

# Resettlement Policy Framework (RPF)

## Metro Manila Flood Management Project

Prepared by:



November 1, 2016





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**Prepared by:**

**Metro Manila Development Authority (MMDA)**

**and**

**Department of Public Works and Highways (DPWH)**

**November 1, 2016**

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## **Acronyms**

DDR – Due Diligence Report

DENR –Department of Environment and Natural Resources

DOST – Department of Science and Technology

DPWH – Department of Public Works and Highways

HDH – High Density Housing

HUDCC- Housing and Urban Development Coordinating Council

ISF – Informal Settler Family

LGU – Local Government Unit

MMDA – Metro Manila Development Authority

MMFMP - Metro Manila Flood Management Project

M&E – Monitoring and Evaluation

NHA – National Housing Authority

PAP – Project-Affected Person

PCUP – Presidential Commission for the Urban Poor

PS – Pumping Station

RAP – Resettlement Action Plan

RPF – Resettlement Policy Framework

SHFC – Social Housing Finance Corporation

TESDA – Technical Education and Skills Development Authority

## Rationale for and Purpose of the Resettlement Policy Framework (RPF)

1. This RPF is prepared to ensure that land acquisition for project needs which result in the physical or economic displacement of people in the areas of influence of sub-projects (including associated facilities) to be implemented by the Metro Manila Flood Management Project (MMFMP) will fully comply with OP 4.12 on Involuntary Resettlement and relevant policies of the Philippine Government, including the Department of Public Works and Highways (DPWH) Social Safeguards and Right of Way Policies. This RPF is a governing document which sets out resettlement principles, the specifics of assistance and entitlements of all categories of project-affected people (PAP), procedures, organizational arrangements, and design criteria to be applied to all sub-projects (a particular drainage area, served or to be served by a pumping station) to be implemented by the MMFMP.

2. The MMFMP supports sub-projects which will: (a) rehabilitate or modernize existing pumping stations (PS) with capacity enhancements and other technical improvements; or (b) finance construction of additional new pumping stations, which are needed to address flooding impacts in an expanding metropolitan area. The project will support rehabilitation of an estimated 36 pumping stations and construct about 20 new pumping stations to be selected from a total number of 51 potential sites. The full list of PS sites to be taken up by the MMFMP will be developed in the first year of project implementation and may be subject to some adaptive adjustments in subsequent years. The project will also support improvements in solid waste management within sections of the drainage areas to reduce the solid waste that ends up at the pumping stations after it has been thrown in waterways and drainage channels. Importantly, this RPF serves to guide preparation of OP 4.12-compliant Resettlement Action Plans (RAP) for people who will be economically or physically displaced by land acquisition for PS sub-projects over the life of the project for which the precise locations and site configurations are yet to be determined. It also provides guidance for the conduct of due diligence in technical footprint areas in drainage areas where people were resettled previously.

3. The MMFMP has selected five pumping station sub-projects to be initiated in the first year of implementation. Of this Year-1 group, a RAP, which is in accord with this RPF, has been prepared for the Vitas PS at which an estimated group of about 160 informal settler families (ISF) will be resettled from the technical footprint area to ensure unobstructed water flow to the pumping station. The technical footprint covers the pumping station and its related facilities as well as sections of waterways serving the pumping stations. The physical limits of technical footprints for waterways are established on the basis of hydrological and engineering criteria for each drainage area. Waterway sections within the technical footprint are typically in relatively close proximity to the pumping facility (the method for delimitation of technical footprints is provided in Annex A). People residing within the technical footprint area for another Year-1 sub-project, at the Paco PS, were resettled in 2011/12 by a government program. A retrospective

due diligence is being undertaken by means of a tracer study to ascertain to what degree their current resettlement conditions correspond with the objectives of World Bank resettlement policy (OP 4.12). Additional due diligence carried out for the three other Year-1 sites (at the Tripa de Gallina, Balut, and Labasan PSs) confirmed previous scoping findings by the project preparation team which indicated that there was no past resettlement from the technical footprint of these sub-projects.

## Application of the RPF

4. The RPF sets out the OP 4.12 and government policy-compliant specifics of RAP preparation and implementation for MMFMP. As sub-projects are taken up, submissions of RAPs must include the policy principles, entitlements, eligibility criteria, specific organizational arrangements for implementation, arrangements for monitoring and evaluation, a plan for consultations and participation, and mechanisms for grievance redress, which are set out in this RPF. All RAPs will be supported by a timetable and budget and will be submitted to the World Bank for review and clearance before they are implemented.

## Project Description

5. It is well evident that there is a pressing need to improve and augment flood management infrastructure as is set out in the strategic document, the “Metro Manila Flood Management Master Plan.” The World Bank, together with Department of Public Works and Highways (DPWH) and the Metro Manila Development Agency (MMDA), with the involvement of principal oversight agencies, have agreed to prepare and implement MMFMP. MMFMP is one of the three key elements of the Master Plan, to address drainage issues in Metro Manila. (The other two key areas of intervention foreseen in the Master Plan are an up-stream flood management dam on the Marikina River and interventions around Laguna Lake, both of which are costly and will require several years of studies and planning.) This Project will provide the city with more immediate relief and can be undertaken as an initial independent activity while still being a key part of the wider strategic plan. The Project will also support improvements to solid waste management in waterways served by pumping stations. It will necessitate physical resettlement and economic rehabilitation of PAPs, many of whom are Informal Settler Families (ISFs) residing on sites to be acquired for new pumping station as well as PAPs situated within the technical footprint areas of existing PS rehabilitation sub-projects. The chief resettlement-related factor in establishing the technical footprints on associated waterways is the presence of structures which impede the water flow or inhibit access for waterway maintenance which is essential for optimal PS operation. Component descriptions are given in more detail below.

6. **Component 1: Rehabilitation of Pumping Stations (US\$387 million).** Many of the 57 pumping stations managed by the Metro Manila Development Authority (MMDA) are over 30

years old and no longer operate at full capacity. MMDA has carried out an inventory of its existing pumping stations and it is expected that this component will modernize about 36 existing pumping stations and in addition add about 20 new stations. Five pumping stations (Vitas, Balut, Paco, Tripa de Gallina and Labasan) are scheduled for implementation to start in the first year of the project. DPWH will be responsible for the implementation of the component, in cooperation with MMDA. As part of the modernization program pumps will be replaced with modern, more efficient, and higher capacity units. The design discharge determination will be underpinned by hydrological studies of the drainage areas and the best type of pump will be selected for each given situation, including submersible pumps, possibly with variable speed drive, as well as horizontal axial pumps. Improvements to appurtenant infrastructure such as flood gates, drainage channels, equipment for solid waste removal, and other structures may be necessary. Where needed and feasible, the energy source will be changed from diesel to electricity. A program of dredging and cleaning of waterways and drainage systems and increasing the water retention capacity within the project drainage areas will also be developed and implemented. This could include rooftop rainwater collection, retention of drainage water in public areas such as basketball courts, parking garages, etc.

7. A GEF Grant (US\$7.4 million) will assist the Department of Environment and Natural Resources (DENR) in regulating and monitoring the water quality in the Manila Bay catchment area. Improvement in water quality as a result of the activities in the project, especially solid waste management, will be captured through the water quality monitoring systems to be developed under this GEF grant.

8. **Component 2 – Minimizing Solid Waste in Waterways (US\$47.4 million).** Since the enactment of RA 9003, awareness of the threat posed by improper disposal of solid waste to the natural environment has increased, however, enforcement of this legislation varies significantly across and even within LGUs. Solid waste remains a major challenge threatening Metropolitan Manila's waterways and severely hampers the optimal functioning of the pumping stations. Urban drainage has been hampered by the accumulation of solid waste in waterways and at pumping stations, which intensifies the flood hazard and increases the risk of direct damage and economic losses. Numerous pumping stations are functioning at less than their rated capacity, and this is compounded by functional obsolescence. ISF communities are key contributors to solid waste that accumulates in Metro Manila's waterways, but they are not the sole contributor: businesses, both large and small, and residents with land tenure are responsible as well. Moreover, while communities along waterways are key contributors to solid waste accumulation, improperly disposed waste within the catchment area of each station ultimately enters the same waterways.

9. This component will enhance the solid waste management systems in participating LGUs in order to reduce the volume of solid waste dumped into waterways. The component will

support interventions within the project areas aimed at improving collection and disposal of solid waste before it enters the drainage system. Informal waste collectors already remove most of the recyclable materials (plastic bottles, metal, etc.) from the waste stream for on-sale to recycling entities. A high percentage of low value non-recyclable solid waste, (which includes Styrofoam and similar packaging materials, plastic bags containing organic and household waste, etc.) finds its way into the waterways. Interventions at the LGU and Barangay levels will augment capacity for collection of such non-recyclable low-value waste. This component will provide additional formal employment for waste-pickers who will collect household waste and bring it to collection points for disposal. Additional improvements will be made at the pumping stations to improve collection, compaction, and disposal of waste collected from the waterways. Land acquisition is not foreseen as these interventions will build on existing facilities. A rise in formal employment in the LGUs is anticipated and can be monitored.

10. The impact of water hyacinths is another significant cause of pump breakdowns and stoppages. Interventions at the pumping stations sites will strengthen capacity for removal and disposal of water hyacinths. The project will also finance equipment for harvesting and processing water hyacinth by-products and support community programs that use water hyacinth fiber and its by-products in livelihood activities, (fuel briquettes, compost, etc.) This component will support activities for long term operation and maintenance of the interventions, including possible results-based financing approaches at the Barangay level. Management of solid waste and water hyacinth also provide income for women.

11. **Component 3 – Participatory Housing and Resettlement (US\$39.8 million).**

Component 3 aims to resettle people from areas where they will pose a constraint on construction and/or proper O&M of pumping stations and waterways to ensure optimum water flow in waterways leading to such stations. The component also aims to strengthen the affected people's resilience to external risks by providing access to better housing on safer grounds, basic public services, more stable income sources, and stronger community organizations. The magnitude of project affected persons (PAP) to be resettled, mostly ISFs, is expected to be around 11,500 (equivalent to about 2,500 households). The actual number of ISFs may change based on the pumping stations that will ultimately be targeted under the project.

12. Specifically, the component will fund land acquisition, site development, housing construction, upfront capital subsidy to the KSAs to ensure that mortgages are affordable to all ISFs, rental support (for transitional period, as needed), livelihood assistance programs, and various technical assistance and capacity-building activities that will help strengthen the communities, LGUs, and implementing agencies to successfully implement this component and future resettlement. Government counterpart funds will finance land acquisition, site development, and housing construction, whereas Bank funding will be used for the remaining activities. This component will also finance, as needed, remedial measures such as community



development assistance (community-based infrastructure, community livelihood programs, etc.) to address gaps identified from due diligence reports for resettlement implemented under recent government programs. All activities under this component will comply with procedures and requirements stipulated in national legislation and in the World Bank's OP 4.01 (Environmental Assessment) and OP 4.12 (Involuntary Resettlement).

13. Component **4 - Project Management and Coordination (US\$25 million)**. This component will support the operation of the Project Management Offices (PMOs) to be established by MMDA and DPWH. (MMDA will refurbish existing PS and construct new ones; DPWH will construct new pumping stations north of the Marikina River.) Project Managers will coordinate the overall planning, implementation, and supervision of project activities, central procurement, and management of funds. This component will provide funding for: (i) incremental operating costs, including office rentals and utilities, per diem and other travel expenses for staff, vehicles operation and maintenance, and allowances for short-term contractual staff; (ii) office equipment and materials, (including computers, printers, and communication equipment); (iii) technical and management staff training; (iv) PMO staff training in strategic communications, the formulation and implementation of a communications plan to be headed by a dedicated communication specialist. Citizen engagement will be monitored by the PMO teams; (v) technical and management consultants to support the PMO, MMDA, and LGUs, as needed; and (vi) project monitoring and evaluation (M&E), including carrying out a detailed baseline study, periodic monitoring and a completion assessment study.

## Resettlement Impacts and Categories of Displaced Persons

14. Impacts on all people whose dwellings and related structures or economic activities are within the direct area of influence of the project will be addressed and mitigated in sub-project-specific resettlement action plans. The area of influence is defined as the physical technical footprint of the land areas acquired permanently, including the pump station site and waterway sections which must be cleared of encroachers to facilitate operations and maintenance; areas used temporarily in order to access and construct the project, as well as off-site areas needed permanently or temporarily for project purposes. Off-site features may include new power lines and sub-stations, expansion or construction of new access roads, land acquired for disposal sites for dredged materials, equipment parks and supply staging areas, and the like. The area of influence includes temporary construction phase effects, such as impacts on people living on or engaged in economic activities along access roads to work sites. Appropriate management measures as identified in ESMP screening will be used to mitigate construction-related impacts, such as public safety, noise, vibration, dust, air quality, and traffic management.

15. The anticipated categories of project-affected people include:

- People occupying sites needed for new pumping stations;
- People who reside over or along sections of waterways obstructing water flow, which must be cleared to ensure optimal and sustainable operation and maintenance;
- People engaged in commerce, recycling of solid waste, or other income-earning activities within needed sections of the waterway or sites to be used for building new pumping stations;
- People living along access roads or easements or in the immediate environs of a project site whose livelihoods are disrupted by access restrictions during construction, such as vendors and other people engaged in commerce.
- People living on or using private land, which will be acquired for project purposes.
- Leasers of private land to be acquired for project purposes.
- Owners of private land to be acquired for the project.

16. Scoping of pumping stations and related waterways estimates that the scale of resettlement is on the order of 2,500 households over the life of the project. More precise numbers will be available as baseline census studies are conducted for sub-project RAPs going forward. Based on available information, it is highly probable that the majority of PAPs are Informal Settler Families who are in the poor or very poor category. Previous socio-economic studies on ISFs<sup>1</sup> have found that only about 20% of those surveyed had completed high school, and only 11% of the household heads engaged in full-time formal employment. ISF employment is generally in the informal sector, such as tricycle drivers, domestic services, and small enterprises. Baseline socio-economic surveys undertaken for sub-project-affected households in RAP preparation for the Vitas PS indicated that half of the households work less than 40 hours a week followed by 44% who work at least 40 hours per week. Some 95% or 157 of 165 household heads interviewed indicated that they had income streams provided on a weekly basis. The bulk of employment for those with some high school education and high school graduates is in unskilled or semi-skilled occupations, such as laborer, helper, street sweeper, janitorial work, pedicab driver, messengers, and other similar occupations. Women have bigger proportion of less than 40 hours of work per week.

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<sup>1</sup> John J. Carroll Institute on Church and Social Issues (JJCISI). (2013). "Baseline Study Report for Department of Social Welfare and Development: Improving Livelihoods for Vulnerable Urban Communities Project". Manila; Institute of Philippine Culture. (2011). "The Social Impacts of Tropical Storm Ondoy and Typhoon Pepeng". Manila; Environs. (2015). "Final Report on the NHA Livelihood Program". Manila.

17. Given that the acquisition of private land cannot be precluded, provision is also made for compensation of private land and fixed assets as well as possible resettlement of informal users of private land.

