



Consultancy Services for the
Due Diligence and Options Analysis
for the proposed Mindanao Transport Connectivity Improvement Project

Resettlement Policy Framework (RPF)

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Acronyms Used

CERC	Contingency Emergency Response Component
DDOA	Due Diligence and Options Analysis
DMS	Detailed Measurement Survey
DPWH	Department of Public Works and Highways
EMA	External Monitoring Agent
ESMF	Environmental & Social Management Framework
ESF	Environment and Social Framework
ESS	Environment and Social Standards
FGD	Focused Group Discussion
GFI	Government Financial Institution
GRM	Grievance Redress Mechanism
IMA	Internal Monitoring Agent
IPA	Independent Property Appraiser
ISF	Informal Settler Family
LGU	Local Government Unit
LR	Link Road
LTPBM	Long-Term Performance-Based Maintenance
MC	Main Corridor
MTCIP	Mindanao Transport Connectivity Improvement Project
OPRC	Output Performance-based Road Contract
PAPs	Project-Affected Persons
PCCP	Portland Cement Concrete Pavement
PCM	Public Consultation Meeting
RAP	Resettlement Action Plan
RCS	Replacement Cost Survey
ROW	Right-of-Way
ROWA	Right-of-Way Acquisition
RPF	Resettlement Policy Framework
SES	Socio-Economic Survey
UDHA	Urban Development and Housing Act
WB	World Bank

Glossary of Terms

BIR Zonal Value - An approved zonal schedule of fair market values on real property set by the Bureau of Internal Revenue (BIR) as basis for computation of internal revenue taxes. This is usually lower than the market price and the replacement cost.

Disadvantaged or vulnerable persons - Refers to those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so. For this project, vulnerable groups/persons refer to indigenous people, persons with disability, informal settlers, older persons, women and children, solo parents, female-headed households and poor families living below poverty threshold level.

Forced eviction - The permanent or temporary removal against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection, including all applicable procedures and principles in ESS 5.

Government Financial Institution (GFI) - Refers to a national government owned or controlled corporation that the Implementing Office may engage to provide property appraisal services, including estimates of the market values of the property, affected by the ROW for a project.

Independent Property Appraiser (IPA) - Refers to an individual or firm that may be engaged by the Implementing Agency to provide property appraisal services, including estimates of the market values of the property, affected by the ROW for a project.

Informal settler - Refers to an individual or family that has no legally recognized right to the land which it and its structure occupies.

Involuntary resettlement – Project-related land acquisition or restrictions on land use may cause **physical displacement** (relocation, loss of residential land or loss of shelter), **economic displacement** (loss of land, assets or access to assets, including those that lead to loss of income sources or other means of livelihood), or both. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.

Land acquisition - Refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property, and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible. "Land" includes anything growing on or permanently affixed to land, such as crops, buildings and other improvements, and appurtenant water bodies.

Livelihood - refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.

Parcellary survey - Refers to the activities undertaken as part of the Detailed Engineering Design of a project to define the proposed ROW alignment and limits, the affected lots showing the name of the owners/claimants, lot numbers, and areas, and technical descriptions, and all improvements within the ROW limits.

Project-Affected Persons – Persons affected by the project, covering persons: (a) Who have formal legal rights to land or assets; (b) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law;¹⁴ or (c) Who have no recognizable legal right or claim to the land or assets they occupy or use.

Replacement cost - A method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons.

Restrictions on land use - Refers to limitations or prohibitions on the use of agricultural, residential, commercial, or other land that is directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on land use within utility easements, or safety zones.

Right-of-Way (ROW) - A part or the entirety of a property, site or location, with defined physical boundaries, used or required by a government infrastructure project.

Security of tenure - Resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate.

