty / Hut	5	70
			Wooden / Timber	16	
			Semi-Concrete	16	
			Concrete	13	
			Steel	0	
		Private	Commercial	3	
			RC Mixed Use	7	
		Public	Health	2	
			Covered Court	3	
			Barangay Facilities	1	
			Religious	1	
			Shed	3	
8	Barangay 13	Residential	Shanty / Hut	0	43
			Wooden / Timber	8	
			Semi-Concrete	19	
			Concrete	18	
			Steel	0	
		Private	Commercial	2	
9	Barangay 10	Residential	Shanty / Hut	0	24
			Wooden / Timber	3	
			Semi-Concrete	10	
			Concrete	3	
			Steel	0	
		Private	Commercial	1	
			RC Mixed Use	4	
		Public	Covered Court	1	
			Barangay Facilities	1	
			Shed	1	
10	Barangay 7	Residential	Shanty / Hut	1	51
			Wooden / Timber	6	
			Semi-Concrete	20	
			Concrete	6	
			Steel	0	
		Private	Commercial	3	
			RC Mixed Use	9	
		Public	Health	1	
			Covered Court	1	
			Barangay Facilities	1	
			Shed	3	
11	Barangay 6	Residential	Shanty / Hut	0	2
			Wooden / Timber	0	
			Semi-Concrete	0	
			Concrete	0	
			Steel	0	
		Private	Commercial	2	
12	Barangay 2	Residential	Shanty / Hut	0	0
			Wooden / Timber	0	

**Table 3.4 Dimension of Project Affected Structures by Barangay**

No.	Location	Use of Building	Type of Building	Sub-Total	Total
			Semi-Concrete	0	
			Concrete	0	
			Steel	0	
13	Barangay 1	Residential	Shanty / Hut	0	0
			Wooden / Timber	0	
			Semi-Concrete	0	
			Concrete	0	
			Steel	0	
14	Barangay Nazareth	Residential	Shanty / Hut	0	5
			Wooden / Timber	1	
			Semi-Concrete	0	
			Concrete	3	
			Steel	0	
			Public	1	
15	Barangay Macasandig	Residential	Shanty / Hut	4	133
			Wooden / Timber	34	
			Semi-Concrete	40	
			Concrete	35	
			Steel	0	
		Private	Commercial	5	
			RC Mixed Use	2	
			Warehouse	2	
		Public	Barangay Facilities	1	
			Religious	1	
			Shed	9	
<b>Total</b>				<b>1128</b>	

### 3.3.4 Number of Project Affected Improvements

The total number of project affected improvements and trees by barangay is summarized in Table 3.5

**Table 3.5 Number of Project Affected Improvements and Trees by Barangay**

No.	Location	Type of Improvements	Sub-Total	Total
1	Barangay Bon-Bon	Shed	6	125
		Toilet	14	
		Fence	20	
		Storeroom	3	
		Other Structures	1	
		Trees (Fruit Bearing)	71	
		Trees (Non-Fruit Bearing)	10	
2	Barangay Kauswagan	Shed	2	83
		Toilet	0	
		Fence	0	
		Storeroom	0	
		Other Structures	0	
		Trees (Fruit Bearing)	51	
		Trees (Non-Fruit Bearing)	30	
3	Barangay Carmen	Shed	17	<b>517</b>

**Table 3.5 Number of Project Affected Improvements and Trees by Barangay**

No.	Location	Type of Improvements	Sub-Total	Total
		Toilet	38	
		Fence	57	
		Storeroom	16	
		Other Structures	5	
		Trees (Fruit Bearing)	352	
		Trees (Non-Fruit Bearing)	32	
4	Barangay Balulang	Shed	5	
		Toilet	1	
		Fence	13	
		Storeroom	0	
		Other Structures	1	
		Trees (Fruit Bearing)	19	
		Trees (Non-Fruit Bearing)	3	
5	Barangay Consolacion	Shed	18	
		Toilet	61	
		Fence	42	
		Storeroom	7	
		Other Structures	2	
		Trees (Fruit Bearing)	227	
		Trees (Non-Fruit Bearing)	35	
6	Barangay 17	Shed	2	
		Toilet	9	
		Fence	3	
		Storeroom	1	
		Other Structures	0	
		Trees (Fruit Bearing)	159	
		Trees (Non-Fruit Bearing)	14	
7	Barangay 15	Shed	6	
		Toilet	5	
		Fence	9	
		Storeroom	2	
		Other Structures	1	
		Trees (Fruit Bearing)	62	
		Trees (Non-Fruit Bearing)	0	
8	Barangay 13	Shed	2	
		Toilet	7	
		Fence	2	
		Storeroom	0	
		Other Structures	1	
		Trees (Fruit Bearing)	44	
		Trees (Non-Fruit Bearing)	3	
9	Barangay 10	Shed	1	
		Toilet	1	
		Fence	12	
		Storeroom	1	
		Other Structures	3	
		Trees (Fruit Bearing)	10	
		Trees (Non-Fruit Bearing)	1	
10	Barangay 7	Shed	5	
		Toilet	4	

**Table 3.5 Number of Project Affected Improvements and Trees by Barangay**

No.	Location	Type of Improvements	Sub-Total	Total
		Fence	7	
		Storeroom	0	
		Other Structures	0	
		Trees (Fruit Bearing)	52	
		Trees (Non-Fruit Bearing)	4	
11	Barangay 6	Shed	0	0
		Toilet	0	
		Fence	0	
		Storeroom	0	
		Other Structures	0	
		Trees (Fruit Bearing)	0	
		Trees (Non-Fruit Bearing)	0	
12	Barangay 2	Shed	0	0
		Toilet	0	
		Fence	0	
		Storeroom	0	
		Other Structures	0	
		Trees (Fruit Bearing)	0	
		Trees (Non-Fruit Bearing)	0	
13	Barangay 1	Shed	0	0
		Toilet	0	
		Fence	0	
		Storeroom	0	
		Other Structures	0	
		Trees (Fruit Bearing)	0	
		Trees (Non-Fruit Bearing)	0	
14	Barangay Nazareth	Shed	1	22
		Toilet	0	
		Fence	1	
		Storeroom	0	
		Other Structures	0	
		Trees (Fruit Bearing)	20	
		Trees (Non-Fruit Bearing)	0	
15	Barangay Macasandig	Shed	19	2583
		Toilet	30	
		Fence	5	
		Storeroom	4	
		Other Structures	1	
		Trees (Fruit Bearing)	2505	
		Trees (Non-Fruit Bearing)	19	
<b>Total</b>			<b>4197</b>	

## Chapter 4 Outline of Socioeconomic Survey

### 4.1 Socioeconomic Survey

In order to assess the socioeconomic characteristics of as well as the extent of loss and displacement of the project affected families (PAFs) and PAPs, the following studies such as: (a) Census; (b) Property and Land; and (c) Household and Living Condition were conducted in July 2013. The cut-off date of the Census was July 18, 2013.

The survey were conducted in 15 barangays along the affected areas in the river identified as left bank barangays (Barangays Bonbon, Kauswagan, Carmen, Balulang), the right bank barangays (Barangays Consolacion, Nazareth, Macasandig) and also the right bank poblacion barangays (Barangays 1, 2, 6, 7, 10, 13, 15, 17). It is noted that no households and no structures were identified in Barangays 1 and 2, while land acquisition in Barangays 1 and 2 is required by the Project. Table 4.1 shows PAUs composed of: (a) affected households (1087 families) and affected business and community establishments (72 units).

**Table 4.1 Project Affected Units under Census**

Barangay	Household		Business & Community Establishments		Total
	Household Only	Business at Residence	Business	Community	
Bonbon	71	3	1	2	77
Kauswagan	2	1	0	0	3
Carmen	159	24	7	2	192
Balulang	39	4	0	0	43
Consolacion	398	49	12	9	468
Brgy 17	61	244	3	0	88
Brgy 15	41	8	6	7	62
Brgy 13	32	6	4	2	44
Brgy 10	14	6	3	1	24
Brgy 7	37	8	4	4	53
Brgy 6	0	0	1	0	1
Brgy 2	0	0	0	0	0
Brgy 1	0	0	0	0	0
Nazareth	2	1	0	0	3
Macasandig	91	6	4	0	101
<b>Sub-Total</b>	<b>947</b>	<b>140</b>	<b>45</b>	<b>27</b>	
<b>Total</b>	<b>1087</b>		<b>72</b>		<b>1159</b>

### 4.2 Key Results of Survey

#### 4.2.1 Outline of Key Results

The outline of results of the socioeconomic survey is summarized in Table 4.2 below.

**Table 4.2 Summary of Results of Socioeconomic Survey**

Key Contents / Information	Outline of Key Contents / Information
- Household Heads	<ul style="list-style-type: none"> <li>- Place of origin: almost half of household heads are from their respective barangays, while others came from other barangays in Cagayan de Oro, other areas in Misamis Oriental Province or other areas in Mindanao.</li> <li>- Gender: Female heads (80.4%) and female heads (19.6%) of 1,087 household heads</li> <li>- Age: relatively young between 21 and 40 (39.2%)</li> <li>- Educational attainment: high school graduate (24.8%)</li> <li>- Primary occupation: self-employed (14.8%), service workers (18.0%), laborers (13.4%), construction workers (8.2%) at generally not permanent and hired as contractual or seasonal.</li> <li>- Employment status: unemployed (8.9%).</li> <li>- Fund membership: no membership (51.0%), Social Security System (SSS) membership (30.3%), both SSS and Pag-Ibig Fund (10.4%). (*)</li> <li>- Land tenurial status: land owner (18.5%) , non-land owner (81.5%)</li> </ul>
- Household & Members	<ul style="list-style-type: none"> <li>- Number of households living in a structure: only one household (62.6%)</li> <li>- Number of household members: 3,976 (male: 1,520 or 41.6% and female: 2,332 or 58.4%)</li> <li>- Age of household members: 20 years old and below (55.4%), between 21 – 40 years old (29.4%)</li> <li>- Educational attainments of members: elementary undergraduate (21.3%), college undergraduate (15.7%), high school undergraduate (15.3%), high school graduate (13.6%), college graduate (10.8%).</li> <li>- Primary occupation of members: mostly engaged in unskilled and short-time occupations.</li> <li>- Employment status: unemployed (73.7%).</li> <li>- Schooling status: 76.8% of schooling age of 6-21 years old (1,539) are enrolled</li> </ul>
- Household and Living Conditions	<ul style="list-style-type: none"> <li>- Length of residency: living in the area more than 25 years (35.4%)</li> <li>- Total monthly income: P10000 or below (about 56.1%)</li> <li>- Available utilities: power (94.1%), and water supply for drinking (54.4%) and domestic water (92.4%) from piped lines.</li> </ul>
- Awareness of the Project	<ul style="list-style-type: none"> <li>- Awareness: many (48.8%) indicated that they are aware of the Project to put up flood mitigation measures, while the remaining (51.2%) responded that they do not know about the Project.</li> <li>- Opinion on relocation and resettlement: the majority (85.9%) addressed that they would be willing to relocate and resettle.</li> </ul>
- Relocation and Livelihood	<ul style="list-style-type: none"> <li>- Preferred relocation option: relocation within the city (56.3%), relocation within the same barangay (28.8%) and relocation nearby barangay (8.5%).</li> <li>- Preferred relocation type: self-relocation with Project's assistance (51.5%), group relocation with Project's assistance (28.2%).</li> <li>- Preferred livelihood assistance: cash assistance (88.6%).</li> <li>- Desired facilities: on-site government hospital (35.7%), market (15.4%), elementary school (15.0%), health center (13.7%), barangay center (6.0%), high school (3.7%), livelihood center (3.6%).</li> <li>- Use of compensation: construction of new house (38.4%), purchase of land (33.0%), intention to invest in business</li> </ul>

**Table 4.2 Summary of Results of Socioeconomic Survey**

Key Contents / Information	Outline of Key Contents / Information
	(21.7%).
- Vulnerability of Households	- Vulnerable households: landless households (68.8%), elderly headed households (8.6%), female headed households (3.2%), disabled headed households (2.0%), solo parent headed household heads (0.9%).
- Skills and Business	- Existing skills: existing prevailing skills of employable household members (15 years old and above) are not highly specialized in nature such as for construction workers and service workers. - Skill training preference: desired skills are almost the same as those of existing ones, probably due to its familiarity and/or wish to upgrade skills. - Business training preference: preferred businesses are those that require minimal start-up capita and management skills such as sari-sari store, commercial cooking, tailoring.

Note (\*):

Social Security System and Pag-Ibig-Fund are both part of the national social security system of the Philippines, whose members are availed of financial services such as general loan services and special loan services for calamity and housing, for example. If PAPs are members of these national social security systems, the said financial services are availed of at the time of or after relocation.

#### 4.2.2 Results Related to Entitlements

Of the results of the socioeconomic survey presented in Table 4.2, the results related to entitlements are summarized in Table 4.3 below.

**Table 4.3 Results of Socioeconomic Survey Related to Entitlements**

Key Contents	Results Related to Entitlements
- Household Heads	- Employment status: unemployed (8.9%). - Land tenurial status: land owner (18.5%), non-land owner (81.5%)
- Household & Members	- Employment status: unemployed (73.7%).
- Household and Living Conditions	- Total monthly income: P10000 or below (about 56.1%)
- Vulnerability of Households	- Vulnerable households: landless households (68.8%), elderly headed households (8.6%), female headed households (3.2%), disabled headed households (2.0%), solo parent headed household heads (0.9%).

#### 4.3 Key Profile of Project Affected Households

##### 4.3.1 Profile of the Household Heads

###### ■ Place of Origin

Out of the total of the 1,087 household heads, almost half of the household heads (49.1%) are original settlers of their respective barangays while others came from other barangays of CDO, Misamis Oriental and other parts of Mindanao. A few hailed from Visayas and Luzon.

**Table 4.4 Place of Origin of Household Heads (N=1087)**

Within Barangay	Other Barangay Within CDO	Within Province (Except CDO)	Mindanao (Except Misamis Oriental)	Visayas	Luzon	Total
534	127	135	189	86	16	<b>1087</b>
49.1%	11.7%	12.4%	17.4%	7.9%	1.5%	100.0%

■ Gender

Of all the household heads, 874 are men and 213 are women. Most of the female headed households (145) are located in the right-of-way areas of the Project.

**Table 4.5 Gender of Household Heads (N=1087)**

Gender	Men	Women	Total
Number	874	213	1087
%	80.4%	19.6%	100.0%

■ Age

Many of the household heads (39.2%) are relatively young, belonging to the 21-40 years old age bracket. About 38.0% are in the age range of 51 years and above.

**Table 4.6 Age of Household Heads (N=1087)**

Gender	Age Range						Total
	20 & Below	21 - 30	31 - 40	41 - 50	51 - 60	61 & Above	
Male	11	150	230	187	169	127	<b>874</b>
Female	3	18	28	47	47	70	<b>213</b>
<b>Total</b>	<b>14</b>	<b>168</b>	<b>258</b>	<b>234</b>	<b>216</b>	<b>197</b>	<b>1087</b>
%	1.3%	15.5%	23.7%	21.5%	19.9%	18.1%	100.0%

■ Educational Attainment

Many of the household heads are high school graduate (24.8%); followed by college undergraduate (20.2%) and college graduate at 18.4%.

**Table 4.7 Educational Attainment of Household Heads (N=1087)**

Educational Attainment	Male	Female	Total	%
No Formal Education	1	1	2	0.2%
Not in School Age	0	0	0	0.0%
Pre-School	0	0	0	0.0%
Elementary Undergraduate	70	6	76	7.0%
Elementary Graduate	81	20	101	9.3%
High School Undergraduate	134	23	157	14.4%
High School Graduate	218	52	270	24.8%
Vocational / Technical School	51	3	54	4.9%
Certificate Course	2	1	3	0.3%
College Undergraduate	172	48	220	20.2%
College Graduate	142	58	200	18.4%
Post Graduate	3	1	4	0.5%
<b>Total</b>	<b>874</b>	<b>213</b>	<b>1087</b>	<b>100%</b>

■ Primary Occupation/Income Source and Location

Many of the household heads (14.8%) are self-employed while others mainly work as service workers (18.0%), laborer (13.4%) and construction workers (8.2%). Hence, they are mostly working at CDO in their own barangays or other barangays within CDO. There are some household heads that receive remittance (5.6%) and for those who had retired, their monthly pension. Nine (8.9%) are not employed.

**Table 4.8 Primary Occupation and Source of Income of Household Heads (N=1087)**

Type of Occupation	Male	Female	Total	%
Officials of Government Agencies	16	0	16	1.5%
Professionals	26	6	32	2.9%
Technicians	15	2	17	1.6%
Employees & Staff of Government Agencies	11	2	13	1.2%
LGU Officials & Workers	12	5	17	1.6%
Clarks	15	4	19	1.7%
Service Workers	185	10	195	18.0%
Shop & Market Sales Workers	29	5	34	3.1%
Construction Workers	88	1	89	8.2%
Traders and Related Workers	70	5	75	6.9%
Farm and Factory Workers & Fishermen	12	0	12	1.1%
Laborers & Unskilled Workers	128	18	146	13.4%
Entertainment & Recreation Workers	7	2	9	0.8%
Special Occupation	9	1	10	0.9%
Business / Self-Employed	105	56	161	14.8%
Remittance	27	34	61	5.6%
Pensions / 4Ps	49	29	78	7.2%
Rental	4	2	6	0.6%
None	66	31	97	8.9%
<b>Total</b>	<b>874</b>	<b>213</b>	<b>1087</b>	<b>100.0%</b>

■ Employment Status

The table below shows that jobs of household heads, generally, are not permanent and at times, intermittent and seasonal. They are usually hired as contractual or casual workers.

**Table 4.9 Employment Status of Household Heads (N=1087)**

Permanent / Regular	Casual / Temporary	Contractual	Seasonal / Intermittent	Self-Employed	Others	Not Applicable	Total
260	115	120	93	272	4	223	1087
23.9%	10.6%	11.0%	8.6%	25.0%	0.4%	20.5%	100.0%

■ Fund Membership

Fifty one (51%) percent of the household heads are not members of any funding institution. 30.3% are SSS members while 10.4% are members of both SSS and PAGIBIG. A few (1.7%) are members of GSIS. The members of these institutions would have at least access to credit that might come handy at times of financial crisis.

**Table 4.10 Fund Membership of Household Heads (N=1087)**

GSIS	SSS	PAGIBIG	GSIS and SSS	GSIS and PAGIBIG	SSS and PAGIBIG	GSIS, SSS and PAGIBIG	None	Total
19	329	6	15	19	113	32	554	<b>1087</b>
1.7%	30.3%	0.6%	1.4%	1.7%	10.4%	2.9%	51.0%	100.0%

■ Land Tenurial Status on Land

Out of the total of the 1,087 household heads, 201 household heads are land owners and the remaining of 886 household heads are non-land owners.

**Table 4.11 Land Tenurial Status of Household Heads**

Owner		Non-Owner					
Owner	Co-Owner	Occupants with Permission	Occupants without Permission	Renter	Sharer	Caretaker	Total
156	45	366	336	154	14	16	1087
14.4%	4.1%	33.7%	30.9%	14.2%	1.3%	1.5%	100.0%

4.3.2 Profile of the Households

■ Number of Households Currently Living in the Structure

Generally only one household lives in a structure (62.6%). However, there are also cases of two households occupying a structure (20.5%) and in few instances 3 households (9.1%), 4 households (3.1%) and 5 households (2.7%) in one structure as well. An extreme case was noted in Barangay Consolacion where 7 households are apparently living in one structure.

**Table 4.12 Number of Households per Structure (N=1087)**

One	Two	Three	Four	Five	Six	Seven	Total
681	223	99	34	29	14	7	<b>1087</b>
62.6%	20.5%	9.1%	3.1%	2.7%	1.3%	0.7%	100.0%

■ Number of Household Members

There are 3,656 household members (excluding household heads of 1087 from the total household members of 4743), of which 1,520 are male (41.6%) and 2,136 are female (58.4%) as indicated in Table 4.12

**Table 4.13 Number and Gender of Household Members (N=3656)**

Gender	Male	Female	Total
Number	1520	2136	3656
%	41.6%	58.4%	100.0%

■ Age of Household Members

The household members are also relatively young with 55.4% of them being 20 years and below and about 29.4% belonging to the 21-40 age range.

**Table 4.14 Age of Household Members (N=3656)**

Gender	Age Range						Total
	20 & Below	21 - 30	31 - 40	41 - 50	51 - 60	61 & Above	
Male	1032	292	109	43	26	18	<b>1520</b>
Female	995	403	271	207	159	101	<b>2136</b>
<b>Total</b>	<b>2027</b>	<b>695</b>	<b>380</b>	<b>250</b>	<b>185</b>	<b>119</b>	<b>3656</b>
%	55.4%	19.0%	10.4%	6.8%	5.1%	3.3%	100.0%

■ Educational Attainment of Household Members

Of the 3,656 household members, 21.3% are elementary undergraduate, 15.7% are college undergraduate, 15.3% are high school undergraduate, 13.6% are high school graduate and 10.8% are college graduate indicating the importance being placed on education by the households. Since there are more female than male household members, the women have outnumbered the male in almost all educational levels.

**Table 4.15 Educational Attainment of Household Members (N=3656)**

Educational Attainment	Male	Female	Total	%
No Formal Education	18	17	35	1.0%
Not in School Age	228	206	434	12.0%
Pre-School	83	82	165	4.5%
Elementary Undergraduate	369	411	780	21.3%
Elementary Graduate	49	91	140	3.8%
High School Undergraduate	246	314	560	15.3%
High School Graduate	151	348	499	13.6%
Vocational / Technical School	29	33	62	1.7%
Certificate Course	3	4	7	0.2%
College Undergraduate	223	350	573	15.7%
College Graduate	121	275	396	10.8%
Post Graduate	0	5	5	0.1%
<b>Total</b>	<b>1520</b>	<b>2136</b>	<b>3656</b>	<b>100.0%</b>

■ Primary Occupation and Income Source of Household Members Engaged in Occupations

Out of 3656 household members, 939 members are engaged in occupations. These members are basically engaged in occupations that do not require much skill and are most likely to be short-term in duration such as laborer (20.7%) and shop and market sales related (12.0%), service (10.0%) and construction work related (3.6%). 19.3% are self-employed and have small business on their own.

**Table 4.16 Primary Occupation and Source of Income of Household Members Engaged in Occupations (N=939)**

Type of Occupation	Male	Female	Total	%
Officials of Government Agencies	3	6	9	1.0%
Professionals	16	58	74	7.9%
Technicians	15	9	24	2.6%
Employees & Staff of Government Agencies	5	8	13	1.4%
LGU Officials & Workers	8	8	16	1.7%
Clarks	13	34	47	5.0%
Service Workers	54	40	94	10.0%
Shop & Market Sales Workers	33	80	113	12.0%

**Table 4.16 Primary Occupation and Source of Income of Household Members Engaged in Occupations (N=939)**

Type of Occupation	Male	Female	Total	%
Construction Workers	33	1	34	3.6%
Traders and Related Workers	34	26	60	6.4%
Farm and Factory Workers & Fishermen	4	3	7	0.7%
Laborers & Unskilled Workers	98	96	194	20.7%
Entertainment & Recreation Workers	6	3	9	1.0%
Special Occupation	4	2	6	0.6%
Business / Self-Employed	26	155	181	19.3%
Remittance	5	14	19	2.0%
Pensions / 4Ps	5	32	37	3.9%
Rental	0	2	2	0.2%
<b>Total</b>	<b>362</b>	<b>577</b>	<b>939</b>	<b>100.0%</b>

■ Employment Status

Table below shows that jobs of household members are also not permanent and at times, intermittent and seasonal, as same as those of household heads. They are usually hired as contractual or casual workers.

**Table 4.17 Employment Status of Household Members (N=939)**

Permanent / Regular	Casual / Temporary	Contractual	Seasonal / Intermittent	Self-Employed	Others	Not Applicable	Total
306	125	172	59	181	3	93	939
32.6%	13.3%	18.3%	6.3%	19.3%	0.3%	9.9%	100.0%

■ Schooling Status of Household Members

The member of the household members who are of schooling age (6-21 years old) is 1,539, of which 76.8% are currently enrolled; comprising of 50.8% men and 49.2% women, a reflection again of the high value given to education by the households. The opportunity to go to school is given to both male and female household members.

**Table 4.18 Schooling Status of Household Members (N=1539)**

Gender	Enrolled	Not Enrolled	Total
Male	606	177	783
Female	576	180	756
<b>Total</b>	<b>1182</b>	<b>357</b>	<b>1539</b>
%	76.8%	23.2%	100.0%

#### 4.3.3 Household and Living Condition of the Households

■ Length of Stay in Current Residence

Many (35.4%) of the households have been residents of the area for more than 25 years. This has made it difficult for them to leave the place despite recurring floods. It is interesting to note, however, that there are respondents who have been there only for less than a year in spite of the experiences during the recent typhoons.

**Table 4.19 Length of Stay of Households (Years) (N=1087)**

1 or less	2 - 5	6 - 10	11 - 15	16 - 20	21 - 24	25 or more	Total
123	147	143	135	105	49	385	1087
11.3%	13.5%	13.2%	12.4%	9.7%	4.5%	35.4%	100.0%

■ Total Monthly Income

Majority (56.1%) of the households have a monthly income of P10000 and below indicating that most of them are below the poverty threshold of the City. The table below indicates the income of the households based on tenurial status with most of the landless earning P10000 or less per month.

**Table 4.20 Monthly Income of Households (N=1087)**

Income Range	Owners	Non-Owners (Landless)	Total	%
10,000 or less	84	526	610	56.1%
10,001-15,000	30	148	178	16.4%
15,001- 20,000	20	85	105	9.7%
20,001-25,000	14	41	55	5.1%
25,001-30,000	10	34	44	4.0%
30,001-35,000	9	12	21	1.9%
35,001-40,000	8	13	21	1.9%
40,001-45,000	8	6	14	1.3%
45,001-50,000	5	9	14	1.3%
50,001 or more	13	12	25	2.3%
<b>Total</b>	<b>201</b>	<b>886</b>	<b>1,087</b>	<b>100.0%</b>

■ Access to Utilities

As shown in the table below, most of the households (94.1%) is using power grid as source of energy, their water supply for drinking water (54.4%) and domestic water (92.4%) from piped lines. A great number of the households also used water sealed latrine (90.2%) for toilet facility. The main source of getting information and news is television (74.7%).

**Table 4.21 Access to Utilities of Households (N=1087)**

Energy (Power Grid)	Drinking Water (Piped Water)	Domestic Water (Piped Water)	Toilet Facility (Water Sealed Latrine)	Source of Information (TV)
1023	591	1004	981	812
94.1%	54.4%	92.4%	90.2%	74.7%

#### 4.3.4 Awareness of the Households on the Project

■ Awareness of the Project

While more than half of the respondents (51.2%) indicated that they are not aware of the Project to put up flood mitigation measures along the affected areas in Cagayan de Oro River, the remaining respondents (48.8%) also responded that they know about the Project.

**Table 4.22 Awareness of the Project (N=1087)**

	Yes	No	Total
Number	530	557	1087
%	48.8%	51.2%	100.0%

■ Source of Information on Project

The respondents who are not aware of the Project (51.2%) came to know about the Project as respondents of the survey. Those who confirmed their knowledge were able to get the information from their neighbors (65.7%) and from LGU officials who had conducted public meetings on this regard (17.7%) as indicated in the table below.

**Table 4.23 Source of Information on the Project (N=530)**

Public Meeting with LGU	Neighbors	Friends / Relatives	Others	Total
94	348	44	44	530
17.7%	65.7%	8.3%	8.3%	100.0%

■ Positive Perception of the Project

The importance of the Project was appreciated given the aftermath of Typhoons Sendong and Pablo.

**Table 4.24 Positive Reasons for Perception of the Project (N=1001)**

Reason	Number	%
Loss of lives & damages to properties caused by recurring floods will be prevented	278	27.8%
Residents will no longer feel threatened or scared during heavy rains	162	16.2%
Investors will be more encouraged to put up businesses in CDO	15	1.5%
Lessen incidences of flooding	188	18.8%
For the benefit of the community	298	29.8%
Will have the opportunity to own house and lot in a safe place	39	3.9%
No other option because land is government owned and it is a government project	21	2.0%
<b>Total</b>	<b>1001</b>	<b>100.0%</b>

■ Negative Perception of the Project

On the other hand, the negative reasons of the Project were given as well.

**Table 4.25 Negative Reasons for Perception of the Project (N=60)**

Reason	Number	%
Ancestral properties will be affected	30	50.0%
Residents will be dislocated and will have to resettle or relocate	19	31.7%
Disruption of livelihood	6	10.0%
Government projects take too long to finish, and funds are misused	5	8.3%
<b>Total</b>	<b>60</b>	<b>100.0%</b>

■ Willingness of Relocation

Should the Project necessitate their relocation/resettlement, majority (85.9%) said that they would be willing to do so because they would have the opportunity to own a housing unit

located in a safe place while they do not have any option but to relocate since they do not own the land where they are presently residing.

**Table 4.26 Number of Households Willing to be Resettled (N=1087)**

	Willing	Not Willing	Total
Number	934	153	1087
%	85.9%	14.1%	100.0%

■ Reasons of Unwilling to Relocate

On the other hand as noted in the table below, those who are not willing to relocate (14.1%) cited the following reasons for this decision: (a) they do not want to leave their properties behind (43.1%), (b) resettlement sites are located far from facilities (21.0%); and (c) the government could not guarantee or offer a satisfactory (fair) price for their house and lot (12.4%).

**Table 4.27 Reasons for Not Wanting to be Resettled (N=153)**

Reason	Number	%
Do not want to leave ancestral land or properties	66	43.1%
Resettlement sites are far	32	21.0%
Government will not guarantee a satisfactory price for house and lot	19	12.4%
Loss of house, land or livelihood	17	11.1%
Resettlement sites have poor or limited basic facilities	12	7.8%
Resettlement will not push through	3	2.0%
High cost of transportation	2	1.3%
Unwilling to live in community of migrants	2	1.3%
<b>Total</b>	<b>153</b>	<b>100.0%</b>

#### 4.3.5 Relocation and Income Restoration Option of the Households

■ Preferred Relocation Option

Most of the respondents (56.3%) prefer to be relocated within the city while others (28.8%) even specify the same barangay or nearby barangay (8.5%) as the place that they would rather be relocated signifying their need to be transferred in a place or environment that is familiar to them to minimize the effects of displacement.

**Table 4.28 Preferred Relocation Option (N=1087)**

Same Barangay	Nearby Barangay	Within the City	Nearby Towns	On Own Land	Push Back in the Same Land	No Answer	Total
313	92	612	26	21	18	5	1087
28.8%	8.5%	56.3%	2.4%	1.9%	1.7%	0.4%	100.0%

■ Preferred Relocation Type

Although resettlement in government sites have been mentioned (19.0%); the majority has the preference for self-relocation with project assistance (51.5%) or group relocation with project assistance (28.2%) giving an indication of their preference to be more involved in the decision of selecting the place where they would relocate.

**Table 4.29 Preferred Relocation Type (N=1087)**

Self Relocation	Group Relocation	Resettlement in Government Sites	Others	No Answer	Total
560	307	206	5	9	<b>1087</b>
51.5%	28.2%	19.0%	0.5%	0.8%	<b>100.0%</b>

■ Preferred Assistance for Livelihood and Income Restoration

A good number of respondents (88.6%) opted for cash assistance to buy replacement land and reconstruction of house structure. This is followed by replacement land, although a far second at 5.7%. Given the opportunity, they would rather resettle in a place of their own choice.

**Table 4.30 Preferred Assistance for Livelihood and Income Restoration (N=1087)**

Cash Assistance	Replacement Land	Transportation Assistance & Transition Allowance	Access to Loan	Skills Development	Others	No Answer	Total
963	62	28	8	8	12	6	<b>1087</b>
88.6%	5.7%	2.6%	0.7%	0.7%	1.1%	0.6%	<b>100.0%</b>

■ Most Desired Basic Services and Facilities in Relocation Site

Majority would like to have an on-site government hospital (35.7%) as implied in the table below. Others prefer market (15.4%), elementary school (15.0%), health center (13.7%), barangay center (6.0%), high school (3.7%), livelihood center (3.6%), police outpost (1.8%), and private clinic (1.2%).

**Table 4.31 Most Desired Basic Services and Facilities in Relocation Site (N=1087)**

Basic Services and Facilities	Number	%
Government Hospitals	388	35.7%
Market	167	15.4%
Elementary School	163	15.0%
Health Center	149	13.7%
Barangay Center	65	6.0%
High School	40	3.7%
Livelihood Center	39	3.6%
Police Outpost	20	1.8%
Private Clinic	13	1.2%
Others	38	3.4%
No Answer	5	0.5%
<b>Total</b>	<b>1087</b>	<b>100.0%</b>

■ Use of Compensation in Cash

The said compensation would be mainly utilized for the construction of new house (38.7%) and the purchase of land (33.0%). Many (21.7%) indicated an intention to invest the money in business.

**Table 4.32 Use of Compensation (N=1087)**

Purchase Land	Construction of New House	Repair of House	Invest in Business	Others	No Answer	Total
359	421	14	236	54	3	<b>1087</b>
33.0%	38.7%	1.3%	21.7%	5.0%	0.3%	<b>100.0%</b>

#### 4.3.6 Vulnerability of the Households

Most of the respondents are landless (68.8%) a situation that maybe responded to if they qualify for a housing unit in government resettlement sites. However, it is important to note that during the planning and implementation of the activities related to resettlement due attention should be given to community residents who may have special needs such as the elderly household head (8.6%) and members as well, female headed household (3.2%), disabled household head (2.0%) and members for that matter and solo parent household head (0.9%) to adequately meet their requirements.