## Key Issues in In-City Resettlement in Metro Manila

18. Over the years, the Government has implemented a number of housing programs for the urban poor. Approaches have evolved over the years from centrally administered Government-led approaches to more decentralized participatory and community-driven approaches. Yet, the Government's past efforts to address resettlement, which have mainly been at off-city locations, have been subject to resistance and criticisms. A central issue is the lack of consideration of adverse socio-economic impacts, including loss of livelihood, disruption of social networks, and reduction or disruption of access to basic services. Physical displacement away from employment and / or a mismatch between skills and job opportunities in resettlement areas typically results in a substantial decline in incomes. As a result, many people return to areas of origin in Metro Manila. From its study of 10 resettlement sites, the Presidential Commission for the Urban Poor (PCUP) reported that 40% of the households lost jobs after the transfer and decrease in income ranges from 5%-57%. The same study called the attention of the National Housing Authority and other concerned agencies for the "serious issues on social services, power and water."<sup>2</sup> A World Bank commissioned study found that 72% of off-city resettled households reported a decrease in income by as much as a 43%. Surveyed households also reported an increase in expenditures driven by higher costs of transportation to work places and schools as well as difficulties with access to health and other services. Some 35% of those resettled off-city reported difficulties in finding assistance for their daily needs due to disruption in their social support network.<sup>3</sup>

## Addressing Legacies of Past and On-going Resettlement

19. The project faces legacy issues as well. In a number of sub-project areas people have been resettled in the past or are currently programmed to be resettled under an ongoing national resettlement program, (the *Oplan Likas Program: Lipat para Iwas Kalamidad At Sakit / Operational Plan: Evacuation to Prevent Calamity and Sickness*). The program aims to relocate some 104,219 households out of the danger areas especially from within the three-meter easements along the waterways. Government allocated PhP 50 billion (approximately US\$1.15 billion) over 5 years between 2011 and 2016 to finance land acquisition and housing construction costs. *Oplan Likas* advocated initially for in-city relocation within the vicinity of livelihoods,

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<sup>2</sup> Preliminary findings presented at the Consultative Forum on Resettlers called jointly by the Presidential Commission for the Urban Poor, the House of Representatives and the Senate on 22 October 2015.

<sup>3</sup> Institute of Philippine Culture, School of Social Sciences, Ateneo de Manila University. (2011). "The Social Impacts of Tropical Storm Ondoy and Typhoon Pepeng". Manila.

leaving off-city relocation as a last resort. However, land availability constraints, affordability issues, especially for the poorest, and institutional challenges among other factors, have contributed to some 67 per cent of the 36,049 ISFs being resettled (as of April 2015) at off-city sites under NHA where they have been provided with new plots and homes under a 35-year concessionary mortgage arrangement.

20. Late 2015, the World Bank commissioned a short study to take preliminary stock of the outcome of the *Oplan Likas* program at a small number of resettlement areas and its level of compliance with the World Bank's Operational Policy (OP) 4.12 – Involuntary Resettlement.<sup>4</sup> The study covered four off-city resettlement sites (Golden Horizons and Sunshine Ville in Cavite Province and San Jose Del Monte Heights and Pandi Residences in Bulacan Province) under NHA, and one in-city (Bistekville 2 in Quezon City) resettlement site under the Social Housing Finance Corporation (SHFC). The fact that relocation of thousands of ISFs was carried out without any major incident of violence, contrary to many relocation activities prior to *Oplan Likas*, has been an achievement in itself. Contributing factors include: (i) adoption of certain protocols, e.g. the affected families were allowed to demolish their houses themselves; (ii) incentives such as the transitional assistance of PhP 18,000 (about US\$380) which was introduced under *Oplan Likas*; (iii) a certain degree of choice on which site to resettle; and (iv) clear eligibility criteria and conduct of a census.

21. Among the gaps identified under *Oplan Likas* are: (i) inadequate consultations with the hosting communities (the government only discussed and made agreements with high ranking LGU officials, but no consultations were made with the communities); (ii) instances of lack of preparation of a Peoples' Plan or a Resettlement and Rehabilitation Action Plan (RRAP) for an affected community; (iii) insufficient information regarding the types and extent of the assistance ISFs were entitled to; (iv) unpreparedness of the off-city sites to receive ISFs due to the absence of electricity and water connections; (v) limited livelihood restoration measures, with the government's livelihood support for the resettled people lacking inadequate consideration of the market demand of people's skills and products as well as the people's preferences, and without seed capital or provision of tools; (vi) untimely assistance to the hosting LGU and community to upgrade health, education, and other public facilities and services to cope with the new arrivals as the hosting LGUs were by and large expected to cope with the influx of ISFs through their own resources, which were not enough; and (vii) *Oplan Likas* has a grievance redress mechanism (GRM), but this was not properly utilized.

22. The study recommends: (i) pursuing in-city resettlement as much as possible. Among the five study sites, only Bistekville II achieved the objective of OP 4.12 of restoring or maintaining standards of living of the displaced people to pre-resettlement level; (ii) implementing appropriate livelihood restoration measures even before displacement to allow people to recover

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<sup>4</sup> Environs (2016). "Briefing Paper No.1 *Oplan Likas* Review".

faster from the effects of physical displacement; (iii) facilitating the increase of inter-governmental fiscal transfer to receiving or hosting communities commensurate to their intake of resettled people; (iv) facilitating collaboration among regional and provincial offices of the relevant national government agencies; (v) facilitating connection of off-city resettlement sites to utility networks as much as possible before resettlement starts; and (vi) assisting people to obtain the necessary documentation indispensable for employment, applying for utility connections, enrollment in school, and borrowing money.

23. The Bank has been supporting the Government through Bank executed technical assistance (TA) to improve the design and implementation of *Oplan Likas* since 2010 and to help make in-city resettlement housing possible for the ISFs. The results and learning from these TA programs have informed the design of component 3 of this proposed project. While benefiting from the lessons and experiences of *Oplan Likas*, this Project did not and will not provide direct support to *Oplan Likas*.

24. Where people have been moved in the past from sub-project footprint areas undertaken by any government or non-government resettlement program, tracer studies and retroactive due diligence will be carried out to assess current economic and social conditions and the adaptive strategies of resettled households at the off-city sites. Where such resettlement was carried out before the World Bank's engagement (December 8, 2014 - Project Identification Mission) and where there is evidence to suggest that this resettlement has reduced income streams or access to basic services, this component will support community-based development measures that will in principle benefit the entire resettlement sites where people from the technical footprints were resettled before December 8, 2014, as provision of extra entitlements to a small sub-set project-affected people who are intermingled in a much larger resettlement community would be undesirable. Where people have been moved after the date of World Bank engagement, retrospective due diligence will also be undertaken to assess gaps in meeting the specific requirements of OP 4.12. In addition to direct support to people resettled from the technical footprint, such as compensation for structures, in the interests of inclusion and equity, additional collective measures will also be at the level of the wider resettlement community in the form of community-based development assistance such as provision of basic community infrastructure and other similar support.

25. For the purposes of this RPF, project-affected people be categorized into three groups:

Group 1: People to be resettled under an estimated 16 MMFMP sub-projects who are occupying at the time of the census areas of the technical footprint needed for the rehabilitation or construction and optimal operation and maintenance of the pumping station and waterways. There will be a census of all 16 or so sites around June 30, 2017 to find out who is in the technical footprint and are eligible for support under the project. This will be made public to

avoid new people coming and claim eligibility. Resettlement for this group will be carried out in compliance with OP 4.12 as articulated in this RPF.

Group 2: People who resided within the technical footprints of sub-projects who were resettled *after* 8 December 2014 and before the date of a given specific sub-project's census (as mentioned above, it is planned to have a census of all sites at the same time) OP 4.12 applies and this group is considered to be project-affected. The people will be traced and their current resettlement conditions will be assessed, while it will be checked if they received fair compensation for their house, transition allowance, and other support during and after resettlement. If gaps are found, the project will carry out remedial measures for the individuals that were resettled, especially reasonable support to improve their livelihoods. In addition, there will be some community-based improvements to work towards equity.

Group 3: People who were resettled *before* the date of the World Bank project identification mission (December 8, 2014) from the technical footprint in a particular drainage area. These people will be traced to a particular resettlement site and retrospective due diligence will be carried out for this "legacy" group which will identify and assess any gaps and, as needed, community-based interventions will be implemented. In principle individual support will not be provided.

26. As sub-projects are identified to be taken up and a delimitation of the sub-project technical footprint and area of influence is made, DPWH, together with HUDCC, will coordinate with NHA or SHFC and the relevant LGU to determine if people living within the footprint are programmed to be resettled under non-project related resettlement programs, such as those initiated by communities in "Peoples Plans". Measures will be taken to ensure that resettlement arrangements are compliant with OP 4.12 as set out in this RPF and in a manner described in the preceding section. Where community-driven programs (Peoples Plans) for resettlement are already planned, these plans will be assessed to ensure that resettlement will be completed during the life of the project and if additional support or transition assistance is needed to ensure that areas needed for sub-projects can be made available to the project in a timely way. If resettlement already took place, follow-up due diligence on resettlement outcomes will be applied as indicated for Groups 2 and 3.

### In-city Resettlement: Opportunities and Constraints

27. Opportunities: The crucial factors in sustainable resettlement are continued access to jobs, basic services, and support from existing social networks. The government is aware of these challenges and has started undertaking measures to address them. The Bank has provided technical assistance to a number of these initiatives. More recently, through the initiative of the Presidential Commission for the Urban Poor (PCUP) and with strong support from both houses

of Congress, immediate and long-term measures have been agreed upon by key stakeholders including the resettled ISFs themselves to address the issues in 18 off-city resettlement sites under *Oplan Likas*. Immediate measures include, among others: (i) a directive from the Humanitarian, Development and Poverty Reduction (HDPR) Cabinet Cluster to form a Special Committee to immediately address the primary issues of the resettlers; (ii) actions by concerned agencies to ensure resettlers' access to basic services and short-term employment such as cash for work; and (iii) setting up permanent NHA field offices to facilitate regular dialogue between NHA and resettlers. Medium- to long-term measures focus on policy development to address key issues including: (i) formulation of a National Housing and Resettlement Policy Framework; (ii) measures for re-allocation of resettlement budgets needed to accommodate sending and receiving LGUs; and (iii) drafting of enabling legislation to provide specific rules and regulations for resettlement policy implementation.

28. The institutional platforms for existing urban socialized housing are:

- (i) The Social Housing Finance Corporation (SHFC) Community Mortgage Program;
- (ii) SHFC's High Density Housing program (part of *Oplan Likas*); LGU-managed in-city resettlement with SHFC refinancing (part of *Oplan Likas*);
- (iii) NHA in-city program (part of *Oplan Likas*);
- (iv) LGU-owned in-city resettlement housing programs; and
- (v) Independently-financed CSO or similar initiatives for in-city resettlement.

29. Constraints: There are four significant constraints affecting current in-city housing programs. First, there are limits to inclusion of all PAPs in existing government-supported schemes because of lack of ISFs' financial capacity. In light of the findings from past in-city housing schemes and World Bank-supported TA studies on affordability, it is clear that the cost of in-city resettlement under these existing programs will not allow inclusion of all PAPs despite the long term (25-30 year) concessional mortgages. The SHFC's High Density Housing (HDH) program includes TA grants to off-set the cost of planning services, leading to eventual ownership of the land and dwellings. However studies indicate that over two-thirds of ISFs cannot afford monthly mortgage payments. Every feasible effort has been made in the context of the political economy of Metro Manila to design these mortgage schemes to maximise affordability. It is unavoidable that extremely poor sections of the potentially affected population do not have the financial capacity to participate in such schemes. The use of subsidies will be needed to ensure a satisfactory level of inclusion. In Metro Manila's LGUs, in contrast with cities in neighboring countries, such as those with centrally planned economies, the government does not underwrite significant public investment in low income rental housing at the scale needed. In some cases, community-based civil society organizations have successfully and voluntarily organized to prepare "people's plans" to facilitate their own resettlement. People's plans are normally supported by SHFC, which plays a key role in financing arrangements.

Typically these plans are based on concessionary financing in which participants enter into a long term mortgage arrangement leading to ownership of a home. While the modalities of planning and implementation do not correspond fully with the specifics of OP 4.12, support for such plans may be a viable option for resettlement where land has already been secured under the people's plan and financing and technical support are in place.

30. Second, constraints on the availability of (very valuable) urban land have led to the frequent use of off-city locations for re-housing of ISFs. While in-city resettlement appears to be generally positive, as it does not result in a significant disconnection from people's sources of livelihoods, resettlement at off-city locations has been less successful because of the difficulties encountered in retaining the link to former employment in Metro Manila. An evaluation by the President's Commission on the Urban Poor and other studies indicate that about 50 percent of those resettled at off-city sites return to the metro area. Tracer studies undertaken during MMFMP preparation for Paco drainage area show that where people have been resettled in off-city areas closer to Metro Manila, which are quickly urbanising and experiencing economic growth, do offer new employment opportunities and an increase in employment for those with skills. However, retention of housing at the new sites remains low, at about 60 percent, as unskilled people often return to former areas to sustain the connection with former sources of income.

31. Third, Metro Manila is made up of 17 LGUs, with essentially independent administrations and budgets. As a result resettlement is largely confined to site options within each LGU. This complication hinders near-city resettlement in neighboring LGUs because of inter-LGU administrative barriers and the imposition of additional financial obligations on the receiving LGU. The amount of available land, capacity and political will of the LGUs vary significantly among Metro Manila's LGUs. It is known that LGUs like Manila City with the most need of flood relief infrastructure are the most densely populated, with the most limited supplies of available land. These densely populated LGUs have usually opted for off-city resettlement solutions. Off-city resettlement is not precluded a priori, but in light of the fundamental OP 4.12 policy criterion for protection of income streams, due diligence on job market opportunities and skills training will have to be undertaken and should form part of a RAP to support a sustainable outcome.

32. The fourth and final constraint is timing. Realizing in-city resettlement schemes typically take about 2 years for SHFC, and 1-2 years for NHA (with lesser community engagement) and is implemented at varying speeds within LGUs. Synchronizing and ensuring completion of in-city resettlement within the 6-year life of MMFMP will entail close coordination and early up-stream planning and scoping of all sub-project sites to be taken up in the project to ensure that all PAPs are fully resettled in time for all the development works to be completed by project closure. To



this end, sub-project sites must be identified as early as possible.

33. LGUs' provision of in-city or other viable options which assure continuance or enhancement of income-earning activities post-resettlement will thus be a necessary and determinant factor in the final selection of sub-projects to be taken up by MMFMP. At the outset DPWH together with HUDCC, SHFC, and NHA, will coordinate with the LGUs to identify and verify that adequate options for affordable resettlement are available to support the sub-projects. Where land availability is a constraint, practical solutions must be found, including sites for high density rehousing in neighboring LGUs where PAPs can still commute to the jobs in their origin, possible redevelopment and up-grading of slum areas (which would involve additional inclusion of host communities on sites to be redeveloped,), or other feasible options are put in place.

### MMFMP Resettlement Component

34. Component 3 will provide US\$11 million in addition to US\$34 million in counterpart funds (a total US\$45 million) to finance interventions needed to improve or at least restore pre-project living conditions of PAPs, including remedial measures for PAPs under Groups 2 and 3. Specifically, Component 3 will include the following:

- (i) *Financing for land acquisition and housing construction (GOP, US\$34.0M).* This sub-component will finance land acquisition and housing construction. This sub-component will be funded by GOP and/or LGU counterpart funds and implemented by NHA, SHFC or LGUs depending on the choice of the communities.
- (ii) *Grant support for site development, community infrastructure and rental support (IBRD, US\$4.1M).* This component will support the development of infrastructure investments across project communities according to identified community priorities, including, *inter alia*: roads and drainage; water supply; electricity connections; street lighting; multi-purpose buildings; and materials recovery facilities, among others. Rental support may be provided for a transitional period while communities wait for the new housing units to be completed. This sub-component will be funded by IBRD loan.
- (iii) *Grant support for technical studies, capacity- building and livelihood assistance (IBRD, US\$5.9M).* This sub-component will provide grants to LGUs and community organizations to finance the non-structural requirements of housing and resettlement including: (a) extensive community consultations, social preparation and community organizing to ensure substantive community participation in the resettlement process; (b) technical studies, including soil suitability tests, geo-technical surveys, subdivision plans, and housing and community infrastructure designs; (c) capacity-building for HOAs/housing cooperatives on aspects relating to organizational development and strengthening, community mapping and

surveying, community savings, settlement planning, community procurement, financial management, and construction monitoring, among others; (d) capacity-building assistance to LGUs on participatory shelter/resettlement planning, procurement and financial management, and construction supervision, among others; and (e) livelihood assistance for HOAs and housing cooperatives. This sub-component will be funded by IBRD loan.

- (iv) *Resettlement Monitoring and Evaluation (IBRD, US\$1.0M)*. This sub-component will establish grievance redress mechanisms, process evaluation, outcome assessment including beneficiary satisfaction survey, documentation, knowledge sharing and peer-to-peer learning between and among communities and LGUs. This sub-component will be funded by IBRD loan.