Stakeholder – Refers to individuals or groups who: (a) are affected or likely to be affected by the project (project-affected parties); and (b) may have an interest in the project (other interested parties)

Subproject – In the context of MTCIP, subproject refers to the segmentation of the road alignment based on criteria defined by DPWH to aid in efficient project implementation including procurement and construction

1. Project Description

1.1 Project Background

This Resettlement Policy Framework (RPF) is prepared as part of the set of environment and social instruments of the Mindanao Transport Connectivity Improvement Project (MTCIP) which aim to protect the environment and people where the Project operates. This RPF seeks to identify project-affected people, and avoid, minimize, and mitigate resettlement impacts of the Project. It also aims to provide guidance on other forms of land acquisition aside from involuntary land taking including donations, usufruct, etc.

The Mindanao Transport Connectivity Improvement Project (MTCIP) is a comprehensive initiative aimed at enhancing road infrastructure in the Main Corridor, a vital national highway network linking the cities of Cagayan De Oro, Davao, and General Santos. This project, with a total project cost of \$661.17 million jointly financed by the World Bank and the Government of the Philippines will be implemented over a span of seven years. The Department of Public Works and Highways (DPWH) is the implementing agency for this project. MTCIP seeks to bolster transportation connectivity, particularly benefiting the agricultural sector by facilitating product movement and enhancing access to rural areas.

Growth and poverty reduction in Mindanao will require making agriculture more productive, particularly smallholder farmers. Furthermore, because Mindanao is the food basket of the country, enhancing food production and reducing food and input prices in this region will support the overall improvement welfare and the country's competitiveness. The potential impact of agriculture development in Mindanao is widely recognized as one-third of Mindanao's land area is devoted to agriculture, contributing about 23 percent of the region's economy and employing about four million people. Unfortunately, even though Mindanao's comparative advantage is agriculture, many of its farmers and fisherfolks still live in or are vulnerable to poverty. Connecting rural, remote areas to urban areas where there is demand for agricultural produce is one of the key interventions to support growth in the agricultural sector particularly the smallholder farmers. Better rural roads would reduce transportation costs and product losses for poor farmers and could make a major contribution to reducing poverty. Many roads are either non-existent, deteriorated or congested; as a result the quality of agricultural produce at the point of sale is reduced and are often rejected, especially perishable commodities. Aside from the lack of farm-to-market roads (FMRs), there is a need to relieve congestion on roads accessing ports to improve connectivity beyond Mindanao.

The region's underdevelopment is largely due to civil conflict and low economic growth. The country's main peacebuilding challenges involve a limited geographic area in Western Mindanao that has spillover effects on the broader Mindanao region and the Philippines overall. While the core conflict in Mindanao has been between Muslim armed groups and the government, this is not primarily religious. The broad drivers of endemic violence in the region include: (i) social injustice, alienation, and exclusion of Muslims and indigenous people (IPs); (ii) displacement of Indigenous Peoples from their ancestral domains (ADs); (iii) inter-ethnic conflicts; (iv) rido (clan war and revenge killing); (v) land tenure and ownership disputes; (vi) competition for scarce natural and mineral resources; (vii) local election disputes; (viii) ineffective governance and the lack of rule of law and service delivery; and (ix) widespread

poverty and scarcity of job opportunities.¹ Protracted land disputes and conflict in particular have deterred investments in agriculture thereby slowing job creation, growth, and poverty reduction. Aside from addressing the causes of conflict, providing jobs and access to economic opportunities are central to stabilization and normalization in conflict areas as they present alternatives to violence.² Addressing transport connectivity bottlenecks is crucial in the strategy to promote jobs and access to economic opportunities in the Mindanao region.

The MTCIP is fully aligned with the Philippine Development Plan 2023-2028 as it supports the agricultural sector and contributes to the goal of expanding and upgrading infrastructure through the improvement of transport connectivity. The MTCIP aims to embed climate resilience in road design and asset management, and strengthen road safety measures along one of the important transport corridors in Mindanao.

Land acquisition is necessary for the road upgrading and improvement components of the project. The expected land acquisition for MTCIP and the possible involuntary resettlement of project-affected persons renders the World Bank's Environmental and Social Framework (ESF) applicable, particularly **Environment and Social Standard (ESS) 5: Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement**.