**Table 4.33 Vulnerability of Households (N=1087)**

Type of Vulnerability	Number	%
Landless	748	68.8%
Elderly-Headed Households	94	8.6%
Female-Headed Households	35	3.2%
Disabled-Headed Households	22	2.0%
Solo-Parent Headed Households	10	0.9%
Child-Headed Households	2	0.2%
Indigenous People	1	0.1%
None	172	15.9%
No Answer	3	0.3%
<b>Total</b>	<b>1087</b>	<b>100.0%</b>

#### 4.3.7 Skills, Business Interest and Preference of Employable Household Members

##### ■ Existing Skills

In general, the prevailing skills of the employable household members (15 years old and above) are not highly specialized in nature except for some information technology related ones (e.g. computer programming, layout design and animation). The available skills are mostly on construction (e.g. carpentry, construction painting, masonry, electrical installation and maintenance) and services (e.g. driving, auto servicing, beauty care, commercial cooking, and dressmaking). There are also skilled employable in agricultural crops production in Bonbon, Carmen, Balulang, Macasandig and Consolacion. Many (17.2%) of the employable have no skills at all.

**Table 4.34 Existing Skills of Employable Household Members (N=3260)**

Type of Skill	Total	%
Commercial cooking	749	23.0%
Driving	332	10.2%
PC operations	192	5.9%
Entrepreneurship/marketing, sales	189	5.8%
Carpentry	148	4.5%
Performing arts	101	3.1%
Household services	72	2.2%
Tailoring	65	2.0%
Others	704	21.6%
No skills	561	17.2%
Do not know	147	4.5%
<b>TOTAL</b>	<b>3,260</b>	<b>100.0%</b>

■ Skills and Training Preference

The desired skills are generally almost the same as that of the existing ones. This might be attributed to the familiarity of the employable household members with these skills or they just would like to upgrade their existing skills. These skills could be easily acquired at minimal cost and could provide employment, albeit temporarily or could enable them to venture into business (e.g. commercial cooking, marketing and sales, tailoring) as an option to have a source of income. A substantial number of employable (44.5%) do not have any idea on the type of skills/training that they would want to acquire/undertake.

**Table 4.35 Preferred Skills of Employable Household Members (N=3260)**

Type of Skill	Total	%
Commercial cooking	461	14.1%
Welding	134	4.1%
Entrepreneurship/marketing, sales	106	3.3%
Driving	92	2.8%
PC Operations	73	2.2%
Electrical	71	2.2%
Auto body repairing	63	1.9%
Auto servicing	51	1.6%
Computer programming	45	1.4%
Others	434	13.3%
No skills	1450	44.5%
Do not know	280	8.6%
<b>TOTAL</b>	<b>3,260</b>	<b>100.0%</b>

■ Business Interest and Preference

The business activities that are being preferred by the employables are those that would only require minimal start-up capital (except that of internet shop) and basic management skills such as sari-sari (local convenience store popularly seen in residential areas over the country) store operations, carinderia (local commercial cooking), tailoring shop and livestock raising. Others would not even require putting up any shop like nail care (beauty care) and direct selling (marketing and sales). On the other hand, 31.2% of the employables has no business interest in anyway.

**Table 4.36 Preferred Business of Employable Household Members (N=3260)**

Type of Business	Total	%
Sari-sari store	648	19.9%
Commercial cooking	414	12.7%
Entrepreneurship/marketing, sales	318	9.8%
Computer / internet	116	3.6%
Livestock raising	80	2.5%
Tailoring	47	1.4%
Beauty care	43	1.3%
Agricultural crops	39	1.2%
Auto servicing	38	1.2%
Others	241	7.4%
No skills	1018	31.2%
Do not know	258	7.8%
<b>TOTAL</b>	<b>3,260</b>	<b>100.0%</b>

## Chapter 5 Legal Framework

### 5.1 Policy of JICA on Resettlement

#### 5.1.1 Key Principle of JICA Policy

The key principle of JICA policies on involuntary resettlement is summarized below.

- Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives.
- When, population displacement is unavoidable, effective measures to minimize the impact and to compensate for losses should be taken.
- People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.
- Compensation must be based on the full replacement cost as much as possible. The definition of replacement cost of the Project is summarized in the table below (Table 5.1)
- Compensation and other kinds of assistance must be provided prior to displacement.
- For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. It is desirable that the resettlement action plan include elements laid out in the WB Safeguard Policy, OP 4.12, Annex A.
- In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance. When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people.
- Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans.
- Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.

**Table 5.1 Description of Replacement Cost**

Type	Kind	Description
Land	Agricultural Land	The pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.
	Land in Urban Areas	The pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.
Structure	Houses and Other Structures	The market cost of the materials to build a replacement structure with an area and quality similar or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labour and contractors' fees, plus the cost of any registration and transfer taxes.

### 5.1.2 Key Principle of WB Policy

The principles stated in Section 5.2.1 are complemented by WB OP 4.12, since it is stated in JICA Guideline that “JICA confirms that projects do not deviate significantly from the WB’s Safeguard Policies”. Additional key principle based on WB OP 4.12 is as follows.

- Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advance of such benefits.
- Eligibility of Benefits include, the PAPs who have formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who don't have formal legal rights to land at the time of census but have a claim to such land or assets and the PAPs who have no recognizable legal right to the land they are occupying.
- Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.
- Provide support for the transition period (between displacement and livelihood restoration)
- Particular attention must be paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc.

In addition to the above core principles on the JICA policy, it also laid emphasis on a detailed resettlement policy inclusive of all the above points; project specific resettlement plan; institutional framework for implementation; monitoring and evaluation mechanism; time schedule for implementation; and, detailed Financial Plan etc.

## 5.2 Gap Analysis between Philippine’s Legal Framework and JICA Guideline

The JICA, WB and the Philippines have legal protection clauses for PAFs. However, there are gaps between the policies.

There are gaps between the JICA Guidelines, World Bank Policies on Involuntary Resettlement and the laws of the Government of the Philippines. However, these gaps may be bridged by the adoption of good practices by the Project proponent aside from softer forms of legislation in support of the Project from the local government unit.

Local legislation in Cagayan de Oro in support of resettlement includes Executive Orders from the Office of the City Mayor; Executive Order No. 020-13 - An Order Creating the Shelter and Housing Development Multi-Sectoral Task Force. Executive Order No. 039-13 – An Order Reorganizing the Cagayan de Oro Housing Board, Reconstituting the Membership thereof and Defining It’s Powers and Functions and for other Purposes.

The Philippine Constitution guarantees just compensation for property taken due to implementation of a government development project. Gaps may happen because of the various officially recognized methods in the valuation of property. For instance, the first offer

of zonal value in negotiating sale for land may not cover full replacement cost. In the process of acquiring lands, expropriation is only a last resort which is both costly in terms of time and other resources. The Project intends to generate a reference table (Table 13.5) of the current zonal value (from the BIR) and fair market value of lands sourced from the Assessment Department of the Cagayan de Oro City that serves as corroborative verification in the determination of just compensation. This will serve as in the determination of just compensation.

In the preparation of RAP of this Project, plans were formulated according to the principle of enabling the affected persons to restore livelihoods and standards of living to the pre-project level and not be worse off due to the project. Participation and sense of ownership is encouraged by making public consultations meaningful to the project affected people.

Table 5.2 presents gap analysis of the policies for key issues.

**Table 5.2 GAP Analysis**

#	<b>JICA Guidelines</b>	<b>World Bank OP 4.12</b>	<b>GOP Laws/ Policies</b>	<b>Gaps between Guidelines and GOP Laws / Policies</b>	<b>Project Policy to Fill-In the Gaps</b>
1	<ul style="list-style-type: none"> <li>- Involuntary resettlement (IR) and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives.</li> <li>- When population displacement is proved unavoidable, effective measures to minimize impact and to compensate for losses should be taken.</li> </ul>	Avoid or minimize involuntary resettlement (IR) where feasible by assessing all viable alternative designs.	<ul style="list-style-type: none"> <li>- A person deprived of life, liberty, and property is entitled to due process of law and equal protection of the laws (The 1987 Philippine Constitution, Article III, Section 1)</li> <li>- Compensation for private property taken for public use (The 1987 Philippine Constitution, Article III, Section 9).</li> <li>- Compensation is the value of the property at the time of the taking, a fair and full equivalent of the loss incurred (Supreme Court Ruling, G.R. No. L-59603 April 29, 1987).</li> <li>- Assessment of technical and site alternatives including no action alternative is required to minimize adverse environmental impacts on human health and safety, and Environmental Impact Assessment examines how a proposed activity may cause harm to people, their property or their livelihoods, or to nearby developments. Measures are identified to minimize problems and improve the project's sustainability. (DENR, DAO 96-37 Section 8, DAO 30, Sections 1, 4.2, 4.3, and Procedural Manual, Annex B and H - Scoping Checklist)</li> </ul>	There is no significant gap however; there is no specific provision the extent and process of assessment of alternative designs, such as how many alternatives to present or consider, specifically for the purpose of avoiding or minimizing resettlement. .	The Project explored several alternatives and the most viable option was selected based on an In-depth study where involuntary resettlement is minimized while flood risk level is also reduced.
2	People who must be resettled involuntarily and whose means of livelihood will be hindered or lost must be sufficiently compensated and supported in	<ul style="list-style-type: none"> <li>- Where IR is unavoidable, resettlement should be conceived and executed as sustainable development</li> </ul>	<ul style="list-style-type: none"> <li>- Eviction of urban and rural poor and demolition of their dwellings shall only be done in accordance with law and in just and humane manner (The 1987 Philippine Constitution, Article</li> </ul>	.	<ul style="list-style-type: none"> <li>- Resettlement assistance in terms of livelihood and skills training are being prepared relative to the needs; education and skill inventory of PAPs.</li> </ul>

**Table 5.2 GAP Analysis**

#	JICA Guidelines	World Bank OP 4.12	GOP Laws/ Policies	Gaps between Guidelines and GOP Laws / Policies	Project Policy to Fill-In the Gaps
	a timely manner.	<ul style="list-style-type: none"> <li>- Assist displaced persons in restoring or improving their livelihoods and standards of living in real terms relative to pre-displacement levels.</li> </ul>	<p>XIII, Section 10).</p> <ul style="list-style-type: none"> <li>- An Environmental Impact Assessment examines how a proposed activity may cause harm to people, their property or their livelihoods, or to nearby developments. Measures are identified to minimize problems and improve the project's sustainability (DENR-DAO-03-30 IRR of the Philippine Environmental Impact Statement System, June 30, 2003) Chapter 1.C).</li> <li>- Basic services and facilities such as water, electricity, access to roads, transportation, health, education, etc. shall be provided in socialized housing and resettlement sites by the NHA and LGU in cooperation with other concerned agencies (Republic Act or RA 7279 Urban Development and Housing Act of 1992, Article V, Section 21).</li> <li>- Livelihood component in socialized housing and resettlement sites includes accessibility to employment opportunities, development of livelihood programs, and grant of livelihood loans (RA 7279 Urban Development and Housing Act of 1992, Article V, Section 22).</li> </ul>		<ul style="list-style-type: none"> <li>- Social preparation including psycho-social needs of PAPs is in consideration for them to carry on in a new environment.</li> </ul>
3	Compensation must be based on full replacement cost.	<p>Compensation for:</p> <ul style="list-style-type: none"> <li>- Land – replacement land or cash compensation at full replacement cost</li> </ul>	<ul style="list-style-type: none"> <li>- Compensation is payment in cash or in kind at replacement cost for an asset to be acquired or affected by an infrastructure project (LARRIP</li> </ul>	<p>Different methods of land valuation like using zonal value may not add up to full replacement cost or just compensation.</p>	<p>Compensation of losses will be at full replacement cost following the standards in land valuation set by law.[RA 8974]</p>

**Table 5.2 GAP Analysis**

#	JICA Guidelines	World Bank OP 4.12	GOP Laws/ Policies	Gaps between Guidelines and GOP Laws / Policies	Project Policy to Fill-In the Gaps
		<ul style="list-style-type: none"> <li>-Housing/structures – replacement houses or cash compensation at full replacement cost</li> <li>-Other properties/ assets – cash compensation at full replacement cost in local markets</li> <li>-Replacement Cost is defined as the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account.</li> <li>-For agricultural land – it is the pre-displacement, whichever is higher, market value of the land of equal productive potential or use located in the vicinity of the affected land plus the cost of preparing the land to similar levels to those of the affected and cost of any registration and transfer taxes.</li> <li>-For land in urban areas – it is the pre-displacement market value of the land of equal size and use, with similar or improved public infrastructures facilities and services, located in the vicinity of the affected land, plus the cost of any registration and</li> </ul>	<ul style="list-style-type: none"> <li>(2007))</li> <li>- Replacement cost calculation method is used by the implementing agency to determine the valuation of the improvements and/or structures on the land to be acquired (RA 8974 (2000) Implementing Rules and Regulations, Section 10).</li> <li>- "Fair Market Value" is the price at which a property may be sold by a seller who is not compelled to sell and bought by a buyer who is not compelled to buy (RA 7160 Local Government Code of 1991, Section 199).</li> <li>- The courts may consider relevant standards to facilitate determination of just compensation such as classification and use of land, value declared by owners, current selling price of similar land nearby, price of land based on oral and documentary evidence presented, etc (RA 8974 (2000) An Act to Facilitate the Acquisition of Right-of-Way, Site or Location for National Government Infrastructure Projects and for Other Purposes, Section 5).</li> </ul>		

**Table 5.2 GAP Analysis**

#	JICA Guidelines	World Bank OP 4.12	GOP Laws/ Policies	Gaps between Guidelines and GOP Laws / Policies	Project Policy to Fill-In the Gaps
		<p>transfer taxes.</p> <ul style="list-style-type: none"> <li>- For houses and other structures – it is the market cost of the materials to build a replacement structure with similar or better area and quality than the affected structure or to repair a partially affected structure plus all the costs of: (a) transporting building materials to the construction site , (b) any labor contractors' fees and (c) any registration and transfer taxes</li> </ul>			
4	Compensation and other kinds of assistance must be provided prior to displacement.	<p>Prior to displacement, necessary measures for resettlement include provision of compensation and of other assistance required for relocation, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons.</p>	<ul style="list-style-type: none"> <li>- No eviction of occupants in the area where the project is implemented shall be done unless appropriate relocation sites are provided in accordance with the provision in the Constitution (RA 7160 Local Government Code of 1991, Section 27)</li> <li>- For projects involving acquisition of land and other assets, the LGU shall not allow civil works to start until the compensation has been paid and resettlement, where necessary, is completed to the satisfaction of the PAPs. The compensation package should be agreed upon during the consultation meetings and the payments made properly documented (Department of Finance, Guidelines on Resettlement and Compensation, 2001).</li> <li>- All RAP activities related to land</li> </ul>	<p>No significant gaps</p>	<ul style="list-style-type: none"> <li>- Compensation of losses will also be time-bound. Payment of compensation and transfer of eligible beneficiaries (PAPs) to resettlement sites will be done before the start of implementation of the project's contract packages.</li> <li>- The Project is working and coordinating with the local government of Cagayan de Oro and other national government agencies including the NHA in the region to provide necessary assistance such as provision of resettlement sites.</li> </ul>

**Table 5.2 GAP Analysis**

#	JICA Guidelines	World Bank OP 4.12	GOP Laws/ Policies	Gaps between Guidelines and GOP Laws / Policies	Project Policy to Fill-In the Gaps
			acquisition, resettlement, including compensation determined by the Internal Monitoring Agent (IMA) and External Monitoring Agent (EMA) should have been completed one month before the start of civil works (LARRIP (2007))		
5	For projects that will result in large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public.	<ul style="list-style-type: none"> <li>- To address the direct economic and social impacts resulting from Bank-assisted projects and causing involuntary taking of land and/or the involuntary restriction of access to legally designated parks and protected areas, preparation of a Resettlement plan or resettlement policy framework is required.</li> <li>- A resettlement plan or abbreviated resettlement plan is required for all operations that entail involuntary resettlement unless otherwise specified.</li> <li>- The borrower is responsible for preparing, implementing, and monitoring a resettlement plan, a resettlement policy framework or a process framework.</li> <li>- See Items 6 and 7 for policies on information disclosure.</li> </ul>	<ul style="list-style-type: none"> <li>- Proponent agencies are required to submit a Resettlement Action Plan (RAP) to aid in the evaluation of the social acceptability and feasibility of the project. Measures to relocate, resettle, and provide livelihood development for families whose properties will be permanently affected by the project should be included in the plan (NEDA -ICC Guidelines and Procedures Annex B).</li> </ul>	No significant gaps.	<p>A full Resettlement Action Plan (RAP) is prepared for this Project considering the number of affected people.</p> <p>Information from the plan will be made available and accessible to the public.</p>
6	In preparing a Resettlement Action Plan, consultations must be held with the affected people and their communities based on sufficient information	Disclose resettlement plans in a timely manner; include documentation of the consultation process.	<ul style="list-style-type: none"> <li>- No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated (The 1987 Philippine</li> </ul>	No significant gaps.	<p>Public consultations are underway with PAPs, issues and concerns are regarded and documented; measures to address these concerns are being incorporated</p>

**Table 5.2 GAP Analysis**

#	<b>JICA Guidelines</b>	<b>World Bank OP 4.12</b>	<b>GOP Laws/ Policies</b>	<b>Gaps between Guidelines and GOP Laws / Policies</b>	<b>Project Policy to Fill-In the Gaps</b>
	made available to them in advance.		<p>Constitution, Article XIII, Section 10).</p> <ul style="list-style-type: none"> <li>- All national agencies are required to conduct periodic consultations with appropriate local government units, NGOs and POs, and other concerned sectors of the community before any project or program is implemented in their respective jurisdiction (RA 7160 Local Government Code of 1991, Section 2 (c)).</li> <li>- Establishment of communication and rapport between the LGU or concerned agency and recognized community leaders. Meet with affected families to explain the following <ul style="list-style-type: none"> <li>- the need to relocate families from danger areas and infrastructure project sites</li> <li>- the government's shelter program</li> <li>- procedure and guidelines for relocation and resettlement</li> <li>- objectives and schedule of census and tagging operations</li> </ul> </li> </ul> <p>(RA 7279 Urban Development and Housing Act of 1992 IRR, Section 3.1 )</p>		to the plan.
7	When consultations are held, explanations must be given in a form or manner, and language that are understandable to the affected people.	As a condition of appraisal of projects involving resettlement, a draft resettlement instrument is provided, and made available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that	The PMO with the support of the ESSD, Regional and District Engineering Offices will carry out information campaign and will be done through community meetings and leaflets printed in the language understandable to project-affected	No significant gaps.	With the goal of making the PAPs understand and receptive to the Project, presentations and materials are prepared in the local language, in a form and manner suitable to them.

**Table 5.2 GAP Analysis**

#	JICA Guidelines	World Bank OP 4.12	GOP Laws/ Policies	Gaps between Guidelines and GOP Laws / Policies	Project Policy to Fill-In the Gaps
		are understandable to them. Once accepted, this instrument as providing an adequate basis for project appraisal, the Bank makes it available to the public through its InfoShop. When approved, the final resettlement instrument, the Bank and the proponent disclose it again in the same manner.	persons or PAPs (LARRIP (2007), Chapter V).		
8	Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans.	Displaced persons, their communities, and host communities should be meaningfully consulted, provided timely and relevant information, and offered opportunities to participate in planning, implementing, and monitoring resettlement programs.	<ul style="list-style-type: none"> <li>- The right of the people and their organization to effective and reasonable participation at all levels of social, political, and economic decision-making will not be curtailed. The State, by law, will facilitate the establishment of adequate consultation mechanisms (The 1987 Philippine Constitution, Article XIII, Section 16).</li> <li>- The LGUs, in coordination with the Presidential Commission for the Urban Poor (PCUP) and concerned government agencies shall give program beneficiaries the opportunity to be heard and participate in the decision-making process over matters involving their legitimate interests (RA 7279 Urban Development and Housing Act of 1992, Section 23).</li> <li>- The scope of the monitoring mechanisms involves preparation, implementation, and monitoring of the RAPs (LARRIP (2007), Chapter</li> </ul>	The gap in parameters is not specific as what is appropriate and how to promote participation.	Discussion concerning the PAPs' roles and benefits in the resettlement process will be made specific early on during consultations to bring on active and continuing participation.

**Table 5.2 GAP Analysis**

#	JICA Guidelines	World Bank OP 4.12	GOP Laws/ Policies	Gaps between Guidelines and GOP Laws / Policies	Project Policy to Fill-In the Gaps
			VIII)		
9	Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.	Affordable and accessible procedures for third-party settlement of disputes arising from resettlement; these grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.	<ul style="list-style-type: none"> <li>- Complaints in violation of this Implementing Rules and Regulations or IRR: <ul style="list-style-type: none"> <li>- against local government executives may be filed and prepared through the DILG.</li> <li>- against subordinate officials within the administrative jurisdiction of the local chief executives shall be filed with the office of the local chief executive concerned</li> <li>- against officials of other national agencies may be filed in the Office of the President or Office of the Ombudsman</li> <li>- may also be directed to and or seek the assistance of the Commission on Human Rights or the Presidential Commission for the Urban Poor.</li> </ul> </li> </ul> <p>(Republic Act 7279 Urban Development and Housing Act of 1992 IRR, Section 7)</p> <ul style="list-style-type: none"> <li>- Grievances related to any aspect of the project will be handled through negotiations and are aimed at achieving consensus following certain procedures. All complaints from PAPs, written and written when received verbally, will be documented and shall be acted upon immediately according to grievance procedure (LARRIP (2007), Chapter VI).</li> </ul>	The gap in the policy is not specific enough as how to make grievance mechanism appropriate and accessible	Accessible, uncomplicated yet functioning grievance procedures, where the affected person assisted in the whole process, from documentation to updates on the progress to final resolution of the complaint, will be established for PAPs and their communities.

**Table 5.2 GAP Analysis**

#	JICA Guidelines	World Bank OP 4.12	GOP Laws/ Policies	Gaps between Guidelines and GOP Laws / Policies	Project Policy to Fill-In the Gaps
10	Affected people are to be identified and recorded as early as possible in order to establish their eligibility through initial baseline survey (including census that serves as an eligibility cut-off date, asset inventory, and socio-economic survey), preferably at the project identification stage, to exclude subsequent influx of people ineligible for compensation and resettlement assistance. (World Bank OP 4.12 Paragraph 14 and Annex A Paragraph 6) Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. (World Bank OP 4.12 Paragraph 16)		<ul style="list-style-type: none"> <li>- Resettlement Action Plan describes what will be done to address the direct social and economic impacts related to involuntary taking of land or land acquisition (LARRIP (2007)).</li> <li>- Cut-off Date is the date of start of the census of affected families within the project boundaries. Persons not covered at the time of census-taking will not be eligible for claims of compensation entitlements (LARRIP (2007)).</li> <li>- The RAP includes among others, census and socio-economic survey results, and eligibility criteria for PAPs, including cut-off date if necessary (Department of Finance, Guidelines on Resettlement and Compensation, 2001).</li> </ul>	No significant gaps.	<ul style="list-style-type: none"> <li>- The cut-off date was declared officially, then the Mayor of Cagayan de Oro informed the barangays in writing of the cut-off date and commencement of the census.</li> <li>- Census of affected families within the project boundaries commenced on the cut-off date to establish eligibility initially as early as possible to exclude the influx of informal settlers in the project area after the cut-off date.</li> </ul>
11	Criteria for Eligibility. Displaced person may be classified in one of the following groups: <ul style="list-style-type: none"> <li>▪ those who have formal legal rights to land (including customary and traditional rights recognized under the laws);</li> <li>▪ those who do not have formal legal rights to land at the time of the census but have a claim to such land or assets - provided that such claims are recognized under the law</li> <li>▪ those who have no recognizable legal right or claim to the land they are occupying.</li> </ul> (World Bank OP 4.12 Paragraph 15)		<ul style="list-style-type: none"> <li>- Landowners/users include <ul style="list-style-type: none"> <li>- Legal owners (agricultural, residential, commercial, and institutional) who have full title, tax declaration, or who covered by customary law, or other acceptable proof of ownership.</li> <li>- Users of arable lands who have no land title or tax declaration</li> <li>- Agricultural lessees</li> <li>- PAF's with Structures include: <ul style="list-style-type: none"> <li>- Owners of structures who have full title, tax declaration, or who are covered by customary law, or other acceptable proof of ownership.</li> </ul> </li> </ul> </li> </ul>	Persons previously awarded with housing units by the government but sold, leased, lent, or gave them away and settle informally in the same or other areas, are ineligible for compensation.	Measures are being taken to prevent ineligible persons from obtaining compensation and duplication of benefits by verifying and cross-checking with the available documents and lists of beneficiaries from the local government, other national government agencies (NGAs), and non-government organizations (NGOs) handling resettlement.

**Table 5.2 GAP Analysis**

#	JICA Guidelines	World Bank OP 4.12	GOP Laws/ Policies	Gaps between Guidelines and GOP Laws / Policies	Project Policy to Fill-In the Gaps
			<ul style="list-style-type: none"> <li>- Owners of structures including shanty dwellers, who have no land title, or tax declaration, or other acceptable proof of ownership.</li> <li>- Renters (LARRIP (2007), Chapter III)</li> <li>- To qualify for socialized housing programs, a beneficiary must not be a professional squatter or a member of squatting syndicates (RA 7279 Urban Development and Housing Act of 1992, Section 16).</li> </ul>		
12	Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. (World Bank OP 4.12 Paragraph 11)		<ul style="list-style-type: none"> <li>- Compensation for land may be land swapping or “land for land” will be provided (LARRIP (2007), Chapter III).</li> <li>- Livelihood Component - Socialized housing and resettlement projects shall be located near areas where employment opportunities are accessible (RA 7279 Urban Development and Housing Act of 1992, Article 5, Section 22).</li> </ul>	No significant gaps.	Resettlement strategies for PAPs that are land-based with top priority and strategies will be employed.
13	Provide support during the transition period (after displacement to a reasonable estimate of time needed to restore livelihood and standards of living). (World Bank OP 4.12 Paragraph 6 c i)		Other types of entitlements or assistance include for loss of business/income, inconvenience allowance, rehabilitation assistance, and transportation allowance among others (LARRIP (2007), Chapter III).	Provision for transitional assistance or support for losses and disturbance is present however, in recent resettlement cases, the amount of assistance may vary.	The Project is in coordination with the local government and other government agencies in determining not only transitional but long-term assistance in view of restoring livelihood and standards of living.
14	Particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, etc. (World Bank OP 4.12 Paragraph 8)		<ul style="list-style-type: none"> <li>- The State shall develop housing programs for women that are localized, simple, accessible, and secure, with electricity, water, and viable employment. Women will be</li> </ul>	Assistance must be more concrete and particularly designed to suit each vulnerable group.	The Project is in coordination with the local government and other government agencies in determining suitable assistance directed for each group, to make

**Table 5.2 GAP Analysis**

#	JICA Guidelines	World Bank OP 4.12	GOP Laws/ Policies	Gaps between Guidelines and GOP Laws / Policies	Project Policy to Fill-In the Gaps
			<p>consulted and involved in community planning and development especially on matters related to land use, zoning, and relocation (RA No. 9710 The Magna Carta of Women, (2009), Section 21).</p> <ul style="list-style-type: none"> <li>- No ICCs/IPs will be relocated without their free and prior informed consent or through any means except eminent domain or where relocation is considered necessary as an exceptional measure. If return to their ancestral domain is not possible, ICCs/IPs shall :</li> <li>- be provided with lands of quality and legal status at least equal to that of the land previously occupied,</li> <li>- Enjoy security of tenure over lands where they have been resettled,</li> <li>- be provided basic services and livelihood to ensure that their needs are adequately addressed.</li> </ul> <p>(RA No. 8371 The Indigenous Peoples' Rights Act of 1997, Chapter Section 7 c and d)</p> <ul style="list-style-type: none"> <li>- Two of the eligibility criteria for socialized housing programs are:</li> <li>- beneficiary must be an underprivileged and homeless citizen;</li> <li>- must not own any real property whether in the urban or rural areas</li> </ul>		them less vulnerable to adverse impacts brought about by involuntary resettlement.

**Table 5.2 GAP Analysis**

#	JICA Guidelines	World Bank OP 4.12	GOP Laws/ Policies	Gaps between Guidelines and GOP Laws / Policies	Project Policy to Fill-In the Gaps
			<p>Underprivileged and homeless citizens are individuals or families residing in urban and urbanizable areas whose combined household income fall within the poverty threshold as defined by the National Economic and Development Authority including those who live in makeshift dwelling units and do not enjoy security of tenure (Republic Act 7279 Urban Development and Housing Act of 1992, Section 3 and 16)</p> <ul style="list-style-type: none"> <li>- Women, children, and elderly who are among the PAPs shall likewise be consulted and mobilized to participate in consultation meetings and discuss with them the socio-cultural implication of the Resettlement Action Plan (Land Acquisition, Resettlement, Rehabilitation and Indigenous Peoples' Policy, 3rd edition (2007), Chapter V).</li> </ul>		
15	For projects entailing land acquisition and involuntary resettlement, an abbreviated resettlement plan may be prepared where impacts on the entire displaced population are minor, or fewer than 200 people are displaced. (World Bank OP 4.12 Paragraph 25)		<ul style="list-style-type: none"> <li>- The Abbreviated Resettlement Action Plan (ARAP) is acceptable: <ul style="list-style-type: none"> <li>- if fewer than 200 people are affected</li> <li>- if more than 200 people are affected as long as all land acquisition is minor (10 percent or less of all holdings is taken) and no physical relocation is required (LARRIP (2007))</li> </ul> </li> </ul>	No significant gaps.	A full Resettlement Action Plan (RAP) is prepared for this Project.

## Chapter 6 Eligibility for Compensation and Other Entitlements

### 6.1 Key Principles of the Policy on Land Acquisition and Compensation

The Government of the Philippines will adopt Project Policy on Involuntary Resettlement for the Flood Risk Management Project for Cagayan de Oro River. Specifically, the Project Policy has been developed because of certain gaps between the existing national laws and regulations and JICA's policy. The Project Policy endeavors to fill-in any gaps in what local laws and regulations cannot provide to help ensure that PAPs are able to rehabilitate themselves to at least their pre-project condition. This section discusses the principles of the Project Policy and entitlements of the PAPs based on the type and degree of their losses.

#### 6.1.1 Resettlement

- The resettlement plans will be designed in accordance with the JICA Guidelines and Government of the Philippines laws on resettlement.
- Land acquisition and involuntary resettlement will be avoided where feasible, or minimized, by identifying possible alternative project designs that have the least adverse impact on the communities in the project area.
- Where a host community is affected by the development of a resettlement site in that community, the host community shall be involved in any resettlement planning and decision-making. All attempts shall be made to minimize the adverse impacts of resettlement upon host communities.
- The resettlement plan must consider the needs of those most vulnerable to the adverse impacts of resettlement (including the poor, those without legal title to land, ethnic minorities, women, children, elderly and disabled) and ensure they are considered in resettlement planning and mitigation measures identified. Assistance should be provided to help them improve their socio-economic status.
- Adequate budgetary support will be fully committed and made available to cover the costs of land acquisition (including compensation and income restoration measures) within the agreed implementation period. The funds for all resettlement activities will come from the Government.

#### 6.1.2 Compensation and Land Acquisition

- Where displacement of households is unavoidable, all PAPs owing assets, livelihoods or resources will be fully compensated and assisted so that they can improve, or at least restore, their former economic and social conditions.
- Compensation and rehabilitation support will be provided to any PAP, that is, any person or household or business which on account of project implementation would have his:
  - Standard of living adversely affected;

- Right, title or interest in any house, interest in, or right to use, any land (including premises, agricultural and grazing land, commercial properties, tenancy, or right in annual or perennial crops and trees or any other fixed or moveable assets, acquired or possessed, temporarily or permanently;
- Income earning opportunities, business, occupation, work or place of residence or habitat adversely affected temporarily or permanently; or
- Social and cultural activities and relationships affected or any other losses that may be identified during the process of resettlement planning.

- All affected people will be eligible for compensation and rehabilitation assistance, irrespective of tenure status, social or economic standing and any such factors that may discriminate against achievement of the objectives outlined above. Lack of legal rights to the assets lost or adversely affected tenure status and social or economic status will not bar the PAPs from entitlements to such compensation and rehabilitation measures or resettlement objectives. All PAPs residing, working, doing business and/or cultivating land within the project impacted areas as of the date of the latest census and inventory of lost assets, are entitled to compensation for their lost assets (land and/or non-land assets), at replacement cost, if available and restoration of incomes and businesses, and will be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.
- PAPs that lose only part of their physical assets will not be left with a portion that will be inadequate to sustain their current standard of living. The minimum size of remaining land and structures will be agreed during the resettlement planning process.
- People temporarily affected are to be considered as PAPs and resettlement plans address the issue of temporary acquisition.
- Payment for land and/or non-land assets will be based on the principle of replacement cost.
- Compensation for PAPs dependent on agricultural activities will be land-based wherever possible. Land-based strategies may include provision of replacement land, ensuring greater security of tenure, and upgrading livelihoods of people without legal land titles. If replacement land is not available, other strategies may be built around opportunities for re-training, skill development, wage employment, or self-employment, including access to credit. Solely cash compensation will be avoided as an option if possible, as this may not address losses that are not easily quantified, such as access to services and traditional rights, and may eventually lead to those populations being worse off than without the project.
- Replacement lands, if the preferred option of PAPs, should be within the immediate vicinity of the affected lands wherever possible and be of comparable productive capacity and potential. As a second option, sites should be identified that minimize the social disruption of those affected; such lands should also have access to services and facilities similar to those available in the lands affected.

- Resettlement assistance will be provided not only for immediate loss, but also for a transition period needed to restore livelihood and standards of living of PAPs. Such support could take the form of short-term jobs, subsistence support, salary maintenance, or similar arrangements.
- Displacement does not occur before provision of compensation and of other assistance required for relocation. Sufficient civic infrastructure must be provided in resettlement site prior to relocation. Acquisition of assets, payment of compensation, and the resettlement and start of the livelihood rehabilitation activities of PAPs, will be completed prior to any construction activities, except when a court of law orders so in expropriation cases (the livelihood restoration measures must also be in place but not necessarily completed prior to construction activities, as these may be ongoing activities.)