35. To allow flexibility and cater to varying needs of the PAPs, three standard resettlement options will initially be offered, with priority being in-city resettlement. Options include: (i) in-city resettlement in vertical housing; (ii) near-city resettlement defined as areas that will result in minimal economic dislocation with secure access to basic services in adjacent LGUs, where people can ideally physically and financially commute to their livelihoods of origin; or (iii) one-off lump-sum cash compensation. Other options expressed as preference during consultations with PAPs (e.g. off-city resettlement) can be considered as well. Resettlement will build on the existing government housing programs and will be implemented by two key shelter agencies (KSA), namely NHA and SHFC. Based on knowledge gained with the implementation of such programs, the two agencies have agreed to build in some innovative and good practices to improve their existing housing programs. These include: (i) provision of upfront income-based capital subsidy to bridge the affordability gap, specifically for those who opt for in-city vertical housing, with the amount of subsidy to be adjusted every five years through assessments of the ISFs' income levels; (ii) land will be provided by both SHFC and NHA on a usufruct arrangement to minimize the financial burden on the ISFs; (iii) construction price ceiling and minimum specifications will be standardized for both agencies' programs to avoid inequity; and (iv) as needed, rental support, in the form of cash, will be provided to ISFs as a transitory measure until the completion of their new housing units, which is expected to be around 24 months on average. A geographical division of labor between the two agencies has also been agreed upon, while also agreeing that there has to be some flexibility in this based on preference of affected communities. A communications plan will be developed under the project to ensure that PAPs will be given full information on the resettlement options to allow them to make informed decisions.

## Principles and objectives of MMFMP Resettlement

36. The principles of resettlement in World Bank-assisted projects are governed by OP 4.12, which is applicable when the taking of land for project purposes necessitates involuntary

resettlement. The policy covers direct economic and social impacts of the project and its area of influence. Key principles are:

- Resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits, inclusive of gender, disability, and intergenerational groups.
- Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

### *Legal framework and Analysis of Gaps: Philippine Laws and Regulations and World Bank Policy (OP 4.12) on Involuntary Resettlement.*

37. In terms of national legislations in the Philippines, the key legal and administrative policies relevant to involuntary resettlement are:

38. The Bills of Rights of the Constitution of the Republic of the Philippines states in Article III, Section 1, “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.” In Article III, Section 9, “Private property shall not be taken for public use without just compensation.”

39. Executive Order 1035 (1985) requires conducting of Feasibility Studies, Public Information campaign, Parcellary survey, and assets inventory. It also provides for compensation for acquired land at fair market value based on negotiations between owner and appraiser; relocation assistance to tenants, farmers and other occupants; financial assistance to farmers and agricultural tenants equivalent to the average harvest for the last three years but not less than P 15,000/ha; disturbance compensation to agricultural lessees equivalent to 5 times the average gross harvest during the last 5 years; and compensation for improvement on land acquired under Commonwealth Act (CA) 141.

40. CA 141, Public Land Act (1936) institutes classification and means of administration, expropriation and disposition of alienable lands of the public domain.
41. Supreme Court Ruling (1987) defines just compensation as fair and full equivalent to the loss sustained to enable affected household to replace affected assets at current market prices.
42. Republic Act 6389 provides for disturbance compensation to agricultural leases equivalent to 4 times the average gross harvest in the last 5 years.
43. Republic Act 10752 (2015). The “Right-of-Way Act” ensures that owners of real property acquired for national government infrastructure projects are promptly paid just compensation for the expeditious acquisition of the required right-of-way for the projects.
44. Republic Act 7279 (1992) "Urban Development and Housing Act" mandates the provision of a resettlement site, basic services and safeguards for the homeless and underprivileged citizens.
45. Republic Act 7160 (1991) "Local Government Code" allows the LGUs to exercise the power of eminent domain for public use.
46. Gaps between Philippine government policies and laws on entitlements to project-affected persons (PAPs) and the WB’s social safeguard policies contained in OP 4.12 are given below in Table 1.

**Table 1: Comparative Analysis between Philippine law and policy and OP 4.12 on entitlements for project-affected persons.**

<b>KEY ISSUES</b>	<b>PHILIPPINE POLICY</b>	<b>WORLD BANK POLICY</b>	<b>MEASURES TO FILL GAPS</b>
Persons Considered as Project-Affected Persons (PAPs)	PAPs consist of all members of a household who will be adversely affected by the project because their real property shall be acquired for government infrastructure projects	Persons/People impacted by Involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location.	<p>Everyone who occupies land or structure and those that conduct livelihood activities at cut-off date within the technical footprint of a drainage area shall be identified and properly recorded including their condition in life, and their personal circumstances.</p> <p>Each person so identified shall be considered PAP and shall be classified accordingly to determine eligibility for any compensation or support towards a sustainable living condition.</p>

KEY ISSUES	PHILIPPINE POLICY	WORLD BANK POLICY	MEASURES TO FILL GAPS
Loss of Income or Sources of Livelihood	<p>Major government policies (e.g. RA 7279, RA 10752) are silent regarding loss of income directly resulting from land acquisition.</p> <p>However, some agency-specific policies like the DPWH Land Acquisition, Resettlement, Rehabilitation and Indigenous Peoples (LARRIP) Policy 2007 and DO 327 s. 2003 cover income loss.</p> <p>LARRIP on Income Loss. “For loss of business/ income, the PAF will be entitled to an income rehabilitation assistance not to exceed Peso 15,000 for severely affected structures, or to be based on the latest copy of the PAF’s Tax record for the period corresponding to the stoppage of business activities”</p> <p>DO 327 s. 2003 provides transitional allowance for severely affected shop owners for their computed income loss during demolition and reconstruction of their shops, but not to exceed one month period.</p>	Displaced persons should be assisted to improve their efforts to improve their livelihoods and living standards or at least to restore them	The project should compensate for lost income and provide measures to improve livelihoods and living conditions of PAPs or at least restore them to pre-project level.

KEY ISSUES	PHILIPPINE POLICY	WORLD BANK POLICY	MEASURES TO FILL GAPS
Treatment of Informal Settlers	R.A. 7279 states that eligible homeless and poor informal settlers in urban areas are entitled to resettlement if they are affected by development projects. However, R.A. 7279 limits this to residential informal settlers and is silent on informal structures on public or private land used for commercial purposes.	Sections 15-16 stipulate that informal settlers should be provided resettlement assistance.	<p>The project will replace lost structures and other assets of informal settlers. Replacement options include rehousing, including rental support while waiting for the housing units to become available, transportation costs, and, as needed, rehabilitation costs to restore lost livelihood.</p> <p>For structures that encroach on public lands and used for purely commercial purposes, compensation will be equivalent to the loss of business income only computed per DPWH LARRIP Sec. 4.d.ii. Income Loss. (For loss of business/ income, the PAF will be entitled to an income rehabilitation assistance not to exceed P 15,000 for severely affected structures, or to be based on the latest copy of the PAF's Tax record for the period corresponding to the stoppage of business activities.)</p>

KEY ISSUES	PHILIPPINE POLICY	WORLD BANK POLICY	MEASURES TO FILL GAPS
Taxes and Transaction Costs involved in the Transfer of Real Property	<p>As per item g of Sec 6. Guidelines for Expropriation Proceedings of RA 10752:</p> <p>“ g. With regard to the taxes and fees relative to the transfer of title of the property to the Republic of the Philippines through expropriation proceedings, the implementing agency shall pay the documentary stamp tax, transfer tax and registration fees, while the owner shall pay the capital gains tax and any unpaid real property tax.”</p>	Taxes, administrative fees, and other transaction costs are not to be deducted from the total compensation due the affected person/s	Not much difference now with the new ROW law (RA 10752); For transactions that are not a willing seller- willing buyer transaction type the project should see to it that it covers other administrative fees and transaction costs that the government may impose over and above those enumerated under RA 10752.
Valuation of Affected Land	<p>Philippine Constitution states that private lands expropriated or taken for the public interest shall be paid just compensation. The Supreme Court defines just compensation as current market value less the cost of any future benefits the landowner may derive from residual land. In negotiated settlements, government offers compensation based on the schedule of market values of the LGU or BIR zonal valuation before proceeding with expropriation.</p>	Uses replacement cost without deduction of any future benefits the landowner may derive from the residual land	The project should use replacement cost for the valuation of land, which for urban land is defined as 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.



KEY ISSUES	PHILIPPINE POLICY	WORLD BANK POLICY	MEASURES TO FILL GAPS
Treatment of Residential and Business Renters	Fixed improvements introduced by renters on the land or structures automatically belongs to the land owner, unless there is a specific provision that the owner will compensate the renter for any fixed improvements introduced by the latter. The practice is to ask the landowner to sign a waiver, allowing the renter to be paid compensation for any fixed improvements.	Under OP 4.12 para 16: (i) compensation at full replacement cost for loss of structures/assets other than land; (ii) resettlement assistance; and (iii) other assistance, as may be necessary to fulfill OP 4.12 objectives	Compensation at full replacement cost <sup>5</sup> for fixed improvements introduced by the renter will be paid to the renter. Renter will be provided compensation for transfer costs and disturbance compensation <sup>6</sup> for temporary closure of the business establishment while transfer is ongoing.

47. The RPF will serve to meet the requirements of relevant laws and regulations of the Philippines to the extent that they coincide with World Bank OP 4.12. However, *where gaps or differences are found between Philippine laws and regulations and the requirements of OP 4.12, the higher standard will prevail.*

48. The RPF will apply to all relevant activities and works necessitating land acquisition or imposing needed restrictions to land which are undertaken by the Project. However, the requirements for surveys and documentation will vary depending upon the mode of land acquisition.

## Land Acquisition and Resettlement Procedures

49. The procedures and conditions guiding land acquisition and resettlement are as follows:

<sup>5</sup> OP 4.12 explanation of replacement cost for houses and other structures: the market cost of the materials to build a replacement structure with an area and quality similar to 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 labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures so as to meet the replacement cost standard. Such additional assistance is distinct from resettlement measures to be provided under other clauses in OP 4.12, para. 6.

<sup>6</sup> Computed at average daily net income of the business multiply by the number of days for the entire transfer period.

50. In relation to private lands, the following modes of land acquisition will trigger WB's OP 4.12 for which DPWH will be required to conduct necessary field investigations and surveys in accordance with the provisions of this RPF for resettlement plan preparation and implementation:

51. *Grant of Right-Of-Way (ROW)*: If access to pumping stations or related facilities will traverse private properties, the project may seek the imposition of an Easement of Right-of-Way (ROW) provided for under the Philippine Civil Code. In such cases, a R-O-W easement agreement will be made between the property owner and the project, whereby the owner will grant the project the right to use the affected portion of the land parcel as a R-O-W. The owner retains ownership of the said portion of the lot. In these cases and depending upon the agreement between the project and the property owner, either the easement rights are given free of any charges or on some payment by the project to the owner. The payment can be based on the value of the affected portion of the lot determined by an independent appraiser according to internationally accepted norms, and taking into account existing zonal valuation declared by BIR. In addition, the project is required to compensate the owner for any improvements and/or structures on the land affected by the ROW at replacement cost. The project will enter the easement area after the provision of the full payment for the easement to the property owner. The ROW easement agreement will be immediately registered with the Registry of Deeds.

52. *Usufruct*: The project may also acquire a property through usufruct. The property owner retains the ownership of the land, while the project enjoys the benefit of the use of land. The project and the property owner will execute a usufruct agreement. The agreement will cover the rights and responsibilities of the two parties, including the duration of the usufruct which should not be less than the project life.

53. *Lease Agreement*: The project may also acquire lands through lease agreements with the property owner. The project and the property owner will execute a Lease Contract. The contract will cover the rights and responsibilities of the two parties, including the duration of the lease which should not be less than the life of the project. Under this agreement, the land owner continues to retain legal ownership of the land parcel. All land transactions should be registered with the Registry of Deeds for annotation in the title of subject property.

54. *Expropriation*: DPWH, as a government agencies, is empowered to invoke the right of eminent domain to acquire private properties. However the threat of expropriation may not be used as leverage in negotiations with land owners. Expropriation is discouraged as a means of land acquisition under this Project and may only be used in special circumstances where it is determined to be the only viable option for land acquisition. The World Bank is to be informed, consulted, and will provide clearance in such instances.

55. *Open Market Purchase:* DPWH may enter into open market purchase negotiations with the land owner. Where land is acquired by direct purchase from land owners, DPWH will prepare a Land Acquisition Report, which includes a certified cadastral record of the plot(s) and legal documentation of sale. Under this option, a protocol will be applied with the following criteria:

- Inventories of affected land and other fixed assets will be prepared in consultation and collaboration with affected land owners and submitted to the World Bank;
  - An open consultative process will be used to ensure that negotiations for direct purchase are carried out in a transparent manner.
  - Ensure that compensation paid is at market prices to enable all affected land owners to replace their affected assets and that the affected land owners do not suffer a net loss.
  - Keep records of public consultations. Document negotiation proceedings in a legal agreement, and up-date land records.
  - Private land to be acquired will be free of ownership disputes and encumbrances;
  - The Project will resettle any informal occupants and informal land users in accordance with the RPF. The Project will ensure that any adverse impacts on sources of incomes and livelihood are effectively mitigated;
  - All negotiation proceedings will be documented and the final agreement will be signed by the negotiating parties;
  - The negotiated amount will be fully paid (after the submission of the required documents) and before the land is taken by the Project;
- The Project will submit completed documents including maps to the World Bank to document RPF-compliant acquisition of the required land; and
- Where land owners have documented rental agreements for households, businesses, or other purposes, such lease holders or those customarily paying rent to the land owner for use of the land, will be given a minimum of 3 months' notice, compensated for any rents paid in advance as well as for any structures or improvements made by the lease holder. The lease holder has the right of salvage of materials procured by the lease holder.

56. No PAPs, structures, or crops will be moved until PAPs have been fully compensated and relocation sites or transitional arrangement are provided. In cases where relocation sites are not yet ready, PAPs will be offered relocation to a staging area or a rental subsidy up to the time of their transfer to the resettlement site. After PAPs have signed the resettlement and rental subsidy agreement and been fully compensated for lost structures and crops, their structures will be demolished once they have moved to their respective rental units or temporary staging areas with project assistance for transporting personal belongings.

57. Specifically for resettlement under Component 3, other modes of land acquisition enumerated under RA 7279 (Urban Development and Housing Act) such as community mortgage, land swapping, land assembly or consolidation, land banking, voluntary land donations to the Government, joint-venture agreements, negotiated purchase, and expropriation, among others, shall be explored and employed where viable.

## Valuation of affected assets

58. The RPF provides for compensation for all assets, including land, at full replacement cost<sup>7</sup>. To meet the above objectives, the project will follow the valuation procedures for different types of affected assets as below.

59. Land: The project will contract professional real estate appraisers for valuation of affected land to determine the prevalent range of market prices. Subsequent negotiations for land purchase will be based on the market prices determined by the appraisers. The land owner may also engage the services of real estate appraisers to support negotiations. If there is no other option and land must be acquired under eminent domain, the final prices of affected land will be at least equal to or higher than the prevalent market price to ensure that the land owner is able to replace affected land at current market prices. Transaction costs shall be borne by the Project. All instances of land acquisition through expropriation will require justification as the only option and will be submitted for review and clearance by the World Bank.

60. Private Land (Market sale): Valuation of private land will be undertaken by professional registered real estate appraisers or similar certified land agents based on comparator properties. Where land is to be obtained through a willing seller – willing buyer arrangement, in which expropriation is precluded, both parties may engage the services of professional real estate appraisers to facilitate negotiations.

61. Private Land (Expropriation): Valuation of private land to be acquired through expropriation is determined by the court of law. Where it is unavoidable that land must be obtained by means of expropriation, the project will strive to fill any gaps resulting from this scheme through measures that aim to ensure PAPs pre-project living standards are restored.

62. Structures: DPWH or MMDA will ensure that the compensation for affected structures is paid at replacement cost based on current market prices for materials and labor. The compensation for affected structures will be paid without any depreciation and deductions for

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<sup>7</sup> Per OP 4.12, "Replacement cost" is 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.

salvaged material. MMDA/DPWH will ensure that professional expertise be employed to appraise reconstruction costs on the basis of current market prices to arrive at rates for different types of structures.