The MTCIP Resettlement Policy Framework is prepared in accordance with WB ESS5 and applicable regulations of the Philippine government on land acquisition and the resettlement of persons affected by a government infrastructure project.

1.2 Project Objectives

The Project supports the agriculture sector of Mindanao by providing and enabling a more efficient movement of agriculture products from hinterlands to markets, and to make the mountainous and isolated rural areas more accessible so that these can be reached with ease, convenience, and safety.

MTCIP aims to implement better-quality maintenance practices through the Long Term Performance-Based Maintenance (LTPBM) Concept in improving and preserving the overall condition and value of road assets during the contract period, resulting in a more economical approach to routine and periodic maintenance in succeeding years.

1.3 Project Components

Component 1: Improvements of selected local roads ("Link Roads") (Total: \$187 million; of which IBRD loan \$114 million, GOP \$73 million). This component will support upgrade (e.g., road widening and paving) of three local roads with a total length of 130 km to national road standards with climate resilience and road safety measures, connecting to the main corridor and thereby improving all-season road access for remote communities and farmers. The roads were jointly selected by DPWH, Mindanao Development Authority (MinDA) and Local Government Units (LGUs) based on multiple criteria: poverty index, proximity to agricultural productions points and markets, and service facilities, e.g., schools, health facilities and government facilities. This component will also finance the detailed engineering design and construction supervision consultant services of the civil works. The government counterpart

¹ Sources: World Bank Group. 2019. Systematic Country Diagnostic of the Philippines: Realizing the Filipino Dream for 2040. World Bank, Washington, DC., and the Mindanao Peace Lens Handbook, and the Mindanao Inclusive Agriculture Development Project PAD.

² World Bank. 2017. Mindanao Jobs Report.

will be responsible for land acquisition and resettlement. All local roads upgraded under MTCIP will be converted to national roads and DPWH will be responsible for operation and maintenance.

Component 2: Capacity, climate resilience and road safety enhancement of the CDO-Davao-GenSan Corridor (“Main Corridor”) (Total: \$424 million; of which IBRD loan \$309 million, GOP \$115 million). The Main Corridor has a total length of 421.12 km with four parts: the Sayre Highway, the Bukidnon-Davao, the Digos-Makar and the Davao-Cotabato Rd (Davao City-Jct Digos Sect). The project scope includes rehabilitation of selected (124 km) road sections categorized as ‘bad or poor’ according to DPWH’s Road and Bridges Asset Inventory Application, which will include repair of damaged sections, upgrading to uniform cross section of carriageway, climate resilience and road safety enhancements. Following the improvement works, a new Road Asset Management (Asset Preservation and Preventive Maintenance) regime will be introduced for the whole stretch of the Main Corridor, such as Output & Performance-Based Road Contract (OPRC) to ensure a year-round satisfactory level of service.

Component 3: Capacity building and Institutional Development (Total: \$22 million; of which IBRD loan \$18 million, GOP \$4 million). The implementation of post-Mandanas ruling will provide LGUs with more resources for infrastructure development and maintenance. Given the weak capacity of LGUs in terms of transport network planning and asset management, this component will support capacity enhancement of DPWH and select LGUs. Specific activities under this component will include: (a) set up transport asset management systems in selected LGUs building on what has been achieved under the World Bank-funded Philippine Rural Development Project (PRDP) and Department of Interior and Local Government (DILG) initiatives under its provincial roads program, and through cross-learning between LGUs and relevant government agencies, (b) study on institutional strengthening initiatives to enhance coordination and planning arrangements between DPWH and LGUs to improve transport connectivity, (c) implementation of the recommended actions by the on-going WB Technical Assistance (TA) to mainstream climate resilience in road asset management process of DPWH, which will include Mapping/digitalization of primary, secondary and tertiary road network in Regions X, XI and XII (d) training key stakeholders on the OPRC concept including on their respective role in the enforcement or supervision of the contract, (e) training local communities including female residents of road maintenance practice, and (f) technical, pre-feasibility or feasibility studies (to be identified) for priority interventions to improve local road connectivity and access to major ports in Cagayan de Oro, Davao, and General Santos, and options of involving the private sector in ports improvement.