#### 6.1.3 Disclosure, Community Participation and Monitoring

- The Resettlement Plan will be translated into local languages and disclosed for the reference of PAPs as well as other interest groups.
- PAPs will be involved in the process of developing and implementing resettlement plans.
- PAPs and their communities will be consulted about the project, the rights and options available to them, and proposed mitigation measures for adverse effects, and to the extent possible be involved in the decisions that are made concerning their resettlement.
- Organization and administrative arrangements for the effective preparation and implementation of the resettlement plan will be identified and in place prior to the commencement of the process; this will include the provision of adequate human resources for supervision, consultation, and monitoring of land acquisition and rehabilitation activities.
- Appropriate reporting (including auditing and redress functions), monitoring and evaluation mechanisms, will be identified and set in place as part of the resettlement management system. An external monitoring group will be hired by the project and will evaluate the resettlement process and final outcome. Such groups may include qualified NGOs, research institutions or universities.

#### 6.2 Principle of Replacement Cost

All compensation for land and non-land assets owned by households/shop owners who meet the cut-off-date will be based on the principle of replacement cost. Replacement cost is the amount calculated before displacement which is needed to replace an affected asset without depreciation and without deduction for taxes and/or costs of transaction as follows. The definition of replacement cost is summarized and previously presented in Table 5.1.

- Productive land (agricultural, aquaculture, garden and forest) based on actual current market prices that reflect recent land sales in the area, and in the absence of such recent sales, based on recent sales in comparable locations with comparable attributes, fees and taxes or in the absence of such sales, based on productive value;

- Residential land based on actual current market prices that reflect recent land sales, and in the absence of such recent land sales, based on prices of recent sales in comparable locations with comparable attributes; fees and taxes.
- There are existing local government regulations for compensation calculations for building, crops and trees. These regulations will be used where ever a corroborative verification is needed calculating a replacement cost. The corroborative verification will be obtained on building from the assessment office and crops and trees from the agricultural office of respective local government unit.
- Houses and other related structures based on actual current market prices of affected materials;
- Annual crops equivalent to current market value of crops at the time of compensation;
- For perennial crops, cash compensation at replacement cost that should be in line with local government regulations, if available, is equivalent to current market value given the type and age at the time of compensation.
- For timber trees, cash compensation at replacement cost that should be in line with local government regulations, if available, will be equivalent to current market value for each type, age and relevant productive value at the time of compensation based on the diameter at breast height of each tree.

### **6.3. Cut-Off-Date of Eligibility**

The cut-off-date of eligibility is set to identify PAPs of the Project. In the Project, the cut-off date for PAPs was the commencement date of the population census; July 18, 2013. This date has been disclosed by DPWH to each affected barangay through the city government and the barangays have disclosed to their populations. The establishment of the eligibility cut-off date is intended to prevent the influx of ineligible non-residents who might take advantage of Project entitlements.

## Chapter 7 Compensation and Assistance Measures

### 7.1. Compensation for Loss of Assets

#### 7.1.1 Compensation for Residential, Commercial, Industrial, Institutional, Agricultural Land Loss

Eligible PAPs will be compensated based on replacement cost. The computation of the replacement cost of land shall be pursuant to RA 8974 (an Act to Facilitate the Acquisition of Right-of-Way, Site or Location for National Government Infrastructure Projects and for Other Purposes). Compensation will be offered but not exceeding the current market value.

PAPs may also opt for “land for land” exchange, where a new parcel of land equivalent in market value, features and productivity at a location acceptable under zoning laws and to the affected person. When the affected holding has a higher value than the relocation plot, cash compensation will cover the difference in value.

Holders of a free patent homestead under Commonwealth Act (CA) 141 or the Public Lands Act will be compensated for improvements only at market value. It is noted that CA 141 governed the disposition of lands of the public domain, particularly the homestead and the alienable and disposable lands of the public domain for agricultural purposes contingent upon actual cultivation and residence.

Holders of Certificates of Land Ownership Award (CLOA) under the Comprehensive Agrarian Reform Act (CARA) shall be compensated pursuant to RA 8974. It is noted that CLOA is an evidence to show that tenants, farmers, and regular farmworkers have the right to own directly the land they cultivate under CARA as its beneficiary.

#### 7.1.2 Compensation for Structures

Compensation in cash for the affected portion of the structure, including the cost of restoring the remaining structure at full replacement cost with no deduction for salvaged building materials by DPWH, as determined by the concerned Appraisal Committee or RIC.

#### 7.1.3 Compensation for Improvements

For improvements such as fences, barges, wells, outdoor toilets, animal-pens, etc. to be affected by the project, full replacement cost will be based on the current or prevailing market material, labor, and transportation costs.

#### 7.1.4 Compensation for Crops, Trees and Perennials

Cash compensation will be given for perennials of commercial value as determined by the DENR or the concerned Appraisal Committee or RIC. PAPs will be given sufficient time to harvest crops on the subject land. Damaged crops are to be compensated at market value at the time of taking, based on the cost of production per hectare, in proportion to the affected area. Entitlement for fruit-bearing trees will be based on the assessment of the LGU assessors where the project is located or current market price surveyed and publicized by DENR, LGU, or Department of Agriculture.

#### 7.1.5 Temporal Use of Private Land

Vacant parcels of land along the banks of Cagayan de Oro River that will be used by DPWH for the temporary storage of materials, work sites, etc. will be compensated by rental or lease.

### 7.2 Other Types of Assistance or Entitlements

#### 7.2.1 Disturbance Compensation

For severely affected agricultural land, the lessees are entitled to compensation equivalent to five times the average of the gross harvest for the past 3 years but not less than PhP15,000.

#### 7.2.2 Income Loss

For loss of business/income, entitlement is income rehabilitation assistance not to exceed PhP15,000 for severely affected structures or based on PAPs' tax record for the period corresponding to the stoppage of business activities.

#### 7.2.3 Inconvenience Allowance

The amount of PhP10,000 as a livelihood assistance will be given to the PAPs identified as affected structure owners and renters.

#### 7.2.4 Rental Subsidy

Subsidy will be provided to renters affected by the Project equivalent to a maximum of 3 months of their rental fees but not to exceed PhP15,000.

#### 7.2.5 Transportation Assistance

PAPs for relocation are entitled to free transportation. Informal settlers in urban centers who will move back to their place of origin in the province are also entitled to transportation assistance.

#### 7.2.6 Livelihood Rehabilitation Assistance

DPWH will monitor the living standards of affected persons or households before, during, and after resettlement. Livelihood and skills training programs in coordination with concerned institutions will be implemented for project affected people. Refer to Section 7.3.

### 7.3 Assistance Measures

Assistance measures for PAFs, particularly livelihood restoration assistance, are an important component of resettlement. These assistance measures, which are expected to lead to an improved standard of living of PAPs, were sought and are presented in this section.

#### 7.3.1 Livelihood Restoration Assistance

##### Existing Skills and Skills and Business Preference

The needs for livelihood restoration assistance were examined through results of the socioeconomic survey conducted for PAPs. According to the results, key findings related to livelihood restoration assistance are as follows.

- About 59% of employable household members of PAPs are unemployed at present, and the remaining employed are mostly having unskilled and/or short-term occupations such as construction and service workers and labors.
- 60% of Employable Interested in Micro-Enterprise Ventures,
- 35% of Employable Prefer Service-Oriented Training Programs,

#### Intervention Measures for Livelihood Restoration

According to the key findings, possible intervention measures for restoring livelihood of PAPs are summarized in Table 7.1.

**Table 7.1 Possible Intervention for Livelihood Restoration**

<b>Possible Interventions</b>	<b>Assisting Agencies &amp; Programs</b>		
	<b>Agencies</b>	<b>Programs</b>	
Service Industry Oriented Training Program (Basic and Upgrading)	TESDA-10	Regular Training Program	
	DSWD-10	Sustainable Livelihood Program	
Employment Assistance	PESO (DOLE-10)	Skills Profiling and Job Placement	
Business Development Assistance (Start-up and Existing Enterprises)	Non-Financial Assistance (Entrepreneurial Skills Development)	DTI-10	Regular Training
		DSWD-10	Sustainable Livelihood Program
	Financial Assistance	DSWD-10	Sustainable Livelihood Program

TESDA = Technical Education and Skills Development Authority

DSWD = Department of Social Welfare and Development

PESO = Public Employment Service Office

DOLE = Department of Labor and Employment

DTI = Department of Trade and Industry

**Table 7.2 Overview of Livelihood Programs of Concerned Agencies**

<b>Agencies</b>	<b>Program</b>	<b>Overview of Program</b>
TESDA-10	Regular Training Program	<p>Following training courses provide the National Certification (NC).</p> <ul style="list-style-type: none"> <li>• Food Related Courses – Food and Beverage Services, Bread and Pastry, Food Processing, Commercial Cooking, Bartending</li> <li>• Construction Related Courses – Carpentry, Construction Painting, Masonry, Plumbing, Welding, AutoCADD</li> <li>• Household and Business Related Courses – Dressmaking, Household Services, Housekeeping, Bookkeeping, Front Office</li> <li>• Electrical and Mechanical Related Courses - Electrical and Installation Maintenance, Automobile Servicing</li> </ul>
DSWD-10	Sustainable Livelihood Program	<p>The program is a capability building program of DSWD and local government units which aims to improve the socioeconomic capacity of the poor through a capacity building that will develop the entrepreneurial and technical skills of the poor households identified by enabling them to manage sustainable microenterprises and linking them to locally-available jobs in order to enhance their access to basic social service and their standard of</p>

**Table 7.2 Overview of Livelihood Programs of Concerned Agencies**

Agencies	Program	Overview of Program
		living.
PESO (DOLE-10)	Skills Profiling and Job Placement	The service provides assessment of manpower requirements for local establishments to enable better access to locally available jobs and, thereafter, occupational counseling and job referrals through employment orientation counseling and job fairs for persons seeking a job.
DTI-10	Regular Training Program	The one of the training program is SME Roving Academy to provide generic skills and business-oriented learning trainings for developing micro, small and medium enterprises to become competitive, in order to assist in both start-up and existing businesses.

### 7.3.2 Other Assistance

#### Psychosocial Assistance

Recognizing the disorientation and sense of loss stemming from being relocated, psychosocial support services need to be provided to relocatees. These services are provided through DSWD-10, Department of Health (DOH) 10 and Department of Education (DepEd) 10. Further, Mental Health and Psychosocial Support Service are also provided through local schools in Cagayan de Oro City such as Xavier University, Liceo de Cagayan University and Mindanao State University (Cagayan de Oro College). These services shall be arranged to be provided for relocatees at resettlement site as community-basis assistance. In relation to livelihood restoration assistance, it is, specifically, noted that provision of livelihood restoration assistance needs to be provided to vulnerable groups of PAPs to ensure that vulnerable groups are given opportunities in skills training and in possible job placement.

#### Assistance for Vulnerable Groups

For vulnerable groups of PAPs, the provision of specialized programs needs to be implemented in coordination with DSWD-10 and City Social Welfare and Development Office (CSWDO). For women in crisis situations, Services for Women in Especially Difficult Circumstances provide community-based and residential-care services. Additionally, women and persons with disabilities (PWDs) are targeted for specific skills training, possible job placement and capital assistance to mitigate possible loss of livelihood stemming from relocation. Another DSWD Program, Neighborhood Support Services for Elder Persons enhances care-giving skills for the elderly. The program engages the community and neighborhood to take effective steps in the provision of care for elderly persons needing assistance. For persons with disabilities, Sheltered Workshop for Persons with Disabilities is the DSWD community-based facility that provides livelihood training and productive employment to PWDs. The facility helps PWDs to earn income through the production and selling of goods or services. Through effective coordination between DPWH and the concerned government agencies, these facilities could be made available to vulnerable groups being relocated.

### 7.3.3 Arrangement and Implementation of Assistance Measures

The livelihood restoration and other assistance are provided to PAPs by DPWH and/or Cagayan de Oro City through concerned government agencies by entering into the Memorandum of Agreement.

### 7.4 Entitlement Matrix

Type of loss incurred because of Project implementation, application, eligibility, and entitlements are summarized in Table 7.3 below.

**Table 7.3 Entitlement Matrix**

Type of Loss	Application	Entitled Person	Compensation/Entitlements	Responsible Organization
LAND (Classified as Agricultural, Residential, Commercial, or Institutional)	More than 20% of the total landholding is lost or where less than 20% lost but the remaining land holding becomes economically unviable.	<p>PAPs who are:</p> <ul style="list-style-type: none"> <li>▪ with Transfer Certificate of Title (TCT) or Tax Declaration (if it can be legalized to full title)</li> <li>▪ covered by customary law</li> <li>▪ holders of Certificates of Land Ownership Award (CLOA) granted under Comprehensive Agrarian Reform Act</li> </ul>	<p>PAPs will be entitled to:</p> <ul style="list-style-type: none"> <li>▪ Cash compensation for the loss of land at 100% replacement cost.</li> <li>▪ If land is available, “land for land” compensation will be provided, a new parcel of land of equivalent productivity in a nearby area or at a location acceptable to the PAP.</li> <li>▪ If land is not available, another option is instead of cash compensation, land for land will be provided in terms of a new parcel of land of equivalent productivity in a nearby area or at a location acceptable to the PAP.</li> <li>▪ Land tax for the first quarter for the replacement land in the host area, but PAP will still be liable for land tax in arrears due on the property taken in case of taxes of previous years not having paid yet.</li> <li>▪ Cash compensation for damaged crops and cost of production at market value at the time of taking.</li> <li>▪ If agricultural land is severely affected the lessees are entitled to disturbance compensation equivalent to 5 times average of gross harvest for the past 3 years, but not less than PhP15,000.</li> <li>▪ Rehabilitation assistance in the form of skills training equivalent to PhP15,000 per family, if the present means of livelihood is no longer viable and the affected family will have to engage in a new income activity.</li> </ul>	▪ UPMO-FCMD (DPWH)
		<ul style="list-style-type: none"> <li>▪ PAPs without TCT</li> <li>▪ holders of free or homestead patents and CLOAs under CA 141 or the</li> </ul>	<ul style="list-style-type: none"> <li>▪ No compensation for land</li> <li>▪ Compensation for land improvements only</li> <li>▪ Cash compensation for damaged crops and</li> </ul>	▪ UPMO-FCMD (DPWH)

**Table 7.3 Entitlement Matrix**

Type of Loss	Application	Entitled Person	Compensation/Entitlements	Responsible Organization
		Public Lands Act	<p>cost of production at market value at the time of taking.</p> <ul style="list-style-type: none"> <li>▪ Disturbance compensation equivalent to 5 times the average of the gross harvest for the 3 years but not less than PhP15,000 for agricultural lessors.</li> </ul>	
STRUCTURES (Residential, Commercial, Industrial/ Institutional)	More than 20% of the total landholding loss or where less than 20% loss but the remaining structures no longer function as intended or no longer viable for continued use.	<ul style="list-style-type: none"> <li>▪ Owners of structures with TCT or Tax Declaration</li> <li>▪ Owners of structures without TCT or Tax Declaration</li> <li>▪ Absentee owners of structures with or without TCT or Tax Declaration</li> <li>▪ Renters of the structure</li> </ul>	<ul style="list-style-type: none"> <li>▪ Cash compensation for the entire structure at 100% replacement cost.</li> <li>▪ Rental subsidy for the time between the submission of complete documents and the release of payment on land.</li> <li>▪ Cash compensation for the entire structure at 100% replacement cost.</li> <li>▪ Rental subsidy for the time between the submission of complete documents and the release of payment for structure.</li> <li>▪ Cash compensation for the entire structure at 100% replacement cost</li> <li>▪ Rental subsidy equivalent to 3 months, maximum amount to be determined based on city standards but not more than PhP 15,000</li> </ul>	<ul style="list-style-type: none"> <li>▪ UPMO-FCMD (DPWH)</li> <li>▪ UPMO-FCMD (DPWH)</li> <li>▪ UPMO-FCMD (DPWH)</li> <li>▪ UPMO-FCMD (DPWH)</li> </ul>
IMPROVEMENTS	Severely or marginally affected	<ul style="list-style-type: none"> <li>▪ Owners of improvements with or without TCT or Tax Declaration</li> </ul>	<ul style="list-style-type: none"> <li>▪ Cash compensation for the affected improvements at full replacement cost.</li> </ul>	<ul style="list-style-type: none"> <li>▪ UPMO-FCMD (DPWH)</li> </ul>
CROPS, TREES, PERENNIALS		<ul style="list-style-type: none"> <li>▪ Owners/ Users of the resources</li> </ul>	<ul style="list-style-type: none"> <li>▪ Cash compensation for crops (not yet suitable for harvest), trees, and perennials at current market value as prescribed by the concerned LGU and DENR</li> <li>▪ Compensation for perennials of commercial value as determined by DENR or Appraisal Committee</li> <li>▪ Compensation for fruit-bearing trees as determined by DENR or the LGU Assessors</li> </ul>	<ul style="list-style-type: none"> <li>▪ UPMO-FCMD (DPWH)</li> </ul>

**Table 7.3 Entitlement Matrix**

Type of Loss	Application	Entitled Person	Compensation/Entitlements	Responsible Organization
			<p>where project is located</p> <ul style="list-style-type: none"> <li>▪ Compensation for damaged crops, prorated to the affected area, at market value at time of taking</li> </ul>	
VULNERABLE GROUP	Severely or marginally affected	<ul style="list-style-type: none"> <li>▪ Poor, women, children, female-headed households, elderly, disabled</li> </ul>	<ul style="list-style-type: none"> <li>▪ entitled to additional allowance</li> </ul>	<ul style="list-style-type: none"> <li>▪ UPMO-FCMD (DPWH)</li> <li>▪ LGU-CDO</li> </ul>
LOSS OF ECONOMIC OPPORTUNITIES	Severely or marginally affected	<ul style="list-style-type: none"> <li>▪ Unemployed women/ wives, persons with disability</li> </ul>	<ul style="list-style-type: none"> <li>▪ Rehabilitation assistance in the form of livelihood and skills training, capital for small business</li> </ul>	<ul style="list-style-type: none"> <li>▪ UPMO-FCMD (DPWH)</li> <li>▪ LGU-CDO</li> </ul>
HOMELESS AND UNDERPRIVILEGED		<ul style="list-style-type: none"> <li>▪ Landless, occupants without permission (informal settlers) of lands, whose combined income falls within the poverty threshold set by NEDA</li> <li>▪ Professional squatters and member of squatting syndicates are not included.</li> </ul>	<ul style="list-style-type: none"> <li>▪ If qualified, may apply for housing in LGU or NHA resettlement sites</li> <li>▪ Inconvenience allowance</li> <li>▪ Transportation assistance, to transfer to resettlement site or return to place of origin (province, “balik probinsya”)</li> </ul>	<ul style="list-style-type: none"> <li>▪ UPMO-FCMD (DPWH)</li> <li>▪ LGU-CDO</li> </ul>
TEMPORAL LOSS OF CONTROL OF LAND USE	Owners of unused parcels of land along the Cagayan de Oro River	<ul style="list-style-type: none"> <li>▪ Location and necessary size of land parcels to be validated before start of construction works in 2016</li> </ul>	<ul style="list-style-type: none"> <li>▪ Land owners will be paid for the rent/ lease of land parcels based on market value and length of occupation by DPWH</li> <li>▪ DPWH will return the land parcel/s to the owner after lease contract and will recover condition of the land at pre-project level.</li> </ul>	<ul style="list-style-type: none"> <li>▪ UPMO-FCMD (DPWH)</li> </ul>
OTHER LOSS OR IMPACT NOT PREDICTED WHEN THE RAP IS PREPARED	Severely or marginally affected	<ul style="list-style-type: none"> <li>▪ PAPs or households affected by unanticipated impact identified during RAP implementation</li> </ul>	<p>DPWH, in coordination with other concerned institutions will:</p> <ul style="list-style-type: none"> <li>▪ Recognize and assess severity of the impact</li> <li>▪ Negotiate with PAPs for adequate assistance and compensation of impact</li> </ul>	<ul style="list-style-type: none"> <li>▪ UPMO-FCMD (DPWH)</li> </ul>

## Chapter 8 Resettlement Site Plan

### 8.1. Status of Resettlement Sites for TS Sendong-Affected Persons

#### 8.1.1 Existing Resettlement Sites

As explained in Section 2.3.5, there are 21 existing resettlement sites at present which were developed by the LIAC, particularly the Cagayan de Oro City, the NHA and the non-governmental organizations, in order to provide housing units for persons who were affected by the massive flooding caused by TS Sendong. As of August 31, 2013, the total number of housing units to be constructed is 9,585, and 5,138 units (about 54%) have been completed. Out of the completed units, 4,097 units (about 80%) have been occupied. The status of the 21 existing resettlement sites is presented in Table 8.1 below.

**Table 8.1 Existing Resettlement Sites (as of August 31, 2013)**

Resettlement Site	Location (Barangay)	No of Planned Units	Completed	Occupied
<b>Sites under Cagayan de Oro City (CDO)</b>				
CDORSHIP II	Canitoan, CDO	526	415	356
CDORSHIP II - B	Canitoan, CDO	66	66	64
CDORSHIP III	Canitoan, CDO	1,060	1,060	1,041
Calaanan Mahogany	Canitoan, CDO	160	160	30
Calaanan III Extension	Canitoan, CDO	56	40	40
Indahag Relocation Site I	Indahag, CDO	434	434	426
Indahag Relocation Site II	Indahag, CDO	578	578	544
LGU-Berjaya-GK Village	Camaman-an, CDO	126	126	126
Canitoan Relocation Site	Canitoan, CDO	410	342	300
Mambuaya (ARDEP Coop)	Mambuaya, CDO	323	116	59
Pagatpat Relocation Site	Pagatpat, CDO	1,000	300	0
Calaanan III (Quarry)	Canitoan, CDO	300	0	0
		<b>Sub-Total</b>	<b>5,039</b>	<b>3,637</b>
<b>Sub-Total</b>				
<b>2,986</b>				
<b>Sites under NHA</b>				
NHA CDO Bayanihan Village I	Camaman-an, CDO	426	420	250
NHA CDO Bayanihan Village II	Camaman-an, CDO	188	0	0
Gusa Eco Village	Gusa, CDO	2,360	0	0
		<b>Sub-Total</b>	<b>2,974</b>	<b>420</b>
<b>250</b>				
<b>Sites under Non-Profit Organizations</b>				
NASSA & SAC-ACDO Caritas Village	Indahag, CDO	90	90	90
Paglaum Village	Indahag, CDO	65	48	37
Tabang Cagayan Village I	Lumbia, CDO	99	99	70
Tabang Cagayan Village II	Malanang, Opol	150	0	0
Divine Mercy Village	Patag, Opol	600	276	147
Xavier Eco Village	Lumbia, CDO	568	568	517
		<b>Sub-Total</b>	<b>1,572</b>	<b>1,081</b>
<b>861</b>				
		<b>Grand Total</b>	<b>9,585</b>	<b>5,138</b>
<b>4,097</b>				

### 8.1.2 Proposed Resettlement Sites

In addition to the 21 existing resettlement sites, there are 7 resettlement sites being proposed by the Cagayan de Oro City and the NHA, 3 of which are under the Cagayan de Oro City and 4 of which are under the NHA, respectively. The planned number of housing units of these proposed resettlement sites are 4,259. These resettlement sites are basically proposed to develop and provide housing units for affected persons of TS Sendong. It is noted, however, that, while the first priority of these 7 proposed resettlement sites is to provide housing units for persons affected by TS Sendong, these 7 proposed resettlement sites are also intended to possibly provide housing units for persons who are currently living in danger areas and for low-income families, according to the Cagayan de Oro City and the NHA.

**Table 8.2 Proposed Resettlement Sites (as of August 31, 2013)**

Resettlement Site	Location (Barangay)	No. of Planned Units
<b>Sites under Cagayan de Oro City</b>		
Balbal Relocation Site I	Balbal, CDO	500
Balbal Relocation Site Extension	Balbal, CDO	400
Calaan Relocation Site II-B Extension	Canitoan, CDO	400
	<b>Sub-Total</b>	<b>1,300</b>
<b>Sites under NHA</b>		
NHA Mambuaya Village I	Mambuaya, CDO	1,000
Somoso Property	Lumbia, CDO	1,200
Gador Property	Lumbia, CDO	500
Mabulay Property	Indahag, CDO	259
	<b>Sub-Total</b>	<b>2,959</b>
	<b>Grand Total</b>	<b>4,259</b>

### 8.1.3 Status of Provision of Housing Units

Applications, screening and awarding processes of the TS Sendong-affected persons for resettlement sites are still on-going at present, and housing units in resettlement sites are still being given time to time, according to the progress of the construction of housing units, as shown in Table 8.1.

## 8.2 Requirements of the Project

### 8.2.1 PAPs Qualified for Resettlement Sites

As shown in Table 2.1, the total number of affected households is 1087 and composed of: (a) formal settlers (201 households) and informal settlers (886 households). Of the informal settlers, the number of informal settlers who are qualified for housing units in resettlement sites was estimated based on the qualifications of beneficiary stated in the City Ordinance No. 9888-2005 (Comprehensive Socialized Housing Program for the Underprivileged and Homeless Citizens) made in accordance with provisions of RA 7279 (Urban Development and Housing Act). One of qualifications of beneficiary is that an applicant must be underprivileged and homeless citizens, which is referred to the beneficiaries of RA 7279 and to individuals or families residing in urban and urbanized areas whose income or combined household income falls below Php 10,000 and who do not own housing units. The number of

qualified informal settlers is estimated at 526. In accordance with this figure, the candidate resettlement sites for PAPs were sought.

#### 8.2.2 Possible Options for PAPs Not Qualified for Resettlement Sites

The said qualified informal settlers of PAPs for resettlement sites (526 households) are about 60% of the total number of informal settlers (886 households) affected by the Project .

The remaining informal settlers (360 households) who are not qualified for resettlement sites may need to seek for assistance of the Project in coordination of the NHA to avail of the low-income housing programs such as the low-cost housing programs and the community mortgage program intended for the low-income households. Further, the Cagayan de Oro City is in the process of coming up with the comprehensive housing and urban development master plan and intends to provide low-income housing programs, which may also be sought for assistance of the Project to avail of housing units for the remaining informal settlers affected by the Project, in coordination with the Cagayan de Oro City. The Cagayan de Oro City is availed of the national government housing financial schemes for local housing programs through the NHA, the Home Guaranty Corporation, the Home Development Mutual Fund, the National Home Mortgage Finance Corporation, the Development Bank of the Philippines, the Land Bank of the Philippines and the Philippine National Bank. Furthermore, for the remaining informal settlers who do not own lands, but own structures and/or improvements, they are entitled to be compensated only for the structure and/or improvements that they own and may, therefore, seek for an option for self-relocation.

It is noted that, among PAPs, formal settlers of 201 households are basically just compensated for loss of land, structures or improvements by the Project and seek for self-relocation.

### 8.3 Candidates Resettlement Sites for the Project

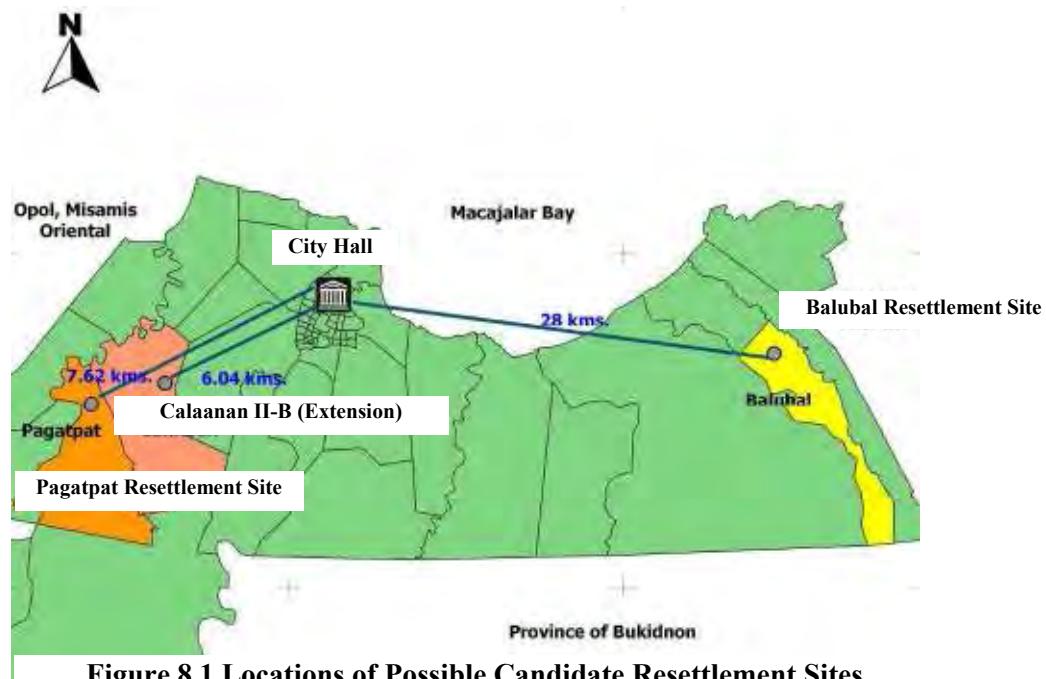
#### 8.3.1 Candidate Resettlement Sites

The first priority of resettlement sites of the Cagayan de Oro City and the NHA is to provide housing units to the TS Sendong-affected persons, and applications, screening and awarding processes are still on-going at present as mentioned in the previous section. Under the circumstances, the possible candidate resettlement sites for PAPs at present were sought and, 3 resettlement sites under the Cagayan de Oro City and located within the city such as Balubal Resettlement Site (Barangay Balubal), Calaanan II-B (Barangay Canitoan) and Pagatpat Resettlement Site (Barangay Pagatpat) were given as candidate sites at present in discussion and consultation with concerned parties, considering the estimated number of eligible PAPs for resettlement sites and the planned schedule of relocation and resettlement of the Project.

The total capacity of the 3 candidate resettlement sites shown in Table 8.3 can accommodate the estimated number of eligible PAPs for resettlement sites (526 households). The overview of candidate resettlement sites at present is provided in Table 8.3, and its location map is shown in Figure 8.1.

**Table 8.3 Status of Possible Candidate Resettlement Sites**

	Balubal Resettlement Site	Calaanan II-B (Extension)	Pagatpat Resettlement Site
Location	Barangay Balubal Cagayan de Oro City	Barangay Canitoan Cagayan de Oro City	Barangay Pagatpat Cagayan de Oro City
Distance from City Hall	About 28.0 km	About 6.0 km	About 7.6 km
Travel Time from City Hall by Car	About 1 hour	About 30 min	About 45 min
Land Ownership	Cagayan de Oro City	Cagayan de Oro City	Cagayan de Oro City
Type of Development	Newly Developed Site	Extension of Existing Site	Newly Developed Site
Stage of Development	Under Development	Surveying and Planning	Almost Completed
Area (ha)	6.70	4.00	16.00
Proponent	Cagayan de Oro City	Cagayan de Oro City	Cagayan de Oro City
Planned No. of Units	567	300 ~ 400	1,000
No. of Occupied Units	No Units Constructed Yet-	No Units Constructed Yet	Vacant at Present
Type of Housing	Single Detached Housing	Duplex Housing	Duplex Housing
Inner Road	Site Grading Work On-Going	Subdivision Layout under Preparation	Road Filling Work Scheduled & Waiting for Mayor's Approval
Water Supply	Source Considering Water District, Barangay Water Supply, National Irrigation Administration	Under Initial Planning Stage at Present	Already Requested to Local Water District to Install Pipelines
Drainage	Open Line Canal Already Designed	Under Initial Planning Stage at Present	Open Line Canal Designed Waiting for Fund from Office of Civil Defense
Sewerage	Individual Septic Tank for Each Unit Designed	Under Initial Planning Stage at Present	Already Constructed for Each Unit
Power Supply	Power Layout to be Done by Local Power Company	Under Initial Planning Stage at Present	Power Layout Being Planned by Local Power Company
Community Facilities (School, Multi-Purpose Hall, Livelihood Center, Health Center, Chapel, Wet Market, Transport Terminal, Day Care Center)	The site is at the stage of land development, so community facilities, whose lots are allocated in site development plan, are still under planning.	The site is at the stage of land development, so community facilities, whose lots are allocated in site development plan, are still under planning.	The site is almost completed, but community facilities, whose lots are allocated in site development plan, are still under planning.
Note	Housing Unit Materials Provided by Japanese Grant Aid	-	-



**Figure 8.1 Locations of Possible Candidate Resettlement Sites**

### 8.3.3 Further Discussion and Agreement on Resettlement Sites

At present, the Project is still in the process of official arrangement and agreement for its implementation, and further discussion and arrangement on resettlement sites for PAPs are, therefore, necessary to be made officially by DPWH with the Cagayan de Oro City and other concerned parties, posterior to the said official arrangement and agreement are made.

### 8.4 Efforts on Improvement of Housing Units and Resettlement Site

Posterior to the new administration of the Cagayan de Oro City taken office in July 2013, efforts on improving the quality of various housing development projects of the Cagayan de Oro City has started.

In regard to the above, the Cagayan de Oro City has created the Shelter and Housing Development Multi-Sectoral Task Force in August 2013 by the Local Executive Order (020-13), in order to address and work on the following: (a) preparation of a city comprehensive housing and urban development master plan, (b) formulation of a strategy to provide basic services and sustainable development assistance for internally displaced persons and communities, especially those who are victims of calamities, (c) identification and recommendation of priorities and other urgent concerns in the implementation of the housing program for the homeless and informal settlers in the city, (d) coordination of all activities relative to the implementation of the city's housing program with the key government agencies and (e) provision of an effective strategy to ensure the gradual and substantial reduction in the numbers of informal settlers in the city within the 3-year period for the implementation of the program.

With the said efforts, housing units newly provided in resettlement sites are being planned to improve its living conditions by providing a single dethatched units rather than a duplex unit and also providing adequate basic utilities and facilities in resettlement sites.

## Chapter 9 Grievance Redress Mechanism

### 9.1 Policy of DPWH

The Land Acquisition, Resettlement, Rehabilitation and Indigenous Peoples' Policy, 3<sup>rd</sup> edition of DPWH (LARRIPP, 2006) outlines the framework of DPWH to redress concerns related to acquisition, compensation, and other aspects of resettlement.