- Valuation of property owners' structures and immovable assets will be based on replacement cost as appraised by qualified builders or similar professional experts and will be a factor in negotiation of a sale price where a willing seller – willing buyer arrangement is used.
- Valuation of property owners' structures in unavoidable instances of expropriation will be based on replacement cost as appraised by qualified builders or similar professional experts. Both parties may engage the services of an appraiser. Compensation for lost structures and immovable assets should include a 10% premium to ensure that the amount paid is above replacement cost for structures and immovable assets.
- Project-affected persons losing more than 20 percent or all of their productive assets (agricultural land, house, or business) or in cases when the remaining assets are not economically viable, are entitled to: (a) full compensation at replacement cost of the entire asset or at direct land/asset replacement; and (b) rehabilitation assistance that allows them to enhance or at least maintain their standard of living.

63. Trees and crops: Compensation rates for affected trees are provided by DENR and for affected crops by Department of Agriculture. Market value will be provided for standing crop losses. Compensation for fruit trees will be based on the cost of replacement root stock, and on agronomic data for annual yields needed to calculate the value of production income lost over the time needed to re-establish new root stock to fruit bearing age. The value of timber trees will be assessed at market price.

## Compensation and Entitlement Options for ISF-PAPs

64. Informal Settler Families are characterised in OP 4.12 as, “... *those who have no recognizable legal right or claim to the land they are occupying.*” (para. 15(c)). The policy is clear on entitlements, remedies, and assistance to be provided to this category of project-affected people. The policy states that: “*Persons covered under para. 15(c) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in para. 15(c) are provided compensation for loss of assets other than land.*”

65. OP 4.12 policy objectives are clear: “Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as *sustainable development programs*, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.” Furthermore, “displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to predisplacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.”

66. In straightforward terms, the attainment of these specific policy objectives will require four key provisions:

- Compensation at replacement cost for lost structures and fixed or immovable assets (for those who will not avail of the housing/resettlement option);
- Affordable in-city or near-city physical resettlement at locations in reasonable proximity to places of work and sources of income, which is essential to preclude any significant increase in travel costs and time to work places. Off-city locations experiencing growth and urbanization where employment opportunities are available are not precluded a priori, however due diligence on job market opportunities and skills training is needed to support a sustainable outcome.
- Transitional allowances and related support measures which are needed to assist PAPs with movement to the resettlement location and rental expenses as needed while resettlement accommodations are under construction.
- Investments in human development, such as skills training for family members which are needed to improved employability and income.

67. **Professional squatters:** Resettlement programs in the Philippines screen census lists of PAPs to exclude those who have been previously resettled under GoP-supported programs from being resettled once again. There are cases, both individual and more organized schemes, where people take up assets at resettlement sites, dispose or abandon the assets, and return to Metro Manila. Under the terms of this RPF, people who have previously been resettled but have returned and/or settled within the MMFMP technical footprint at the time of census (or cut-off date for the subproject) are not to be automatically excluded as eligible PAPs. The PMO Resettlement Team with LGU support will work closely with concerned agencies to establish the living condition and circumstances of the previously-resettled PAPs. Only in the event that the said PAPs are found to be exploiting the government resettlement programs in bad faith (deceiving the government for personal economic gains) will they be excluded. If they are found to have returned because of loss of employment or because they are financially unable to sustain

themselves at the previous resettlement site, the Project will include them and their resettlement and rehabilitation will be supported.

68. Table 2 sets out describes impacts and entitlement by PAP category.

**Table 2. Summary Matrix of Impacts and Entitlements**

<i><b>PAP Category</b></i>	<i><b>Impact</b></i>	<i><b>Entitlement</b></i>
Resident owner of informal structure	Loss of dwelling, potential loss of access to work place.	<ul style="list-style-type: none"> <li>Options: <ul style="list-style-type: none"> <li>Inclusion in rehousing schemes</li> <li>One-off lump-sum cash compensation at full replacement cost for lost structures/assets based on market value of materials and labor.</li> </ul> </li> <li>For the housing option, the package includes: <ul style="list-style-type: none"> <li>Inclusion in social (amortized) rehousing schemes or provision of subsidized housing rental unit for those unable to afford a mortgage.</li> <li>Rental subsidy / voucher for up to 24 months while waiting for the availability of the units in resettlement site or temporary transfer to staging area. (<i>This entitlement may be extended to meet the completion date of resettlement housing.</i>)</li> <li>Transition allowance for moving costs to resettlement site.</li> <li>Moving assistance – trucks for personal belongings, vans for women and children.</li> <li>Free access to skills training and related livelihood restoration programs for qualified family members, with equal access of both male and female members, to be specified in the RAP.</li> </ul> </li> </ul>
Absentee owner of informal structure	Loss of rental property, loss of rental income.	<ul style="list-style-type: none"> <li>Compensation at full replacement cost for lost structures/assets based on market value of materials and labor.</li> </ul>
Renter of informal structure	Loss of dwelling, potential loss of access to work place.	<ul style="list-style-type: none"> <li>Inclusion in social rehousing schemes.</li> <li>Rental subsidy / voucher for up to 24 months while waiting for the availability of the units in resettlement site or temporary transfer to staging area (<i>extendible as necessary</i>).</li> <li>Transition allowance for moving costs to new rental unit.</li> <li>Moving assistance – trucks for personal belongings, vans for women and children.</li> <li>Free access to skills training and related livelihood restoration programs for qualified family members, with equal access of</li> </ul>

		both male and female members, to be specified in the RAP.
Owner of private land – market sale	Loss of property and assets	<ul style="list-style-type: none"> <li>Willing seller-willing buyer arrangement, negotiated on the basis of land market price and replacement cost of assets.</li> </ul>
Owner of private land - expropriation	Loss of property and assets	<ul style="list-style-type: none"> <li>Compensation as determined by the court of law.</li> <li>Remedial measures for any gaps between court ruling and appraised value.</li> </ul>
Private owner Trees	Removal of trees / loss of assets	<ul style="list-style-type: none"> <li>Compensation based on current market value as determined by a government financial institution pursuant to Sec. 5 of RA 10752.</li> </ul>
Owner of standing Crops	Loss of income.	<ul style="list-style-type: none"> <li>Compensation based on current market value as determined by a government financial institution pursuant to Sec. 5 of RA 10752</li> </ul>
Titled owners' structures and immovable assets	Loss of fixed assets.	<ul style="list-style-type: none"> <li>Compensation at replacement cost.</li> </ul>
Renters of private land	Loss of land use; loss of income.	<ul style="list-style-type: none"> <li>Land owner to reimburse unused portion of lease payments made; assistance to shift to another site.</li> <li>Given a minimum of 3 months' notice, compensated for any rent paid in advance as well as for any structures or improvements made by the lease holder.</li> </ul>
Informal users of private land	Loss of dwellings and structures; loss of income from land-based activities.	<ul style="list-style-type: none"> <li>Resettlement and assistance as provided for loss of dwellings.</li> <li>Compensation for crops if used for agricultural purposes or allowing harvest existing crops, where possible.</li> <li>Assistance to shift to another site if used for commercial purposes.</li> </ul>
Vulnerable People	Resettlement could affect social support networks and physical conditions of elderly, disabled or handicapped PAPs.	<ul style="list-style-type: none"> <li>Welfare agency support will be provided to ensure that vulnerable people like persons with disabilities are assisted as needed in resettlement transition.</li> </ul>
Female-headed households	Resettlement may pose additional hardships for female household heads, especially those who	<ul style="list-style-type: none"> <li>Such households will be identified in baseline surveys with follow-up on specific issues in consultations. The Project will facilitate strong coordination with welfare and livelihood agencies such as DSWD, DTI, and TESDA who in turn will assist with additional measures needed to ensure a smooth</li> </ul>



	are very poor or without sufficient social network support.	transition in resettlement for female household heads and children.
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## Remedial Measures for Project-affected and Legacy Groups previously resettled by Oplan Likas and Other Resettlement Programs

69. On the basis of retrospective due diligence, the project will identify significant issues and gaps in the resettlement outcomes for previously resettled project-affected ISFs for whom retroactive measures will be developed. The criteria for assessments of the post-resettlement conditions differ for two groups:

First, the resettlement outcome for those who were resettled *after* 8 December 2014 and before the date of a given specific sub-project's census, will be assessed with respect to the consistency with the requirements of OP 4.12. A retrospective due diligence will be carried out and based on any assessed significant gaps with the requirement of the policy remedial measures for the PAPs and the larger resettlement community will be determined.

Second, those who were resettled *before* 8 December 2014, are considered to be a legacy issue for MMFMP. A retrospective due diligence will be carried out for this legacy group which will identify and assess any significant gaps and propose remedial actions at the community level, as needed, to bring resettlement conditions in line with the overall objectives of OP 4.12 and as much as possible avoid that resettlement caused impoverishment or a significant decline in living conditions.

70. The due diligence process necessitates the use of tracer studies for both groups. The first group requires tracking of specific ISFs from original locations within the sub-project's technical footprint using records and data provided by NHA and LGUs as applicable. Questionnaires will be applied along with structured interviews with key informants and group discussions. Findings will be gender-differentiated and provided in reports for each sub-project and measures will be taken to bring their resettlement in line with the requirements of the RPF and OP 4.12.

71. Due diligence on resettlement outcomes for those resettled prior to 8 December 2014 will be also be informed by documentation provided by NHA, SHFC, and LGUs which identifies the names and locations of ISFs in this group who were resettled from MMFMP sub-project technical footprints. In this case, a more qualitative approach will be applied, chiefly through the use of structured interviews with key informants and focus groups. As above, gender-differentiated findings will be given in a due diligence report. Key gaps will be identified and measures will be proposed in consultation with relevant government officials to remediate any

significant gaps in resettlement outcomes through community-based developments that will benefit the larger resettlement community.

72. There is an issue of public perception and equity. Provision of extra benefits to a select few poses a potential issue as any remedy or entitlement given to a few would be expected by all. As such, remedial measures to address gaps identified from due diligence reports for project-affected ISFs resettled before December 8, 2014 will target communities rather than individual households. It will take the form of community-level interventions such as provision of community-based infrastructure and community livelihood programs. For those who were resettled between December 8, 2014 and specific sub-project's census, remedial measures will focus on community-level interventions, but may be undertaken at household level as well, if found necessary as per due diligence. All activities under this component will comply with procedures and requirements stipulated in national legislation and in the World Bank's OP 4.01 (Environmental Assessment) and OP 4.12 (Involuntary Resettlement).

73. Tracing and locating ISFs that were relocated from the technical footprint of drainage areas is complicated by the *Oplan Likas* policy to resettle *all* ISFs residing in 3-meter easements along waterways. This hinders comprehensive identification of ISFs based on their specific places of origin as they are a sub-set of a much large number of ISFs resettled from entire waterway easements. Data on the original physical locations of ISFs is not available in all instances. Tracer studies will use maps or similar site plans to help with self-identification by those formerly resident in footprint areas. The extent to which tracer studies can identify all former ISFs in MMFMP sub-project footprints will be further moderated by the fact that a significant proportion of those previously resettled may have returned to Metro Manila to resume previous activities.

### Gender-related activities

74. Gender aspects are important in the context of resettlement and economic rehabilitation. Baseline census studies and retrospective due diligence are carried out on a gender-differentiated basis in order to identify issues related to female-headed households and the economic role of women in the household economy, including salient issues related to the health and the welfare of children. Entitlements for skills training which provide free training for 2 family members will provide access to training programs for at least one female household member. Gender impacts will be specifically monitored under the project.

### Key Components of Sub-project Resettlement Action Plans

75. The scope and level of detail of the sub-project RAPs will vary with respect to the magnitude and complexity of resettlement. In sub-projects where the magnitude of displacement

is less than 200 people, an Abbreviated RAP may be prepared, the contents of which is given below. Where more than 200 people are to be resettled, a full RAP is prepared. A sub-project RAP will cover the elements listed below, as relevant. Annex C provides for the complete elements of a RAP.

- Description and location of the sub-project.
- Specific sub-project impacts and activities that necessitate resettlement; the alternatives considered to avoid or minimize resettlement; and mechanisms established to minimize resettlement during project implementation.
- RAPs require a census and related studies of all project-affected people. The census will enumerate all PAPs to be displaced by land acquisition (permanent and temporary). Notification is made to ensure that the cut-off date for eligibility is the date of commencement of the census. This precludes inclusion of any influx of new people or opportunity-seekers seeking benefits.
- A socio-economic survey is undertaken, either during the census or as soon thereafter as possible, depending on the number of people affected and logistics. The socio-economic survey will collect information on the demographic composition of affected households, gender-differentiated occupations of household members and their income streams (formal and informal), and data on health status, access to services, levels of education, and other salient features needed to help plan resettlement and provide baseline measures needed for post-resettlement evaluation and closure (sample survey instruments are provided in Annex B). This survey will gather information on vulnerable groups or persons for whom special provisions may have to be made. The socio-economic survey will take note of social support systems, and how they will be affected by the project; access to public infrastructure and social services that will be affected; and social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.
- An asset survey is undertaken along with the socio-economic survey. The asset survey will record the area and construction features of dwellings and other structures as well as any fixed or immovable assets to be lost. This data is needed as a basis for calculation of compensation to be paid to PAPs that lose assets, which is calculated at replacement cost (asset inventory forms are shown in Annex B).
- The resettlement action plan will list the entitlements and other compensation to be given to each category of affected people.

- The RAP will include the institutional responsibilities for implementation and procedures for grievance redress;
- The RAP will include the arrangements for monitoring and implementation;
- The plan will provide a timetable, which is synchronised with the construction schedule and a budget.

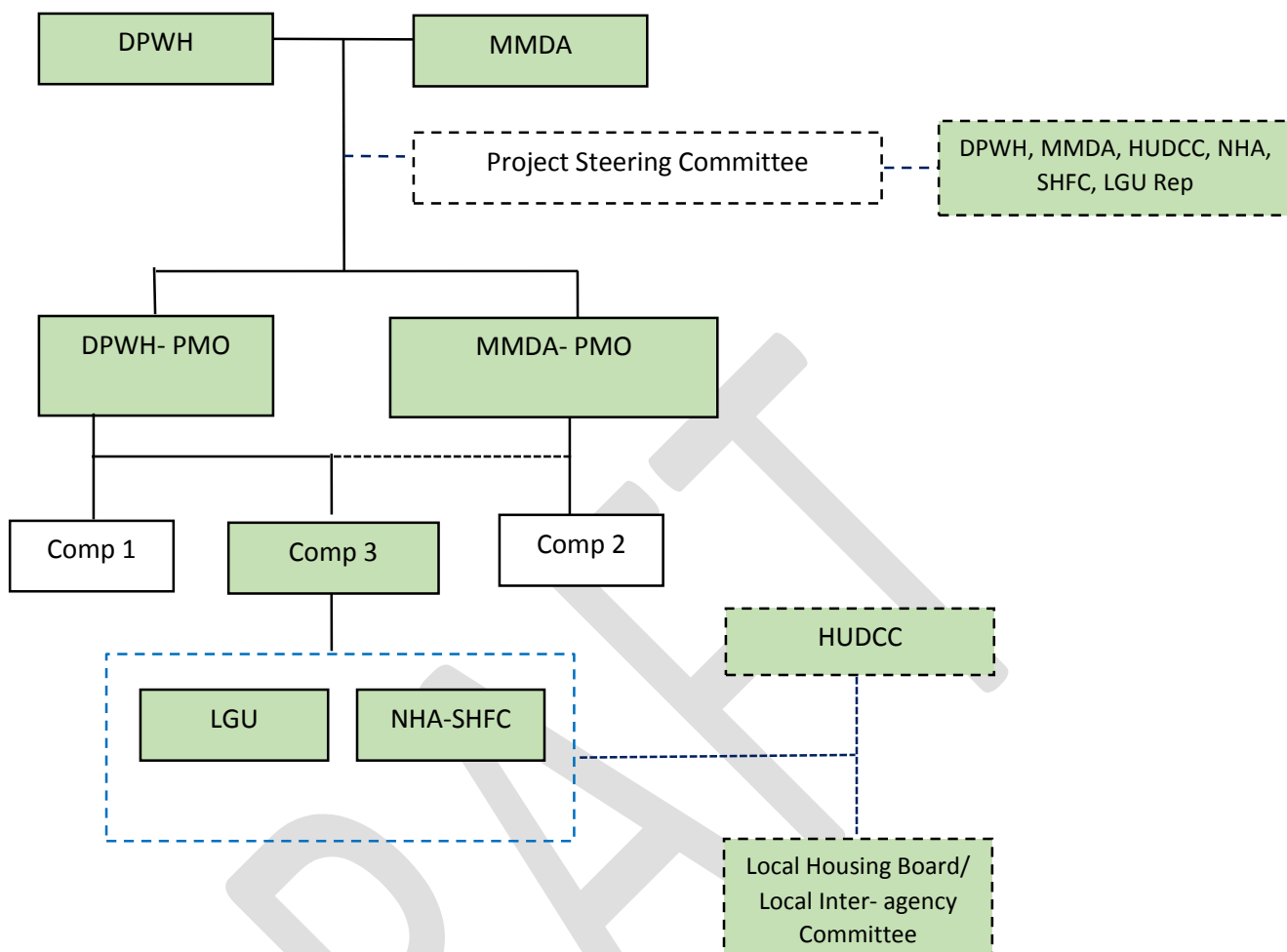
76. Where the number of affected individuals is less than 200 people, an Abbreviated RAP may be prepared. An Abbreviated RAP includes:

- (a) a census survey of displaced persons and valuation of assets;
- (b) a description of compensation and other resettlement assistance to be provided;
- (c) documented consultations with displaced people about acceptable alternatives;
- (d) institutional responsibilities for implementation and procedures for grievance redress;
- (e) arrangements for monitoring and implementation; and
- (f) a timetable and budget.