Component 4: Project Management (Total: \$29 million; of which IBRD loan \$14 million, GOP \$15 million). DPWH will be leading the project implementation. This component will support DPWH’s Unified Project Management Office (UPMO)- Road Management Cluster- II (RMC-II), the Project Implementing Unit (PIU) in project implementation. It will finance trainings and technical advisors on key project implementation issues including OPRC contract design and management, road safety interventions, climate resilience improvement. The Detailed Engineering Design Consultants for project roads will be financed, and in addition, the component will provide support to the PIU for WB technical, fiduciary and safeguards compliance through Technical Support Consultants and Specialists, Road User Satisfaction Survey Consultants, Road Safety Audit Consultants, Results Monitoring Consultants and

External Monitoring Agent (EMA); other operational support including office equipment, vehicles to facilitate the PIU to manage project implementation will be included.

Component 5: Contingent Emergency Response Component (CERC) to support post-disaster recovery. (Total: \$0). The CERC is designed to mitigate situations of urgent need or capacity constraints and allows for the rapid reallocation of funding in the event of a natural disaster or crisis that has caused, or is likely to imminently cause, a major adverse economic and/or social impact. A CERC Annex in the Project Operations Manual (POM) will consider risks from climate change mitigation and adaptation to demonstrate alignment.

1.4 Project Implementation Arrangements

The Department of Public Works and Highways (DPWH) is the main implementing agency for this project. The DPWH is the executive department of the Philippine government solely vested with the mandate to “be the State's engineering and construction arm.” DPWH’s Unified Project Management Office (UPMO) Roads Management Cluster-II (RMC-II) will be the Project Implementation Unit (PIU). The RMC-II, under UPMO, will be responsible for daily management of project. The fiduciary function will be carried out by respective procurement and financial management related units in DPWH, while the RMC-II will be responsible for contracts management including preparing all the needed procurement documents. RMC II shall also provide support in terms of initial processing/review of billings from contractors and preparation and submission of Statement of Expenditures and Withdrawal Applications to the World Bank.

The DPWH Regional Offices (RO) or District Engineering Offices (DEO) shall serve as the Implementing Office (IO) for the project components. The Mindanao Development Authority (MinDA), as the lead agency for Mindanao’s development, is the key government office that the DPWH will be coordinating in the approval of the proposed MTCIP. The LGUs in the project area will be supporting the RMC-II during project implementation.

1.5. Project Location

The proposed MTCIP will improve the Main Corridor, connecting key areas across Mindanao, including six cities and thirteen municipalities in eight provinces: Misamis Oriental, Bukidnon, Davao del Sur, Davao Occidental, Davao del Norte, Cotabato, Sarangani, and South Cotabato. These regions fall under the jurisdiction of Northern Mindanao (Region X), Davao Region (Region XI), and SOCCSKSARGEN (Region XII).

Starting from Cagayan de Oro in the north and ending in General Santos City in the south, the Main Corridor passes through various municipalities and cities, including Manolo Fortich, Sumilao, Impasug-ong, Malaybalay City, Valencia City, Maramag, Quezon, and Kitaotao in Bukidnon. It then moves through Arakan in North Cotabato before entering Davao City, and continues through Sta. Cruz, Digos City, Hagonoy, Padada, Sulop, and Malalag in Davao del Sur, finally reaching Malungon and General Santos City in South Cotabato Province.