Grievances related to any aspect of the project or sub-project will be handled through negotiations and are aimed at achieving consensus following the procedures outlined below:

- The grievance shall be filed by the PAP with the Resettlement Implementation Committee (RIC) who will act within 15 days upon receipt, except complaints and grievances that specifically pertain to the valuation of affected assets, since such will be decided upon by the proper courts;
- If no understanding or amicable solution can be reached, or if the PAP does not receive a response from RIC within 15 days of registry of the complaint, he or she can appeal to the concerned Regional Office of DPWH, which should act on the complaint or grievance within 15 days from the day of its filing;
- If the PAP is not satisfied with the decision of the Regional Office, he/she, as a last resort, can submit the complaint to any court of law.

PAPs shall be exempted from all administrative and legal fees incurred pursuant to the grievance redress procedures.

All complaints received in writing (or written when received verbally) from PAPs will be documented and shall be acted upon immediately according to the procedures detailed above.

### 9.2 Objectives of Grievance Redress Procedures

Disputes arising over RAP implementation, whether these are regarding valuation of properties, eligibility, provision of support services or other concerns, need to be addressed. The Grievance Redress Procedures aim to:

- Provide due process in resolving complaints pertaining to RAP implementation
- Monitor RAP implementation, especially adverse impacts on vulnerable populations
- Empower affected communities in the implementation of the project

### 9.3 Grievance Redress Procedures

Grievance redress is a shared responsibility between RIC (composed of various government agencies and representatives of the affected communities) and DPWH Regional Office. The RIC is a local coordinating and consultative body organized for the implementation of RAP, and established by UPMO-FCMD through a Memorandum of Agreement (MOA) with concerned parties prior to the start of Detailed Design. One of the RIC's key responsibilities is to receive and document complaints from PAPs, and act on these grievances accordingly. If

the response to a complaint is deemed inadequate, PAPs may elevate their grievance to the DPWH Regional Office X. Table 9.1 below delineates the steps in the filing of complaints, the various agencies involved in the redress of grievances, and the time limits for resolution of complaints.

**Table 9.1 Steps in Filing Grievances and Grievance Redress Structure**

<b>Stage</b>	<b>Grievance Procedure</b>	<b>Responsible Agency</b>
Receipt	Grievances may be filed either orally or in writing with RIC. At the barangay level, PAPs could file their complaint with their Barangay Chairperson, a member of RIC. Grievances may also be filed through UPMO-FCMD's Field Office-CDOR. If unsatisfied with the outcome, PAPs may file their complaint with the Regional Office. Courts of law are the last resort for PAPs not in agreement with the decision of the RIC or the Regional Office.	Barangay, UPMO-FCMD, and Field Office CDOR , DPWH Regional Office X.
Documentation	A grievance form will be used to document complaints to ensure all relevant details are obtained. The identity of the complainant (name, address, and contact details), means of reporting complaint, the date grievance was sent and received, and the nature of the complaint needs to be captured in the form.  Use of the local language is allowed, and in cases where the complainant lacks literacy skills to fill out the form, grievances could be submitted orally and recorded by an officer of the receiving office.	Barangay, UPMO-FCMD or Field Office-CDOR, and DPWH Regional Office.  Note: Complaints are documented through the grievance form drafted by UPMO-FCMD.
Fact-Finding	The RIC shall verify the identity of the complainant and the nature of complaint, and compile supporting evidence. The RIC shall make recommendations for resolution to the appropriate bodies for consideration in the redress of grievance or complaints. If the complainant wishes to appeal the RIC's decision, the grievance is escalated to the Regional Office for resolution.	RIC Members: City Mayor or Representative, UPMO-FCMD or Field Office-CDOR, City Government Officers, Barangay chairperson of each affected barangay, Representative of PAPs for each affected barangay, Representative of NGOs operating within the city, and Representatives of assisting government agencies such as NHA, DOLE, DSWD and DTI.
Feedback	The RIC will be given fifteen (15) days upon receipt of complaint to resolve cases, except for complaints on the valuation of affected assets. The Regional Office will also have 15 days to resolve cases from receipt of complaint. The aggrieved party will be informed of the outcome through UPMO-FCMD's Field Office-CDOR.	UPMO-FCMD / Field Office-CDOR, DPWH Regional Office

**Table 9.1 Steps in Filing Grievances and Grievance Redress Structure**

<b>Stage</b>	<b>Grievance Procedure</b>	<b>Responsible Agency</b>
Appeal	<p>If the complainant wishes to appeal the RIC's decision, the grievance is escalated to the Regional Office for resolution. If the aggrieved party does not accept the decision of the Regional Office, the grievance could be filed with the appropriate court of law.</p> <p>In property valuation complaints where DPWH has decided to initiate expropriation proceedings, RA 8974 requires PAPs to be paid one hundred percent (100%) of the value of the property based on the current zonal valuation of the Bureau of Internal Revenue (BIR). The amount will be deposited into an escrow account while the court determines the just compensation to be paid to PAPs. After the court decision becomes final and executor, DPWH will pay PAPs the difference between the amounts paid and the just compensation determined by the court.</p>	RIC, DPWH Regional Office, and Courts.

## Chapter 10 Community Participation

### 10.1. Framework for Community Participation in Resettlement Implementation

In order to ensure participation of PAPs in the resettlement implementation, a framework for community participation in resettlement implementation of the Project is summarized in Table 10.1.

The basic strategies of the framework are to: (a) ensure active participation and appropriate representation of PAPs, institutionalize a two-way flow of communication between PAPs and the Project and (c) ensure information dissemination and sharing to be provided in simple, appropriate and understandable formats suiting for PAPs through active participation and a two-way communication.

**Table 10.1 Framework for Community Participation in Resettlement Implementation**

<b>Components</b>	<b>Summarized Contents</b>
Purpose of the Framework	<ul style="list-style-type: none"> <li>• Provide a framework for community participation, in order to facilitate understanding and participation of PAPs and their concerned local communities on the resettlement implementation of the Project.</li> </ul>
Specific Objectives of the Framework	<ul style="list-style-type: none"> <li>• Ensure wider participation of PAPs in information dissemination and consultation meetings in advance, and</li> <li>• Ensure consultation with PAPs on resettlement options such as compensation, relocation sites, livelihood assistance, necessary procedures and required documents,</li> <li>• Ensure participation of PAPs in grievance redress mechanism to be represented through a venue of the Resettlement Implementation Committee (RIC) set by the Project,</li> <li>• Ensure participation in the internal monitoring of the resettlement implementation activities of the Project, in order to provide feedback to the Project on a more accurate reading of feelings and reactions of PAPs and concerned local communities on the resettlement implementation and the Project.</li> </ul>
Targets of the Framework	<ul style="list-style-type: none"> <li>• All PAPs of the Project, and</li> <li>• Concerned local communities of PAPs such as respective affected barangays and the local government unit of the Cagayan de Oro City.</li> </ul>
Participation Schemes of the Framework	<ul style="list-style-type: none"> <li>• Representation of PAPs as a member of RIC to involve in activities of the resettlement implementation of the Project.</li> <li>• Regular and ad-hoc small-scale consultation meetings held on the resettlement implementation at zone level in respective affected barangays,</li> <li>• Regular and ad-hoc information dissemination on activities of the resettlement implementation through regular and ad-hoc information campaign and communication materials,</li> <li>• Regular internal monitoring of the resettlement implementation.</li> </ul>
Communication Materials	<ul style="list-style-type: none"> <li>• Printed and visual materials (newsletter, brochure and poster), which shall be prepared in both English and Visayas.</li> </ul>
Institutional Setup of the Framework	<ul style="list-style-type: none"> <li>• Plan, operate and manage framework activities of community participation for PAPs of the Project through RIC, which is a local coordinating and consultative body organized for the implementation of resettlement and set by UPMO-FCMD.</li> </ul>

## 10.2 Community-Based Influx Management Program

In order to prevent the right-of-way areas of the Project and the river areas from encroachment of informal settlers and secure the said areas, a community-based influx management program is summarized in the table below.

**Table 10.2 Community-Based Influx Management Program**

<b>Program Item</b>	<b>Contents of Program</b>
Program Objective	Enforcement of laws and ordinances regarding encroachment into the right-of-way areas of the Project and also the river areas where flood risk level is very high.
Program Components	<ul style="list-style-type: none"> <li>- <u>Program Component 1</u>: Organization and Operations of Barangay Influx Management Action Team (BIMAT) <ul style="list-style-type: none"> <li>• Purpose of Program Component 1 - To implement the community-based influx management program at barangay level.</li> <li>• Concerned Barangays – 15 barangays located along the river banks of Cagayan de Oro River, such as Barangay Bon-Bon, Barangay Kauswagan, Barangay Carmen, Barangay Balulang, Barangay Consolacion, Barangay 17, Barangay 15, Barangay 13, Barangay 10, Barangay 7, Barangay 6, Barangay 6, Barangay 2, Barangay 1, Barangay Nazareth and Barangay Macasandig.</li> <li>• Team Organization – BIMAT shall be organized and operated under Barangay Council of each concerned barangay and supervised and managed under the Resettlement Implementation Committee (RIC) set by the Project.</li> <li>• Team Components – BIMAT shall be composed of the following personnel selected from each concerned barangay such as: (a) Barangay Police (Barangay Tanod), (b) Barangay Council Officials (Sangguniang Barangay Officials), (c) Barangay Youth Council Officials (Sangguniang Kabataan Officials) and (d) Community Volunteer Organizations (CVOs).</li> <li>• Team Responsibilities – BIMAT shall be responsible for: (a) securing the right-of-way area of the Project and also the river area from encroachment through conducting a regular patrol and assigning a watchkeeper to an outpost in a site, (b) placing and managing warning and announcement signs and (c) designing and conducting the Information, Education and Communication (IEC) Program to residents of concerned barangays.</li> </ul> </li> <li>- <u>Program Component 2</u>: Design and Preparation of Information, Education and Communication (IEC) Program on Influx Management and Flood Disaster including IEC Kits. <ul style="list-style-type: none"> <li>• Purpose of Program Component 2 - To design and prepare IEC Program on influx management and disaster at barangay level.</li> <li>• Design of IEC Program – IEC Program shall conduct the following activities such as: (a) community meeting for adults on creating and enhancing awareness and understanding on flood disaster and importance of preventing the right-of-way areas and river areas from living and establishing structures and (b) small meeting for children and youths on educating about how flood disaster is occurred and dangerous, how people can be protected from flood disaster and what people need to do about the right-of-way areas and river areas from the viewpoint of flood risk and flood disaster.</li> <li>• Preparation of IEC Program Kits – based on the design of IEC Program, IEC Program Kits shall be prepared both for adults and for children and youths by BIMAT in cooperation with the City Disaster Risk Reduction and Management Council, OCD-10,</li> </ul> </li> </ul>

**Table 10.2 Community-Based Influx Management Program**

<b>Program Item</b>	<b>Contents of Program</b>
	<p style="text-align: center;">DILG-10 and DPWH-10.</p> <ul style="list-style-type: none"> <li>• Training of BIMAT – members of BIMAT shall be trained on influx management and flood disaster management from City Disaster Risk Reduction and Management Council, OCD-10, DILG-10 and DPWH-10</li> </ul>

### 10.3 Consultation Meeting with PAPs

#### 10.3.1 Overview of Consultation Meeting

Consultation meetings with PAPs were held from November 5 to 6, 2013. The overview of Consultation meetings is summarized in the following table.

**Table 10.3. Overview of Consultation Meeting with PAPs**

	<b>Consultation Meeting 1</b>	<b>Consultation Meeting 2</b>	<b>Consultation Meeting 3</b>	<b>Consultation Meeting 4</b>
Purposes of Meeting	<p>To present and inform PAPs about the following.</p> <ul style="list-style-type: none"> <li>- Explanation of flood risk level, high flood risk area and affected area of the Project.</li> <li>- Overall results of socioeconomic survey</li> <li>- Eligibility of PAPs under this Project</li> <li>- Entitlement under the Philippine laws and policies in terms of resettlement</li> <li>- Briefing of JICA Guidelines and gap analysis between the Philippine laws and JICA Guidelines</li> <li>- Project policy on compensation and assistance</li> <li>- Resettlement sites including status of infrastructure, facilities and timing of relocation, etc.</li> </ul> <p>To provide explanation, clarification and/or answers on questions and/or opinions raised by PAPs</p>			
Date of Meeting	November 5, 2013 (AM)	November 5, 2013 (PM)	November 6, 2013 (AM)	November 6, 2013 (PM)
Venue of Meeting	Barangay Nazareth Gym (Cagayan de Oro City)		City Tourism Hall (Cagayan de Oro City)	
Barangays of Participated PAPs	Brgy Balulang Brgy Macasandig Brgy Nazareth	Brgy Carmen	Brgy Bonbon Brgy Kauswagan Brgy 1 Brgy 2 Brgy 6 Brgy 7 Brgy 10 Brgy 13 Brgy 15 Brgy 17	Brgy Consolacion
Number of Participants:	158	115	310	170
-PAPs	134	91	287	148
-City Offices	2	2	1	2
-Barangay Officers	2	2	4	2
-National Government Officers	3	3	1	1
-DPWH	9	9	9	9
-JICA Survey Team	8	8	8	8

### 10.3.2 Summary of Topics Explained and Points of Discussions

#### (1) Topics Explained to PAPs

**Table 10.4 Outline of Topics Explained to PAPs**

<b>Topics Explained</b>	<b>Outline of Topics</b>
Flood Risk Level, High Flood Risk Area and Affected Area of the Project	The flood risk of the Cagayan de Oro River was explained through a photo showing a flood-mark of TS Sendong, a flood risk map, a flood risk level criteria, a conceptual cross section of river boundary and a map showing the right-of-way area of the Project.
Overall Results of Socioeconomic Survey	The objective, cut-off date, the number of covered barangays, the number of targeted households and highlighted results of the survey were explained. The highlighted survey results included: (a) claim on land and structure, (b) primary occupation / source of income of household heads and members, (c) monthly income of households, (d) households with business activities, (e) number of households with trees, (f) vulnerability of households, (g) existing and preferred skills and (h) business interest.
Entitlement under Philippine Laws and Policies in Terms of Resettlement, including eligibility of PAPs and gap analysis	Definition of key terms related to resettlement was briefly explained as follows. (a) Resettlement, (b) Replacement cost, and (c) Eligibility of project affected persons (PAPs). Options available for PAPs were presented and explained for those who are: (a) Owner of structure only, (b) Owner or user of resources such as trees and crops, (c) Renter of structure, (d) Loss of business or income, (e) Landless, occupants without permission, underprivileged with income within poverty threshold, (f) Landless occupants with income above poverty threshold, (g) Vulnerable groups such as underprivileged, women, elderly, persons with disability and (h) All PAPs.
Resettlement Sites	The responsibilities and roles of the LGU in terms of resettlement were explained, particularly on provision of assistance to relocation, housing units in resettlement sites and other housing programs.

#### (2) Points of Discussion

**Table 10.5 Summarized Points of Discussion**

<b>Topics Explained</b>	<b>Summarized Points of Discussion</b>	<b>Response by DPWH</b>
Flood Risk Level, High Flood Risk Area and Affected Area of the Project	1. Affected Areas  - Study on the possibility of reducing the affected area of dike construction in Barangay Macasandig by modification of alignment to minimize the number of PAPs	Detailed engineering design will have to be undertaken afterward that may entail adjustments in the project design. These adjustments may result to the possible reduction of the number of affected households but PAPs in Flood Risk Level 4 will have to be relocated.

**Table 10.5 Summarized Points of Discussion**

Topics Explained	Summarized Points of Discussion	Response by DPWH
	<ul style="list-style-type: none"> <li>- Clarification on the alignment and the extent of the affected households in Burgos St.</li> </ul> <p>2. Schedule of the Project</p> <ul style="list-style-type: none"> <li>- Definite start date for the project</li> <li>- Possibility for the project to start earlier than 2016</li> </ul>	<p>Detailed engineering design will have to be undertaken afterward that may entail adjustments in the project design. Hence the number of affected households will also be determined at that time.</p>
Overall Results of Socioeconomic Survey	<p>1. All PAPs</p> <ul style="list-style-type: none"> <li>- Clarification if those surveyed are the final PAPs</li> </ul>	<p>The socioeconomic survey that was conducted for this Study provided DPWH with the indicative number of PAPs. The number and the list of affected households to be resettled will be finalized after the completion of the detailed engineering design of the Project, possibly in 2015. However, those households living in “no build zones” and in danger areas will have to be resettled earlier.</p>
Entitlement under Philippine Laws and Policies in Terms of Resettlement, including eligibility of PAPs	<p>1. Absence of land titles as proof of ownership to qualify for entitlement</p> <ul style="list-style-type: none"> <li>- Most of the land owners in Macasandig have only Deed of Sale in their possession as proof of ownership</li> <li>- Recipients of government housing program cannot show documents proving ownership.</li> </ul>	<p>Since most of the participants have no certificate of title, participants are advised that tax declaration covering at least 30 years may also substantiate land ownership claim, and could be grounds for entitlement.</p>
	<ul style="list-style-type: none"> <li>- The land titles are still in the names of the previous owners (e.g. relatives who had passed away)</li> </ul>	<p>Heirs have to execute extrajudicial settlement of estate for deceased relative/s who owned land. For participants whose lands have not yet been sub-divided, division of ownership needs to be finalized before payment is processed.</p>
	<p>2. Most of PAPs in Barangay Consolacion are occupying government land</p>	<p>Project-affected persons in possession of land without the benefit of a title and without consent of the owner have the option to avail of relocation, as long as qualified.</p>
	<p>3. Non-payment of tax declaration that would serve as proof of ownership of structure</p>	<p>The government has to have proof of ownership before disbursing payments, not just for lands but for structures as well. Back taxes have to be paid first before claiming entitlement for property.</p>
	<p>4. Possibility of qualifying for payment of properties even if already a recipient of a housing unit from LGU or</p>	<p>Participants advised that double compensation is not allowed. Eligible project-affected people may choose either compensation for structures and</p>

**Table 10.5 Summarized Points of Discussion**

Topics Explained	Summarized Points of Discussion	Response by DPWH
	other agencies 5 Basis for determining current market value of properties 6. Clarification that all structures, regardless of size, are treated similarly	improvements, or opt for relocation. For structures, replacement cost value will be the basis, using the current price index. For land, the latest BIR Zonal Value will be used as basis for current market value. Clarified the importance of the project for the better good – participants assured of fair treatment regardless of building size.
Resettlement Sites	1. Available resettlement sites 2. Qualifications for becoming a recipient of an NHA housing unit	DPWH assured of several resettlement sites to accommodate PAPs. Reiterated role of NHA as assisting agency in implementing resettlement for the project, and clarified role of LGU as lead implementer of resettlement plan. Requirements will thus be set by the LGU, not the NHA.

### 10.3.3 Points of Consultation Meeting

Major points of the Consultation Meeting with PAPs are as follows.

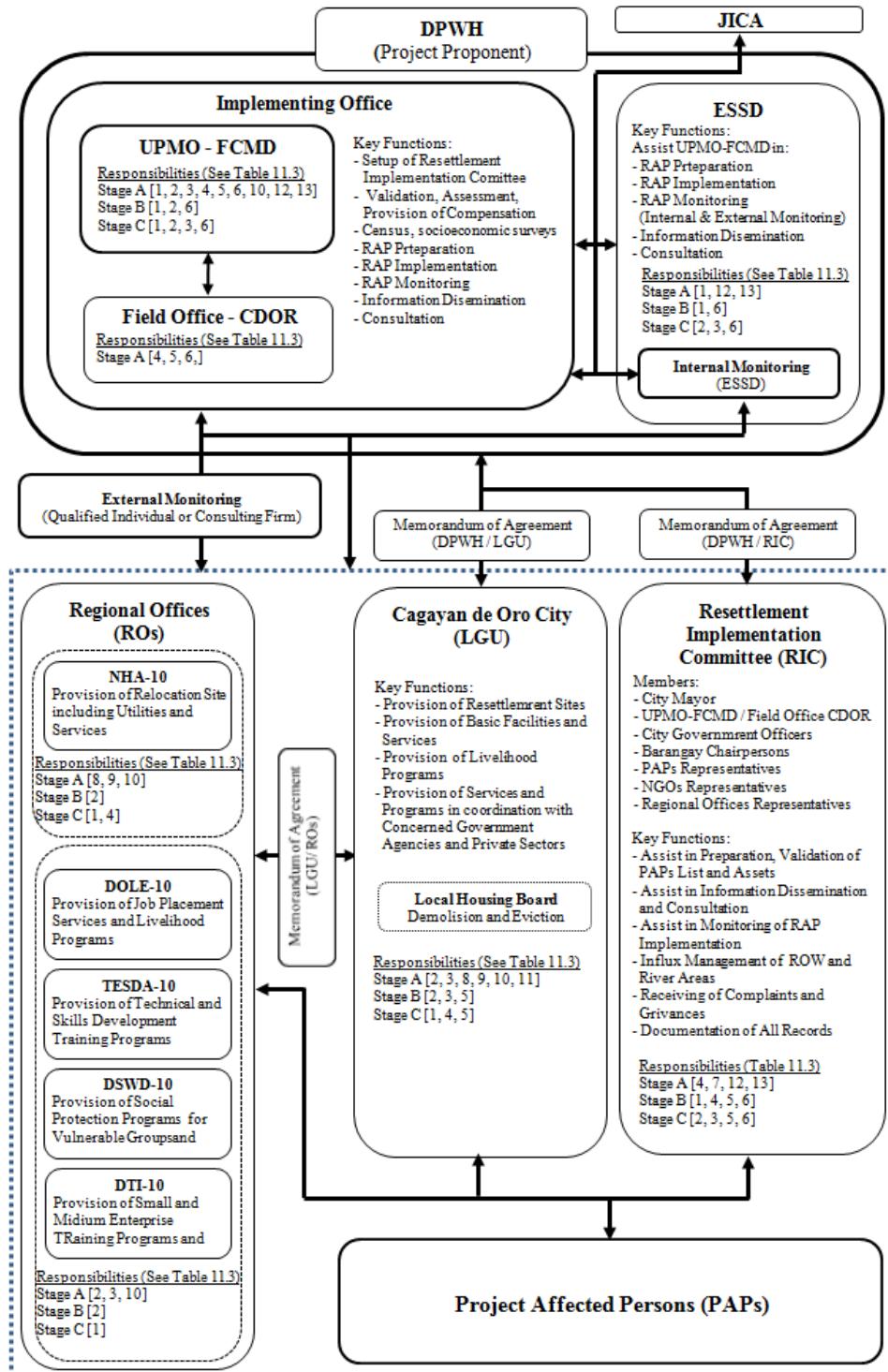
- It was a valuable opportunity for PAPs to learn and inquire about an overview of the Project through a proponent agency and concerned agency, particularly on: (a) flood risk level, high flood risk area and the project areas, (b) entitlements under the Philippine laws and policies in terms of resettlement, including eligibility of PAPs and gap analysis and (c) resettlement sites.
- It was also considered important for a proponent agency as well to directly receive feedback from PAPs on the Project and its information presented and explained to PAPs in the Consultation Meeting. On the project policy on compensation and assistance, the Consultation Meeting provided a good chance and venue to have proper clarification and explanations on how PAPs can go about compensation and assistance and also its procedures and document requirements.
- Considering feedback provided by PAPs in the Consultation Meeting, a proponent agency is expected to continue providing consultation meetings and appropriate information for clarifying concerns of PAPs. Further, feedback provided by PAPs is expected to consider by a proponent agency in the design stage of the Project as well.

## Chapter 11 Institutional Framework

### 11.1 Organizational Framework for RAP Implementation and Key Responsibilities

Following figure provides an organizational chart of agencies concerned with the implementation of RAP and its key responsibilities.

Figure 11.1 RAP Implementation Concerned Agencies & Key Responsibilities



Key responsibilities of each concerned agencies are referred to the relocation stages such as Stage A (Pre-Relocation), Stage B (Actual Relocation) and Stage C (Post-Relocation) and its corresponding responsibilities (numbers indicated in parenthesis) shown in Table 11.3.

## 11.2 Organization Related to Resettlement Implementation

In this section, concerned offices of DPWH, national and local governments on resettlement implementation presented in Figure 11.1 are described.

### 11.2.1 Concerned Offices of DPWH on Resettlement Implementation

The offices of DPWH related to the implementation of resettlement of the Project are presented with its major functions in Table 11.1.

**Table 11.1 Offices of DPWH Related to Implementation of Resettlement**

Related Offices	Functions Related to Resettlement
Unified Project Management Office – Flood Control Management Division (UPMO-FCMD)	<p>UPMO-FCMD, formally called PMO-Flood Control, is the implementing office and functioned as follows.</p> <ul style="list-style-type: none"> <li>• Formulate, review, update and approve RAP including a RAP budget plan with assistance from ESSD and in accordance with guidelines with JICA and DPWH.</li> <li>• Arrangement with Concerned Parties on RAP Implementation.</li> <li>• Set up the Resettlement Implementation Committee (RIC) through entering into the Memorandum of Agreement (MOA) with concerned local parties.</li> <li>• Conduct tagging, census, socioeconomic survey, replacement cost survey if necessary.</li> <li>• Preparation and validation of list of PAPs and affected assets.</li> <li>• Conduct assessment and provision of compensations.</li> <li>• Facilitate the consultation meetings and information dissemination of RAP and other relevant stakeholders throughout process of RAP.</li> <li>• Monitor the implementation of RAP during RAP process.</li> </ul> <p>Field Office for Cagayan de Oro River (CDOR) is created in the project site under UPMO-FCMD and functioned as follows.</p> <ul style="list-style-type: none"> <li>• Assist UPMO-FCMD in the management and supervision of the project construction in the project site.</li> <li>• Assist UPMO-FCMD in implementation of the right-of-way acquisition including resettlement activities.</li> <li>• Assist UPMO-FCMD in the conduct of tagging, census, socioeconomic survey and replacement cost survey, if necessary.</li> <li>• Assist UPMO-FCMD in preparation and validation of the list of PAFs and affected assets.</li> <li>• Assist UPMO-FCMD in assessment and provision of compensations.</li> </ul>
Environmental and Social Safeguards Division (ESSD) of Planning Service	<p>ESSD, formally called ESSO (Environmental and Social Service Office), provides technical guidance and support in the implementation of RAP and responsible for the following.</p> <ul style="list-style-type: none"> <li>• Assist UPMO-FCMD in the preparation, review, update and approval of RAP, including a RAP budget plan.</li> <li>• Assist UPMO-FCMD in facilitating consultation meetings and information dissemination of PAPs and other relevant stakeholders during RAP process.</li> </ul>

**Table 11.1 Offices of DPWH Related to Implementation of Resettlement**

<b>Related Offices</b>	<b>Functions Related to Resettlement</b>
	<ul style="list-style-type: none"> <li>• Assist UPMO-FCMD in conduct of monitoring the implementation of RAP.</li> <li>• Assist UPMO-FCMD in resolving concerns and issues encountered during the implementation of RAP.</li> </ul>

It is noted that, due to the Rationalization Plan of DPWH which was approved by the Department of Budget and Management (DBM) in June 2013, PMO-Flood Control was changed to Flood Control Management Division and placed under Unified Project Management Office (UPMO). Also, ESSO was changed to Environmental and Social Safeguards Division (ESSD) and placed under Planning Service at Central Office.

#### 11.2.2 Concerned Local and National Governments on Resettlement Implementation

The local and national governments concerned with the implementation of resettlement of the Project are presented with its major functions in Table 11.2.

**Table 11.2 Concerned Local and National Governments on Resettlement Implementation**

<b>Concerned Governments</b>	<b>Functions Related to Resettlement</b>
Local Government Unit (LGU) of Cagayan de Oro City	<p>LGU of Cagayan de Oro City is a key local actor related to the implementation of resettlement, mandated by the Urban and Housing Development Act (RA7729) and responsible for the following key matters.</p> <ul style="list-style-type: none"> <li>• Provide resettlement sites.</li> <li>• Provide basic services such as potable water, power and sewerage, in coordination with concerned government agencies and private sector.</li> <li>• Provide other basic facilities such as health, education, communication, security, recreation, relief and welfare, in coordination with concerned government agencies and private sector.</li> <li>• Provide livelihood programs in coordination with concerned government agencies and private sector.</li> <li>• Provide the above basic services, basic facilities and livelihood programs made through entering into MOA with concerned parties.</li> </ul> <p>Within the city government, City Estate Management Division (CEMD) under City Planning and Development Office (CPDO) is responsible for following resettlement activities.</p> <ul style="list-style-type: none"> <li>• Administer and maintain existing and new resettlement sites of the city.</li> <li>• Administer applications, screening and awarding of social housing program of the city.</li> <li>• Administer resettlement assistance including transfer of relocating persons</li> </ul>
Local Housing Board (LHB) of Cagayan de Oro City	<p>LHB of Cagayan de Oro City is a local special body for housing devoted to address shelter concerns of LGU with a legal basis and authority by the Executive Order 708 (2008), reorganized by the Local Executive Order (No. 039-13) in August 2013 and responsible for the following key matters.</p> <ul style="list-style-type: none"> <li>• Formulate comprehensive city shelter plan of LGU concerned, including the following local housing projects, such as</li> </ul>

**Table 11.2 Concerned Local and National Governments  
on Resettlement Implementation**

<b>Concerned Governments</b>	<b>Functions Related to Resettlement</b>
	<p>resettlement projects, community mortgage program, regular low-cost housing projects, medium rise housing and rental housing projects and core shelter housing assistance projects.</p> <ul style="list-style-type: none"> <li>• Administer housing and land development plans, socialized housing programs and coordination with other government agencies.</li> <li>• Conduct demolition and eviction of informal settlers, in coordination with PCUP.</li> </ul>
Resettlement Implementation Committee (RIC)	<p>RIC is a local coordinating and consultative body organized for the implementation of RAP and set up by UPMO-FCMDDM through entering into MOA with concerned parties, prior to the commencement of Detail Design. RIC is composed of and functioned as follows.</p> <p><b>Composition:</b></p> <ul style="list-style-type: none"> <li>• City Mayor or representative</li> <li>• UPMO-FCMD / Field Office-CDOR</li> <li>• City Government Officers</li> <li>• Barangay Chairperson of each affected barangay</li> <li>• Representative of PAPs of each affected barangay</li> <li>• Representative of non-governmental organizations operating within the jurisdiction of the city</li> <li>• Representatives of assisting regional government offices such as NHA, Department of Labor and Employment (DOLE), Technical Education and Skills Development Authority (TESDA), Department of Social Welfare and Development (DSWD), Department of Trade and Industry (DTI) and others if necessary.</li> </ul> <p><b>Functions:</b></p> <ul style="list-style-type: none"> <li>• Assist UPMO-FCMD in preparation and validation of the list of PAFs and affected assets.</li> <li>• Assist UPMO-FCMD and ESSD in the conduct of consultation meetings and information dissemination of PAPs and other relevant stakeholders during RAP process.</li> <li>• Assist UPMO-FCMD and ESSD in monitoring of the implementation of RAP during RAP process.</li> <li>• Assist the City Government in the enforcement of laws and ordinances regarding encroachment into the right-of-way areas of the Project, in coordinating with concerned government agencies.</li> <li>• Receive complaints and grievances of PAPs and other stakeholders and act accordingly.</li> <li>• Maintain record of all public meetings, complaints and actions taken to address complaints and grievances.</li> </ul>
National Housing Authority (NHA) Region 10	<p>NHA Region 10 is a key national agency on housing in Cagayan de Oro City and mandated to provide the following related to the implementation of resettlement.</p> <ul style="list-style-type: none"> <li>• Provide relocation sites for informal settler including the provision of adequate utilities and services, in anticipation of informal settlers in the site of future infrastructure projects and in coordination with concerned LGUs and other government agencies.</li> </ul>
Department of Social Welfare and Development (DSWD) Region 10	<p>DSWD Region 10 is a key agency on social welfare and development in Cagayan de Oro City and mandated to provide the following related to the implementation of resettlement.</p> <ul style="list-style-type: none"> <li>• Provide social protection services and programs for the poor,</li> </ul>

**Table 11.2 Concerned Local and National Governments on Resettlement Implementation**

Concerned Governments	Functions Related to Resettlement
	<p>vulnerable, disadvantage, women and children.</p> <ul style="list-style-type: none"> <li>• Provide livelihood assistance and training programs.</li> </ul>
Technical Education and Skills Development Authority (TESDA) Region 10	<p>TESDA Region 10 is a key national agency on technical education and skills development in Cagayan de Oro City and mandated to provide the following related to the implementation of resettlement.</p> <ul style="list-style-type: none"> <li>• Provide diversified and quality technical and skills development training programs, including some programs targeted for National Certification of TESDA.</li> </ul>
Department of Labor and Employment (DOLE) Region 10	<p>DOLE Region 10 is a key national agency on employment development and promotion in Cagayan de Oro City and mandated to provide the following related to the implementation of resettlement.</p> <ul style="list-style-type: none"> <li>• Provide job placement services program.</li> <li>• Provide livelihood training program.</li> </ul>
Department of Trade and Industry (DTI) Region 10	<p>DTI Region 10 is a key agency on industrial and trade development and promotion in Cagayan de Oro City and mandated to provide the following related to the implementation of resettlement.</p> <ul style="list-style-type: none"> <li>• Provide small and medium business and enterprise training program.</li> <li>• Provide sustainable livelihood training program.</li> </ul>

### 11.3 Organizational Responsibilities on Implementation of RAP

Following table provides summary of responsibilities of organizations concerned with the implementation of RAP of the Project.