77. All resettlement plans must document consultations and involve communities in planning and implementation to the extent possible. Project-affected people must be informed in a timely way about key stages and events in the planning and implementation process and made aware of measures in place for grievance redress and management of issues or problems which may arise during implementation. Specifically, they will be cognizant of designated sub-project community contact personnel, the times and locations at which they are available, and their contact details.

### Implementation process, organizational arrangements, functions and responsibilities

78. The wider institutional structure of MMFMP is shown in the Figure below. Although DPWH will have responsibility for the implementation of component 1, there will have to be participation of MMDA, as the agency that manages existing pumping stations and has the data and understanding of the condition of the infrastructure.



79. MMFMP will be implemented with oversight provided by a Project Steering Committee which is composed of senior personnel and representatives from line and oversight agencies, including DPWH, MMDA, DILG, HUDCC, NHA, SFHC, PCUP, MMOA, TESDA, DOST, DoF, DBM, and NEDA.

80. The preparation of resettlement action plans (RAP) and due diligence reports (DDR) to be implemented under component 3 will be the responsibility of DPWH as the design agency for a particular drainage area, in close cooperation with MMDA, NHA or SHFC, and the concerned LGU/s. The RAP or DDR will stipulate the arrangements for their implementation, which will be supervised by DPWH. NHA or SHFC will be the direct implementing agencies for all activities related to resettlement. Specifically, NHA or SHFC will be in charge of: (i) presenting all available resettlement options to PAPs; (ii) land acquisition; (iii) housing and site development; (iv) contracting service providers for social preparation and technical studies, as needed; (v) provision of rental assistance to PAPs; and (vi) engaging service providers to implement livelihood support activities for PAPs. A geographical division of labor was agreed

between NHA and SHFC. NHA will be the lead agency for Manila, Pasay, San Juan, and Makati (Southern and Western area of NCR), while SHFC will be the lead agency for Quezon City, Malabon, Muntinlupa, and Pasig. However, if certain ISF communities in the designated LGUs already have ongoing/planned partnerships or have preferences for either one of the agencies, communities will be assigned to either one of the agencies on an individual basis, irrespective of the geographical location. All resettlement activities will be carried out in close coordination with relevant LGUs, including the host LGU, and under the oversight of MMDA and HUDCC.

81. The LGUs will be the anchors of the resettlement activities. Assisted by the MMDA-PMO, each participating LGU will be required to establish a tripartite Housing and Resettlement Team (HRT) to oversee and support the day-to-day implementation of resettlement activities. The HRT will be composed of staff drawn from relevant LGU offices (Urban Poor Affairs Office/Urban Settlements Office, City Social Welfare and Development, City Planning Office, and City Engineering Office), designated personnel from NHA or SHFC, and representatives from the CSO that will be engaged to carry out social preparation activities. Staff from other city departments including Budget Office, City Planning and Development Office, and City Environment and Natural Resources Office may be engaged as project activities require.

82. DPWH has a well-established PMO under the Flood Control Management Cluster that will take charge mostly of component 1. MMDA will establish a PMO to manage and supervise, and coordinate implementation of their sub-projects.

83. The MMDA and DPWH PMOs will coordinate with participating LGUs to establish the definitive list of PS sub-projects. The two PMOs in association with the relevant LGU will identify and delimit the technical footprints and any related areas needed for sub-projects and with NHA/SHFC carry out safeguards screening, including determination of resettlement impacts and the number of PAPs to be resettled in a given drainage area.

84. Each LGU, in close collaboration with the PMO and NHA/SHFC, will provide specific details on land or site areas to be used and arrangements for the provision of low cost rental housing of PAPs associated with their sub-projects. LGUs will also identify and assess any current or planned re-housing programs which are underway, such as those taken up as voluntary initiatives by CSOs and community groups, to assess their stage of progress to completion and identify any financial or other assistance needed to ensure that the resettlement process can progress to a point which enables access to sub-project sites in a timely way and that complete resettlement under such arrangements will be achieved before the end of the life of the MMFMP to enable closure.

85. LGUs have options for land acquisition or securing long-term use of sites needed for in-city resettlement. These include LGU land and premises that can be acquired through re-allocation. National Government lands may also be allocated with the assistance of NHA. Private land can be purchased, leased, accessed on the basis of usufruct, or expropriated. (as indicated, expropriation would require review and clearance from the World Bank.)

86. Tenure security and affordability issues associated with the sustainability of resettlement options for PAPs must also be addressed in advance of sub-project approval for inclusion by MMFMP. Some PAPs may have access to mortgage-based schemes through SHFC, which provides group loans to community initiatives seeking financing for what are sometimes called, “Peoples Plans”. This option may not be affordable to all. NHA also provides loans, although most are for off-city locations, on an individual basis. Mortgages range from a full mortgage for land and home, others may provide credit with a lower mortgage for a home only where built on land either leased on provided through usufruct. Mortgage-based methods for in-city resettlement will be unaffordable for a large number of PAPs, especially among ISFs. In order to make in-city resettlement an affordable option to all PAPs, component 3 of the project will include: (i) provision of upfront income-based capital subsidy to bridge the affordability gap, specifically for those who opt for in-city vertical housing, with the amount of subsidy to be adjusted every five years through assessments of the PAP’s income levels; (ii) land will be provided by both SHFC and NHA on a usufruct arrangement to minimize the financial burden on the PAPs; and (iii) construction price ceiling and minimum specifications will be standardized for both agencies’ programs to avoid inequity. LGU provision of low-cost rental housing can also be considered as an option for PAPs.

87. When the issues of site availability and affordability have been addressed, a memorandum of understanding (MoU) is then made between the PMO and the LGU to confirm the resettlement from a drainage area. The MoU will set out key actions to be taken and the respective responsibilities of the PMO and LGU needed to enable timely site access to sub-projects. These actions will also be reflected in the RAP. This agreement will ensure that arrangements for OP 4.12-compliant resettlement which can reasonably be completed during the life of the project are documented and in place. |

### Composition and key functions of PMOs

88. Preparation and supervision of sub-project RAPs will be carried out by DPWH, with both DPWH and MMDA also to provide guidance and other support and assistance as needed. Implementation is undertaken by either SHFC or NHA, with support of the LGU.

89. PMOs are the executing agencies responsible for all key implementation functions. These are: planning at the project level, establishing a management information system including,

monitoring and evaluation, financial management, procurement, capacity-building, management of grievances and related issues, technical supervision including progress with implementation of works and quality and quantity control, environmental management, and resettlement. PMO reporting will be the primary link in project monitoring and reporting to the Steering Committee and the World Bank. PMO personnel and expertise may be seconded from other sections within MMDA or DPWH, other Government agencies and institutions, or the private sector.

90. With respect to resettlement, the PMOs will engage experienced professionals to monitor and support implementation by SHFC or NHA to ensure consistency in resettlement implementation across sub-projects, help provide guidance on inter-LGU arrangements where PAPs may move from one LGU's jurisdiction to another, and support capacity enhancement and specific training needs, (which are ideally identified early on during implementation preparations.)

91. DPWH and to a lesser extent MMDA will be responsible for implementing the project in accordance with the Resettlement Policy Framework (RPF) and Environmental Safeguards Management Framework (ESMF). Each agency will maintain a PMO, which will be staffed with qualified government personnel and assisted with implementation support consultants as needed. The PMO will be managed by a project manager, and will include resettlement specialist, social development specialist, livelihoods specialist, a supervising engineer, procurement specialist, financial management specialist, monitoring and evaluation specialist, and other specialists, as needed during project implementation. The PMO of especially DPWH, but with participation of MMDA, KSAs, LGU, and other agencies as needed will have overall responsibility for:

- Screening and detailed assessments of involuntary resettlement impacts for the sub-projects to be taken up;
- Screening, evaluating, and approving subprojects proposed by the participating LGUs. Approval of sub-project financing must be supported by confirmation from the participating LGU that sites for re-housing and rental housing stock is made available to meet the resettlement needs of a given LGUs set of sub-projects;
- Identification of sub-project PAPs; conducting mapping, surveys, and census tagging of PAPs;
- Organizing and conducting consultations, arrangements for community participation, and public disclosure;



- Ensuring that resettlement for all sub-projects, regardless of financing source, comply with the provisions of the ESMF and RPF, and WB OP 4.12;
- Assisting the LGUs in setting up their respective Housing and Resettlement Team to handle the day-to-day operation and implementation of housing and resettlement activities;
- Ensuring that sufficient funds are made available for housing and resettlement activities;
- Assisting the LGUs in establishing a grievance redress standardized mechanism, as described in this RPF, to receive and facilitate tracking and resolution of affected peoples' concerns, complaints, and grievances;
- Establishing a Public Complaints Unit which includes a grievance committee or panel composed of respected independent individuals to assist with grievance redress in difficult instances.
- Engaging CSOs and other support or resource agencies for developing and implementing livelihood enhancement initiatives under the project;
- Conducting capacity-building activities for officials and staff of SHFC, NHA, and LGUs, as needed, including but not limited to (a) resettlement planning including identification of PAPs, mapping/survey and census tagging, (b) construction supervision/monitoring, (c) resettlement M&E and reporting, and (d) grievance handling;
- establishing and maintaining a standardized resettlement monitoring and evaluation (M&E) system under the project;
- Preparation of quarterly resettlement monitoring reports to be submitted to MMDA and DPWH management, HUDCC, and the World Bank
- Contracting services of external monitoring agents for independent monitoring and evaluation of RAPs; and
- Ensuring that contracts for contractors and sub-contractors stipulate preclusion of access to project sites before the PMO has issued clearance. (i.e. resettlement has progressed to a point at which PAPs have vacated the site as per provisions of the RAP.)

92. Going forward, the PMO of DPWH, with support from MMDA, will consult with the affected community soon after a given sub-project has been approved. The team will inform the affected people about the project, the necessity for resettlement, the features and the timing of

the works to be carried out and the associated resettlement process. The cooperation of project-affected people is requested with the census, socio-economic, and assets survey. The RAP implementation team will carry out the census and related surveys with the shortest delay possible.

93. Continuing post-survey consultations will cover issues related to resettlement site options, entitlements, timing and key steps to be taken in their resettlement. The PMO will introduce the community contact person and contact details; inform them of arrangements for the timely provision of relevant information and management of grievances or issues if and as they arise. The community will be encouraged to actively participate in resettlement activities and asked to designate individuals to represent them in the resettlement process.

94. The PMO team analyzes survey information and provides the survey data and analyses to the PMO for review and feedback. Subsequently the team meets with project-affected people to discuss the specifics of entitlements and other options or measures to be provided for their resettlement and economic rehabilitation. Arrangements for continuance of consultations, updates, and community participation are established, aided by the Community Contact person.

95. Resettlement site options will necessarily vary: Resettlement areas may be at other in-city locations. However, where physical resettlement at an in-city sites are is not feasible, the LGU may opt to undertake restructuring or redevelopment, preferably in the immediate vicinity, of slum areas. This option will necessarily involve host communities, for whom the same RAP procedures and entitlements will be provided. Where redevelopment is indicated as the best option under prevailing circumstances, census, socio-economic, and assets inventories will be carried out for host areas in this initial phase. To the extent possible, employment priority will be given to PAPs in reconstruction and redevelopment work. If it is arranged that communities from the LGU are to be resettled in a neighboring LGU, the PMO will facilitate a MoU between the two LGUs and ensure effective coordination and the provision of any budgetary or other resources are provided to ensure that RAPs are implemented in a timely manner in compliance with this RPF.

96. A critical consideration in resettlement is to provide areas needed for sub-project works to contractors in a timely way. Where resettlement is a necessary precondition for contractors' access to the work site, (typically where land is acquired for new pumping stations), the PMO will issue a clearance memorandum when PAPs have been physically resettled or moved to transitional locations and provided with transitional entitlements as specified in the RAP. Land and property owners must be compensated and documented, as stipulated in this RPF, before land is available for sub-project purposes.

97. Physical resettlement of PAPs residing in the technical footprint areas of the waterways do not necessarily pose an obstacle to contractors' access to the work site. Anticipated works will be undertaken within the confines of the facilities themselves. In such instances, the necessity for resettlement along the waterways is driven by the need for unhampered flow and maintenance access to the waterway to ensure optimal performance of the pumping station. It is essential nevertheless that resettlement and related waterway maintenance activities are completed in a timely way to ensure that the refurbished facility is free of waterway blockages and thus ready to be commissioned for operation.

## Monitoring and Evaluation

98. The SHFC/NHA-RAP implementation team will monitor and document progress to key implementation milestones in monthly reports, facilitated by the RAP's Community Contact person assigned to the sub-project. Issues and grievances must be documented and tracked to their resolution. PAPs will be informed of monitoring activities and encouraged to participate and facilitate in RAP monitoring.

99. An External Monitoring Agent (EMA)—provided by a professional agency or a technically qualified CSO to be engaged by the MMFMP— will use monthly reports and field visits to prepare semi-annual monitoring reports to MMDA or DPWH via the PMOs and to the World Bank. Monitoring parameters will cover key stages in resettlement, including timely provision of entitlements, rental subsidies and transitional support measures, provision of skills training, identification of and measures taken to assist vulnerable PAPs, progress to completion of resettlement housing, etc. as per the entitlement matrix and implementation schedule. The EMA will also provide a final RAP completion and closure report for each sub-project.

100. As indicated above, both the MMDA and DPWH PMOs and LGU Housing and Resettlement Team will work within a standardized monitoring framework in which PIUs provide primary field-level information to the wider system. PMOs will maintain a data base needed to document and track resettlement implementation needed for reporting at the project level. The PMO monitoring units will track substantive and budgetary aspects of the delivery of entitlements, grievances and significant implementation issues, progress with physical relocation, progress and issues with rehousing development schemes, grievance management and other salient features of the resettlement process. LGU's Community Contact personnel will be responsible for monthly provision of monitoring information at the field level. PMOs will define the monitoring and reporting requirements for participating LGUs as well as any information needs from support entities such as collaborating government institutions and NGOs or CSOs, and other support entities engaged in the project. Specific monitoring parameters include: routine provision of information on mobilization and progress for sub-project-linked community groups, consultations and community planning activities, progress with site development and housing

development, and delivery of government-sponsored or other programs given as entitlements, such as those for skills training or other social or economic development activities. TESDA, the Technical Education and Skills Development Authority has a substantial range and number of vocational skills training courses, many of which are appropriate for PAPs current levels education and employment. Monitoring data will be gender-differentiated where relevant. Attention will be given to the status of disabled people and vulnerable households.