Additionally, the three Link Roads branch off from the Main Corridor, located in the northern, central, and southern regions. Link Road 1 is entirely within Impasug-ong, Bukidnon in Region X. Link Road 2 starts at Panabo City, Davao del Norte, and extends into Davao City in Region XI and terminates at the intersection with the MC of Bantol Road. Link Road 3 in the south connects Malungon, Sarangani of Region XII to Sta. Maria, Davao Occidental of Region XI. The entire MTCIP route, including the Main Corridor and three Link Roads, passes through a total of 189 barangays as seen in F. The Main Corridor is accessible to private and passenger

cars, motorcycle, tricycle, buses, goods utility vehicles, agricultural and construction vehicles, and specialized vehicles like rigid trucks and truck trailer. The Link Roads is accessed mainly via passenger cars, motorcycle, tricycle, jeepneys, agricultural vehicles, rigid and trailer trucks, and goods utility vehicles.

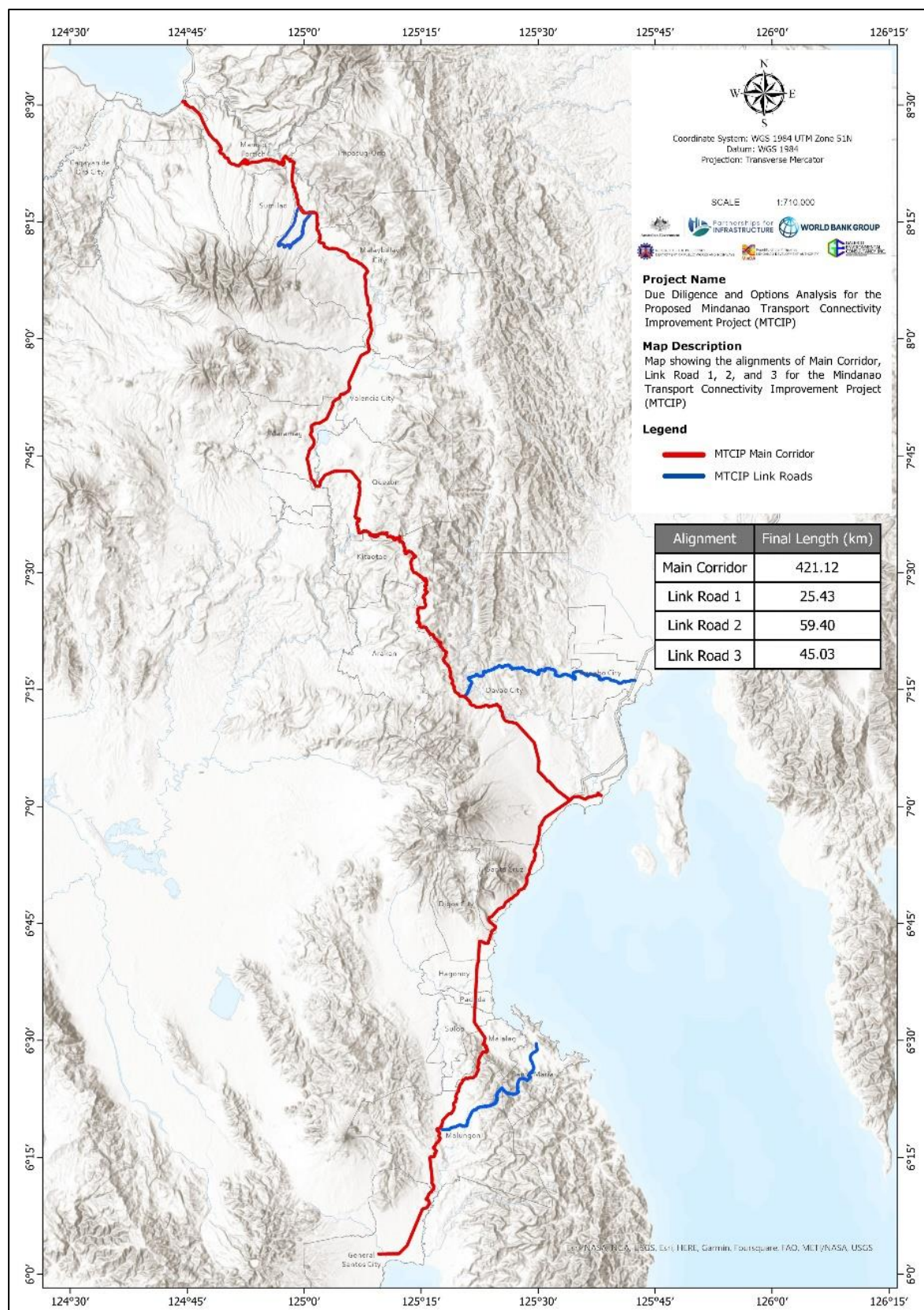


Figure 1. Location Map of the MTCIP

Source: GECI Options Analysis Report March 2024

2. Objectives of the Resettlement Policy Framework

During project preparation, an environmental and social impact assessment (ESIA) of the entire MTCIP corridor was conducted which provided relatively detailed information on environmental impacts. However, the short duration of project preparation was insufficient for all the activities of resettlement planning including surveys of all PAPs, census-tagging of affected properties etc. As such, this RPF has been prepared to ensure that all such activities are carried out during project implementation through the preparation of subproject Resettlement Action Plans (RAPs). The RPF provides guidance to DPWH UPMO and other partner institutions to identify project-affected persons, avoid or minimize the adverse impacts of involuntary resettlement that may result from the implementation of the MTCIP, and mitigate such impacts using ESS 5 and relevant Philippine legislation. The RPF presents guidelines for other forms of land acquisition aside from involuntary taking including donation, usufruct, etc. It also provides for the avoidance of forced eviction.

2.1 Development Context

The preparation of the RPF considers the context of the MTCIP regions in Mindanao where project activities pose risks of physical and economic displacement, especially involuntary resettlement of vulnerable groups such as Indigenous Peoples. For the affected vulnerable populations in the MTCIP project regions of Northern Mindanao, Southern Mindanao and SOCCSKSARGEN, ancestral domains and resources are linked to their cultural identity, history and way of life.