**Table 11.3 Summary of Organizational Responsibilities**

Pre-Relocation Stage [Stage A]	Responsibilities	Responsible Agencies	Assisting Agencies	Coordinating Agencies
	[A-1]Preparation, review, update and approval of RAP including a RAP budget plan	UPMO-FCMD	ESSD	-
	[A-2]Arrangement with Concerned Parties on RAP Implementation	UPMO-FCMD	-	City government and concerned local parties
	[A-3]Setting up of Resettlement Implementation Committee through entering into the Memorandum of Agreement (MOA) with concerned parties	UPMO-FCMD	-	City government and concerned local parties
	[A-4]Conduct of tagging, census, socioeconomic survey and replacement cost survey	UPMO-FCMD	Field Office CDOR	RIC
	[A-5]Preparation and validation of the list of PAPs and affected assets	UPMO-FCMD	Field Office CDOR / RIC	-
	[A-6]Assessment and provision of compensations	UPMO-FCMD	Field Office CDOR	-
	[A-7]Receiving and acting on complaints and grievances of PAPs.	RIC	-	-

**Table 11.3 Summary of Organizational Responsibilities**

	Responsibilities	Responsible Agencies	Assisting Agencies	Coordinating Agencies
Actual Relocation Stage [Stage B]	[A-8]Development of resettlement sites	City Government / NHA-10	Private Sector NGOs	-
	[A-9]Provision of utilities and facilities at and access to resettlement sites	City Government / NHA-10	Water District CEPALCO DPWH DepEd Private Sector	-
	[A-10]Provision of livelihood assistance measures (skills trainings / capacity building trainings / institutional building trainings)	City Government	NHA-10 DSWD-10 DOLE-10 TESDA-10 DTI-10 Others if necessary	UPMO-FCMD
	[A-11]Preparation of demolition and eviction of relocatees in the project area.	City Government (City Housing Board)	-	PCUP
	[A-12]Facilitation of consultation meetings and information dissemination of PAPs and other relevant stakeholders on information of relocation procedures and assistance measures during pre-relocation stage.	UPMO-FCMD	ESSD / RIC	-
	[A-13]Periodic monitoring of the implementation of RAP (internal / external monitoring) during pre-relocation stage	UPMO-FCMD	ESSD / RIC	-
	[B-1]Facilitation of consultation meetings and information dissemination of PAPs and other relevant stakeholders on settlement of relocation procedures and assistance measures during actual relocation stage.	UPMO-FCMD	ESSD / RIC	-
	[B-2]Provision of livelihood assistance measures (skills trainings / capacity building trainings / institutional building trainings)	City Government	NHA-10 DSWD-10 DOLE-10 TESDA-10 DTI-10 Others if necessary	UPMO-FCMD
	[B-3]Preparation and implementation of demolition of structures and transfer of relocatees.	City Government (City Housing Board)	-	PCUP
	[B-4]Receiving and acting on complaints and grievances of PAPs.	RIC	-	-
	[B-5]Enforcement of laws and ordinances regarding encroachment into the right-of-way areas of the Project, in coordinating with concerned government agencies.	City Government	RIC	-
	[B-6]Periodic monitoring of the implementation of RAP (internal /	UPMO-FCMD	ESSD / RIC	-

**Table 11.3 Summary of Organizational Responsibilities**

	<b>Responsibilities</b>	<b>Responsible Agencies</b>	<b>Assisting Agencies</b>	<b>Coordinating Agencies</b>
	external monitoring) during actual relocation stage			
<b>Post-Relocation Stage [Stage C]</b>	[C-1]Provision of livelihood assistance measures (skills trainings / capacity building trainings / institutional building trainings)	City Government	NHA-10 DSWD-10 DOLE-10 TESDA-10 DTI-10 Others if necessary	UPMO-FCMD
	[C-2]Facilitation of consultation meetings and information dissemination of PAPs and other relevant stakeholders on settlement of relocation procedures and assistance measures during actual relocation stage.	UPMO-FCMD	ESSD / RIC	-
	[C-3]Receiving and acting on complaints and grievances of PAPs.	RIC	-	UPMO-FCMD / ESSD
	[C-4]Administration and maintenance of resettlement sites, including periodic monitoring on conditions of relocatees and sites	City Government / NHA-10	Water District CEPALCO DPWH DepEd Private Sector	-
	[C-5]Enforcement of laws and ordinances regarding encroachment into the right-of-way areas of the Project, in coordinating with concerned government agencies.	City Government	RIC	-
	[C-6]Periodic monitoring of the implementation of RAP (internal / external monitoring) during post-relocation stage	UPMO-FCMD	ESSD / RIC	-

## Chapter 12 Implementation Schedule

### 12.1. Implementation Schedule of Construction

The implementation schedule of RAP including construction of the Project is provided in Table 12.2. It is noted that the Project is implemented by the following 4 contract packages, as presented in Table 12.1.

**Table 12.1 Contract Packages of Construction**

Package	Component of Contract Package
Package 1 (P1)	Construction of Dike and Floodwalls in Carmen-Balulang Stretch (L3: L=2,149m), Consolacion-Poblacion Stretch (R2: L=1,736 m) and Removal of Sedimentation
Package 2 (P2)	Construction of Dike and Floodwalls in Balulang Stretch (L4: L=2,181 m), Poblacion Stretch (L3: L=325 m), Poblacion-Nazareth-Macasandig Stretch (R4: L=3,105m) and Construction of Retarding Basin
Package 3 (P3)	Construction of New Road and Raising Existing Road for Evacuation in Bonbon-Kauswagan Stretch (L1: L=2,756m)
Package 4 (P4)	Improvement of Kagayan Bridge

### 12.2 Implementation Schedule of RAP

#### 12.2.1 Arrangements for Implementation of RAP

Posterior to the official arrangement of the implementation of the Project made by DPWH, the arrangement with concerned parties on the implementation of RAP and the Resettlement Implementation Committee (RIC) will be set up by DPWH before the commencement of Detail Design (D/D) of the Project.

#### 12.2.2 Review and Update of RAP

During the D/D Stage, the RAP prepared under the JICA Survey will be reviewed and updated, including revalidation and/or conduct of tagging, census, socioeconomic and property surveys if additional households and assets are identified to be affected due to changes of the design of the Project as compared to the design of the feasibility study of the JICA Survey. Accordingly, the current cut-off date will be set for the tagging and census for additionally identified PAPs.

#### 12.2.3 Relocation of PAPs

The relocation of all PAPs including the demolition of affected structures and the preparation of resettlement sites is scheduled to be completed before the commencement of the construction of each contract package as presented in Table 12.1.

#### 12.2.4 Compensation and Other Assistance

Compensation will be duly paid before the relocation, and the livelihood and other assistance are scheduled to be provided from pre-relocation stage up to the end of the construction.

#### **12.2.5 Information Dissemination and Consultation**

All information on resettlement activities, such as required documents and its procedures, schedules and other necessary information for compensation, relocation, resettlement and other assistance will be provided for all PAPs and its concerned parties through consultation meetings and media from pre-relocation stage up to the end of the construction.

#### **12.2.6 Grievances**

The grievances related to any aspect of the Project are scheduled to be handled through RIC from pre-relocation stage up to the end of the construction and set up before land acquisition and resettlement are implemented.

#### **12.2.7 Monitoring of Implementation of RAP**

Internal Monitoring and External Monitoring will be conducted posterior to the commencement of the construction supervision, since the right-of-way acquisition of the Project is scheduled to start from the D/D Stage.

**Table 12.2 Implementation Schedule of RAP**

	Work Item	Agency in Charge	2013				2014				2015				2016				2017				2018				2019				2020				
			3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4			
Construction Schedule	Procurement of Consulting Services for D/D & C/S	DPWH																																	
	Detail Design, Preparation of PQ & Tender Document	DPWH																																	
	Right-of-Way Acquisition & Resettlement	DPWH																																	
	Construction Supervision	DPWH																																	
	Package No 1 (L3, R2, Dredging Work) – P1	DPWH																																	
	Package No 2 (R3, R4, L4, Retarding Basin) – P2	DPWH																																	
	Package No 3 (L1 Road Raising) – P3	DPWH																																	
	Package No 4 (Kagayan Bridge Improvement) – P4	DPWH																																	
	Non-Structural Measures	DPWH																																	
RAP Implementation Schedule	Preparation of RAP	DPWH																																	
	Arrangement on RAP Implementation & Set-Up of RIC	DPWH																																	
	Establishment of Grievance Redress Mechanism in RIC	DPWH																																	
	Review & Update of RAP / Census & Socioeconomic Surveys	DPWH																																	
	Preparation & Validation of List of PAPs & Assets	DPWH																																	
	P1, 4 - Information Dissemination & Consultation	DPWH																																	
	P1, 4 - Preparation of Resettlement Site	LGU / NHA																																	
	P1, 4 - Assessment & Provision of Compensations	DPWH																																	
	P1, 4 - Preparation & Provision of Livelihood & Other Assistance	LGU																																	
	P1, 4 - Transfer of Relocatees to Resettlement Sites	LGU / NHA																																	
	P1, 4 - Monitoring & Securing of Right-of-Way Area	LGU / RIC																																	
	P2 - Information Dissemination & Consultation	DPWH																																	
	P2 - Preparation of Resettlement Site	LGU / NHA																																	
	P2 - Assessment & Provision of Compensations	DPWH																																	
	P2 - Preparation & Provision of Livelihood & Other Assistance	LGU																																	
	P2 - Transfer of Relocatees to Resettlement Sites	LGU / NHA																																	
	P2 - Monitoring & Securing of Right-of-Way Area	LGU / RIC																																	
	P3 - Information Dissemination & Consultation	DPWH																																	
	P3 - Preparation of Resettlement Site	DPWH																																	
	P3 - Assessment & Provision of Compensations	LGU / NHA																																	
	P3 - Preparation & Provision of Livelihood & Other Assistance	LGU																																	
	P3 - Transfer of Relocatees to Resettlement Sites	LGU / NHA																																	
	P3 - Monitoring & Securing of Right-of-Way Area	LGU / RIC																																	
	Receiving & Acting on Complaints & Grievances	RIC																																	
	Internal RAP Implementation Monitoring (Every 1 Mon.)	DPWH / RIC																																	
	External RAP Implementation Monitoring (Every 6 Mon.)	DPWH																																	

= Full-Time Work (Continued Work Basically Required Daily Basis)

= Intermittent Work (Continued Work, but Not Required Daily)

## Chapter 13 Cost and Budget

### 13.1. Compensation Cost for Structures

#### 13.1.1 Replacement Cost Survey

The replacement cost survey was conducted to: (a) identify the prevailing building typology and structures in the Cagayan de Oro City through a field investigation, particularly in the project affected area and (b) estimate a unit cost of the prevailing per square meter cost of construction in the Cagayan de Oro City through canvassing the prevailing cost of materials and wages on a replacement cost basis. It is noted that all structures in the project affected area were identified, counted and measured through aerial photographs using the Geographic Information System (GIS) and verified on site.

#### 13.1.2 Identification of Building Typology and Structure

The prevailing building typology was surveyed and identified through analyzing results of field investigation such as the make and materials of the identified structures in the project affected area. As the results of the investigation, the following prevailing building typologies and structures were identified: (a) shanty and hut structure, (b) wood and timber structure, (c) semi-concrete structure, (d) concrete structure and (e) steel structure.

#### 13.1.3 Estimation of Unit Construction Cost

Based on the results of building typology identification and unit cost estimation, the per square meter cost of construction for each of identified building typologies was estimated at market value and presented in Table 13.1.

**Table 13.1 Estimated Unit Construction Cost by Typology**

Typology	Estimated Unit Construction Cost (Peso Per Square Meter)	Remarks
Shanty / Hut	3,600	-
Wood / Timber	9,200	-
Semi-Concrete	11,400	-
Concrete	13,500	-
Steel	5,000	Only Case for Covered Court Structures

#### 13.1.4 Number of Affected Structures by Typology and Barangay

The following table (Table 13.2) show the number of structures in the project affected area by typology and barangay.

**Table 13.2 Number of Affected Structures by Typology and Barangay**

Barangay	Typology					Total
	Shanty / Hut	Wood / Timber	Semi- Concrete	Concrete	Steel	
Bonbon	0	41	28	18	3	<b>90</b>
Kauswagan	0	3	0	0	0	<b>3</b>
Carmen	3	27	97	115	3	<b>245</b>
Balulang	1	8	7	26	0	<b>42</b>
Consolacion	1	146	99	121	1	<b>368</b>
Barangay 17	0	21	20	6	1	<b>48</b>
Barangay 15	5	23	21	20	1	<b>70</b>
Barangay 13	0	10	19	18	0	<b>47</b>
Barangay 10	0	6	12	6	0	<b>24</b>
Barangay 7	1	12	26	11	1	<b>51</b>
Barangay 6	0	2	0	0	0	<b>2</b>
Barangay 2	0	0	0	0	0	<b>0</b>
Barangay 1	0	0	0	0	0	<b>0</b>
Nazareth	0	1	0	4	0	<b>5</b>
Macasandig	6	43	45	39	0	<b>133</b>
<b>Total</b>	<b>17</b>	<b>343</b>	<b>374</b>	<b>384</b>	<b>10</b>	<b>1128</b>

### 13.1.5 Cost of Affected Structure by Typology

Table 13.3 provides the total cost of structures in the project affected area by typology.

**Table 13.3 Cost of Affected Structures by Typology**

Item	Typology					Total
	Shanty / Hut	Wood / Timber	Semi- Concrete	Concrete	Steel	
Number of Structures by Typology	17	343	374	384	10	<b>1128</b>
Unit Cost of Structures / Floor Area (Peso / m <sup>2</sup> )	3,600	9,200	11,400	13,500	5,000	-
Average Floor Area of Structures (m <sup>2</sup> )	64.207	50.363	76.607	90.932	133.300	-
Cost of Structures (Peso / Structure)	231,145.2	463,339.6	873,319.8	1,227,582	666,500	-
<b>Total Cost of Structures for Typology (Peso)</b>	<b>3,929,468</b>	<b>158,925,483</b>	<b>326,621,605</b>	<b>471,391,488</b>	<b>6,665,000</b>	<b>967,533,044</b>

## 13.2 Compensation Cost for Lands

### 13.2.1 Identification and Area of Affected Lands

The lands affected by the Project were identified and measured through aerial photographs using the Geographic Information System (GIS), according to the proposed alignment of the Project. The area of affected lands by barangay is shown in Table 13.4 below. The identified affected lands compose of: (a) lands which are required for the right-of-way of construction of structures of the Project and (b) lands which become river area at very higher flood risk after structures of the Project are constructed. The affected lands do not include areas of the NBZ.

**Table 13.4 Area of Affected Lands by Barangay**

Barangay	Type of Land	Land Area (m <sup>2</sup> )
Bonbon	Residential	28,194
Kauswagan	Residential	19,950
Carmen	Residential	82,692
Balulang	Residential	237,422
Consolacion	Residential	74,129
Barangay 17	Residential	8,815
Barangay 15	Residential	14,913
Barangay 13	Residential	8,943
Barangay 10	Residential	6,383
Barangay 7	Residential	13,005
Barangay 6	Residential	4,507
Barangay 2	Residential	1,500
Barangay 1	Residential	1,133
Nazareth	Residential	100,070
Macasandig	Residential	145,639
<b>Total</b>		<b>747,296</b>

### 13.2.2 Cost of Affected Land by Barangay

#### ■ Situations of Current Market Value of Land

The market value of lands was sought, and market value of lands in 2008 was obtained from the Assessment Department of the Cagayan de Oro City. Based on the result, the market value of lands affected by the Project is summarized in the following table (Table 13.5).

Since TS Sendong hit the Cagayan de Oro City in 2011, the values of the lands affected by TS Sendong and heavily flooded along the Cagayan de Oro River including the Project site have been assessed as no commercial value, according to local banks, particularly local branches of the Development Bank of the Philippines and the Land Bank of the Philippines. In addition, no assessment of market values for the said lands has been conducted, since TS Sendong, according to the said two banks. Therefore, the market value data in 2008 obtained from the Assessment Department of the Cagayan de Oro City is the latest available market value and is presented.

**Table 13.5 Market Value of Land for Affected Area by Barangay in 2008**

Barangay	Vicinity	Market Value (Peso / m <sup>2</sup> )
Bonbon	Along Pasil Road	940
	Pasil - Interior	860
Kauswagan	Pasil	840
Carmen	Acacia – Section 1	900
	Acacia – Section 2	1400
Balulang	Villa Angela (All Lots)	780
Consolacion	Along Burgos Street	1520
	All Other (Interior)	1130
Barangay 17	Burgos	1660
Barangay 15	Burgos-Interior	1820
Barangay 13	Burgos-Interior	1820
Barangay 10	Burgos	2630

**Table 13.5 Market Value of Land for Affected Area by Barangay in 2008**

Barangay	Vicinity	Market Value (Peso / m <sup>2</sup> )
Barangay 7	Tirso Neri St to Cruz Taal St (including Burgos Area)	4660
	Cruz Taal St to Julio Pacana St (including Burgos Area)	2630
Barangay 6	Burgos Street	4660
Barangay 2	Capistrano Street	15300
Barangay 1	Fernandez Street	1820
Nazareth	Fernandez Street	1820
Macasandig	Cala-Cala (Piso-Piso)	430

■ Alternative Market Value of Land

With the above situations, the cost of identified affected lands of the Project was, therefore, estimated based on the effective zonal values of the Bureau of Internal Revenue in the Cagayan de Oro City issued by the Department Order 37-05 of the Department of Finance (September 4, 2005). The following table (Table 13.6) shows the cost of lands affected by the Project by barangay based on the said zonal values.

**Table 13.6 Latest Zonal Value of Affected Lands by Barangay in 2005**

Barangay	Land Area (m <sup>2</sup> )	Zonal Value (Peso / m <sup>2</sup> )	Zonal Vicinity	Total Land Cost (Peso)
Bonbon	28,194	1,000	Pasil	28,194,480
Kauswagan	19,950	1,600	Pasil	31,920,432
Carmen	82,692	3,200	Acacia	264,613,376
Balulang	237,422	1,000	Villa Angela	237,422,290
Consolacion	74,129	1,285	Burgos	95,255,829
Barangay 17	8,815	7,700	Burgos	67,872,882
Barangay 15	14,913	7,700	Burgos-Interior	114,833,180
Barangay 13	8,943	8,100	Burgos-Interior	72,440,001
Barangay 10	6,383	8,500	Burgos	54,258,645
Barangay 7	13,005	12,000	Burgos	156,050,520
Barangay 6	4,507	12,000	Burgos	54,085,080
Barangay 2	1,500	15,375	Capistrano	23,063,730
Barangay 1	1,133	6,875	Fernandez	7,791,163
Nazareth	100,070	6,875	Fernandez	687,981,663
Macasandig	145,639	500	Piso-Piso	72,819,665
<b>Total</b>	<b>747,296</b>	-	-	<b>1,968,602,935</b>

### 13.3 Total Estimated Cost of Resettlement

Table 13.7 shows the summary of the total estimated cost of the resettlement of the Project.

**Table 13.7 Total Estimated Resettlement Cost**

<b>Item</b>	<b>Unit</b>	<b>Cost</b>	<b>Remarks</b>
Compensation for Structures (No.)			
- Shanty / Hut	17	3,929,468	Market Value
- Wood / Timber	343	158,925,483	Market Value
- Semi-Concrete	374	326,621,605	Market Value
- Concrete	384	471,391,488	Market Value
- Steel	10	6,665,000	Market Value
Sub-Total		967,533,044	-
Compensation for Lands (m <sup>2</sup> )			
- Residential	747,296	1,968,602,935	Zonal Value
Sub-Total		1,968,602,935	-
<b>Total</b>		<b>2,936,135,980</b>	-

### **13.3. Budget of Resettlement Cost**

#### **13.3.1 Funds for RAP Implementation**

DPWH as the project proponent and UPMO-FCMD as the implementing office of the Project shall be responsible for securing and providing needed funds for the implementation of RAP as part of the cost of the Project. The resettlement cost of the Project shall be the component of the counterpart funds provided by DPWH called ROW funds and includes compensation for affected structures and acquisition of affected lands.

#### **13.3.2 Preparation RAP Budget Plan**

Consistent with the provisions of the Land Acquisition, Resettlement, Rehabilitation and Indigenous Peoples' Policy (LARRIPP) of DPWH, the ESSD shall assist UPMO-FCMD in preparation, review, update and approval of a RAP budget plan of the Project. The UPMO-FCMD shall, thereafter, submit the RAP budget plan to the Central Office of DPWH for approval of the flow of funds following due diligence review by ESSD.

#### **13.3.3 Procedures for Flow of Funds**

DPWH, specifically the implementing office of UPMO-FCMD shall be responsible in securing and providing the funds needed for RAP implementation. Disbursement of funds for the implementation of RAP shall be requested to and obtained by the Central Office of DPWH and implemented and monitored by UPMO-FCMD through Field Office-CDOR.

## Chapter 14 Monitoring and Evaluation

### 14.1. Primary Purpose of RAP Monitoring

The primary purpose of monitoring the Resettlement Action Plan (RAP) is to ensure that resettlement is carried out based on the RAP. This is also to look into the progress made in terms of comprehensive and timely implementation of RAP and to identify problems as early as possible to facilitate resettlement and necessary mitigations. Included in the monitoring are land acquisition, payment of compensation for lost assets, resettlement of people impacted by the project and release of funds.

### 14.2 Implementation of Monitoring by DPWH

DPWH undertakes monitoring on implementation of RAP through the Internal Monitoring, which is conducted by ESSD, as well as through the External Monitoring, which is carried out by either a qualified individual or a consulting firm to ensure the neutrality of monitoring of implementation of RAP.

#### 14.2.1 Internal Monitoring

The evaluation and in-house monitoring of the implementation of RAP will be conducted by ESSD and will serve as the Internal Monitoring Agent (IMA) supported by the Project Consultants. The tasks of IMA are to:

- Regularly supervise and monitor the implementation of RAP in coordination with the concerned Resettlement Implementation Committee (RIC). The findings will be documented in a quarterly report to be submitted to UPMO-FCMD and ESSD.
- Verify that the re-inventory baseline information of all PAPs has been carried out and that the valuation of assets lost or damaged, the provision of compensation and other entitlements, and relocation, if any, has been carried out in accordance with LARRIPP and RAP.
- Ensure that RAP is implemented as designed and planned;
- Verify that the funds for RAP implementation are provided by UPMO-FCMD in a timely manner and in the amount sufficient for the purpose;
- Record all grievances and their resolution and ensure that complaints are dealt with promptly.

#### 14.2.2 External Monitoring and Evaluation

The UPMO-FCMD will commission an External Monitoring Agent (EMA) to undertake independent external monitoring and evaluation. The EMA needs to have certain level of monitoring expertise and experiences required by DPWH to be qualified to meet requirements for participating in bidding and selection process of DPWH. It is often that either a qualified individual or consultancy firm is selected to undertake an external monitoring and evaluation work. Prior to the engagement of the EMA, DPWH will prepare the Terms of Reference

(TOR) for the EMA. External monitoring and evaluation will entail random observation visits and consultations with PAPs at their current pre-project residence and their relocation site. The tasks of EMA are to:

- Verify results of internal monitoring;
- Verify and assess the results of the information campaign on rights and entitlements of PAPs;
- Verify that the compensation process has been carried out with the procedures communicated with PAPs during consultations;
- Assess if resettlement objectives have been met, specifically if livelihoods and living standards have been restored or improved;
- Assess efficiency, effectiveness, impact and sustainability of resettlement and RAP implementation drawing lessons as a guide to future resettlement;
- Ascertain if the resettlement is appropriate to meet the objectives, and if those objectives are suited to the PAPs' conditions;
- Suggest modification in the implementation procedures of RAP, if necessary; to achieve the principles and objectives of the Resettlement Policy;
- Review how compensation rates were evaluated; and
- Review the handling of compliance and grievances cases.

The EMA shall also include in the monitoring, the results of the disclosure of LARRIPP and RAP to the PAPs during public consultation/s conducted for each project contract package.

#### 14.4 Framework of Monitoring Activities

The monitoring activities and frequency are summarized in the table below:

**Table 14.1 Monitoring Activities and Frequency**

<b>Monitoring Activity</b>	<b>Description</b>	<b>Schedule/ Frequency</b>	<b>Monitoring Agent Responsible</b>
Inception Report and Compliance Monitoring Report	First activity to undertake to determine if RAP is carried out as planned and according to policy.	One month after receipt of Notice to Proceed for the engagement of IMA/ EMA.	IMA, EMA
Monthly Monitoring	Monitoring of RAP implementation activities.	Monthly	IMA
Semi-Annual Monitoring and Evaluation	To verify and follow up if the social and economic conditions of PAPs after project implementation have improved or are at least restored. If PAPs are found worse off in terms of standard of living and livelihood, DPWH in coordination with concerned institutions will provide assistance such as livelihood and skills training.	Every six months until construction work ends.	IMA, EMA

**Table 14.1 Monitoring Activities and Frequency**

<b>Monitoring Activity</b>	<b>Description</b>	<b>Schedule/ Frequency</b>	<b>Monitoring Agent Responsible</b>
Final Evaluation	Final evaluation of the implementation of LARRIPP.	Three months after completion of compensation payments to PAPs.	IMA
Post Evaluation Monitoring	To determine if the social and economic conditions of PAPs after project implementation have improved or are at least restored.	One year after the completion of the project.	IMA, EMA

#### **14.5 Schedule of Implementation of RAP and Monitoring**

The schedule for the implementation of RAP and the required monitoring in view of the project's implementing schedule will be established by UPMO-FCMD in coordination with the ESSD. The activities in the implementation of RAP require quality and quantity results that are time bound. It is expected that all RAP activities like land acquisition, resettlement including compensation have been determined by the IMA and EMA and are completed one month prior to the start of the civil works.

#### **14.6 Reporting**

The monitoring reports of the IMA prepared by ESSD and the EMA prepared by an external agent are reported to ESSD and are accountable to UPMO-FCMD. The UPMO-FCMD, which receives monitoring reports through ESSD, reviews and, thereafter, submits the monitoring reports of the IMA and EMA to JICA.

#### **14.7 Monitoring Indicators**

##### **(1) Indicators for Internal Monitoring**

The table below is the indicators for the Internal Monitoring according to LARRIPP.

**Table 14.2 Monitoring Indicators for IMA**

<b>Monitoring Indicators</b>	<b>Checklist/ Basis for Indicators</b>
Budget and Timeframe	<ul style="list-style-type: none"> <li>○ Have all land acquisition and resettlement staff been appointed and mobilized for the field and office work on schedule?</li> <li>○ Have capacity building and training activities been completed on schedule?</li> <li>○ Are resettlement implementation activities being achieved against the agreed implementation plan?</li> <li>○ Are funds for resettlement being allocated to resettlement agencies on time?</li> <li>○ Have resettlement offices received the scheduled funds?</li> <li>○ Have funds been disbursed according to the RAP?</li> <li>○ Has the social preparation phase taken place as scheduled?</li> <li>○ Has all land been acquired and occupied in time for project implementation?</li> </ul>
Delivery of Compensation and Entitlements	<ul style="list-style-type: none"> <li>○ Have all PAPs received entitlements according to numbers and categories of loss set out in the entitlement matrix?</li> <li>○ Have PAPs received payments for affected structures on time?</li> </ul>

**Table 14.2 Monitoring Indicators for IMA**

Monitoring Indicators	Checklist/ Basis for Indicators
	<ul style="list-style-type: none"> <li>○ Have all received the agreed transport costs, relocation costs, income substitution support and any resettlement allowances, according to schedule?</li> <li>○ Have all replacement land plots or contracts been provided? Was the land developed as specified? Are measures in train to provide land titles to PAPs?</li> <li>○ How many PAPs resorted to expropriation?</li> <li>○ How many PAPs received land titles?</li> <li>○ How many PAPs received housing as per relocation options in the RAP?</li> <li>○ Does house quality meet the standards agreed?</li> <li>○ Have relocation sites been selected and developed as per agreed standards?</li> <li>○ Are the PAPs occupying the new houses?</li> <li>○ Are assistance measures being implemented as planned for host communities?</li> <li>○ Is restoration proceeding for social infrastructure and services?</li> <li>○ Are the PAPs able to access schools, health services, cultural sites and activities at the level of accessibility prior to resettlement?</li> <li>○ Are income and livelihood restoration activities being implemented as set out in income restoration Plan? For example utilizing replacement land, commencement of production, numbers of PAPs trained and provided with jobs, micro-credit disbursed, number of income generating activities assisted?</li> <li>○ Have affected businesses received entitlements including transfer and payments for net losses resulting from lost business and stoppage of production?</li> </ul>
Public Participation and Consultation	<ul style="list-style-type: none"> <li>○ Have consultations taken place as scheduled including meetings, groups, and community activities? Have appropriate resettlement leaflets been prepared and distributed?</li> <li>○ How many PAFs know their entitlements? How many know if they have been received?</li> <li>○ Have any PAFs used the grievance redress procedures? What were the outcomes?</li> <li>○ Have conflicts been resolved?</li> <li>○ Was the social preparation phase implemented?</li> </ul>
Benefit Monitoring	<ul style="list-style-type: none"> <li>○ What changes have occurred in patterns of occupation, production and resources use compared to the pre-project situation?</li> <li>○ What changes have occurred in income and expenditure patterns compared to pre-project situation? What have been the changes in cost of living compared to pre-project situation? Have PAFs' incomes kept pace with these changes?</li> <li>○ What changes have taken place in key social and cultural parameters relating to living standards?</li> <li>○ What changes have occurred for vulnerable groups?</li> </ul>

## (2) Indicators for External Monitoring

The table below is the indicators for the External Monitoring according to LARRIPP.

**Table 14.3 Monitoring Indicators for EMA**

<b>Monitoring Indicators</b>	<b>Checklist/ Basis for Indicators</b>
Basic Information on Project-affected Households	<ul style="list-style-type: none"> <li>○ Location</li> <li>○ Composition and structures, ages, education and skill levels</li> <li>○ Gender of household head</li> <li>○ Ethnic group</li> <li>○ Access to health, education, utilities and other social services</li> <li>○ Housing type</li> <li>○ Land use and other resource ownership patterns</li> <li>○ Occupation and employment patterns</li> <li>○ Income sources and levels</li> <li>○ Agricultural production data (for rural households)</li> <li>○ Participation in neighborhood or community groups</li> <li>○ Access to cultural sites and events</li> <li>○ Value of all assets forming entitlements and resettlement entitlements</li> </ul>
Restoration of Living Standards	<ul style="list-style-type: none"> <li>○ Were house compensation payments made free of depreciation, fees or transfer costs to the PAP?</li> <li>○ Have PAPs adopted the housing options developed?</li> <li>○ Have perceptions of “community” been restored?</li> <li>○ Have PAPs achieved replacement of key social cultural elements?</li> </ul>
Restoration of Livelihoods	<ul style="list-style-type: none"> <li>○ Were compensation payments free of deduction for depreciation, fees or transfer costs to the PAP?</li> <li>○ Were compensation payments sufficient to replace lost assets?</li> <li>○ Did transfer and relocation payments cover these costs?</li> <li>○ Did income substitution allow for re-establishment of enterprises and production?</li> <li>○ Have enterprises affected received sufficient assistance to re-establish themselves?</li> <li>○ Have vulnerable groups been provided income-earning opportunities?</li> <li>○ Are these effective and sustainable?</li> <li>○ Do the jobs provided restore pre-project income levels and living standards?</li> </ul>
Levels of PAP Satisfaction	<ul style="list-style-type: none"> <li>○ How much do PAPs know about resettlement procedures and entitlements? Do PAPs know their entitlements?</li> <li>○ Do they know if these have been met?</li> <li>○ How do PAPs assess the extent to which their own living standards and livelihood been restored?</li> <li>○ How much do PAPs know about grievance procedures and conflict resolution procedures? How satisfied are those who have used said mechanisms?</li> </ul>
Effectiveness of Resettlement Planning	<ul style="list-style-type: none"> <li>○ Were the PAPs and their assets correctly enumerated?</li> <li>○ Was the time frame and budget sufficient to meet objectives?</li> <li>○ Were entitlements too generous?</li> <li>○ Were vulnerable groups identified and assisted?</li> <li>○ How did resettlement implementers deal with unforeseen problems?</li> </ul>
Other Impacts	<ul style="list-style-type: none"> <li>○ Were there unintended environmental impacts?</li> <li>○ Were there unintended impacts on employment or incomes?</li> </ul>

# *Appendices*

***Appendix-A***  
***Philippine Laws and Regulations Related to Resettlement***

## **Fundamental National Laws on Resettlement**

Laws and Regulations	Provisions	JICA Guideline # of Table 5.2
<b>The 1987 Constitution of the Republic of the Philippines</b>	<p>The provisions of the Constitution providing basic legal foundation of the State on resettlement are:</p> <p><b>ARTICLE III</b> <b>BILL OF RIGHTS</b></p> <p><b>Section 1.</b> No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.</p> <p><b>Section 7.</b> The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to such limitations as may be provided by law.</p> <p><b>Section 9.</b> Private property shall not be taken for public use without just compensation.</p> <p><b>ARTICLE XIII</b> <b>SOCIAL JUSTICE AND HUMAN RIGHTS</b></p> <p><b>Section 1.</b> The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.</p> <p>To this end, the State shall regulate the acquisition, ownership, use, and disposition of property and its increments.</p> <p><b>URBAN LAND REFORM AND HOUSING</b></p> <p><b>Section 9.</b> The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost, decent housing and basic services to under-privileged and homeless citizens in urban centers and resettlement areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of such program the State shall respect the rights of small property owners.</p> <p><b>Section 10.</b> Urban or rural poor dwellers shall not be evicted nor their dwelling demolished, except in accordance with law and in a just and humane manner.</p> <p>No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated.</p> <p><b>ROLE AND RIGHTS OF PEOPLE'S ORGANIZATIONS</b></p> <p><b>Section 16.</b> The right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged. The State shall, by law, facilitate the establishment of adequate consultation mechanisms.</p>	<p>1</p> <p>6</p> <p>3,4</p> <p>1</p> <p>2</p> <p>2,6</p> <p>8</p>