101. The community contact will liaise with LGUs, CSOs, PCUP, and other institutions or organizations involved in social mobilization and development of in-city housing and maintain a monitoring database and provide feedback needed for change management and adaptive implementation.

### Grievance redress

102. A project grievance redress mechanism (GRM) is necessary for addressing legitimate concerns of affected individuals and groups who raise issues of concern during project implementation. Effective management of grievances is especially important in the context of resettlement, where issues concerning entitlements may arise. Both DPWH and MMDA have established grievance redress systems as long as they take into account the elements stipulated in this RPF.

103. MMDA and DPWH will establish an information and grievance management function or a Public Complaints Unit to address and resolve any project-related grievances from project-affected people or other stakeholders and members of the public. It will be managed with the support of the social and environmental team in the PMO.

104. The project will engage the services of non-project related advisers to serve on a panel to help resolve difficult grievances. The panel members will be recognized by the public for their impartiality, community service, and good judgement. The LARRIP Policy provides for Resettlement Implementation Committees. This committee can form the basis for the panel, but may have to be strengthened by individuals from the Presidential Commission for the Urban Poor, retired jurists, clerics or religious officials, or people representing or doing community service in support of the urban poor. As a matter of policy, the project will not prevent any party from seeking legal remedies from any government judicial body.

105. The GRM will be implemented based on the following principles:

- Simplicity: procedures in filing complaints is understandable to users and easy to recall.
- Accessibility: filing complaints is easy through means that are commonly used by stakeholders, especially by the project-affected people.

- Transparency: information about the system is made widely available to all stakeholders and the general public.
- Timeliness: grievances are attended to and resolved in a timely manner.
- Fairness: feedback or complaints are validated thoroughly and subjects of complaints are given due process and opportunities for appeal.
- Confidentiality: the identity of complainants remains confidential.

106. To achieve these principles, the GRM will be set up with the following features:

**Multiple Uptake Points:** In addition to access through the Community Contact, complainants will be provided with multiple channels to submit their complaints. These include: postal mail, electronic messages, telephone, SMS, personal delivery/walk-in. A project GRM hotline will be established to be managed by the GRM Focal Person at the PMO.

**Timely resolution at the lowest possible level:** The project will strive to attend to complaints in a timely manner. To do this, it will designate a GRM contact person at the sub-project (drainage area) level. In addressing and resolving complaints, the project will build on existing mechanisms in the community (community leaders, barangay officials, barangay justice system, etc.). It is only when the complaint is not resolved at this level that the complaint goes to the next level of the GRM for resolution.

**System for receiving, sorting, verifying, and tracking.** A simple system will be developed to facilitate effective management of complaints to guide the PMO, particularly the Public Complaints Unit, on the steps and arrangements from receiving, sorting, verifying, acting and tracking complaints. These will be detailed out in the operational manual. Complaints will be categorized and actions on the complaints will be implemented and documented. The project will maintain a database documenting the salient details of complaints, including the dates they were received and when and what actions were taken. These documents will be available to the external monitoring team and the World Bank. The project will monitor complaints and coordinate with the concerned LGUs and relevant government agencies as needed to resolve them adequately and expeditiously. MMDA and DPWH will keep the World Bank Task Team informed about any significant complaints and the steps taken to resolve them. To ensure inclusion and participation, MMDA and DPWH will set up an advisory body with representatives from the project affected people and CSOs working with the PAPs.

**Disclosure and ease of access:** The salient features of the GRM will be publically disclosed so that people are aware of where and how complaints will be managed. The Community Contact person assigned to the sub-project will further ensure that people in the sub-project's area of

influence are aware of grievance management arrangements. Ideally complaints should be written, but if received verbally, the Community Contact person will ensure written documentation is made and that the complaint is dated and recorded.

107. It is also of note that, “Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB’s Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns.

108. Project-affected communities and individuals may submit their complaint to the WB’s independent Inspection Panel which determines whether harm occurred, or could occur, as a result of non-compliance with its policies and procedures. Complaints may be submitted at any time after these concerns have first been brought directly to the World Bank’s attention, and Bank Management has been given an opportunity to respond.

109. Information on how to submit complaints to the World Bank Inspection Panel is found at: [www.inspectionpanel.org](http://www.inspectionpanel.org).

## Capacity-Building

110. Key actors and elements in RAP design and implementation are shown below with respect to anticipated capacity-building and training needs:

### PMOs

- Training on OP 4.12-compliant resettlement
- Application of the RPF, including step-by-step procedures for social safeguards screening and RAP planning and implementation.
- Focused training on GRM procedures.
- Standardized MIS, database management, including the M&E system for resettlement monitoring and tracking.
- Communications, consultations, and public information.
- Construction phase safeguards supervision.

### LGUs

- Training on OP 4.12-compliant resettlement and use of RPF.
- Step-by-step procedures for social safeguards screening, RAP planning and implementation.
- Grievance management.
- PIU inputs to and management of M&E database, reporting formats and content.
- Stakeholder consultations and communications.

#### External Monitoring Agency

- Orientation on OP 4.12, RPF, and RAP preparation, reporting, and closure.

#### CSOs and RAP implementation facilitators (PCUP, NHA, SHFC)

- Orientation on OP 4.12
- RPF procedures and entitlements and RAP implementation.
- Management and institutional strengthening as identified.

#### Independent Advisers to GRM

- Training on OP 4.12 policy and entitlements as per RPF.

## **Annex A: Methodology for Delimitation of Sub-project Technical Footprints.**

### **Project Footprint**

The Metro Manila Flood Management Project–Phase 1, in particular Component 1 is anchored upon the rehabilitation of existing pump stations or construction of new ones to enable effective and efficient drainage of flood waters and thereby address urban flooding (this is more extensively described in the Project Appraisal Document).

Typically, excess rainwater will runoff from roofs, roads, and other surfaces before entering drainage pipes. Runoff inside drainage pipes eventually discharge into the **waterways** such as creeks, esteros, or tributary rivers before finally discharging into **external water bodies** such as Manila Bay or main rivers like Pasig River.

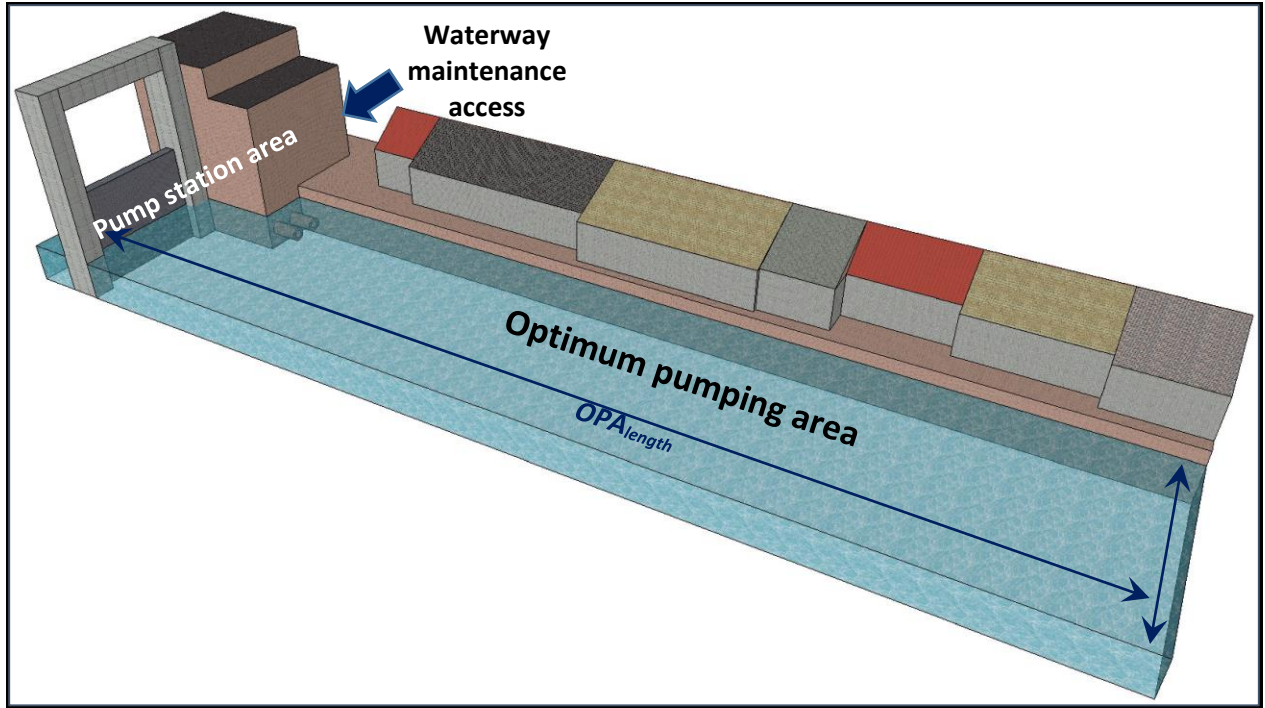
Without pumping, runoff discharge from catchments by gravity as dictated by slope of the terrain and the elevation of external water bodies. Flooding occurs when water cannot be discharged fast enough (i.e. higher runoff generation due to urbanization of the catchment; due to intense rainfall; elevated levels of the external water body; or a combination of these and other factors). Pump stations address flooding by discharging rainwater of **a served waterway** faster than what gravity would allow.

The directly flooded area can be further analyzed hydraulically to determine the critical segments of pipes and/or open waterways to ensure the optimum drainage of the area in cases of high rainfall such as typhoon.

This critical portion of the directly flooded area is delimited as the “project footprint.” The project footprint is further composed of sub-areas as below. For purposes determining the project’s area of influence, the OPA that runs along open channels will be the target area for environmental and social impact assessment. Other components will also survey drainage areas to determine whether additional areas should be included for the assessments. Dredging requirements, if any, will be assessed by the end of October 2015.

1. Pump station area
2. Waterway maintenance access points.
3. Optimum pumping area (OPA)





**FIGURE 1: PROJECT FOOTPRINT**

The **pump station area** is the boundary of the physical structures of the facility which should have sufficient space of the electro-mechanical equipment, floodgates, trash collection and management system, and other ancillary functions. Based on the survey of existing pumping stations, this area is already well established, fenced-off, and have no resettlement issues.

The **waterway maintenance access** includes access roads and staging areas for mobilizing equipment in or over the waterway. Access requirements will vary depending on the characteristics of the waterway including maintenance strategy. In some cases where the catchment is served entirely by a covered drainage system (ex. Balut PS), there is no open waterway to be maintained. Instead, maintenance can be jetting and vacuuming of drainage pipes which can be carried-out from street-side manholes. For open waterways different maintenance strategies will be assessed, with a main focus on floating maintenance equipment. As part of project preparation a specialist will come to Manila early November to advice on the most appropriate equipment.

The **optimum pumping area (OPA)** is defined as the area corresponding to the volume of water stored in the waterway such that the pump station can operate at maximum capacity unimpeded to lower water level from just below street level (revetment elevation) until the stopping elevation (dictated by pump suction elevation) within the **time of concentration ( $T_c$ )**.  $T_c$  is the time required for runoff to travel from the hydraulically farthest point of the catchment to reach the outlet (i.e. pump station). OPA is given by:

$$OPA = \frac{\alpha C \times \gamma T_c}{\beta D_{op}}$$

Where:

C = maximum pump capacity,  $\alpha$  = pump efficiency factor

$T_c$  = Time of concentration, where:

$$T_c = 0.0078 \left( \frac{L^{0.77}}{S^{0.385}} \right), \text{ Kirpich equation; or}$$

design  $T_c$ , if available

$\gamma$  = peak flow factor

L = length from farthest part of the basin

S = channel slope

$D_{op}$  = operating depth,  $\beta$  = factor of safety

For the purpose of planning, OPA is converted to the more tangible parameter, the corresponding length of OPA or  $OPA_{length}$ . This is derived by dividing OPA by the waterway's operating flood depth (i.e. elevation of street level minus suction stopping elevation).

The OPA (i.e. waterway along  $OPA_{length}$ ) must be cleared of obstructions like sediments, solid waste, or informal structures to ensure unobstructed flow to the pump station and avoid pump problems such as vortices, uneven approach flow, uneven velocity profile in the pump, pre-rotation, vibrations, cavitation and increased energy consumption—among others. Note that optimum maintenance is most critical in, but is not limited to, the OPA.

$OPA_{length}$  is computed for identified priority pump stations as shown below. Unless stated otherwise, data are provided by MMDA.

**TABLE 1:  $OPA_{length}$  CALCULATION**

Pump Station	Maximum Capacity (cms)	$T_c$ <sup>8</sup> (minutes)	$T_c$ (sec)	Optimum pumping volume (m <sup>3</sup> ) <sup>9</sup>	Depth operating <sup>10</sup> (m)	$W_{ave}$ (m)	$OPA_{length}$ (~m)
Paco	7.6	67	4,020	27,460	1.89	20	450
Vitas	32.0	45	2,700	77,760	2.16	43	500
Balut	2.0	45	2,700	4,860	2.34	NA	-- <sup>11</sup>
Tripa	58.0	101	6,060	178,898	5.40	50	420
Labasan	9.0	45	2,700	21,870	2.25	30	-- <sup>12</sup>

Mapping of  $OPA_{length}$ :

<sup>8</sup> Design  $T_c$  provided from design specifications by MMDA

<sup>9</sup> Adjusted for pump efficiency and total additional catchment storage

<sup>10</sup> Adjusted with factor of safety  $\beta = 0.9$

<sup>11</sup> No open waterways, entire catchment served by covered drainage system

<sup>12</sup> Existing storm attenuation basin is 6.4 ha. OPA do not extend further into upstream waterway



FIGURE 2: OPA LENGTH (~450M) FOR PACO P



FIGURE 3: OPA LENGTH (~500M) FOR VITAS PS





FIGURE 4: BALUT PS. ENTIRE CATCHMENT COVERED, NO OPEN CHANNELS



FIGURE 5: OPA FOR TRIPA DE GALINA PS



**FIGURE 6: LABASAN PS SHOWING THE 6.4 HA STORM ATTENUATION POND.  
UPSTREAM WATERWAY REMAINS WIDE AND BANKS UNDEVELOPED**

In line with the organizational and administrative structure of Metro Manila, Local Government Units (LGUs) will be the anchor of resettlement activities, coordinating closely with the PAPs and their communities, NGOs, key shelter agencies such as NHA and SHFC, under the oversight of MMDA/DPWH as relevant. Component 3 will use a participatory approach where PAPs and their communities are informed, consulted, and are able to make informed plans for their housing projects. To this end, CSOs that are active and experienced in implementing in-city resettlement will be vetted, given training and technical assistance and preapproved to assist. Viable programs have been and are being developed and successfully implemented for affordable low-income housing in Metro Manila. The World Bank has provided a significant amount of TA to support such community-driven social housing schemes since 2011, especially with respect to the critical issues of financing and affordability, land constraints, institutional strengthening and program improvement of SHFC and NHA, with DILG to incentivize LGUs to provide shelter solutions through provision of LGU seed grants, and with CSOs and communities to help strengthen their capacity.