Without proper consultation among the communities, restrictions posed by the project on the use of land and its resources can cause resentment and perception of political exclusion, social discrimination, and economic marginalization. Given the history of conflict in these Mindanao regions, involuntary resettlement and restrictions on land use can be a powder keg of further tensions and conflict.

The RPF is a policy framework intended to mitigate the adverse impacts of the project among disadvantaged populations in a context where there are existing grievances and conflicts over land and resources. This RPF seeks to ensure that land acquisition and involuntary resettlement will not exacerbate the existing conflict in the Project areas. It will also try to look for opportunities to contribute to peace building in the project regions through stakeholder engagement, particularly following a participatory, transparent, consultative resettlement process.

2.2 Objective of the RPF

The general objective of the RPF is to ensure that all involuntary losses (whether lands, structures, crops or other properties) of project-affected persons (PAPs) are properly accounted and paid at replacement cost and all those who are physically or economically displaced, whether permanent or temporary, are resettled and/or provided with assistance to improve, or at least maintain, their pre-project living standards and income earning capacity. The RPF provides the policy framework for MTCIP to fully comply with World Bank ESS 5, which strictly prohibits forced eviction and requires that any resettlement activities are properly planned and implemented with appropriate disclosure of information, meaningful consultation, and informed participation of those affected.

2.3 RPF as the Policy Framework for the Resettlement Action Plan

To strike a balance between administrative efficiency and the benefits of smaller contracts, such as local participation and competition, the MTCIP is divided into 13 contract packages (See **Annex 1**): five (5) packages for Link Roads 1, 2, and 3 and seven (8) packages for the Main Corridor. These contract packages, while still under consideration and may change during project implementation, nonetheless define the scope of and inform the preparation of subproject plans, such as the RAP, Stakeholder Engagement Plan, and the Indigenous Peoples Plan. Environment and social safeguards will be implemented in each subproject.