## National Laws on Land Acquisition and Compensation

<b>Laws and Regulations</b>	<b>Provisions</b>	<b>JICA Guideline # of Table 5.2</b>
<b>Executive Order 1035 (1985) Providing the Procedures and Guidelines for the Expedited Acquisition by the Government of Private Real Properties or Rights thereon for Infrastructure and other Government Development Projects</b>	<p>Procedures and guidelines for expeditious acquisition:</p> <p>Title A Activities Preparatory to Acquisition of Property</p> <p>Section 2. Feasibility studies shall be undertaken for all major projects, and such studies shall, in addition to the usual technical, economic and operational aspects, include the social, political, cultural and environmental impact of the project.</p> <p>Title D Assistance to Displaced Tenants/Occupants</p> <p>Sec. 17. Relocation/Resettlement of Tenants/Occupants Affected by Property/ROW Acquisitions.</p> <p>In case where the land to be acquired for the project would involve displacement, concerned agencies shall extend full cooperation and assistance to the implementing agency in the relocation and resettlement of displaced tenants, farmers and other occupants.</p>	<b>10</b>
<b>Supreme Court Ruling</b>	<p>Aspects of rulings on just compensation in relation to valuation of property:</p> <p>G.R. No. L-59603 April 29, 1987</p> <p>Just compensation is defined as the value of the property at the time of the taking; a <i>fair and full equivalent</i> for the loss sustained taking into account the condition of the property and its surroundings, its improvements and capabilities.</p> <p>G.R. No. 150936 August 18, 2004</p> <p>The just compensation to which the owner of a condemned property is entitled is generally the market value. Market value is "that sum of money which a person wanting but not compelled to buy, and an owner willing but not compelled to sell", would agree on as a price to be given and received. Such amount is not limited to the assessed value of the property or to the schedule of market values determined by the provincial or city appraisal committee. However, these values may be in consideration in the judicial valuation of the property.</p> <p>G.R. No. 169957 and G.R. No. 171558 July 11, 2012</p> <p>In the determination of just compensation, The "just"-ness of just compensation can only be attained by using reliable and actual data as bases in fixing the value of the condemned property. Recommended valuation should be supported by corroborative evidence, such as sworn declarations of realtors in the area concerned and tax declarations or zonal valuation from the Bureau of Internal Revenue (BIR).</p> <p>G.R. No. 173520 January 30, 2013</p> <p>Just compensation has been defined as "the full and fair equivalent of the property taken from its owner by the expropriator. The measure is not the taker's gain, but the owner's loss. The word 'just' is used to qualify the meaning of the word 'compensation' and to convey that the amount to be tendered for the property to be taken shall be real, substantial, full and ample." Rulings have been consistent that statutes and executive issuances fixing or providing for the method of computing just compensation are not binding on courts and, at best, are treated as mere guidelines in determining the amount.</p>	<b>1</b>   <b>3</b>   <b>3</b>
<b>Republic Act 7160 Local Government</b>	<p>Provisions of this Act include principle in appraisal and definition of fair market value.</p> <p>Book I General Provisions, Title II Real Property Taxation</p>	

Laws and Regulations	Provisions	JICA Guideline # of Table 5.2
Code of 1991	<p>Chapter I General Provisions</p> <p>Section 198. Fundamental Principles (a) – One of the principles in the appraisal, assessment, levy and collection of real property tax is that real property shall be appraised at its current and fair market value.</p> <p>Section 199. Definitions (l) "Fair Market Value" is defined as the price at which a property may be sold by a seller who is not compelled to sell and bought by a buyer who is not compelled to buy.</p>	3
<b>Republic Act 8974 (2000)</b> An Act to Facilitate the Acquisition of Right-of-Way, Site or Location for National Government Infrastructure Projects	<p>The Act provides different bases for land valuation for the modes of acquisition.</p> <p>Section 1. Declaration of Policy. Article III, Section 9 of the Constitution states that private property shall not be taken for public use without just compensation. Towards this end, the State shall ensure that owners of real property acquired for national government infrastructure projects are promptly paid just compensation.</p> <p>Section 5. Standards for the Assessment of the Value of the Land Subject of Expropriation Proceedings or Negotiated Sale. The court may consider the following relevant standards to facilitate determination of just compensation:</p> <ul style="list-style-type: none"> <li>(a) The classification and use for which the property is suited;</li> <li>(b) The developmental costs for improving the land;</li> <li>(c) The value declared by the owners;</li> <li>(d) The current selling price of similar lands in the vicinity;</li> <li>(e) The reasonable disturbance compensation for the removal and/or demolition of certain improvement on the land and for the value of improvements thereon;</li> <li>(f) The size, shape or location, tax declaration and zonal valuation of the land;</li> <li>(g) The price of the land as manifested in the ocular findings, oral as well as documentary evidence presented; and</li> <li>(h) Such facts and events as to enable the affected property owners to have sufficient funds to acquire similarly-situated lands of approximate areas as those required from them by the government, and thereby rehabilitate themselves as early as possible.</li> </ul> <p>SEC. 9. Squatter Relocation. - The government through the National Housing Authority, in coordination with the local government units and implementing agencies, shall establish and develop squatter relocation sites with adequate utilities and services for squatters that have to be removed from the right-of-way or site of future infrastructure projects. Whenever applicable, the concerned local government units shall provide and administer the relocation sites.</p> <p>Section 3. Modes of Acquisition – An Implementing Agency may avail itself of the following modes of acquisition of private lands together with improvements:</p> <ul style="list-style-type: none"> <li>a. Donation</li> <li>b. Quit claim</li> <li>c. Exchange or barter</li> <li>d. Negotiated sale or purchase</li> <li>e. Expropriation</li> <li>f. Any other modes of acquisition authorized by law</li> </ul> <p>Section 4. Donation – Any Implementing Agency may explore acquisition of ROW for its projects through donation by the private property owners of the needed portion or whole of their affected properties, as its first option.</p>	3

Laws and Regulations	Provisions	JICA Guideline # of Table 5.2
Projects	<p>Section 5. Quit Claim – It is the mode applicable to private property or land acquired under the provisions of special laws, particularly P.O. No. 635 which provides a 60-meter strip of land easement by the government for public use with damages to improvements only. No payment by the government shall be made for land acquired under this mode.</p> <p>Section 6. Exchange or Barter – The owner of a property needed for a ROW of a national government project may request the government to exchange or barter his property with an old abandoned government road or other government property near the project, instead of being paid the money value of his property, subject to the provisions of relevant laws and conditions such as the exchange shall be done on a "value-for-value" basis.</p> <p>Section 7. Negotiated Sale or Purchase - If the owner of the property needed for a ROW is not willing to donate his property to the government, the Implementing Agency shall negotiate with the owner for the purchase of the property by offering first as just compensation the price in the current zonal valuation issued by the Bureau of Internal Revenue (BIR) for the area where the private property is located. In case the owner disagrees with the first offer, negotiation for the purchase price shall not be higher than the fair market value of the property to be determined by using prescribed standards for assessment of land value (Section 5).</p> <p>Section 8. Expropriation - If the owner of a private property does not agree to convey his property to the government by any of the modes of acquiring and/or transferring ownership of the property, then the government shall exercise its right of eminent domain by filing a complaint with the proper Court for the expropriation of the private property.</p> <p>Section 10. Valuation of Improvements and/or Structures</p> <p>The Implementing Agency shall determine the valuation of the improvements and/or structures on the land to be acquired using the replacement cost method. It is the amount necessary to replace the improvements/structures, based on the current market prices for materials, equipment, labor, contractor's profit and overhead, and all other attendant costs associated with the acquisition and installation in place of the affected improvements/structures.</p> <p>In the valuation of the affected improvements/structures, the kinds and quantities of materials/equipment used, the location, configuration and other physical features of the properties, and prevailing construction prices shall be considered by the Implementing Agency.</p> <p>Section 11. Engagement of Appraisers – If the Implementing Agency deems it necessary, may engage the services of government financing institutions and/or private appraisers duly accredited by the said institutions to undertake the appraisal of the property and to determine its fair market value. The Implementing Agency shall consider the recommendations of the said appraisers in deciding on the purchase price of or just compensation for the property.</p>	3

## **National Laws and National Agencies' Guidelines on Resettlement.**

Laws and Regulations	Provisions	JICA Guideline # of Table 5.2
<b>Republic Act 7160</b> Local Government Code of 1991	<p>This act mandates public consultations.</p> <p>Book I General Provisions, Title I Basic Principles</p> <p>Chapter I The Code: Policy and Application</p> <p>Section 2. (c) Requires all national agencies to conduct periodic consultations with appropriate local government units, NGOs and POs, and other concerned sectors of the community before any project or program is implemented in their respective jurisdiction.</p> <p>Chapter III Intergovernmental Relations</p> <p>Article I National and Local Government Units</p>	6
	<p>Section 26. Duty of National Government Agencies in the Maintenance of Ecological Balance. - It shall be the duty of every national agency or government-owned or controlled corporation involved in the planning and implementation of any project or program that may cause pollution, climatic change, depletion of non-renewable resources, loss of crop land, rangeland, or forest cover, and extinction of animal or plant species, to consult with the local government units, nongovernmental organizations, and other sectors concerned and explain the goals and objectives of the project or program, its impact upon the people and the community in terms of environmental or ecological balance, and the measures that will be undertaken to prevent or minimize the adverse effects.</p>	4
	<p>Section 27. Prior Consultations Required - No project or program shall be implemented by government authorities unless the consultations mentioned in Sections 2 (c) and 26 are complied with, and prior approval of the Sanggunian concerned is obtained: Provided, that occupants in areas where such projects are to be implemented shall not be evicted unless appropriate relocation sites have been provided, in accordance with the provisions of the Constitution.</p>	4
<b>Republic Act 7279 (1992)</b> Urban and Housing Act of 1992	<p>The Act mandates the provision of basic services, livelihood, and a resettlement site for underprivileged persons and participation of beneficiaries.</p> <p>Section 3 and 16</p> <p>Among the eligibility criteria for socialized housing programs are:</p> <ul style="list-style-type: none"> <li>- beneficiary must be an underprivileged and homeless citizen;</li> <li>- must not own any real property whether in the urban or rural areas</li> <li>- must not be a professional squatter or a member of squatting syndicates.</li> </ul> <p>Underprivileged and homeless citizens are individuals or families residing in urban and urbanizable areas whose income or combined household income falls within the poverty threshold as defined by the National Economic and Development Authority include those who live in makeshift dwelling units and do not enjoy security of tenure.</p> <p>Article V, Section 21:</p> <p>Basic Services – Socialized housing or resettlement areas shall be provided by the LGU and NHA in cooperation with private</p>	14

Laws and Regulations	Provisions	JICA Guideline # of Table 5.2
<b>Republic Act 7279 (1992)</b> Urban and Housing Act of 1992 Implementing Rules and Regulations (IRR)	<p>developers and concerned agencies basic services and facilities such as potable water, electricity, sewage, access to primary roads, and transportation facilities. Provision of other basic services; health, education, communications, security, recreation, relief and welfare shall be planned and shall be given priority for implementation by the implementing local government unit and concerned agencies in cooperation with the private sector and the beneficiaries themselves.</p>	
	<p>Article V, Section 22:</p> <p>Livelihood Component - To the extent feasible, socialized housing and resettlement projects shall be located near areas where employment opportunities are accessible. The government agencies dealing with the development of livelihood programs and grant of livelihood loans shall give priority to the beneficiaries.</p>	2
	<p>Article V, Section 23</p> <p>The LGUs, in coordination with the PCUP and concerned government agencies, shall afford program beneficiaries the opportunity to be heard and to participate in the decision-making process over matters involving the protection and promotion of their legitimate collective interest which shall include appropriate documentation and feedback mechanisms.</p>	8
	<p>Section 28</p> <p>Eviction or demolition as a practice shall be discouraged. However, it may be allowed under the following situations: (a) when persons or entities occupy danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and other public places such as sidewalks, roads, parks, and playgrounds, (b) when government infrastructure projects with available funding are about to be implemented, or (c) when there is a court order for eviction and demolition.</p>	2
	<p>Section 29</p> <p>Within two (2) years from the effectively of this Act, the local government units, in coordination with the National Housing Authority, shall implement the relocation and resettlement of persons living in danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and in other public places such as sidewalks, roads, parks and playgrounds. The local government unit, in coordination with the National Housing Authority, shall provide relocation or resettlement sites with basic services and facilities and access to employment and livelihood opportunities sufficient to meet the basic needs of the affected families.</p>	6
	<p>Section 3.1 Pre-relocation</p> <p>Phase 2.0 Community Relations Operations:</p> <p>The LGU or concerned agency shall establish communication and rapport with recognized resident community leaders; meet the affected families to explain the government's shelter program, the need to relocate families from danger areas and infrastructure project sites, procedures and guidelines on relocation and resettlement, and objectives and schedule of the census and tagging operation.</p>	
	<p>Section 7, Venue for Grievance</p> <p>Complaints of violations of this IRR against local government executives shall be filed and prepared in accordance with Section 61 of the Local Government Code of 1991 through the</p>	9

Laws and Regulations	Provisions	JICA Guideline # of Table 5.2
	<p>DILG.</p> <p>Complaints against subordinate officials within the administrative jurisdiction of the local chief executives shall be filed with the office of the local chief executive concerned who shall cause to be instituted administrative and judicial proceedings against subordinate official who may have committed an offense.</p> <p>Complaints against officials of other national agencies may be filed in the Office of the President or Office of the Ombudsman. The complaints of aggrieved parties may also be directed to and or seek the assistance of the Commission on Human Rights or the Presidential Commission for the Urban Poor.</p>	
Republic Act No. 8371 The Indigenous Peoples' Rights Act of 1997	<p>Chapter Section 7 c and d</p> <p>States that no ICCs/IPs will be relocated without their free and prior informed consent or through any means except eminent domain or where relocation is considered necessary as an exceptional measure. They shall be guaranteed the right to return to their ancestral domain and if said return is not possible, ICCs/IPs shall be provided with lands of quality and legal status at least equal to that of the land previously occupied by them, suitable to provide for their present needs and future development.</p> <p>In case displacement occurs as a result of natural catastrophes, the displaced ICCs/IPs shall be resettled in suitable areas where they can have temporary life support systems while maintaining the right to return to their abandoned lands until such time that the normalcy and safety of such lands shall be determined. Should their ancestral domain cease to exist and normalcy and safety of the previous settlements are not possible, displaced ICCs/IPs shall enjoy security of tenure over lands to which they have been resettled, be provided basic services and livelihood to ensure that their needs are adequately addressed.</p>	14
Republic Act No. 9710 The Magna Carta of Women (2009)	<p>Section 21. Right to Housing</p> <p>The State shall develop housing programs for women that are localized, simple, accessible, with potable water, and electricity, secure, with viable employment opportunities and affordable amortization. In this regard, the State shall consult women and involve them in community planning and development, especially in matters pertaining to land use, zoning, and relocation.</p>	14
<p>DENR DAO-03-30 IRR of the Philippine Environmental Impact Statement (EIS) System, June 30, 2003</p> <p>Chapter 1.C</p> <p>DENR DAO 96-37 Section 8, DAO 30, Sections 1, 4.2, 4.3, and Procedural Manual page 134 Annex B and H - Scoping Checklist</p>	<p>An Environmental Impact Assessment (EIA) also examines how a proposed activity may cause harm to people, their property or their livelihoods, or to nearby developments. After foreseeing potential problems, measures are identified in the EIA to minimize the problems and recommends ways to improve the project's sustainability.</p> <p>Requires the assessment of technical and site alternatives including no action alternative to minimize adverse environmental impacts on human health and safety.</p>	<p>2</p> <p>1</p>
Executive	The Order provides basis and guidelines relative to the creation	

Laws and Regulations	Provisions	JICA Guideline # of Table 5.2
<p><b>Order 708 (2008) - Amending Executive Order No. 152 (2002) and Devolving the Functions of the Presidential Commission on the Urban Poor as Clearing House for the Conduct of Demolition and Eviction Activities Involving the Homeless and the Underprivileged Citizens to the Respective Local Government Units Having Territorial Jurisdiction over the Proposed Demolition and Eviction Activities of Government Agencies</b></p>	<p>of local housing boards.</p> <ul style="list-style-type: none"> <li><b>Section 1 (Devolution of Clearinghouse Functions)</b> – The clearinghouse functions of the PCUP are devolved to the respective cities and municipalities in whose territorial jurisdiction the proposed demolition and eviction activities of government agencies are to be undertaken.</li> <li><b>Section 2 (Creation of Housing Boards)</b> - The Local Government Units must create their own Local Housing Boards or any similar body through an appropriate ordinance before conducting the clearinghouse functions granted to them in this Executive Order.</li> <li><b>Section 3 (Guidelines in Enactment of Ordinance)</b> - The Department of Interior and Local Government (DILG) is ordered to issue the necessary guidelines for the enactment of ordinances creating Local Housing Boards or any similar body to Local Government Units (LGUs) within six (6) months from the effectivity of this Executive Order. The PCUP shall assist the Local Government Units in enacting the ordinances in whatever capacity they can provide within the same period.</li> <li><b>Section 4 (Residual Functions)</b> – The PCUP continues with its monitoring and reporting functions. However, all clearinghouse functions, including issuance of notices and clearances are to be the primary responsible of the Local Government Unit concerned.</li> </ul> <p>In relation to the Order, DILG issued Memorandum Circular (2008-143) in September 2008 to all Local Chief Executives, Local Legislative Members and DILG Regional Directors on creation of <b>Local Housing Boards</b> with quote from Section 3 of the Order, which circulate to provide the following information such as legal basis, authority, purpose and coverage of local housing boards as follows.</p> <ul style="list-style-type: none"> <li><b>Legal Basis and Authority</b> – Sections 2 and 3 of the Order.</li> <li><b>Purpose</b> – Provision of guidelines relative to the creation of local housing boards to address shelter concerns in formulation, development and implementation of comprehensive and integrated housing and land development program of LGU.</li> <li><b>Coverage</b> – Following areas are covered by this Memorandum Circular that cities and municipalities with informal settlers, excluding the ARMM Region, in: (a) danger areas such as esteros, railroad tracks, garbage dumps, landfills, creeks, riverbanks, shorelines, waterways, (b) public places such as sidewalks, public cemeteries, roads, parks and playgrounds and (c) government projects.</li> </ul>	
<p>Department of Finance Guidelines on Resettlement and Compensation (2001)</p>	<p>Projects involving acquisition of land and other assets and resulting in adverse impacts, the LGU shall not proceed with the project unless a compensation package is agreed upon between the sponsoring LGU and the owners of land/ assets as well as those who stand to lose their jobs and sources of income.</p> <p>The LGU shall not allow civil works to start until the compensation has been paid and resettlement, where necessary, is completed to the satisfaction of the PAPs. The compensation package should be agreed upon during the consultation meetings and the payments made properly documented.</p> <p>The Resettlement Action Plan (RAP) includes among others, census and socio-economic survey results, and eligibility criteria for PAPs, including cut-off date if necessary.</p>	<p>4</p> <p>15</p>

<b>Laws and Regulations</b>	<b>Provisions</b>	<b>JICA Guideline # of Table 5.2</b>
	In the event that more than 200 PAPs (40-50 households) are involved in a project, a detailed Resettlement Action Plan (RAP) will be prepared in accordance with the provisions of these Guidelines.	
National Economic and Development Authority (NEDA) - Investment Coordination Committee (ICC) Guidelines and Procedures	<p>Annex B</p> <p>Requires proponent agencies to submit a Resettlement Action Plan to aid in the evaluation of the social acceptability and feasibility of the project. Measures to relocate, resettle, and provide livelihood development for families whose properties will be permanently affected by the project should be included in the plan.</p>	5

## **Department Orders of DPWH on Resettlement**

Department Orders	Provisions	JICA Guideline # of Table 5.2
<b>Department Order 5 (2003)</b> Creation of the Infrastructure Right of Way and Resettlement Project Management Office and the Implementation of the Improved IROW Process	<p>The Order provides policies and procedures to improve the process of implementation of the infrastructure right-of-way through creation of Project Management Office (PMO) for Infrastructure Right-of-Way (IROW).</p> <p>All projects, whether locally or foreign-funded, requiring right-of-way (ROW) acquisition requires the preparation of a Resettlement Action Plan (RAP).</p> <ul style="list-style-type: none"> <li>• <b>Policies</b> – Major policies addressed are: (a) the implementing office shall ensure that IROW costs are always included in project costs, (b) district offices shall be responsible and accountable for the proper management of all right-of-way and ensure that encroachments, structures and informal settlers are not allowed within right-of-way limits.</li> <li>• <b>Procedures</b> – Details of improved process of IROW such as workflow of the process and procedures are provided in the IROW Procedural Manuals (2003).</li> <li>• <b>PMO-IROW</b> – Creation of PMO-IROW to manage the right-of-way process</li> </ul>	5

## **Policy of DPWH on Eligibility, Compensation and Other Entitlements**

Department Orders	Provisions	JICA Guideline # of Table 5.2
Land Acquisition, Resettlement, Rehabilitation and Indigenous Peoples' Policy, 3rd edition (2007)	<p>The following are the provisions of the Policy :</p> <p>Defines the following as:</p> <p>Resettlement Action Plan (RAP) is the planning document that describes what will be done to address the direct social and economic impacts connected to involuntary taking of land or land acquisition.</p> <p>Cut-off Date is the date of commencement of the census of affected families within the project boundaries. Persons not covered at the time of census-taking will not be eligible for claims of compensation entitlements.</p> <p>Compensation is payment in cash or in kind at replacement cost for an asset to be acquired or affected by an infrastructure project.</p> <p>Project Affected Person (PAP) includes any person or persons, household, a firm, or a private or public institution who, on account of the execution of the project, would have their right, title or interest in all or any part of a house, land (e.g., residential, agricultural or pasture), annual or perennial crops and trees, or any other fixed or moveable asset acquired or possessed, in full or in part, permanently or temporarily.</p>	10
	<p>Professional Squatters as defined by Republic Act 7279, are persons who have previously been awarded home lots or housing units by the government but who sold, leased or transferred these to settle illegally in the same place or in another urban area; to non bona fide occupants; and to intruders of lands reserved for socialized housing. This also refers to individuals or groups who occupy lands without the expressed consent of the landowner and who have sufficient income for legitimate housing. This excludes individuals or groups who simply rent land and housing from professional squatters or squatting syndicates.</p> <p>Squatting Syndicates, in R.A. 7279 these are groups of persons who are engaged in the business of illegal housing for profit or gain.</p> <p>Chapter III Policy on Eligibility, Compensation and other Entitlements</p> <p>A. Criteria for Eligibility for Compensation, 1 and 2</p>	10
	<p>Landowners include:</p> <ul style="list-style-type: none"> <li>- Legal owners (agricultural, residential, commercial, and institutional) who have full title, tax declaration, or who covered by customary law, or other acceptable proof of ownership.</li> <li>- Users of arable lands who have no land title or tax declaration</li> <li>- Agricultural lessees</li> </ul> <p>PAF's with Structures include:</p> <ul style="list-style-type: none"> <li>- Owners of structures who have full title, tax declaration, or who covered by customary law, or other acceptable proof of ownership.</li> <li>- Owners of structures including shanty dwellers, who have no land title, or tax declaration, or other acceptable proof of ownership.</li> <li>- Renters</li> </ul> <p>A. Criteria for Eligibility for Compensation, 4 d ii (a notation of provision)</p> <p>Compensation for land may be among others, land swapping if</p>	3 11 12

Department Orders	Provisions	JICA Guideline # of Table 5.2
	<p>feasible, 'land for land', will be provided. A new parcel of land of equivalent market value at a location acceptable under zoning laws, or a plot of equivalent value, whichever is larger.</p> <p>A. Criteria for Eligibility for Compensation, 4 e (a notation of provision)</p> <p>Other types of entitlements or assistance include:</p> <ul style="list-style-type: none"> <li>- Income loss, for loss of business/income, the Project- affected family (PAF) will be entitled to an income rehabilitation assistance not exceeding PhP 15,000 for severely affected structures or to be on the latest copy of the PAF's tax record for the period that the business activities have stopped.</li> <li>- Inconvenience Allowance, PhP 10,000 will given to PAFs with severely affected structures, requiring relocation and new construction.</li> <li>- Rehabilitation assistance, skills training and other development activities equivalent to PhP 15,000 will be provided per family in coordination with other government agencies, if the PAF's present means of livelihood is no longer viable and will have to engage in a new income activity.</li> <li>- Transportation allowance or assistance, free transportation for PAFs, if relocating. Free transportation will also be provided to informal settlers in urban center who opt to go back to their place of origin in the province or be moved to government relocation sites.</li> </ul> <p>Chapter V, Public Consultation and Participation</p> <p>The information campaign will carried out by PMO with the support of ESSO, the Regional Offices and District Engineering Offices and will be implemented through community meetings and leaflets printed in the language understandable to project- affected persons (PAPs).</p> <p>The women, children, and elderly who are among the PAPs shall likewise be consulted and mobilized to participate in the consultation meeting and discuss with them the socio-cultural implication of the Resettlement Action Plan.</p> <p>Chapter VI, Grievance Procedures</p> <p>Grievances related to any aspect of the project or sub-project will be handled through negotiations and are aimed at achieving consensus following certain procedures. All complaints from PAPs, written and written when received verbally, will be documented and shall be acted upon immediately according to procedure.</p> <p>Chapter VIII, Monitoring Mechanisms</p> <p>B. Scope</p> <p>The preparation, implementation and monitoring of RAPs shall cover all the items mentioned in the RAP outline including but not limited to the identification and compensation for the affected structure and other Improvements, and land that will have to be taken for right-of-way, and income restoration.</p> <p>E. Schedule of Implementation of RAP and Monitoring</p> <p>The PMO with ESSO shall establish a schedule for the implementation of RAPs and IPAPs and the required monitoring considering the project's implementing schedule. All RAP, IPAP, and MOA activities (related to land acquisition, resettlement, including compensation) determined by the Internal Monitoring Agent (IMA) and External Monitoring Agent (EMA) should have been completed one month before the start of civil works.</p>	<p>13</p> <p>7</p> <p>14</p> <p>9</p> <p>8</p> <p>8</p>

## ***Appendix-B***

***Executive Order No. 020-13 of the City Mayor of the Cagayan de Oro City for an Order Creating the Shelter and Housing Development Multi-Sectoral Task Force***



Republic of the Philippines  
City of Cagayan de Oro

**OFFICE OF THE CITY MAYOR**

**EXECUTIVE ORDER NO. 020-13**

**AN ORDER CREATING THE SHELTER AND HOUSING DEVELOPMENT  
MULTI-SECTORAL TASK FORCE**

**WHEREAS**, the City Government of Cagayan de Oro recognizes that shelter is a basic need, especially for the Internally Displaced Persons, who are victims of natural calamities and those belonging to the low and middle-income families;

**WHEREAS**, these Internally Displaced Persons usually inhabit in urbanized areas and/or in the hazard-calamity prone zones of the city are in dire need of basic services and sustainable assistance;

**WHEREAS**, there is an urgent need to re-evaluate the objectives and initiatives of the present housing and urban development projects in the city and to re-define its collaborative framework to allow the inclusive participation of other government agencies, the private sector and the non-governmental organizations, in its housing development programs, for better coordination and monitoring of existing activities;

**WHEREAS**, there is a need to encourage private sector participation in low-cost housing program, particularly in the area of finance;

**WHEREAS**, there is a need to formulate a 3-year comprehensive housing and urban development master plan for the city;

Now, therefore, I, OSCAR S. MORENO, by virtue of the powers vested in me by law as mayor of the City of Cagayan de Oro, do hereby Order:

**Sec. 1. Cagayan de Oro City Shelter and Housing Development Task Force.** There is hereby created and constituted the Cagayan de Oro City Shelter and Housing Development Task Force, which shall have the following members, to wit:

RAMON L. FERNANDEZ	-	Chairman
VERONICA FE T. FERNANDEZ	-	Administrative Assistant
NIKKI M. ALONG	-	Administrative Staff
Engr. ROLAND M. PACURIBOT	-	Land Development/Planning Engineer
Atty. NOEL S. BEJA	-	Consultant
Engr. ISIDRO OBLIGADO	-	Housing Agencies Coordinator
ART TANGARE	-	Multi-Stakeholder Coordinator

**Sec. 2. Duties and Functions.** The Cagayan de Oro City Shelter and Housing Development Task Force shall perform the following duties and functions, to wit:

1. Prepare short, medium and long term plans for housing and urban development in the city that specifically incorporate the hazard-calamity prone areas to be identified as no-build zones;

2. Formulate a strategy, to provide basic services and sustainable development assistance for the Internally Displaced Persons and Communities, especially those who are victims of natural calamities;
3. Formulate resource mobilization programs for construction projects, performance-based funding and evaluation of service programs and grants from government housing agencies;
4. Identify and recommend priorities and other urgent concerns in the implementation of the housing program for the homeless and illegal settlers in the city;
5. Formulate a program that will expedite enrolment procedures for all homeless persons and other housing beneficiaries and the adoption of a fool-proof system which would ensure that only qualified applicants can avail of the program;
6. Design a program that will create a data base (Housing and Urban Development Management Information System) for the efficient and effective program implementation;
7. Formulate a program that will develop and implement minimum standards for all shelter and housing programs;
8. Coordinate all activities relative to the implementation of the city's housing program with the key government housing agencies;
9. Provide an effective strategy which will encourage the active participation of the private sector in all aspects of housing and urban development, particularly in the area of finance;
10. Formulate policies and effective strategies to ensure the gradual and substantial reduction in the numbers of illegal settlers in the city within the 3-year period for the implementation of the program;
11. Formulate basic policies, guidelines and implementing mechanisms for the disposal or development of acquired or existing assets relative to city government's housing program;
12. Recommend new legislation or amendments to existing ordinances and executive orders, as may be necessary, for the attainment of the city's housing and urban development planning objectives;
13. Exercise such other powers and perform other duties and functions as may be deemed necessary, proper or incidental to the attainment of programs purpose and objectives.

**Sec. 3. Separability Clause.** If any provision of this Executive Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

**Sec. 4. Repealing Clause.** All orders and issuances, or parts thereof, which are inconsistent with this Executive Order, are hereby repealed, amended, or modified accordingly.

**Sec. 5. Effectivity.** This Executive Order shall take effect immediately upon issuance, and shall remain in force until it is revoked and/or annulled.

Done, in the City of Cagayan de Oro, this 13 day of August, in the year of our Lord, Two Thousand and Thirteen.



OSCAR S. MORENO  
Mayor

## ***Appendix-C***

***Executive Order No. 039-13 of the City Mayor of the Cagayan de Oro for an Order Reconstituting the Membership thereof and Defining It's Powers and Functions and for Other Purposes***



Republic of the Philippines  
City of Cagayan de Oro

## OFFICE OF THE CITY MAYOR

### EXECUTIVE ORDER NO. 039-13

AN ORDER REORGANIZING THE CAGAYAN DE ORO HOUSING BOARD, RECONSTITUTING THE MEMBERSHIP THEREOF AND DEFINING IT'S POWERS AND FUNCTIONS AND FOR OTHER PURPOSES.

**WHEREAS**, Republic Act No. 7279 or the Urban Development and Housing Act (UDHA) of 1992 provided a blueprint for socialized housing, and just and humane eviction and demolition processes at the local government level.

**WHEREAS**, while UDHA spells out “local government units” as its main implementing entity, urban poor sectoral advocates who call for effective people’s participation at the local government level are at a loss as to which particular department or division of their respective LGUs will provide such genuine opportunity.

**WHEREAS**, local housing boards are envisioned to provide urban poor communities, Pos and NGTOs more direct participation in the planning and implementation of local housing programs.

**WHEREAS**, Section 5, paragraph 2 of Memorandum order No. 74 issued by President Gloria Macapagal-Arroyo last September 13, 2002, directed the LGUs without local housing boards to “create their respective housing boards, or their equivalent, within thirty (30) days from the affectivity of this Order”.

#### NOW THEREFORE:

**I, OSCAR S. MORENO**, by virtue of the powers vested in me as City Mayor of Cagayan de Oro; do hereby CREATE THE CAGAYAN DE ORO CITY HOUSING BOARD, DEFINING ITS POWERS AND FUNCTIONS AND FOR OTHER PURPOSES, to wit:

**SECTION 1.** There is hereby created a local housing board in the city of which shall be called as the Cagayan de Oro City Housing Board.

**SECTION 2 COMPOSITION of Executive Order No. 005-12.** The Composition of the CAGAYAN DE ORO HOUSING BOARD, is hereby amended by increasing the composition and deleting the names of the persons designated as Chairperson and members thereof, and to read as follows:

**SECTION 2.A. COMPOSITION.** The Cagayan de Oro City Housing Board, herein referred to the “Board” shall be composed of the following:

*Chairperson:* Hon. Oscar S. Moreno  
City Mayor

*Vice-Chairperson:* Ramon L. Fernandez, Chairman of the Shelter and Housing Development Multi-Sectoral Task Force (EO No. 020-13)



## OFFICE OF THE CITY MAYOR

<i>Members:</i>	
	Chedilyn Aissa Dulguime – Sajulga, Department Head of City Planning Office
	Engr. Rolando Pacuribot, Land Development/Planning Engineering of Shelter and Housing Development Multi-Sectoral Task Force
	Engr. Fe Ancheta, OIC/District 1 Manager, National Housing Authority – 10
	Representative from the Presidential Commission on Urban Poor (PCUP)
	Atty. Leon Du M. Gan, City Councilor – Chairperson, Committee on Urban and Rural Poor
	Astrid Jose C. Bana, Archdiocesan Coordinator, Commission on Social Apostolate
	Atty. Noel Beja, Shelter and Housing Development Multi-Sectoral Task Force
	Dr. Hilly Ann Roa-Quiaoit, Representative from the Cagayan de Oro Academe Community.
	Representative – Subd. And Housing Developers Assn. NorMin.

**SECTION 3. POLICIES.** The Board shall, among other things, formulate, develop, implement and monitor policies on the provision for housing and resettlement areas, and on the observance of the right of the underprivileged and homeless to just and humane eviction and demolition.

**SECTION 4. POWERS AND FUNCTIONS.** The Board shall have the following powers and functions.

- a) Prepare, based on local shelter plan guideline and with the assistance of the HUDCC and other concerned government agencies, a comprehensive city shelter plan which shall form part of the city development plan; Provided, that public hearings shall be conducted for the purpose;
- b) Designate at least one (1) representative of the Board to the City Development Council; Provided, that said representative is not already a member of the Council;
- c) Assist the City Development Council in the formulation of its Comprehensive Land Use Plan (CLUP);
- d) Approve preliminary and final subdivision schemes and development plans of subdivisions, residential, commercial, industrial, and other purposes, in accordance with the provisions of Presidential Decree No. \_\_\_ as amended, otherwise known as the Subdivision and Condominium Buyer's Protective Decree, and its implementing standards, rules and regulations concerning approval of subdivisions plans;
- e) Approve preliminary and final subdivision schemes and development plans of all economic and socialized housing projects as well as individual or group building and occupancy permits covered by Batas Pambansa 220 and its implementing standards, rules and regulations.
- f) Evaluate and resolve any opposition to the issuance of development permits for any of the projects stated in the two (2) preceding promulgated by the Housing and Land Use Regulatory Board;

A handwritten signature in black ink, appearing to read "G. G.", is placed over the list of powers and functions.