## Annex B: Field Instruments for RAP and DDR

### Structure Number \_\_\_\_\_

<b>HOUSING CENSUS AND INVENTORY OF FIXED ASSETS</b>  <b>“METRO MANILA FLOOD MANAGEMENT PROJECT PHASE 1”</b>	<p>Good morning/afternoon. I am _____ part of a team working for DPWH which is gathering information needed for planning for a proposed flood management project. For this purpose, we need your assistance in providing information about you and your household. Your truthful responses and cooperation will allow the project to obtain valuable information that will guide the study team to formulate project strategies. Do you have any question? Can we start?</p> <p style="text-align: center;"><b>1 ASSURANCE OF CONFIDENTIALITY</b></p> <p>All responses to the questionnaires will be treated with high degree of confidentiality.</p>
<b>2 IDENTIFICATION AND OTHER INFORMATION</b>	
<b>3 SITIO</b> _____	
<b>4</b> <b>5 BARANGAY</b> _____	
<b>6 CITY</b> _____  <b>LENGTH OF STAY AT CURRENT RESIDENCE:</b> <b>LOCATION OF PREVIOUS RESIDENCE:</b>	
<b>7 CALL RECORD</b>	
<b>8 DATE</b>	<b>9</b>
<b>10 TIME STARTED</b>	<b>11</b>
<b>12 TIME FINISHED</b>	<b>13</b>
<b>14 REMARKS</b>	<b>15</b>
<b>16 RESPONDENT</b>	
<b>17 Name of Respondent</b> _____ If not the Household Head, relationship with Household Head _____	
<b>18 CERTIFICATION</b>	
<p>I hereby certify that all data entered hereto are true and correct to the best of my knowledge</p> <p style="text-align: center;">_____ Signature over Printed Name of Interviewee – Date</p>	
<p>I hereby certify that the data set forth were obtained/reviewed by me personally in accordance with the instructions given</p> <p style="text-align: center;">_____ Signature over Printed name of Field interviewer – Date</p> <p style="text-align: center;">_____ Signature of Reviewer/Supervisor - Date</p>	

## SECTION I. HOUSEHOLD CENSUS

### A. Demographic Information

Household members	Relationship to HH head A1	Civil Status A2	Age A3	Gender A4	Educational Attainment A5	Employment Status A6	Work Location A7	Religious Affiliation A8	Ethnicity A9	Health Status A10	Disability A11	Membership in Social Organization A12
1.												
2.												
3.												
4.												
5.												
6.												
7.												
8.												
9.												
10.												
11.												
12.												
13.												
14.												
15.												

Codes for A1	Codes for A2	Codes for A5	Codes for A6	Codes for A9
1-Head 2-Wife/Spouse 3-Son/Daughter 4-Son-in-Law/ Daughter in Law 5-Grandson/ Granddaughter 6-Father/ Mother 7-Other Relatives 8-Non- relative	1-Single 2-Married 3-Widowed 4-Divorced/ Separated 5-Common Law/Live-in 6-Others (specify) <b>Codes for A3</b> 00- less than 1 year 98 – unknown/cannot remember <b>Codes for A4</b> 1 Male 2 Female	1- Not of school age/No schooling 2- Elem Undergraduate 3- Elem Graduate 4- Hi-School Undergraduate 5- Hi School Graduate 6- College Undergrad 7- College Graduate 8- Post Graduate 9- Vocational /TVET 10- Others (Specify)	1-Working at least 40 hrs/wk 2-Working less than 40 hrs/wk 3-Unemployed 4- Too young/old to work <b>Codes for A7</b> 1-Within the Brgy. 2-Outside Brgy. but within City 3-Outside City but within Province 4- Outside Region, within Philippines 5- Overseas <b>Codes for A8</b> 1- Catholic 2-Christian (i.e. Protestant, Born Again Christians) 3-Iglesia Ni Cristo 4-Islam 5-Others (specify)	1-Tagalog 2-Bisaya 3-Kapangpangan 4-Ilocano 5-Ilonggo 6-Others <b>Codes for A10 (two-week recall, can be multiple)</b> 1-Skin Ailment 2-Stomach/Diarrhoea 3-Fever 4-Others <b>Codes for A11</b> Disability includes: Mobility impairment; Hearing impairment ;Visual impairment; Brain disability (disability in the brain due to brain injury Cognitive disability (impairment present in people who are suffering from difficulty in learning to read and accurate comprehension, this include speech disorder. 1-Disabled unable to work 2-Disabled but employable



B. Household Expenditure

	Unit of Measure (PhP) [place in appropriate column]			
Expenditure	Daily	Weekly	Monthly	Yearly
B1. Rent				
B2. Electricity				
B3. Water				
B4. Transportation				
B5. Food				
B6. Clothing				
B7. Medicine				
B8. Education (school daily allowance)				
B9. Other:				
B10. Totals				

### C. Occupation, Employment and Income Sources

Household Members (From Table A)	Primary Occupation C1	Income (Monthly) C2	Secondary Occupation C3	Income (Monthly) C4	Remittances and other sources (Monthly) C5	Income (Monthly) C6
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						
<b>Codes for C1 and C3</b>				<b>Codes for C5</b>		
1- unskilled/semi-skilled (laborer, helper, street sweepers, janitorial work, pedicab driver, messengers, mason) 2- Skilled worker (driver, carpenter, welders, beautician, electrician, mechanics, plumbers), 3- Government employee 4- Office worker/ Company employee 5- Vendor/street hawker 6- Shopkeeper/shop-owner 7- Unemployed 8- Others				1-Government subsidy/pension 2-Remittance from relatives 3-Business income 4-Income from gambling 5-Rental income		

**D. List of assets that your household owns**

D. How many of each of the following items does the family own?			
D1. Radio		D7. Tricycle	
D2. TV		D8. Washing Machine	
D3. Refrigerator		D9. Gas Stove/Range	
D4. Sala Set		D10. Telephone/Mobile	
D5. Dining Set		D11. Computer	
D6. Car/Jeep		D12. Others: _____	

**D13. Do you have any debt now? [1-Yes, 2-No] \_\_\_\_\_**

**D14. How much? \_\_\_\_\_**

**D15. Source? \_\_\_\_\_**

**E. Access to Services**

<b>Access to Services</b>	<b>Answers and/or Observations</b>
E1. Electricity Who supply your electricity	<input type="checkbox"/> (1) Gen set private <input type="checkbox"/> (5) Other source/s <input type="checkbox"/> (2) Gen set from developer <input type="checkbox"/> (6) None <input type="checkbox"/> (3) Power Utility/Grid <input type="checkbox"/> (4) Jumper from neighbor
E2. Health service/s Where do you go for your health services needs	<input type="checkbox"/> (1) Barangay/village health center with medical staff and supplies <input type="checkbox"/> (2) Barangay/village health center without medical staff and supplies <input type="checkbox"/> (3) Nearby Barangay/town health center/hospital <input type="checkbox"/> (4) Others _____ <input type="checkbox"/> (5) none within thirty minutes of travel
E3. Water	<input type="checkbox"/> (1) piped water (Manila Water/Maynilad) <input type="checkbox"/> (2) buying from resellers/private sources <input type="checkbox"/> (3) other sources _____
E4. Waste disposal / management	
E4a. Where do you dispose your solid waste	<input type="checkbox"/> (1) Provided by LGU <input type="checkbox"/> (3) Private collection service <input type="checkbox"/> (2) Provided by Barangay <input type="checkbox"/> (4) None
E4b. Do you have septic tank	<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No <input type="checkbox"/> (3) Don't know
E4c. Where do you dispose of your liquid wastes/ from laundry, kitchen and bathing)	<input type="checkbox"/> (1) Septic tank <input type="checkbox"/> (4) River <input type="checkbox"/> (2) Drainage canal <input type="checkbox"/> (5) Don't know <input type="checkbox"/> (3) Estero
E5. Basic Education What educational facilities do you have in your community? (multiple answers accepted)	<input type="checkbox"/> (1) Kinder/Elementary school in the barangay or nearby <input type="checkbox"/> (2) High school in the barangay or nearby <input type="checkbox"/> (3) Kinder/Elementary school inaccessible / very far (estimated kilometers) ____ <input type="checkbox"/> (4) High school inaccessible / very far ( estimated kilometers) ____
E6. Public Transportation	F6a. Availability [1-Yes, 2-No]
E6.1. To school/s	
E6.2 To market	
E6.3 To work / employment	
E6.4 To health center	
E6.5 To hospital	
E6.6 To bank	
E7. Do you have access to the following government programs?	[1-Yes, 2-No]
E7.1 Scholarship	
E7.2 4Ps/CCT	
E7.3 PhilHealth	
E7.4 Supplemental feeding	
E7.5 Subsidized rice	
E7.6 Housing program (specify)	
E7.7 Others (specify)	

F. INVENTORY OF FIXED ASSETS					
STRUCTURE					
____ (1) Owner      ____ (2) Renter  If you're not the Owner, name of Owner _____					
No	Type of Structure	Number of floors	Description of Construction Materials	Material	Total area of the structure, in m <sup>2</sup>
1.	Main House		<b>F1A.Roof</b> [1- Strong materials (galvanized iron, aluminum, tile, concrete, brick, stone, asbestos), 2- Light materials (cogon, nipa, anahaw), 3- Salvaged /makeshift materials, 4- Mixed but predominantly strong materials, 5- Mixed but predominantly light materials, 6- Mixed but predominantly salvaged materials]		
			<b>F1B.Walls</b> [1- Wood construction, 2- Hollow brick construction, 3- Makeshift/salvaged/improvised, 4- Half concrete/brick/stone and half wood]		
			<b>F1C.Floors</b> [1-wood, 2-cement with tiles, 3-cement with wood, 4-cement only 5-dearth-flooring]		
			<b>F1D.Columns</b> [1- Wood construction, 2- Hollow brick construction, 3- Makeshift/salvaged/improvised, 4- Half concrete/brick/stone and half wood]		
2.	Second Structure (if any)		<b>F2A.Roof</b> [1- Strong materials (galvanized iron, aluminum, tile, concrete, brick, stone, asbestos), 2- Light materials (cogon, nipa, anahaw), 3- Salvaged /makeshift materials, 4- Mixed but predominantly strong materials, 5- Mixed but predominantly light materials, 6- Mixed but predominantly salvaged materials]		
			<b>F2B.Walls</b> [1- Wood construction, 2- Hollow brick construction, 3- Makeshift/salvaged/improvised, 4- Half concrete/brick/stone and half wood]		
			<b>F2C.Floors</b> [1-wood, 2-cement with tiles, 3-cement with wood, 4-dearth-flooring]		
			<b>F2D.Columns</b> [1- Wood construction, 2- Hollow brick construction, 3- Makeshift/salvaged/improvised, 4- Half concrete/brick/stone and half wood]		

G. OTHER STRUCTURES		
No	TYPE OF STRUCTURES	UNIT
G1	Water Well	____ Yes ____ No
G2	Electric Connection (Metered)	____ Yes ____ No
G3	Water Connection (Metered)	____ Yes ____ No
G4	Pump Well	____ Yes ____ No
G5	Wood/Wire Fence	L ____ x H ____ = ____

G6	Concrete Fence	L ____ x H ____ = _____
G7	Others	

END OF INTERVIEW  
THANK YOU VERY MUCH!

ATTACH PICTURE OF AFFECTED ASSET WITH OWNER

Survey Instrument for Resettled Families from Paco PS

**Introduction:** (Interviewer) Good morning/afternoon. I'm \_\_\_\_\_. My colleague/s here is/are \_\_\_\_\_. At the request of DPWH, we're here to ask for your assistance in gathering information about your living situation in this resettlement site. This information will help MMDA in its own resettlement planning.

**Confidentiality:** All information you provide us will be kept in confidence. **Do you have any question? Can we start?**

**Screening Question:** Is your family among those resettled ISFs from the Estero de Paco near the Paco Pumping Station in Manila? (Show the map showing project footprint)

\_\_\_\_\_ Yes (If Yes, proceed with interview below) \_\_\_\_\_ No (If No, stop interview)

=====

=====

Internal Control		
Enumerator:		Date of Interview:
Start Time: __:__	End Time: __:__	Length of Interview: _____ Minutes
Respondent's Information		
Person Interviewed:		Date of Resettlement:
Age:		Current Location:
Family Head ID No: (government issued)		House / Plot No/Blk Number/Lot Number:

### A. Household Profile

Household members (A1)	Rel'nship to HH Head (A2)	Age (A3)	Sex (A4)	Health (A5)	Education (A6)	Previous Occupation		Current Occupation (A9)	Current work location (A10)
						Primary (A7)	Secondary (A8)		
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									

CODES FOR A2	CODES FOR A3	CODES FOR A6	CODES FOR A7, A8 and A9	CODES FOR A10
1- Household head 2- Spouse/ Partner 3- Son/ Daughter 4- Brother/ Sister 5- Son/ Daughter-in-Law 6- Grandson/ Granddaughter 7- Father/ Mother 8- Other relative 9- Boarder 10- Domestic Helper 11- Non-relative	00- less than 1 year 98 – unknown/cannot remember <b>(pls check codes for age)</b> <b>CODES FOR A4</b> 1-Male 2-Female <b>CODES FOR A5</b> Two-week recall (can be multiple) 1-Skin ailment 2- Stomach / diarrhoea 3- Fever	1- Not of school age/No schooling 2- Elem Undergraduate 3- Elem Graduate 4- Hi-School Undergraduate 5- Hi School Graduate 6- College Undergrad 7- College Graduate 8- Post Graduate 9- Vocational /TVET 10- Others (Specify)	9-unskilled/semi-skilled (laborer, helper, street sweepers, janitorial work, pedicab driver, messengers, mason) 10- Skilled worker (driver, carpenter, welders, beautician, electrician, mechanics, plumbers), 11- Government employee 12- Office worker/ Company employee 13- Vendor/street hawker 14- Shopkeeper/shop-owner 15- Unemployed 16- Others	1-Within the Brgy. 2-Outside Brgy. but within City 3-Outside City but within Province 4-Outside Province, within region 5-Outside Region, within Philippines 6-Overseas

**B. Retainers of Pre-Resettlement Employment**

<b>Household Members</b> (From Table A)	<b>Frequency of Travel to Work</b> <b>B1</b>	<b>Travel Time (one way)</b> <b>B2</b>	<b>Transport Cost(one way)</b> <b>B3</b>			<b>Cost of Lodging at Work Location</b> <b>B4</b>		
	[1-daily, 2-weekly, 3-2x/month, 4 – less than 2x/month]	[1-less than 30 mins, 2-30mins to one hour, 3-one to two hours, 4-more than two hours]	<b>Daily</b>	<b>Weekly</b>	<b>Bi-Monthly</b>	<b>Daily</b>	<b>Weekly</b>	<b>Monthly</b>
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								



### C. Current Occupation, Employment and Income Sources

Household Members (From Table A)	Primary Occupation <i>[must be same with A9]</i>	Income/Month C1	Secondary Occupation C2	Income/Month C3	Remittances and other sources C4	Income/Month C5
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

Note: Interviewers should convert income responses to monthly amounts.

Codes for C1 and C2	Codes for C4
1-unskilled/semi-skilled (laborer, helper, street sweepers, janitorial work, pedicab driver, messengers, mason) 2-Skilled worker (driver, carpenter, welders, beautician, electrician, mechanics, plumbers), 3-Government employee 4-Office worker/ Company employee 5-Vendor/street hawker 6-Shopkeeper/shop-owner 7-Unemployed 8- Others	1-Government subsidy/pension 2-Remittance from relatives 3-Business income 4- Rental income

### D. Household Expenditure Estimates

Expenditure	PhP	Unit of Measure			
		Daily	Weekly	Monthly	Yearly
D1. Rent					
D2. Electricity					
D3. Water					
D4. Transportation					
D5. Food					
D6. Clothing					
D7. Medicine					
D8. Education:					
D9. Other:					
D10. Totals / %					

### E. Previous and Current Housing and Resettlement Conditions

	Housing Conditions	Housing Conditions in
--	--------------------	-----------------------

	Prior to Resettlement	Resettlement Site
E1.What was/is the tenure status of the house and lot occupied by your family? [1- Owned Being amortized, 2- Rented, 3- Rented free with owner consent, 4- Living with relatives, 5- Provided by employer, 6- Residing without consent of owner (squatter)]	E1.a	E1.b
E2. Where was your house located? [1- On stilts over waterway (estero, river), 2-Along the river/estero easement zone, 3-Under bridges, 4- Along seashore, 5-Along railway/road right of way, 6-Steep sloping terrain]	E2.a	Not applicable
E3.What was/is the family's main source of drinking water? ___ (1) piped water (Manila Water/Maynilad) ___ (2) buying from resellers/private sources ___ (3) other sources	E3.a	E3.b
E4.What kind of toilet did/does the family use? 1- Flush toilet (own), 2- Flush toilet (shared), 3- Others (Pail System), 4- None/Direct to waterway	E4.a	E4.b
E5.What was/is the main type of dwelling? 1- Wood construction, 2- Hollow brick construction, 3- Bamboo/sawali/cogon/nipa, 4-Makeshift/salvaged/improvised, 5- Half concrete/brick/stone and half wood	E5.a	E5.b
E6.Roofing Material 1- Strong materials (galvanized iron, aluminum, tile, concrete, brick, stone, asbestos), 2- Light materials (cogon, nipa, anahaw), 3- Salvaged /makeshift materials, 4- Mixed but predominantly strong materials, 5- Mixed but predominantly light materials, 6- Mixed but predominantly salvaged materials	E6.a	E6.b
E7.Outer Material of the House 1- Strong materials (galvanized iron, aluminum, tile, concrete, brick, stone, asbestos), 2- Light materials (plywood, cogon, nipa, anahaw), 3- Salvaged/makeshift materials, 4- Mixed but predominantly strong materials, 5- Mixed but predominantly light materials, 6- Mixed but predominantly salvaged materials	E7.a	E7.b
E8.Floor Area of the House in square meters	E8.a	E8.b
E9.Number of bedrooms in the house	E9.a	E9.b
E10. Does the dwelling have a second floor or more? [1-Yes, 2-No]	E10.a	E10.b

## F. Access to Services in Previous site

**Note to Interviewer:** Probe on the items under “Access to Services” and indicate answers or observations in the opposite Answer column.