The Resettlement Policy Framework is the basis of the Resettlement Action Plan (RAP), which will be prepared for each of the 13 sub-projects of the MTCIP. The configuration of the subprojects may change during project implementation but the formulation of each sub-project RAP will entail a Census and Tagging of affected persons, Socio-Economic Survey, Inventory of Losses, Land Appraisal, Estimation of Replacement Cost of Structures and Improvements, and Estimation of the Value of Crops and Trees.

The subproject RAP details the right-of-way acquisition process described in the Pre-Feasibility Study or Feasibility Study of the project. The plan contains the description and extent of the lands, structures, improvements, crops, and trees to be acquired for the ROW, the estimated costs and compensation due to the property owners and Project-Affected Persons (PAPs), the budget for all ROW costs including provision for inflation and contingencies, and the schedule of implementation and annual funding requirements.³

Overall, the RPF provides guidance in the formulation of the RAP such that the plan complies with the policies, processes, and procedures for mitigating the impacts of involuntary resettlement brought about by the MTCIP.

³ Section 2.1.2 DPWH Right-of-Way Acquisition Manual. DO 152 S 2017. IRR of RA 10752

3. Philippine Land Acquisition and Resettlement Regulations, comparison with WB Policy, and Gap Analysis

Land acquisition for MTCIP shall be in accordance with applicable Philippine laws and local ordinances, department and administrative orders of DPWH as the Implementing Agency, and the World Bank ESS5 principles.

3.1 Philippine laws on land acquisition and resettlement

1987 Constitution of the Republic of the Philippines

- Basic legal foundation for land acquisition; protects the right of affected persons to just and humane resettlement.
- Private property shall not be taken for public use without just compensation.
- Urban or rural poor dwellers shall not be evicted nor their dwellings demolished, except in accordance with the law and in a just and humane manner. No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated.

Republic Act 7279 s. 1992- Urban Development and Housing Act of 1992

- To the extent feasible, socialized housing and resettlement projects shall be located in new areas where employment opportunities are available. Priority shall be given to areas where basic services and facilities are existing.
- LGUs to provide housing program beneficiaries an opportunity to be heard and to participate in the decision-making process over matters involving the promotion of their legitimate collective interest, which shall include appropriate documentation and feedback mechanisms.
- Evictions or demolitions are discouraged, but may be allowed when government infrastructure projects with available funding are about to be implemented.

RA 10752 s. 2015 - An Act to Facilitate the Acquisition of Right-Of-Way (ROW), Site or Location for National Government Infrastructure Projects

- Expansion in scope of national government projects
- Government may acquire real property needed for right-of-way, site or relocation for any national government infrastructure project. The modes of acquisition may be through donation, negotiated sale, expropriation or any other mode of acquisition as provided by law.
- Compensation based on replacement cost for land, structures and improvements
- Changes in the guidelines for expropriation proceedings.

Republic Act 7160 s. 1991- Local Government Code

- A city or municipality may authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition.
- No project or program shall be implemented by government authorities unless the consultations are complied with, and prior approval of the Sanggunian concerned is obtained. Occupants in affected areas shall not be evicted unless appropriate relocation sites have been provided.

Commonwealth Act 141 (Public Land Act)

- Prescribes a twenty (20) meter strip of land reserved by the government for public use, with damages being paid for improvements only. Presidential Decree 635 increased the width of the reserved strip from twenty (20) meters to sixty (60) meters.
- If the government decides to exercise its right to use the ROW strip reserved for public use within the land acquired under CA No. 141, the owner is required to execute a quit claim. Only improvements will be compensated.

Republic Act 6685 (December 1988)

- National and local public works projects funded by either the national government or local government as well as foreign-assisted projects must hire at least 50% of the unskilled and 30% of the skilled labor requirements from bona fide and actual residents in the province, city and municipality. Residents who are ready, willing and able are eligible applicants for the projects, as determined by the governor, city or municipal mayor concerned.