Republic of the Philippines  
City of Cagayan de Oro

## OFFICE OF THE CITY MAYOR

- g) Monitor the nature and progress of land development projects it has approved, as well as the housing constructions in the case of house and lot packages, to ensure their faithful compliance with the approved plans and specifications, and the imposition of appropriate measures to enforce compliance therewith;
- h) Ensure compliance with the balanced housing requirement as provided for in Section 18 of RA 7179 and its implementing rules and regulations;
- i) Conduct an inventory of all lands within the city, and update the same every three (3) years, in accordance with Section 7 of PZA 7279 and the guideline issued for the purpose;
- j) Identify the sites for socialized, subject to the requirements prescribed by Section 8 of RA 7179 and guidelines issued for the purpose;
- k) Advise the Sanggunian on matters of local taxation which may affect the city government socialized housing program, including but not limited to, the formulation of a socialized housing tax, idle lands tax, and an additional levy on the real property tax to constitute a Special Socialized Housing Fund;
- l) Recommend, for approval of the City Mayor, formulated schemes for the acquisition and disposition of lands within the city/ municipality for socialized housing purposes, subject to Section 9 to 14 of RA 7279 and the implementing guidelines enacted for the purpose;
- m) Recommend, for approval of the Mayor, partnership arrangements with the national government on, but not limited to, the following programs;
  - i. Housing Production Assistance, Resettlement Assistance, Local Housing, Cost Recoverable Joint Venture and other relevant programs of the national Housing Authority (NHA);
  - ii. Local government housing assistance program of the Home development Mutual Fund (HDMF), (National Home Mortgage Finance Corporation (NHMFC), and the Home Guarantee Corporation (HGC), and for this purpose, the Board shall coordinate with the Advisory Committee created to oversee the implementation of the Local Government Pabahay Program; and
  - iii. Other socialized housing projects undertaken by other national government agencies (NGAs) and government-owned and controlled corporations (GOCCs) within the city;
- n) Ensure the registration of underprivileged and homeless urban or rural dwellers as socialized housing beneficiaries under Sections 16 and 17 of RA 7279; Provided, that the Board shall assume the functions of the city registration of the same Sections;
- o) Coordinate with the government agencies and instrumentalities performing functions which may affect housing and urban development;
- p) Submit to the President and Congress of the Philippines an annual report as provided by Section 41 of RA 7279 and

A handwritten signature in black ink, appearing to read "G. F." followed by a stylized flourish.



## OFFICE OF THE CITY MAYOR

- q) Perform such other related functions established by law or by ordinance as necessary to implement the mandate of local government units under the Urban Development and Housing Act.

**SECTION 5. RESOURCES.** The Board is hereby constituted as the primary entity tasked to advise the City Mayor on matters of sourcing of funds for socialized housing.

For this purpose, the Board may recommend the following schemes for funding socialized housing projects:

- a) Build-operate-transfer and other related schemes;
- b) Bond flotation and other credit financing arrangements;
- c) Availment of foreign or local grants for which the Board is authorized by this ordinance to receive foreign and local grants, which shall be remitted to the city treasury, and shall be credited to the socialized housing account of the city government of
- d) Loan packages from the government financing or lending institutions;
- e) Joint venture projects with private sector groups or developers; and
- f) Pooling of resources with other LGUs, the private sector, NGOs and Pos

**SECTION 6. EVICTION AND DEMOLITION.** The Board is hereby tasked to oversee implementation of Section 28 of the RA 7279 and its implementing rules and regulations: *Provided*, that just and humane eviction and demolition procedures under the said provision of law are likewise made applicable to rural areas of the city/ municipality.

For this purpose, the Board shall:

- a) Oversee and coordinate government activities relative to consultation, relocation and resettlement of underprivileged and homeless urban or rural poor dwellers in cases when evictions and demolitions affecting them are necessary and allowed by existing laws.
- b) Recommend policy measures and undertake appropriate action to ensure full compliance with the constitutional mandate and statutory requirements prior to the evictions and/or demolitions
- c) Affecting underprivileged and homeless urban and rural poor dwellers; and
- d) Issue directives, rules and regulations not otherwise inconsistent with existing laws, as it may deem necessary to effectively carry out the purposes of the constitutional mandate to ensure just and humane evictions and demolitions.

**SECTION 7. COMPLIANCE REPORT.** Before undertaking eviction or demolitions that will affect underprivileged and homeless urban or rural poor dwellers, the city/ municipal government, national government agencies or other proponents of evictions and demolition activities, including employees of the judiciary, shall submit a compliance Report to the Board, with a statement under oath that:

- a) Adequate consultation as defined and outline under pertinent laws, rules, regulations have already been undertaken with the affected residents;



Republic of the Philippines  
City of Cagayan de Oro

## OFFICE OF THE CITY MAYOR

- b) Adequate relocation, as defined and outlined under pertinent laws, rules and regulations is available, ready and sufficiently supported by relocation and resettlement funding; and
- c) The requirement and procedures prescribed under the implementing rules and regulations of Section 28 of RA 7279, specifically on the Pre-Relocation, Relocation, and Post-Relocation Phases of eviction or demolition activities have been or shall be observed, as the case may be.

The Compliance report shall include a certified list of families to be evicted or relocated. The Board shall have the power to review the Compliance Report and approve or disapprove the same.

**SECTION 8. MEETING AND QUORUM.** The Board shall meet at least once a month or as often as may be deemed necessary. The presence of the Chairman or the Vice-Chairman and the majority of the members of the Board shall constitute a quorum to transact official business.

**SECTION 9. EXECUTIVE COMMITTEE.** The board shall create a three-member Executive Committee (Exe Com) from among its members represent it and act in its behalf when it is not in session. The Mayor or his duly designated representative shall head the Execom.

**SECTION 10. ALLOWANCES.** members of the Board who are not government officials or employees shall be entitled to the necessary traveling expenses and allowances chargeable against the funds of the Board, subject to existing accounting and auditing rules and regulations.

**SECTION 11. BUDGET.** The city government shall appropriate at least one percent (%) of its annual Internal Revenue Allotment (IRA) for the operations and activities of the Board.

**SECTION 12. PENALTIES.** Failure to submit the Compliance reports as required under Section 7 of this Executive Order, or any act of misrepresentation or fraud in connection with any information contained in a submitted Compliance Report, shall subject the government officials or employees responsible for such omission, misrepresentation or fraud to:

**SECTION 13. IMPLEMENTING RULES AND REGULATIONS.** Within sixty (60) days after the enactment of this Executive Order, the City Mayor shall, in consultation with the concerned government agencies, the private sector, and Pos and NGOs, formulate the appropriate rules and regulations necessary to effectively implement any or all of the provisions of this Executive Order.

Such rules and regulations shall include, among others, guidelines on the following:

- a) Resource generation and mobilization for socialized housing purposes;
- b) Schemes for city government housing assistance; and
- c) Accreditation and selection of representatives of the private sector, NGOs and POs to the Board.



Republic of the Philippines  
City of Cagayan de Oro

## OFFICE OF THE CITY MAYOR

**SECTION 14. REPEALING CLAUSE.** All Executive Orders and other city issuances, or part thereof, which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

**SECTION 15. SEPARABILITY CLAUSE.** If, for any valid reason, any provisions of this Executive Order are declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in force and

**SECTION 16. EFFECTIVITY CLAUSE.** This Executive Order shall take effect upon its approval.

Let copies of this order be served to all concerned for their guidance and compliance.

**SO ORDERED.**

Done this 27<sup>th</sup> day of August 2013 in the City of Cagayan de Oro, Philippines.

  
OSCAR S. MORENO  
City Mayor

Attested By:

  
MARIA CAMELIA A. TAGOTONGAN  
ADMINISTRATIVE OFFICER  
Secretary to the City Mayor

***Appendix-D***  
***Survey Questionnaires for the Census, Socioeconomic and***  
***Resettlement Assistance Needs Surveys***

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

Questionnaire Number: \_\_\_\_\_  
Replacement Cost Survey Tag: \_\_\_\_\_

**PROJECT DESCRIPTION:** The DPWH is undertaking a flood risk management study for Cagayan de Oro River to develop and eventually put up flood mitigation measures along the affected areas in the river while taking into consideration minimizing the impact on the natural and social environment.

**QUESTIONNAIRE IDENTIFICATION**

(Q1) Name of Interviewer: \_\_\_\_\_ (Q2) Date of Interview: \_\_\_\_\_  
 (Q3) Time Start: \_\_\_\_\_ (Q4) Time End: \_\_\_\_\_ (Q5) Interview Status: 1st Visit    2nd Visit    3rd Visit    Refused  
 (Q6) Name of Respondent: \_\_\_\_\_ (Q7) Reason for Refusal: \_\_\_\_\_

**QUESTIONNAIRE STATUS**

Reviewed		Validated and Coded		Checked with encoded data	
Name	Date	Name	Date	Name	Date

**PART 1: CENSUS**

(C.1.0) Unit under census: \_\_\_\_\_ [1] Household [2] Business Establishment [3] Community Establishment [4] Business cum Residence [5] Other, specify \_\_\_\_\_

C.2.0 Location of land or property: (C.2.1) \_\_\_\_\_ (C.2.2) \_\_\_\_\_ (C.2.3) \_\_\_\_\_ (C.2.4) \_\_\_\_\_  
 House/Bldg # Street Purok/Sitio Barangay

(C.2.5) Owner/ Occupant of Land in ROW: \_\_\_\_\_ [1] Yes [2] No (C.2.6) Owner/ Occupant of Land, river area: \_\_\_\_\_ [1] Yes [2] No

**C.3.0 Head of Affected Household/ Establishment (HHH)**

(C.3.1) Name of Household/ Establishment Head: \_\_\_\_\_

(C.3.2) Name of the respondent, if not the Household Head: \_\_\_\_\_

(C.3.3) How many households are currently living in this structure/house? \_\_\_\_\_ [If more than 1 household, obtain separate information for each household using separate questionnaire.]

(C.3.4) Religion: \_\_\_\_\_ [1] Roman Catholic [2] Protestant [3] Born Again [4] Islam [5] INC [6] Other, specify \_\_\_\_\_

(C.3.5) Ethnic Group: \_\_\_\_\_ [1] Non - Indigenous [2] Indigenous, specify \_\_\_\_\_

(C.3.6) Place of Origin: \_\_\_\_\_ [1] Within barangay [2] Other barangay, within city (CDO) [3] Within province (Misamis Oriental except CDO)  
 [4] Mindanao (except Misamis Oriental) [5] Visayas [6] Luzon [7] Other, specify \_\_\_\_\_

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

**C.4.0 Household Profile**

(C.4.1) Number of household members: \_\_\_\_\_ [Include non-relatives who are staying in the house]

(C.4.2) Household members' data:

HHM #	Name	Relation to HH (1)	Age	Sex (2)	Civil Status (3)	Educ'l Attainment (4)	Schooling Status (5)	Primary Occupation/ Income Source (include income from remittance, pension, and rental)	Monthly Income	Work place (6)	Physical/ Health Condition (7)
C.4.2.1	C.4.2.2	C.4.2.3	C.4.2.4	C.4.2.5	C.4.2.6	C.4.2.7	C.4.2.8	C.4.2.9	C.4.2.10	C.4.2.11	C.4.2.12
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											

CODES:

1 Relation to the Household Head:	
1- Household Head	8- Granddaughter
2- Spouse/Partner	9- Grandfather
3- Son	10- Grandmother
4- Daughter	11- Other Relative
5- Son-in-law	12- Helper
6- Daughter-in-law	13- Other, specify
7- Grandson	

3 Civil Status:
1 - Single
2 - Married
3 - Widow/er
4 - Separated
5 - Live-in

4 Educational Attainment:
0- No formal education
1- Not of school age
2- Pre-school
3- Elementary Undergraduate
4- Elementary graduate
5- High School undergraduate
6- High School graduate
7- Vocational/ Technical
8- Certificate course
9- College undergraduate
10- College graduate

5 Schooling Status:
For Household Members 6 – 21 years old.
1- Enrolled
2- Not Enrolled

6 Workplace
1- At Home
2- Within barangay
3- Within city
4- Within province
5- Within Mindanao
6- Other, specify: _____

2 Sex:
1- Male
2- Female

11- Some Post-graduate  
12- Post-graduate

7 Physical/ Health Condition:
1- Normal
2- Elderly
3- Disabled, Mental
4- Disabled, Physical
5- Chronically ill, specify: _____

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

**C.5.0 Household/ Establishment tenure and use of the affected land**

(C.5.1) Type of use of this land: \_\_\_\_\_  [1] Residential  [2] Commercial  [3] Residential cum commercial  [4] Agriculture

[5] Industrial  [6] Institutional  [7] Other, specify \_\_\_\_\_

(C.5.2) Tenurial Status: \_\_\_\_\_  [1] Owner  [2] Co-Owner  [3] Occupant with permission  [4] Occupant w/out permission

[6] Renter  [7] Sharer  [8] Caretaker  [9] Encroacher  [10] Other, specify \_\_\_\_\_

(C.5.3) Type of land ownership: \_\_\_\_\_  [1] Private  [2] Public (government)

(C.5.4) What is the total area of this land, in sq.m? \_\_\_\_\_

C.5.5 What is the affected area in sq. m. of this land? \_\_\_\_\_

(C.5.5.1) Used for Residential: \_\_\_\_\_

(C.5.5.3) Used for Agricultural: \_\_\_\_\_

(C.5.4.5) Used for Institutional: \_\_\_\_\_

(C.5.5.2) Used for Commercial: \_\_\_\_\_

(C.5.4.4) Used for Industrial: \_\_\_\_\_

(C.5.4.6) Used for other, specify \_\_\_\_\_: \_\_\_\_\_

(C.5.6) How long have you been staying or utilizing this land? \_\_\_\_\_ year/s

**For Household/ Establishment that owns/claims the land**

[ONLY FOR OWNER/S OR CO/OWNER/S. REFER TO C.5.2]

(C.5.7) Do you have valid document to prove ownership of this land? \_\_\_\_\_  [1] Yes  [2] No **⇒ If "NO", proceed to C.5.12**

(C.5.8) If yes, what kind of document do you have? \_\_\_\_\_  [1] Land title  [2] Real Estate Tax Receipts  [3] Other, specify \_\_\_\_\_

(C.5.9) Under whose name is the document? \_\_\_\_\_

(C.5.10) When did you obtain the document? Month: \_\_\_\_\_ Year: \_\_\_\_\_

(C.5.11) How much did you pay to obtain said document? \_\_\_\_\_  [1] PhP  [2] None/free of charge

(C.5.12) How did you obtain the land? \_\_\_\_\_  [1] Purchased  [2] Inherited  [3] Given  [4] Allocated by the government  [5] Other, specify \_\_\_\_\_

(C.5.13) Do you pay the real estate tax for the land? \_\_\_\_\_  [1] Yes  [2] No

(C.5.13.1) If yes, how much? PhP \_\_\_\_\_

**For Household/ Establishment that rents the land**

[ONLY FOR RENTER/S. REFER TO C.5.2]

(C.5.14) How long have you been in this land? \_\_\_\_\_  [1] \_\_\_\_\_ year/s  [2] Do not remember

(C.5.15) How long are you going to stay in this land? \_\_\_\_\_  [1] \_\_\_\_\_ year/s  [2] Not very sure

(C.5.16) Who is the owner of the land? Please name the owner. \_\_\_\_\_

(C.5.16.1) Owner's address: \_\_\_\_\_

(C.5.17) What type of arrangement of renting do you have? \_\_\_\_\_  [1] Written contract  [2] Verbal agreement  [3] Other, specify \_\_\_\_\_

(C.5.18) How much is the rental fee per month? PhP \_\_\_\_\_ (For land only or for land and structure)

(C.5.19) Is your household a permanent or seasonal dweller in this land? \_\_\_\_\_  [1] Permanent  [2] Seasonal

## PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER SOCIO-ECONOMIC SURVEY

## Ask ALL Households

(C.5.20) Apart from this land (in affected area), do you have any land nearby or somewhere else?

[1] Yes

/2/ No [If "YES", provide details in table below]

[If "NO"  $\Rightarrow$  proceed to C.6.1]

Other land	Type of Use (1)	Tenure (2)	Total Area (in sq m)	Distance from this land (in km)	# of years owned/ used (years)	Location/ Address (3) Write down address and code.
C.5.20.1	C.5.20.2	C.5.20.3	C.5.20.4	C.5.20.5	C.5.20.6	C.5.20.7
1						
2						
3						
4						
5						

## **CODES**

1 Type of Use  
1- Residential  
2- Commercial/ Business  
3- Agricultural  
4- Fallow/ grazing  
5- Other, specify: \_\_\_\_\_

2 Tenure	
1- Owner	6- Renter
2- Co-owner	7- Sharee
3- Occupant with permission	8- Caretaker
4- Occupant without permission	9- Other,
5- Encroacher	specify: _____

3 Location	
1- <i>Within barangay</i>	5- <i>Visayas</i>
2- <i>Within city</i>	6- <i>Luzon</i>
3- <i>Within province</i>	7- <i>Other, specify:</i>
4- <i>Within Mindanao</i>	

#### C.6.0 Household Claim to the Affected Main Structure

(C.6.1) Are you an/a [1] Owner [2] Co-Owner [3] Occupant with permission [4] Occupant w/out permission of this affected structure/house?

151 Encroacher  161 Renter  171 Sharer  181 Caretaker  191 Other, specify \_\_\_\_\_

(C.6.2) Type of structure ownership:  (1) Private  (2) Public (government)

(C. 6.3) What is the total area of this structure, in sq m?

(C 6.4) What type of house are you living in?  [1] Attached to ground  [2] 2nd floor  [3] Sitting on stilts  [4] Other, specify \_\_\_\_\_

(C 6.5) Other permanent structures/ improvements detached from the main structure within the lot area Write down number of each

(C.6.5) Other permanent structures/ improvements detached from the main structure within the lot area. Write down number of each.

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

C.7.0 Business operated / other activity in the structure / establishment: (If any)
---

**C.7.1 Business Information**

C.7.1.1	(C.7.1.2) Type of Business (1) Write down specific type of business and code.	(C.7.1.3) Number of Employees	(C.7.1.4) Years in business	(C.7.1.5) Business License (2)	(C.7.1.6) Average Monthly Income (in PhP)
1					
2					
3					
4					
5					

CODES:

1 Type of Business:

- 1- Trading
- 2- Manufacturing
- 3- Personal Services

- 4- Home/ Small-scale Industry
- 5- Transport
- 6- Service Contracting

- 7- Agri-business
- 8- Other, specify:

2 Business License:

- 1- With license
- 2- Without license

**C.7.2 Employee Information**

C.7.2.1	(C.7.2.2) Name of Employee	(C.7.2.3) Address/ Origin (1) Write down address and code.	(C.7.2.4) Employment Status (2)	(C.7.2.5) Monthly Salary (in PhP)
1				
2				
3				
4				
5				
6				
7				
8				

CODES:

1 Address/ Origin:

- 1- At home
- 2- Within barangay
- 3- Within city
- 4- Within province
- 5- Within Mindanao
- 6- Other, specify:

2 Employment Status:

- 1- Permanent/ Regular
- 2- Casual/ Temporary
- 3- Contractual
- 4- Seasonal/ Intermittent
- 5- Self-employed
- 6- Other, specify:

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

Definition of a Household:

	A person living alone or a group of persons (not necessarily related) who:		Include:
1	Occupy a part of or an entire building	1	Non-relatives
2	Live together at the same address with common housekeeping	2	Whether member is or is not at home during survey or temporarily absent
3	Pool their income	3	Household member coming back weekly or bi-weekly regularly
4	Share the same kitchen/ living room and eat at least one meal together		
5	Have a common arrangement for the preparation and consumption of food		

Coding Instruction for Questionnaire Number:

Number	Letter/ Number	
1st	Barangay Code	Left Bank Barangays: Bonbon (Bo), Kauswagan (Ka), Carmen (Ca), Balulang (Ba) Right Bank Barangays: Macabalan (Mb), Puntod (Pu), Consolacion (Co), Nazareth (Na), Macasandig (Mc) Right Bank Poblacion Barangays: 1, 2, 6, 7, 10, 13, 15, 17
2nd	L or R only	Refer to the map. L stands for Left Bank and R stands for Right Bank of the Cagayan de Oro River.
3rd	1, 2, 3, or 4 only	Refer to the map. The number refers to the specific area either in the left or right bank of the river.
4th	D or I only	D refers to structures in the Right of Way (ROW, directly affected while I refers to structures in the River area (indirectly affected)
5th	001, 002, 003 ....	Generic questionnaire number: 001 to 999 +++ (Will depend on the number of affected households)
6th	A, B, C, D, E ....	Use separate questionnaires if households are 2 and above in a structure. Use A if there is only 1 household, if multiple use B, C, D ....

SAMPLE QUESTIONNAIRE NUMBER:

Ca	L2	D	008	A	Structure is in Barangay Carmen, left bank (L), Area (2), 008 (generic questionnaire number), 1 household only (A)
17	R4	D	157	B	Structure is in Barangay 17, right bank (R), Area (4), 157 (generic questionnaire number), 2 households in one and the same structure (B)
17	R4	D	157	C	Structure is in Barangay 17, right bank (R), Area (4), 157 (generic questionnaire number), 2 households in one and the same structure (C)

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

**H.1.0 Household Information**

(H.1.1) Length of Stay in Current Residence: \_\_\_\_\_ year/s

H.1.2 Reason for Establishing Residence/ Business in the Area [Choose only one answer among Economic, Social and Other Reason]

(H.1.2.1) Economic Reason: \_\_\_\_\_ [1] Proximity to livelihood [2] Rent-free/ Affordable rental rate

(H.1.2.2) Social Reason: \_\_\_\_\_ [1] Family ties [2] Near school [3] Got married/ separated

(H.1.2.3) Others: \_\_\_\_\_ [1] Awardee [2] Acquired right [3] Emergency (calamity, demolition) [4] No other place to go [5] Other, specify \_\_\_\_\_

(H.1.3) Family Type: \_\_\_\_\_ [1] Nuclear [2] Extended [3] Joint

**H.2.0 Monthly Income and Expenditure**

(H.2.1) Total Monthly Income of Household: \_\_\_\_\_ (in PhP)

H.2.2 Average Monthly Expenditure:

Item	Amount (in PhP)
(H.2.2.1) <b>TOTAL for Food</b>	

Item	Amount (in PhP)
(H.2.2.3) <b>TOTAL Food + Non-Food</b>	

Item	Amount (in PhP)	Item	Amount (in PhP)
(H.2.2.2a) Electricity		(H.2.2.2g) Clothing	
(H.2.2.2b) Water		(H.2.2.2h) Housing/ Rent	
(H.2.2.2c) Education		(H.2.2.2i) Entertainment, Vices	
(H.2.2.2d) Transportation		(H.2.2.2j) House help, Salary	
(H.2.2.2e) Communication		(H.2.2.2k) Other, specify	
(H.2.2.2f) Medicines		(H.2.2.2) <b>TOTAL for Non-Food</b>	

(H.2.3) Who is managing household income and expenditure? \_\_\_\_\_ [1] Male [2] Female

H.2.4 Household assets:

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

Assets	1. Number of Working Assets	2. Number of Non-working Assets	Assets	1. Number of Working Assets	2. Number of Non-working Assets
(H.2.4a) Minibus			(H.2.4k) Refrigerator		
(H.2.4b) Truck			(H.2.4l) Television		
(H.2.4c) Car/ Jeep			(H.2.4m) Electric Fan		
(H.2.4d) Motorboat/ Banca			(H.2.4n) Gas/ Electric Stove, Oven		
(H.2.4e) Motorbike			(H.2.4o) Washing Machine		
(H.2.4f) Tricycle			(H.2.4p) Landline phone		
(H.2.4g) Pedicab			(H.2.4q) Mobile phone		
(H.2.4h) Bicycle			(H.2.4r) Computer/ Laptop		
(H.2.4i) Pushcart			(H.2.4s) Radio/ CD/DVD Player		
(H.2.4j) Mobile cart for business			(H.2.4t) Other, specify		

H.2.4.1 Other Assets (Animals) Write down number of each.

(H.2.4.1a) Pig	(H.2.4.1b) Chicken/ Duck	(H.2.4.1c) Dog	(H.2.4.1d) Goat	(H.2.4.1e) Cow	(H.2.4.1f) Other, specify	(H.2.4.1f1) Other, specify number

H.2.4.2 Other Assets (Trees)

Kind of Tree		1. Number	2. Age (in year/s)	Kind of Tree		1. Number	2. Age (in year/s)
(H.2.4.2a)				(H.2.4.2e)			
(H.2.4.2b)				(H.2.4.2f)			
(H.2.4.2c)				(H.2.4.2g)			
(H.2.4.2d)				(H.2.4.2h)			

H.2.4.3 Other Assets (Crops)

Kind of Crop		1. Number	2. Plot area (in sq.m.)
(H.2.4.3a)			
(H.2.4.3b)			
(H.2.4.3c)			
(H.2.4.3d)			

**H.3.0 Standard of Living**

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

(H.3.1) Kind of Dwelling: \_\_\_\_\_  [1] single detached  [2] duplex  [3] two-storey  [4] multi-storey (3 storeys and above)  [5] apartment/townhouse  [6] condominium unit  
 [7] row house  [8] Others, specify \_\_\_\_\_

(H.3.2) Type of Housing Materials: \_\_\_\_\_  [1] Salvaged (plastic, tin, cardboard, etc.)  [2] Light (nipa, cogon, bamboo, wood)  
 [3] Strong (hollow blocks, GI sheets, wood)  [4] Mixed (light and strong)

(H.3.3) What kind of toilet facility does your household use? \_\_\_\_\_  [1] Water sealed latrine  [2] Pit latrine  [3] Open-pit  [4] None

(H.3.4) What type of energy source does your household use? \_\_\_\_\_  [1] Power grid line  [2] Generator  [3] Battery  [4] Kerosene  [5] Other, specify \_\_\_\_\_

(H.3.5) What is the main source of drinking water for members of your household? \_\_\_\_\_  [1] Piped water  [2] Public tap  [3] Tube-well  [4] Dugwell  [5] Pond  
 [6] Refilling Station  [7] Other, specify \_\_\_\_\_

(H.3.5.1) What is the main source of domestic water for members of your household? \_\_\_\_\_  [1] Piped water  [2] Public tap  [3] Tube-well  [4] Dugwell  [5] Pond  
 [6] Other, specify \_\_\_\_\_

(H.3.6) What is the main source of information/news of your household? \_\_\_\_\_  [1] Radio  [2] Television  [3] Newspaper  [4] Magazine

H.3.7 How far is your house from the following facilities (in km)?

(a) Health Center	(b) Hospital	(c) Primary School	(d) High School	(e) College	(f) Market	(g) Place of Worship

H.3.8 Has any member of your family affected by any illness in the last 30 days? \_\_\_\_\_  [1] Yes  [2] No   
[If "YES", provide details in table below]  
[If "NO" ➔ proceed to H.3.9]

HH member by age breakdown	1. Male (Number)	2. Female (Number)	3. Type of Illness/ Sickness. Write down illness and code.	4. Code
(a) 9 years old and below				
(b) 10-19 years old				
(c) 20-29 years old				
(d) 30-39 years old				
(e) 40-49 years old				
(f) 50-59 years old				
(g) 60 years old and above				
(h) Total				

H.3.9 How many among the household members are:

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

	(1) Decision maker	(2) Income earner	(3) Property holder	(4) Elected local official	(5) NGO/ Community Organization member: Specify Name of Organization
(a) Men					
(b) Women					
(c) Children					

**H.4.0 Business Activity**

(H.4.1) Are you engaged in any business activity? \_\_\_\_\_

[1] Yes    [2] No

[If "YES", please indicate the details below]

[If "NO", proceed to Question H.5.0]

If "YES", please indicate the details:

(1) Type of Business	(2) Location	(3) Registration	(4) Size of Business Area (sq m)	(5) Initial Capital	(6) Source of Capital	(7) Present Capitalization	(8) Year/s in Operation	(9) Monthly Net Income	(10) Number of Workers
(1)	(2)	(3)	(sq m)	(in PhP)	(4)	(in PhP)	(year/s)	(in PhP)	(number)
(a)									
(b)									
(c)									
(d)									
(e)									

**CODES:**

<b>1</b> Type of Business
1- Trading
2- Manufacturing
3- Personal Services
4- Home/ Small-scale Industry
5- Transport
6- Service Contracting
7- Agri-business
8- Other, specify: _____

<b>2</b> Location	
1- Within affected property	6- Visayas
2- Outside property, within barangay	7- Luzon
3- Outside barangay, within city	8- Multi locations
4- Outside city, within province	9- Other, specify: _____
5- Outside province, within Mindanao	

<b>3</b> Registration
1 – With business permit
2 – Without business permit

<b>4</b> Source of Capital
1- Personal savings
2- Private moneylender
3- Cooperative
4- Relatives/ Friends
5- Other, specify: _____

(H.4.2) Do you intend to expand your business? \_\_\_\_\_

[1] Yes    [2] No

(H.4.2.1) If "Yes", what assistance do you need? \_\_\_\_\_

[1] Additional capital    [2] Additional manpower    [3] Training, specify \_\_\_\_\_

[4] Other, specify \_\_\_\_\_

**H.5.0 Assistance Received from Government/ Non-government Organizations**

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

(H.5.1) Has your household been a recipient of government and/or non-government assistance in the last 5 years? \_\_\_\_\_  Yes  No

If "YES", please indicate the details:

	(1) Name of GO/ NGO	(2) Type of assistance received	Period	
			(3) Start	(4) End
(a)				
(b)				
(c)				

**H.6.0 Major Problems in the Community**

*Please check only one level for each problem.*

List of Problems	Severe	Moderate	Not Severe	None
(H.6.1) Drugs				
(H.6.2) Theft/Robbery				
(H.6.3) Malnutrition				
(H.6.4) Common Illness				
(H.6.5) Sanitation				

List of Problems	Severe	Moderate	Not Severe	None
(H.6.6) Solid Waste				
(H.6.7) Drainage				
(H.6.8) Water				
(H.6.9) No security of tenure				
(H.6.10) Others, specify				

**H.7.0 Awareness, Perception, and Attitude Regarding the Project**

(H.7.1) Are you aware of the proposed project? \_\_\_\_\_  Yes  No [If "NO", inform about the project then proceed to H.7.2]

(H.7.1.2) If "YES", how did you know about it? \_\_\_\_\_  Public meetings with LGUs  neighbors  friends/relatives  Other, specify \_\_\_\_\_

(H.7.2) What do you think about it? \_\_\_\_\_  Very good  Good  Bad  No Answer

(H.7.3) Why do you think so? State the reason/s for the answer. \_\_\_\_\_

(H.7.4) If the answer is "Bad", what could be the possible solutions to lessen/eliminate the negative results of the project?

\_\_\_\_\_

(H.7.5) For those who answered "Bad" and who gave solutions: Would you approve of the proposed project, if the negative results of the project would be lessened or eliminated? \_\_\_\_\_  Yes  No  No answer

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

(H.7.6) Should the project affect your area/ household and necessitate resettlement/ relocation, how will it affect your view of the project?