Access to Services	Answers and/or Observations
F1. Electricity Who supply your electricity	___ (1) Gen set private      ___ (5) Other source/s _____ ___ (2) Gen set from developer      ___ (6) None ___ (3) Power Utility/Grid ___ (4) Jumper from neighbor Other electricity / power supply issues: _____ _____
E2. Health service/s Where do you go for	___ (1) Barangay/village health center ___ (2) Nearby Barangay/town health center/hospital



G2. Health service/s Where do you go for your health services needs	<input type="checkbox"/> (1) Barangay/village health center <input type="checkbox"/> (2) Nearby Barangay/town health center/hospital <input type="checkbox"/> (3) Others _____ <input type="checkbox"/> (4) none within thirty minutes of travel		
G3. Waste disposal / management G3.1. Where do you dispose your solid waste	<input type="checkbox"/> (1) Provided by LGU <input type="checkbox"/> (3) Private collection service <input type="checkbox"/> (2) Provided by Barangay <input type="checkbox"/> (4) None		
G3.2. Do you have septic tank	<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No <input type="checkbox"/> (3) Don't know		
G3.3Where do you dispose of your liquid wastes( from laundry, kitchen and bathing)	<input type="checkbox"/> (1) Septic tank <input type="checkbox"/> (2) Drainage canal <input type="checkbox"/> (3) Don't know		
G3.4. Other waste management issues:	Please specify _____		
G4. Basic Education G4.1 What educational facilities do you have in your community? E4.2 Other education related issues:	<input type="checkbox"/> (1)Kinder/Elementary school in the barangay or nearby <input type="checkbox"/> (2)High school in the barangay or nearby <input type="checkbox"/> (3)Kinder/Elementary school inaccessible / very far (estimated kilometers) <input type="checkbox"/> (4) High school inaccessible / very far ( estimated kilometers)  Please specify _____		
G5. Public Transportation	F5a. Availability [1-Yes, 2-No]	F5b. Type [1-Tricycle, 2-Jeepney,3-Buses, 4- FX, 5-Others]	F5c. Cost Roundtrip (PhP)
G5.1 To school/s			
G5.2 To market			
G5.3 To work / employment			
G5.4 To health center			
G5.5 To hospital			
G6.Measures for public safety and security	G6a. Barangay tanod / community patrol <input type="checkbox"/> Yes <input type="checkbox"/> No / none G6b. Police outpost nearby /police presence <input type="checkbox"/> Yes <input type="checkbox"/> No / none G6c. Street lights <input type="checkbox"/> Yes <input type="checkbox"/> No / none		
G7. Estate Management Do you have an organization/office managing the resettlement site?	<input type="checkbox"/> 1-Yes <input type="checkbox"/> 2- No / None If yes: G7b. Managed by whom: <input type="checkbox"/> 1-LGU <input type="checkbox"/> 3-Developer <input type="checkbox"/> 2-Homeowners <input type="checkbox"/> 4-Other  G7c. Are the rules and sanctions posted publicly? <input type="checkbox"/> Yes <input type="checkbox"/> No G7d. Are the rules and sanctions being enforced? <input type="checkbox"/> Yes <input type="checkbox"/> No (Get copy of rules and regulations) G7e. Identify common estate management issues: _____		

## H. Resettlement process.

*Note to Interviewer: Probe on the questions below and indicate answers or observations in the space provided.*

How was the resettlement process done in Paco? To get the answer for this question, use questions below as guide.

1. What agency or agencies were involved in your relocation/resettlement? \_\_\_\_\_ [1- NHA, 2- SHFC, 3-PRRC, 4- DPWH, 5-LGU, 6-LIAC]

2. Did the agency consult you for your relocation? \_\_\_\_\_ [1-Yes, 2-No, 3-Cannot remember]

2a. How many times? \_\_\_\_\_

3. Did the government give you relocation or resettlement options, like in-city, near city or off city? \_\_\_\_\_ [1-Yes, 2-No, 3-Cannot remember]

3a. If yes, please explain details of these options.

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4. Was there a system for accepting complaints grievance redress? \_\_\_\_\_ [1-Yes, 2-No, 3-Cannot remember]

5. Were you paid for your damaged house/structures/fences and other assets? \_\_\_\_\_ [1-Yes, 2-No, 3-Cannot remember]

5a. If yes, how much? \_\_\_\_\_

6. Were you given transport support like trucks for your belongings and buses for yourself and family members? \_\_\_\_\_ [1-Yes, 2-No, 3-Cannot remember]

7. What other support or allowances were given to you? Please specify

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8. Were the assistance/entitlements of the option you chose given to you in a timely manner? ? \_\_\_\_\_ [1-Yes, 2-No, 3-Cannot remember]

9. When was the assistance/entitlement given to you? Please specify date or period. \_\_\_\_\_

10. How was it given? Please specify. \_\_\_\_\_

-End of Interview-

Thank you

## **Annex C. Elements of a Resettlement Plan per OP 4.12.**

1. This annex describes the elements of a resettlement plan, an abbreviated resettlement plan, a resettlement policy framework, and a resettlement process framework, as discussed in [OP 4.12, paras. 17-31](#).

### **Resettlement Plan**

2. The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) the proposed resettlement and its impacts on the displaced persons and other adversely affected groups, and (b) the legal issues involved in resettlement. The resettlement plan covers the elements below, as relevant. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.

3. *Description of the project.* General description of the project and identification of the project area.

4. *Potential impacts.* Identification of

(a) the project component or activities that give rise to resettlement;

(b) the zone of impact of such component or activities;

(c) the alternatives considered to avoid or minimize resettlement; and

(d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

5. *Objectives.* The main objectives of the resettlement program.

6. *Socioeconomic studies.* The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including

(a) the results of a census survey covering

(i) current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;

(ii) standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;

(iii) the magnitude of the expected loss--total or partial--of assets, and the extent of displacement, physical or economic;

(iv) information on vulnerable groups or persons as provided for in [OP 4.12, para. 8](#), for whom special provisions may have to be made; and

(v) provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.

(b) Other studies describing the following

(i) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;

(ii) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;

(iii) public infrastructure and social services that will be affected; and

(iv) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

*7. Legal framework.* The findings of an analysis of the legal framework, covering

(a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;

(b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;

(c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation;

(d) laws and regulations relating to the agencies responsible for implementing resettlement activities;

(e) gaps, if any, between local laws covering eminent domain and resettlement and the Bank's resettlement policy, and the mechanisms to bridge such gaps; and

(f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land--including claims that derive from customary law and traditional usage (see [OP 4.12, para.15 b](#)).

*8. Institutional Framework.* The findings of an analysis of the institutional framework covering

(a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation;

- (b) an assessment of the institutional capacity of such agencies and NGOs; and
- (c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

9. *Eligibility.* Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

10. *Valuation of and compensation for losses.* The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.

11. *Resettlement measures.* A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy (see [OP 4.12, para. 6](#)). In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them.

12. *Site selection, site preparation, and relocation.* Alternative relocation sites considered and explanation of those selected, covering

- (a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- (b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
- (c) procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- (d) legal arrangements for regularizing tenure and transferring titles to resettlers.

13. *Housing, infrastructure, and social services.* Plans to provide (or to finance resettlers' provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

14. *Environmental protection and management.* A description of the boundaries of the relocation area; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

15. *Community participation.* Involvement of resettlers and host communities

- (a) a description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of the resettlement activities;



(b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;

(c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individuals families or as parts of preexisting communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and

(d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

16. *Integration with host populations.* Measures to mitigate the impact of resettlement on any host communities, including

(a) consultations with host communities and local governments;

(b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers;

(c) arrangements for addressing any conflict that may arise between resettlers and host communities; and

(d) any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to make them at least comparable to services available to resettlers.

17. *Grievance procedures.* Affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

18. *Organizational responsibilities.* The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

19. *Implementation schedule.* An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

20. *Costs and budget.* Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

21. *Monitoring and evaluation.* Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

## **Annex D. Guidelines in Conducting Due Diligence Reporting (DDR)**

### **Introduction**

1. The project faces a substantial legacy issue. It is certain that in many sub-project areas people have been resettled in the past or are currently programmed to be resettled under an ongoing national resettlement program called Oplan Likas Program: Lipat para Iwas Kalamidad At Sakit / Operational Plan: Evacuation to Prevent Calamity and Sickness. The program aims to relocate some 104,219 households out of the danger areas especially from within the three-meter easements along the waterways. Government allocated PhP 50 billion (approximately US\$1.15 billion) over 5 years between 2011 and 2016 to finance land acquisition and housing construction costs. Oplan Likas advocated initially for in-city relocation within the vicinity of livelihoods, leaving off-city relocation as a last resort. However, land availability constraints, affordability issues, especially for the poorest, and institutional challenges among other factors, have contributed to some 67 per cent of the 36,049 ISFs being resettled (as of April 2015) at off-city sites under NHA where they have been provided with new plots and homes under a 35-year concessionary mortgage arrangement. However the off-city locations are generally located distant from economic hubs, which imposes significant transportation costs for those who must retain their employment in Metro Manila. Alternative income-generating schemes have yet to be put in place for income restoration at the off-city sites. Furthermore, provision of basic services is constrained, (it may take 2-3 years before they have full access to these services). Disruption of social networks is also among the problems.

### **Objective, Scope and Criteria for Assessments**

2. On the basis of retrospective due diligence, the project will identify significant issues and gaps in the resettlement outcomes for previously resettled ISFs for whom retroactive measures will be developed. The criteria for assessments of the post-resettlement conditions differ for two groups: First, the resettlement outcome for those who were resettled *after* 8 December 2014 and before the date of a given specific sub-project's identification, will be assessed with respect to the requirements of OP 4.12. Second, those who were resettled *before* 8 December 2014, are considered to be a legacy issue for MMFMP. A retrospective due diligence will be carried out for this legacy group which will identify and assess any significant gaps and propose remedial actions needed to bring their resettlement conditions into line with the overall objectives of OP 4.12. More specifically, that their outcomes did not lead to impoverishment or a significant decline in living conditions.

3. The due diligence process necessitates the use of tracer studies for both groups. The first group requires tracking of specific ISFs from original locations within the sub-project's technical footprint using records and data provided by NHA and LGUs as applicable. Questionnaires will

be applied along with structured interviews with key informants and group discussions. Findings will be gender-differentiated and provided in reports for each sub-project and measures will be taken to bring their resettlement in line with the requirements of the RPF and OP 4.12.

4. For the first group, a due diligence review will be undertaken to assess whether and to what extent the resettlement was undertaken in a manner consistent with the requirements of OP 4.12 and in compliance with national legislation. If gaps are identified in the due diligence review, detailed remedial measures need to be developed and subsequently implemented by the proposed Project. These measures may take the form of a RAP or may be embedded within the DDR with the same type of clear actionable measures and arrangements for monitoring and evaluation

5. The following are the key methodologies and the general information and data requirements for the preparation of the due diligence:

#### *Census and Socio-Economic Survey of all PAPs*

- Names, current and previous locations of identified families.
- Number and percentage of ISFs found at the resettlement site(s).
- Dates of resettlement.
- Availability of basic services for: health, education, electricity, water and sanitation, waste management, administrative services, etc.
- Basic health data at the resettlement site, using the same 2-week recall.
- Reason for remaining or leaving the resettlement community.
- Changes in employment / levels of income and expenditures after resettlement compared with the situation prior to resettlement.
- Changes in the household economy and current economic survival strategy
- Household financial capacity to sustain ownership or rental of resettlement housing.
- For PAPs with fixed assets prior to resettlement, identification of assets lost and any compensation measures provided (particularly relevant for legal land owners that may have been affected by land acquisition or resettlement prior to December 2014.
- For ISF households who have left the resettlement site consult with neighbors / people in the vicinity to discover: (a) reason(s) for leaving the resettlement community; (b) destinations of ISF households which have left the resettlement community; and (c) ascertain if allocated houses are not inhabited or have been rented or purchased by others. Where ISF-allocated houses have been rented or purchased, identify the origin, social characteristics, and arrangements enabling their occupation of the house.

#### *Sample Interviews and Focus Group Discussions*

- Significant issues related to estate management and the physical sustainability of the resettlement community.
- Key social organizational factors, including: community-based NGOs, organizations or associations of mutual interest which may play a role in community development.
- Issues related to security and conflict.

- Key issues affecting income and well-being in the resettlement community.
  - *(The due diligence will engage in gender-differentiated focus group discussions to identify compensation and benefits received under previous resettlement, as well as key issues confronted by resettled ISFs ranked by significance, and take note of their proposals for measures to address these issues.)*
6. Using existing GoP (Oplan Likas, PCUP, LGU, etc.) data, the due diligence will identify significant changes between the previous and current situations of resettled ISFs. The results of the assessment of the resettlement carried out in the project site will become the basis for the identification of remedial measures for any identified gaps in order to adhere to the requirements of OP 4.12.
7. The DDR for the second group should have the following contents at the minimum:
- Executive Summary
  - Project Description and Background
  - Objectives and Methodology of the DDR
  - Description of the legal framework
  - Socio-economic survey with overview of all PAPs
  - Description of resettlement and land acquisition measures provided
  - Findings of due diligence review to assess compliance with national legislation and consistency with OP 4.12 objectives
  - Remedial measures to meet national legislation and objectives of OP 4.12
  - Institutional arrangements for implementation of remedial measures, including implementation schedule, budget, consultations and participatory implementation, monitoring and evaluation, and grievance redress mechanism
  - Maps, photos, meeting minutes and other documentary evidence to support findings and remedial measures
8. Due diligence on resettlement outcomes for those resettled previous to 8 December 2014 will be also be informed by documentation provided by NHA and LGUs which identifies the names and locations of ISFs in this group who were resettled from MMFMP sub-project footprints. In this case, a more qualitative approach will be applied, chiefly through the use of structured interviews with key informants and focus groups. As above gender-differentiated findings will be given in a due diligence report. Key gaps will be identified and measures will be proposed in consultation with relevant government officials to remediate any significant gaps in resettlement outcomes.
9. For the second group, the DDR should have the following contents at the minimum:
- Project Description and Background
  - Objectives and Methodology of the DDR
  - Findings based on the objectives of the DDR
  - Remedial measures to meet the requirements of national legislation and the *objectives* of OP 4.12
  - Conclusion

- Annexes with documentation supporting the findings

10. If the due diligence finds that there was any land acquisition or resettlement at the project sites, a full due diligence is required to:

- determining the timing of land acquisition or resettlement;
- identifying the resettlement and compensation measures received;
- identifying gaps in meeting the requirements of national legislation and the objectives of OP 4.12
- developing remedial measures to meet the requirements of national legislation and the objectives of OP 4.12.