[1] Very good [2] Good [3] Bad [4] No Answer

(H.7.7) Why do you think so? Please state the reason/s for the answer. \_\_\_\_\_

(H.7.8) Should the project necessitate the resettlement/relocation of the affected households, would you be willing to be resettled/ relocated? \_\_\_\_\_ [1] Yes [2] No

(H.7.9) Why? Please state the reason/s for the answer. \_\_\_\_\_

(H.7.10) If the answer is "Yes", how soon could you vacate your present residence? \_\_\_\_\_

[1] 1 month [2] 2 months [3] more than 2 months

[4] After end of school year [5] Other, specify \_\_\_\_\_

(H.7.11) Have you or any member of your household been offered a housing unit in any of the resettlement sites for Cagayan de Oro residents? \_\_\_\_\_

[1] Yes [2] No

[If "NO" ➔ proceed to H.7.13]

(H.7.11.1) When was the offer made? \_\_\_\_\_ Month \_\_\_\_\_ Year

(H.7.11.2) Institution/ government agency that offered a housing unit. \_\_\_\_\_

(H.7.11.3) Resettlement site/ location \_\_\_\_\_

(H.7.12) Did you or any member of your household accept the offer of a housing unit in any of the resettlement sites for Cagayan de Oro residents? \_\_\_\_\_

[1] Yes [2] No

(H.7.12.1) Why? Please state the reason/s for the answer. \_\_\_\_\_

(H.7.13) Have you or any member of your household been awarded a housing unit in any of the resettlement sites for Cagayan de Oro residents? \_\_\_\_\_

[1] Yes [2] No

(H.7.13.1) When was the award made? \_\_\_\_\_ Month \_\_\_\_\_ Year

(H.7.13.2) Institution/ government agency that awarded a housing unit. \_\_\_\_\_

(H.7.13.3) Resettlement site/specify \_\_\_\_\_

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

**R.1.0 Relocation and Income Restoration Option**

(R.1.1) If you are asked to relocate, what is your preferred relocation option? \_\_\_\_\_

[1] Same barangay [2] Nearby barangay [3] Within the city [4] Nearby towns  
 [5] On own land elsewhere [6] Push back in the same land

(R.1.2) If you will be relocated what type of relocation do you prefer? \_\_\_\_\_

[1] Self-relocation with project assistance [2] Group relocation with project assistance  
 [3] Resettlement in government sponsored site [4] Other, specify \_\_\_\_\_

(R.1.3) Preferred assistance for livelihood and income restoration: \_\_\_\_\_

[1] Cash assistance to buy replacement land and reconstruction of house structure  
 [2] Replacement land [3] Transport assistance and transition allowance [4] Access to loan [5] Skill development training [6] Other, specify \_\_\_\_\_

(R.1.4) Most desired basic services/ facilities in relocation site: \_\_\_\_\_

[1] Health Center [2] Private Clinic [3] Government Hospital [4] Police Outpost  
 [5] Livelihood Center [6] Market [7] Elementary School [8] High School [9] Barangay Center [10] Other, specify \_\_\_\_\_

(R.1.5) Whether land is available for your relocation: \_\_\_\_\_ [1] Yes [2] No [If "NO" ⇒ proceed to R.1.6]

(R.1.5.1) If, yes, price of available land: \_\_\_\_\_ [1] PhP \_\_\_\_\_ per sq.m. for residential land [2] PhP \_\_\_\_\_ per sq.m. for commercial land  
 [3] PhP \_\_\_\_\_ per ha for agricultural land

(R.1.5.2) If yes, what is the distance from the existing location? [1] Residential: \_\_\_\_\_ [2] Commercial: \_\_\_\_\_ [3] Agricultural: \_\_\_\_\_  
 [1] less than 1km [2] between 1 to 2km [3] between 3 to 4km [4] between 5 to 10km [5] more than 10km

(R.1.6) If you receive compensation in cash what will you use the money for? \_\_\_\_\_

[1] Purchase land [2] Construction of new house [3] Repair of house  
 [4] Invest in business [5] Placement fee for job abroad [6] Wedding of children [7] Other, specify \_\_\_\_\_

(R.1.7) Indicate type of vulnerability of Household, if any: \_\_\_\_\_

[1] Landless [2] Disabled household head [3] Female headed household [4] Elderly household head  
 [5] Solo parent household head [6] Indigenous people [7] Child-headed household [8] None [9] Other, specify \_\_\_\_\_

**R.2.0 Employable Household Members' Data {For household members 15 years old and above}** **[REFER TO C.4.2, INCLUDE HOUSEHOLD HEAD]**

# H#	(a.1) Name of Employable HH Member	(a.2) Educ. Att.	(a.3) Primary Occupation/ Income Source	(a.4) Reason for Unemployment	(a.5) Monthly Income	(a.6) Employment Status (1)	(a.7) Workplace (2)	(a.8) Mode of Payment (3)	Transportation	
									(a.9) Time (minutes)	(a.10) Cost (PhP)
1										
2										
3										
4										
5										

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

[REFER TO C.4.2, INCLUDE HOUSEHOLD HEAD]

HH #	(b.1) Name of Employable HH Member	(b.2) Secondary Occupation/ Income Source	(b.3) Monthly Income	(b.4) Employment Status (1)	(b.4) Workplace	(b.5) Mode of Payment (3)	(b.6) Fund Membership (4)
1							
2							
3							
4							
5							

CODES:

1 Employment Status  
 1- Permanent/ Regular  
 2- Casual/ Temporary  
 3- Contractual  
 4- Seasonal/ Intermittent  
 5- Self-employed  
 6- Other, specify:  
 \_\_\_\_\_

2 Workplace  
 1- At Home  
 2- Within barangay  
 3- Outside, barangay, within city  
 4- Outside city, within province  
 5- Outside province, within Mindanao  
 6- Other, specify:  
 \_\_\_\_\_

3 Mode of Payment  
 1- Daily  
 2- Weekly  
 3- Bi-monthly  
 4- Monthly  
 5- Pakyaw/ Piecemeal  
 6- Commission  
 7- Other, specify:  
 \_\_\_\_\_

4 Fund Membership  
 1- GSIS  
 2- SSS  
 3- Pagibig  
 4- GSIS and SSS  
 5- GSIS and Pagibig  
 6- SSS and Pagibig  
 7- GSIS, SSS and Pagibig  
 8- None

(R.2.1) Information on Skills, Business Interests, and Training Needs of Employable Household Members (Employed and Unemployed, 15 years old and above)

[REFER TO C.4.2, INCLUDE HOUSEHOLD HEAD]

HHM #	(a) Name of Employable HH Member	(b) Existing/ Present Skills	(c) Skills/ Training Preference	(d) Business Interest/ Preference
1				
2				
3				
4				
5				

**PREPARATORY SURVEY FOR FLOOD RISK MANAGEMENT FOR CAGAYAN DE ORO RIVER  
SOCIO-ECONOMIC SURVEY**

**R.3.0 Other Information on Employees of Business Establishments**

**[REFER TO C.7.2]**

	<b>(a) Name of Employee</b>	<b>(b) Existing/ Present Skills</b>	<b>(c) Skills/ Training Preference</b>
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Name of Respondent :	Name of Interviewer :
Contact Number of Respondent :	
Signature of Respondent :	Signature of Interviewer :
Date Signed :	Date Signed :
Verified by Supervisor :	Date :

***Appendix-E***  
***Minutes of Meeting of Consultation Meeting with PAPs***

## Flood Risk Management for Cagayan de Oro River

### Minutes of Consultation Meeting 1

November 05, 2013, 9:40AM-11:50AM

Barangay Nazareth Gym, Barangay Nazareth, Cagayan de Oro City

#### Total Number of Participants

PAPs	134
City Offices	2
Barangay Officers	2
National Government Officers	3
DPWH	9
JICA Survey Team	8
Total	158

Participating Barangay(s):	Barangay Balulang, Barangay Macasandig, Barangay Nazareth
----------------------------	---

XXXXX, City Information Officer, called the meeting to order at 09:40AM. This was followed by the invocation and singing of the national anthem led by XXXXX, Kagawad (Councilor) of Barangay Nazareth. XXXXX, Barangay of Macasandig, delivered the welcome remarks. XXXXX of the DPWH-PMO-Flood Control provided an overview of the project. XXXXX of the DPWH-PS-ESSD presented the overall results of the Socio-Economic Survey conducted by the JICA Survey Team. XXXXX of the DPWH-PMO-IROW explained the entitlements under Philippine laws and policies in terms of resettlement, while XXXXX of the NHA-Region 10 presented the possible resettlement sites which could be used for relocating qualified beneficiaries. The public meeting also served as the venue to solicit feedback/clarification and questions from the project affected persons. All speakers were on hand during the open forum to address concerns and to answer questions about the presentation.

XXXXX briefly outlined the city government's housing priorities and challenges. Advisory was also given for mitigating risks associated with the onslaught of Typhoon Yolanda. To close the public meeting, XXXXX thanked the participants for their time. The public meeting ended at 11:50 AM.

#### Highlights of Discussion:

##### Question 1:

(XXXXX, Cagayan de Oro City)

XXXXX commented that he appreciates the entitlement options that DPWH plans to offer because he thought that these entitlement options are very fair and very just. His question was: If you happen to

be the owner of the land and structure, does it mean that you will have cash compensation both for the land and structure plus rental subsidy?

**Reply:**

(XXXXXX, DPWH-PMO-IROW)

The owners of land and/or structure can only avail of the cash compensation for the land and/or structure. They will not be paid rental subsidy since it will already be considered as double compensation.

**Suggestion 1:**

XXXXXX also suggested the following:

- a) The government should have available financial resources to pay for compensation for the land and structure/improvement as well as to develop resettlement sites that will accommodate the affected households.
- b) The documentary requirements to qualify for entitlements should be published so that they will know the legal basis why some of them will not be qualified for cash compensation. For example, for those who are living in the land and structure located in the danger zone, it will not be possible for them to pay property tax or to have the land titled which are requirements to qualify for cash compensation.
- c) DPWH needs to put up a center wherein all the concerned agencies will be able to hold offices and provide assistance to the affected households in the completion of requirements regarding entitlements.
- d) The NHA and LGU should give priority to the project affected households to live in the resettlement sites.

**Suggestion 2:**

(XXXXXX, Barangay Macasandig)

XXXXXX requested DPWH to revisit/review the target area for the construction of the dike and to explore the possibility of reducing the target area from say, 100 meters away from the river bed to 50 meters. This space reduction may also result in minimizing the number of PAPs from 1,087 to 500 or probably even down to 200 households, and in effect lowering the number of PAPs to be resettled. He recognized that the Project is very useful since the construction of the dike is meant to protect the lives and the properties of the people. However, they are very sad to learn that they will have to be resettled because of this dike. He also asked XXXXXX to have this matter discussed with CDO Mayor XXXXXX.

XXXXXX clarified that they are not blaming DPWH; they are just asking that, if possible, no structures should be affected. Looking at the map, they observed that the design missed a couple of structures like the City Hall so it should be possible that the dike could be designed such that no structure will be affected.

XXXXXX also noted that they only have the mother title issued to his grandfather. Learning that the title should be under the name of the present owner to qualify for cash compensation, he also sought clarification on this regard.

**Reply:**

(XXXXXX, DPWH-PS-ESSD)

XXXXXX clarified that only the master plan is being presented in the public meeting. Detailed engineering design will have to be undertaken afterward that may entail adjustments in the project design. The 1,087 affected households identified in the master plan might be reduced in the detailed engineering design of the project. However, the households living in the No Build Zone and in areas classified as Flood Risk Level 4 (very high risk of casualty) will really have to be resettled. President Aquino himself stated that people in the No Build Zone should be relocated from the river bank. XXXXXX also emphasized that the intention of the project is to save and rebuild lives.

(XXXXXX, Information Officer, Cagayan de Oro City)

It is assured that all your concerns will be conveyed to Mayor XXXXXX. We would like to let you know that the Mayor's knowledge regarding these matters (e.g. engineering works) are limited. I'm sure that the Mayor will consult with experts including City Engineer, Mayor's Advisor for Infrastructure and DPWH and decide on the matter.

(XXXXXX, Consultant, DPWH-PMO-IROW)

If the mother title of the land is still in the name of XXXXXX's grandfather, they will have to undergo the legal process to have the land title transferred to the present owners such as filing of extra-judicial settlement of the estate and having the land subdivided.

**Question 2:**

(XXXXXX, Barangay Macasandig)

Were those surveyed the only households that will be affected by the project? When will the construction of the dike start?

**Reply:**

(XXXXXX, DPWH-PS-ESSD)

The socioeconomic survey that was conducted for this Survey provided DPWH with the indicative number of PAPs. The number and the list of affected households to be resettled will be finalized after the completion of the detailed engineering design of the Project. However, as previously mentioned, those households living in the No Build Zone and in very high risk areas will have to be resettled earlier.

(XXXXXX, Information Officer, Cagayan de Oro City)

I just would like to check if there are still people living in these violet areas (No Build Zones) in the map. Cala-cala. none. Isla Puntod. none. Tambo. There are some households. We would like to reiterate that people still living in these areas will have to consider transferring.

(XXXXX, DPWH-PMO-Flood Control)

The DPWH Region 10 has already started the construction of the short-term, urgent program of works related to the project that is being financed by local funds. The foreign-assisted component that will entail the construction of the dike will start in 2016. The loan agreement is expected to be finalized in 2014 while the detailed engineering design is targeted to be completed in 2015.

**Question 3:**

(XXXXX, Barangay Macasandig)

What we have in our possession is the mother title of our land in the name of our grandfather. In our case about 3/4 of our land will be affected, the rest (1/4) will not be included. How can we segregate this land? Another question is for XXXXX, we would like to know what particular agency we would ask help from regarding our resettlement concerns. Will it be the NHA, our local Barangay or the LGU?

**Reply:**

(XXXXX, Consultant, DPWH-PMO-IROW)

The concerned household will be responsible for the segregation of their land. They will have to transfer the title from the father to his children (12 siblings in this case). If DPWH will pay them for the 3/4 of the land, they will have to divide the payment equally among themselves. DPWH will only pay for the land that is titled under the name of the claimant. In the same manner that the replacement cost for the affected structure/improvement will be paid to the person under whose name that the tax declaration has been issued.

(XXXXX, NHA-Region 10)

Regarding resettlement concerns, the LGU will be the one to help you. In fact, the Task Force on Housing was created by the City Government to address the concerns on housing including resettlement. NHA provides assistance to LGU on aspects like land development and identification of beneficiaries.

**Question 4:**

(XXXXX, Barangay Balulang)

- a) Way back to 1998 we had an induction at the Karinugan Riverside in the presence of the Vice Mayor, the Chief of Police and our Barangay Captain. During that induction, the Vice Mayor told us that from that day all the lots where we are residing will be ours and that they will be the one to process the land titles. When we applied for water and electrical connection we were asked to go to DENR and secure some papers. From DENR I received a document that states that my lot number is no. 25. However, we have not yet been able to get the land titles as promised. What will happen to us since we do not have the required documents, we will not be paid for our structures?
- b) Why is it that during the conduct of the socio-economic survey the houses were marked?

**Reply:**

(XXXXXX, Information Officer, Cagayan de Oro City)

I would like to ask if you are referring to the Piso-Piso program. As far as I know, all areas which are designated as the No Build Zone can never be titled. With regards to your concern about the land being given to you, I'm sorry I could not answer in behalf of the previous administration. It would be best, however, to have a separate discussion on this issue on entitlements with the DPWH.

(XXXXXX, DPWH-PS-ESSD)

The markings on the houses were made to serve as an indicator to the survey team members that the households were already interviewed and were not meant for tagging purposes. As explained previously, the final number and list of the project-affected households will only be determined during the detailed engineering design probably in 2015.

**Question 5:**

(XXXXXX, Barangay Macasandig)

As a Sendong victim, I applied for a housing unit with NHA. I also had an interview with EMD and even applied for CMP so that I would be able to relocate since our house is in the danger zone. Why is it taking long for our application to be approved?

**Reply:**

(XXXXXX, NHA-Region 10)

The form that was filled-up was not an application form but a survey form. Actually the NHA does not give out application forms; it is the LGU that determines to whom the housing units will be awarded.

(XXXXXX, Information Officer, Cagayan de Oro City)

One of the programs of Mayor XXXXX is the resettlement program wherein there are three focus areas: (1) Sendong-related resettlement sites; (b) Piso-Piso areas; and (c) informal settlers. She advised not only XXXXX but other Sendong victims who have not yet been resettled to coordinate with the City Information Office so that they could be referred to EMD (headed by XXXXX). She further suggested that their respective issues and concerns be properly documented so that appropriate action could also be provided.

**Question 6:**

(XXXXXX, Barangay Balulang)

I do not have any document as proof that I own the land and the structure built on it. All my neighbors who are Christians have been already relocated but a couple of us Muslims are not.

**Reply:**

(XXXXX, DPWH-PS-ESSD)

All structures located near the riverbanks will be relocated but those structures which are located a couple of meters away from the riverbank will have to wait for our detailed engineering design if they will be affected. It is assured that all relocations will not be based on religion or ethnicity.

**Question 7:**

(XXXXX, Barangay Macasandig)

Is there a way for the project to start before 2016? We had Typhoon Sendong back in 2011. Then there will be a Presidential election in 2016 that may also bring changes in government policy.

**Reply:**

(XXXXX, DPWH-PMO-Flood Control)

Some components of the project using local funds have already been started by DPWH-Region 10. We have to observe the standard operating procedure for the JICA loan that is why 2016 is our projection for its implementation. We will try our best to shorten the process (e.g. procurement procedures) to enable us to start the project earlier.

## Flood Risk Management for Cagayan de Oro River

### Minutes of Consultation Meeting 2

November 05, 2013, 01:00PM-04:00PM

Barangay Nazareth Gym, Barangay Nazareth, Cagayan de Oro City

Total Number of Participants:

PAPs	91
City Offices	2
Barangay Officers	2
National Government Officers	3
Department of Public Works and Highways	9
JICA Survey Team (FRIMP-CDOR)	8
Total	115

Participating Barangay(s):	Barangay Carmen
----------------------------	-----------------

XXXXX, in behalf of the City Information Office, began the public meeting at 02:05 PM. Invocation and singing of the national anthem were led by XXXXX, Barangay Nazareth Kagawad. XXXXX, Barangay Carmen Kagawad, delivered the welcome remarks.

XXXXX of the DPWH-PMO-Flood Control provided an overview of the project. XXXXX of the DPWH-PS-ESSD presented the overall results of the Socio-Economic Survey conducted by the JICA Survey Team. XXXXX of the DPWH-PMO-IROW explained the entitlements under Philippine laws and policies in terms of resettlement, and XXXXX of the NHA-Region 10 presented possible resettlement sites which could be used for relocating qualified project affected persons. The public meeting is conducted to present the results of the socio-economic survey, and to solicit feedback. All speakers, including XXXXX, Consultant, DPWH, PMO-IROW were on hand during the open forum to address concerns and answer questions about the presentation. XXXXX, City Information Officer also outlined the city government's housing priorities and challenges. Advisory was also given for mitigating risks associated with the upcoming Typhoon Yolanda. The public meeting ended at 04:12 PM.

After the presentation, the participants raised questions and concerns about the material presented.

#### Highlights of Discussion:

##### Question 1:

(XXXXX, Barangay Carmen)

I am a structure owner, renting the land where my house is located. It was discussed in the presentation that as long as ownership documents are complete, one may qualify for a housing unit at the resettlement sites. My documents are complete, can I also apply?

**Reply:**

(XXXXXX, NHA-Region 10)

If you have the documents required, you have the option to apply for either relocation, or ask payment at replacement cost for the structure.

**Question 2:**

(XXXXXX, Acacia Street, Zone 5, Barangay Carmen)

My question is related to the amount deducted when materials are salvaged from structure by owners. Why is 10% of salvage value deducted?

**Reply:**

(XXXXXX, Consultant, DPWH-PMO-IROW)

Salvage value is deducted because once the government pays for the structure; everything in the structure becomes government property. DPWH staff has to account for items when COA audits, thus the deduction for salvaged materials in cases where owners salvage items like G.I. sheets, toilet bowls and others.

**Question 3:**

(XXXXXX, Barangay Carmen)

The entitlement packages mentioned are attractive.

- a) Our concern is, can you give us an assurance that these provisions will be applied accordingly during project implementation?
- b) We understand that the state has the power of eminent domain - can you assure that project-affected persons who have submitted all the requirements will not be given a difficult time in claiming due compensation?

**Reply:**

(XXXXXX, Consultant, DPWH-PMO-IROW)

- a) I can assure you that as per Republic Act 8974, due compensation will be paid for land value, and replacement cost for structures and other improvements, including trees and crops. As for provisions on renters, NHA may give you a better idea on rental subsidies.

(XXXXXX, DPWH-PS-ESSD)

b) When the government signs the loan agreement with JICA, it is committed to providing the budget needed for right-of-way. The law is clear on the entitlements for project affected persons, and effective systems are in place which will be activated during implementation.

**Question 4:**

(XXXXXX, Barangay Carmen)

I think it is important that urban planning should be considered in the project. Did DPWH hire an urban planner for the project?

**Reply:**

(XXXXXX, DPWH-PMO-Flood Control)

The Detailed Engineering Design will be undertaken in the next stage, however, urban planning for Cagayan de Oro City is beyond the scope of the proposed project.

(XXXXXX, DPWH-ESSD)

Results of the preparatory survey regarding danger areas near the river, like areas in the No Build Zone, will be included in Cagayan de Oro City's Comprehensive Land Use Plan (CLUP). The structural and non-structural measures to address risks will also be included in the CLUP.

**Question 5:**

(XXXXXX, Zone 7, Barangay Carmen)

You mentioned in the discussion that flood control structures will be put up to protect our communities from adverse flooding. Since our communities are to be protected.

- a) Is it possible that there will be no need to resettle us since we will already be protected from floods with the construction of the dike?;
- b) My follow-up question - is the list of households to be affected by the project already finalized and how many are from our barangay?
- c) Lastly, if owners of land and structures will be paid based on current market value, what will be the basis of 'current market value' and who will determine the current market value of the property?

**Reply:**

(XXXXXX, DPWH-PMO-Flood Control)

- a) It is not possible to protect all residents from recurring floods with structural measures. Please be understood that those residing in areas identified as Risk Level 4 should be resettled.

(XXXXXX, DPWH-PS-ESSD)

- b) The number and the list of households to be affected by the project will be finalized after the Detailed Engineering Design is completed in 2015.

(XXXXXX, Consultant, DPWH-PMO-IROW)

c) The current prices of construction materials will be the basis for the replacement cost of structures and improvements. As for land, the BIR Zonal Value will be used to determine the current market value. If there is disagreement between the owner and the government on the purchase price of the land, then the government will file an expropriation case for the court to determine just compensation for said property. It may take less than a year for payment to be made

**Question 6:**

(XXXXXX, Acacia Street, Zone 5, Barangay Carmen)

I am a Sendong victim, and it seems I will also be a victim of this government project. If and when the project is implemented, will big buildings just beside the river also be relocated? These include buildings like the Pelaez building and the Liceo.

**Reply:**

(XXXXXX, DPWH-PS-ESSD)

DPWH will rely on the Detailed Engineering Design to finally decide. If the lands on which these structures are built are needed for public use, then the government will use its power of eminent domain.

**Question 7:**

(XXXXXX, Barangay Carmen)

Will we be given just compensation for our houses and land in case we are affected by the project? Because I know a person whose house and lot was affected by a DPWH project and until now he is not compensated. My final question is, when did the survey start or when will the survey start?

**Reply:**

(XXXXXX, Cagayan de Oro City Information Office)

Your question had been answered earlier. It is assured that you will be justly compensated as long as you have all the necessary documents required. Regarding your concern about that particular person that you knew which was not compensated, all these agency heads present here will do their best that such incident will not happen.

(XXXXXX, DPWH-PS-ESSD)

The survey that was conducted was for the master plan and another survey will be conducted during the detailed engineering design to determine the final number of families or structures that will be affected by the project.

(XXXXXX, Cagayan de Oro City Information Officer)

We, from the city government our role is to assist these agencies involve so the project will be successful. We know how difficult it is to be affected but we need to look at the project at a different perspective. It is for the good of the entire community, we need to sacrifice a little to save a lot of lives. Our City Government right now is focusing on a 3-point resettlement program. First is the Sendong related relocation, second are those people living in the “Piso-Piso areas”, and third are the Informal Settling Families. For any concerns you can visit me at the City Information Office or for any Sendong related relocation concerns, visit our Estate Division Management and look for XXXXX.

## Flood Risk Management for Cagayan de Oro River

### Minutes of Consultation Meeting 3

November 06, 2013, 9:20AM-11:31AM

Tourism Hall of the City Government, Cagayan de Oro City

#### Total Number of Participants

PAPs	287
City Offices	1
Barangay Officers	4
National Government Officers	1
DPWH	9
JICA Survey Team	8
Total	310

Participating Barangay(s):	Barangay Bonbon, Barangay Kauswagan, Barangay 1, Barangay 2, Barangay 6, Barangay 7, Barangay 10, Barangay 13,Barangay 15, Barangay17
----------------------------	---

XXXXX, in behalf of the City Information Office, called the meeting to order at 09:20 AM. This was followed by the invocation and singing of the national anthem led by XXXXX of Barangay 7. XXXXX of Barangay 13 delivered the welcome remarks.

XXXXX of the DPWH-PMO-Flood Control provided an overview of the project. XXXXX of the DPWH-PS-ESSD presented the overall results of the Socio-Economic Survey conducted by the JICA Survey Team. XXXXX of the DPWH-PMO-IROW explained the entitlements under Philippine laws and policies in terms of resettlement, while XXXXX of the NHA-Region 10 presented the possible resettlement sites which could be used for relocating qualified beneficiaries. The public meeting also served as the venue to solicit feedback/clarification/questions from project affected persons. All speakers were on hand during the open forum to address concerns, and to answer the questions from participants.

The public meeting ended at 11:31 AM.

#### Highlights of Discussion

##### Question 1:

(XXXXX, Barangay Bonbon)

a) Will it still be possible to modify the alignment? About 1/3 of Bonbon will be gone if the Project will be implemented. On the right side is the National High School, a newly established school.

The residents had waited for a long time before the said school was constructed. The best solution is to transfer it but there is no available land in the barangay at present. The mangroves maybe affected as well. Based on the map the dike alignment is following a creek, why not construct the dike near the river banks where less people would be affected? (Note: XXXXX of Barangay Bonbon has the same suggestion.)

b) I would like to commend our National government and our LGU for making such effort to protect our people. I know that this project would be of great help to the community. I would like to point out that after the typhoon Sendong we have a temporary relocation site at Zone 9 and until now there are still families living in the said relocation site. I do hope that during the implementation of this project they will be included on the list of families to be resettled since they are really located on a high risk area. Can they be accommodated?

**Reply:**

(XXXXX, DPWH-PMO-Flood Control)

The residents living near the river mouth area will definitely be affected. The mangroves need to be protected. If we place the dike along the river bank, the mangroves will die and the water levels will even be higher. There is a tendency that if we place the dike there the area will be constricted and the water will rise from said area by 1 meter up to about 4 km and would necessitate increasing the level of the dike from 5 to 6 meters.

(XXXXX, DPWH-PS-ESSD)

The school is in a swampy area that is flood prone area. We also have to consider that the natural course of the river has changed. The suggestion to have the school transferred in a safer ground within the barangay must be given due consideration by all concerned. There is a need to discuss this problem with the LGU to come up with the possible solution/decision on this matter.

(XXXXX, NHA Region 10)

There are government resettlement sites that will accommodate the affected households although some are still lacking basic facilities such as electricity and water. You may need to coordinate with the City Government.

**Question 2:**

(XXXXX, Barangay 15)

Is the project really a dike or a road widening project?

**Reply:**

(XXXXX, DPWH-PMO-Flood Control)

The proposed plan is to construct a dike. Based on experience, the most effective structural measure for flood control, among others is the dike system. The exact level of the dike will be determined

during the detailed engineering design. Isla de Oro will become part of the river and is proposed to be converted into park during the dry season. Structures will not be allowed to be built in this area anymore. We will also be requesting the City Government to include in its CLUP those in-between the dikes as the No Build Zone.

**Question 3:**

(XXXXXX, Barangay 15)

Where is the exact location of the dike within Burgos St.? Is the dike located on the riverward side or the landward side of Burgos St? We would like to clarify if all structures that are located on the landward side of Burgos St will be affected.

**Reply:**

(XXXXXX, DPWH-PMO-Flood Control)

We have been studying some schemes. One of the schemes is to make a concrete flood wall along Burgos St up to City Hall with Boulevard. It is assured that we will finalize the plan by consulting our City Mayor and the residents in identifying the best scheme to implement.

**Follow-up to question 3 (XXXXXX, Barangay 15)**

It is still possible that the structures located on the landward side of Burgos St will be retained. My initial understanding is that all of the structures will be affected; however, according to the explanations given in the meeting today, it is likely that there will be residents that will continue residing in the area located on the landward side of Burgos St.

**Question 4:**

(XXXXXX, Barangay 7)

Will DPWH pay for the loss of property? Will the landowners be paid and be eligible as well for free housing? Will the Cathedral and City Hall be also affected? If City Hall will just be lightly affected, then we should be, too.

**Reply:**

(XXXXXX, DPWH-PMO-IROW)

Generally, if your improvement will be affected, you are the owner of the land and the structure and you also will have the documents to prove such ownership, then you will be compensated for the structure even if you opt for resettlement.

(XXXXXX, DPWH-PMO-Flood Control)

It is only City Hall that would be affected.

**Question 5:**

(XXXXX, Barangay Bonbon)

The land which was owned by his late grandfather has already been subdivided among his children but the title of the land is still under his name. Will they be paid if they have to resettle? (Note: Same question was raised by XXXXX of Barangay Bonbon.) XXXXX also suggested to make the visual aids bigger and to provide these in the handouts.

**Reply:**

(XXXXX, Consultant, DPWH-PMO-IROW)

DPWH will pay only the person under whose name that the title has been issued. They need to expedite the transfer of the land title from the previous owners to the names of the present ones. For improvements/structure, the payment will be made to the person whose name appears on the tax declaration.

**Question 6:**

(XXXXX, Barangay 15)

We filed an application for a housing unit to NHA. What happened?

**Reply:**

XXXXX(, NHA Region 10)

The NHA did not solicit housing applications, we just did a survey after Sendong to determine possible relocation sites, establish baseline date on the affected households, e.g. identification of those whose houses are totally damaged, partially damaged and flooded, etc.

**Question 7:**

(XXXXX, Barangay Bonbon)

Will relocation be by household or by structure?

**Reply:**

(XXXXX, NHA Region 10)

In general we prioritize depending on status and location. There will be system for relocation that will be in place if project will be implemented.

**Question 8:**

(XXXXX, Barangay Bonbon)

Most of the residents in Barangay Bonbon are occupying government land. What will happen to them?

**Reply:**

(XXXXX, Consultant, DPWH-PMO-IROW)

Since they are occupying a government land they will not have entitlement for the land. Structure will be paid if they have tax declaration as proof of ownership. As informal settlers, they may be eligible for resettlement in government housing projects if they meet the qualifications.

## Flood Risk Management for Cagayan de Oro River

### Minutes of Consultation Meeting 4

November 06, 2013, 01:00PM-04:00PM

Tourism Hall of the City Government, Cagayan de Oro City

Total Number of Participants

PAPs	148
City Offices	2
Barangay Officers	2
National Government Officers	1
Department of Public Works and Highways	9
JICA Survey Team (FRIMP-CDOR)	8
Total	170

Participating Barangay(s):	Barangay Consolacion
----------------------------	----------------------

XXXXX, in behalf of the City Information Office, began the public meeting at 01:51 PM. Invocation and singing of the national anthem were led by Barangay Consolacion. XXXXX, Barangay Consolacion XXXXX, delivered the welcome remarks.

XXXXX of the DPWH-PMO-Flood Control provided an overview of the project. XXXXX of the DPWH – ESSD presented the overall results of the Socio-Economic Survey conducted by the JICA Survey Team. XXXXX of the DPWH-PMO-IROW explained the entitlements under Philippine laws and policies in terms of resettlement, and XXXXX of the NHA-Region 10 presented possible resettlement sites which could be used for relocating qualified project affected persons. The public meeting is conducted to present the results of the socio-economic survey, and to solicit feedback. All speakers, including XXXXX, Consultant, DPWH-PMO-IROW, were on hand during the open forum to address concerns and answer questions about the presentation.

XXXXX, City Information Officer, gave the closing remarks - outlining the city government's housing priorities and challenges. Advisory was also given for mitigating risks associated with the upcoming Typhoon Yolanda. The public meeting ended at 03:35 PM.

#### Highlights of Discussion:

##### Question 1:

(XXXXX, District 4, Barangay Consolacion)

If ever we don't have any documents like land title or tax declaration are we going to be paid with the replacement cost of the structure. For example I have invested 500,000.00 for my structure, will I get the same amount as payment for it?

**Reply:**

(XXXXXX, DPWH-PMO-IROW)

If no proof of ownership could be procured, the government has no basis for making a payment. It is the same with those who own structures only, a tax declaration for improvements is needed. Project affected persons who qualify though can apply for relocation as informal settlers.

**Question 2:**

(XXXXXX, District 3, Barangay Consolacion)

We only have a tax declaration for our structure for five years.

- a) Are we going to be paid with the replacement cost of the structure?
- b) Additionally, does one need to be an SSS, GSIS, or Pag-ibig member to be eligible for relocation?

**Reply:**

(XXXXXX, Consultant, DPWH-PMO-IROW)

- a) If you have a tax declaration for both land and house, and have been paying for at least 30 years, then you are eligible for entitlements.

(XXXXXX, NHA Region 10)

- b) For resettlement, membership in SSS, GSIS or PAG-IBIG not a requirement.

**Question 3:**

(XXXXXX, District 4, Barangay Consolacion)

We are renting the lot where our house is located. The land is not ours but we own the structure.

- a) Can we get a tax declaration for the structure, and where could we get one?
- b) Also, this question was requested to be relayed to the panel: Tax payments for property have been made by parents, who are now deceased. How do the heirs assume payments for the property?

**Reply:**

(XXXXXX, Consultant, DPWH-PMO-IROW)

- a) Yes, you could apply for Tax Declaration at the City Assessment Department. Make sure to bring a written contract between you and the land owner authorizing you to utilize the land.
- b) If the parents who used to pay for the property tax are deceased, the heirs will need to execute an extrajudicial division of estate.

**Question 4:**

(XXXXXX, District 2, Barangay Consolacion)

I do not know if the land where my house is located is a government owned lot or a private lot.

- a) Can I still get a tax declaration for the structure?
- b) Also, what is the basis for delineating which houses are affected – e.g. 30 meters away from the river bed?

**Reply:**

(XXXXXX, Consultant, DPWH-PMO-IROW

- a) You can visit the City Assessment Department to know the status of the land that you are using or you can also check with the Department of Environment and Natural Resources. For structures on private land you need to have permission from the land owners before you can obtain a Tax Declaration for your improvements.

(XXXXXX, DPWH-PMO-Flood Control)

- b) The Flood Risk Level of an area will be the basis for determining which could still be saved from inundation. Houses located at Flood Risk Level 3 and below will be protected by the proposed flood control structures, while areas located in Flood Risk Level 4 areas will need to be resettled. Although precise structural alignments will be determined in the Detailed Engineering Design stage of the project, there should not be any substantial changes to the assessment of flood risk levels. DPWH will carefully consider the alignment determined by the Detailed Engineering Design before implementation proceeds.

**Question 5:**

(Barangay Consolacion XXXXX)

For public structures, like barangay halls, what entitlements are available to the LGU?

**Reply:**

(XXXXXX, DPWH-PS-ESSD)

The government will compensate the LGU, such that barangay can look for a suitable venue for rebuilding public structure.

**Question 6:**

(XXXXXX, District 3, Barangay Consolacion)

We understand the project is still in the preparatory stage. Can you give us an estimate of how many will be affected by the project?

**Reply:**

(XXXXX, NHA Region 10)

The Detailed Engineering Design stage is in 2015, the final project design will be determined then, along with the final list of household and establishments to be affected by the project.

(XXXXX, Cagayan de Oro City Information Officer)

Our City Government right now is focusing on a 3-point resettlement program. Sendong related relocation is a priority right now. Beneficiaries of the 'Piso-Piso' program of the previous city administration are also being focused on. The third focal point of the local housing program is the Informal Settler families. For any concerns you can visit me at the City Information Office or for any Sendong related relocation concerns visit our Estate Division Management and look for XXXXX.

***Appendix-G***  
***Photos of Consultation Meeting with PAPs***

## Consultation Meeting 1 & 2

November 5, 2013

Barangay Nazareth Gym, Cagayan de Oro City



## Consultation Meeting 3 & 4

November 6, 2013  
City Tourism Hall, Cagayan de Oro City