DPWH Right-of-Way Acquisition Manual, December 2017

- Provides guidelines on (a) Project Feasibility Study with Environmental Impact Assessment and preparation of Preliminary ROW Action Plan (RAP) with property appraisal, (b) inclusion of the Project in the Medium-Term Infrastructure Program, (d) provision of appropriations in the General Appropriations Act, (e) Fund Release, (g) Detailed Engineering Design, including Parcellary Surveys and preparation of Final RAP, (h) RAP Validation, (i) Actual ROW Acquisition through Donation, Negotiation, Expropriation, and Other Modes, (j) Payments, (k) Transfer of Title to the Republic, (l) Clearance of ROW, and (m) Management of ROW.

3.2 WB ESS5: Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement

Involuntary resettlement is avoided or minimized by exploring project design alternatives. Forced eviction should be avoided. The unavoidable adverse impacts from land acquisition or restrictions on land use must be mitigated through timely compensation for loss of assets at replacement cost and assisting displaced persons in their efforts to improve, or at least restore, livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

ESS5 aims to improve living conditions of poor or vulnerable persons who are physically displaced, through the provision of adequate housing, access to services and facilities, and security of tenure. It ensures that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and informed participation.⁴

⁴ Source: <https://thedocs.worldbank.org/en/doc/796881511809516397-0290022017/original/EnvironmentalSocialStandardESS5FactSheetWBESF.pdf>

3.3 Comparison and Gap Analysis of Philippine Government Regulations and World Bank Policies on Land Acquisition and Resettlement

A comparison is made between Philippine regulations and World Bank policies on land acquisition, resettlement, and entitlements. Measures are subsequently proposed to fill any policy gaps. The issues refer in particular to the definition of project-affected persons, compensation for loss of income or source of livelihood, treatment of informal settlers, taxes and transaction costs involved in the transfer of real property, valuation of affected land, and treatment of residential and business renters.

The comparison is summarized in **Table 1**.

Table 1. Comparison and gap analysis of Philippine regulations and WB policies on land acquisition, resettlement, and entitlements, and measures to bridge policy gaps

KEY ISSUES	PHILIPPINE POLICY	WORLD BANK POLICY	MEASURES TO FILL GAPS
Persons considered Project-Affected Persons (PAPs)	PAPs consist of all members of a household who will be adversely affected by the project because their real property will be acquired for government infrastructure projects	Persons 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.	All persons occupying land or structure and those that conduct livelihood activities at cut-off date within the ROW limits shall be identified and properly recorded, including their socio-economic status. Each identified person shall be considered PAP and shall be classified accordingly to determine eligibility for any compensation and other entitlements.
Loss of income or sources of livelihood	No stated regulation on compensation for loss of income directly resulting from land acquisition.	Compensation for loss of income and transfer costs to a new site will be part of the entitlement of project affected persons.	The project will pay for any loss of income and transfer costs directly resulting from project-related or induced land acquisition.
Treatment of informal settlers	Republic Act 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 does not cover informal structures on public or private land used for commercial purposes.	Lack of formal ownership of land is not a bar for receiving entitlements; As informal settlers are usually very poor, resettlement housing is recommended instead of replacement cost of lost assets.	MTCIP shall at least cover the replacement cost of affected structures of informal settlers, as well as the transfer costs and costs of rehabilitation in the new site. The project will implement a beneficiary award criteria system which prioritizes the award of lots and replacement housing to informal settlers who are actual occupants of affected land/structures. The project should announce a cut-off date and if necessary, secure the site, to prevent further entry into the project area. Payment at replacement cost or relocation to a resettlement site needs to happen before construction.
Taxes and transaction costs involved in the transfer of real property	Current practice is to deduct capital gains tax, documentary stamp tax, transfer tax, registration fees, and administrative expenses from the compensation of affected land and structures.	Taxes, administrative fees, and other transaction costs are not to be deducted from the total compensation of the affected person/s	Since this is not a willing seller-willing buyer transaction type, the project will cover the cost of taxes, administrative fees, and other transaction costs.

KEY ISSUES	PHILIPPINE POLICY	WORLD BANK POLICY	MEASURES TO FILL GAPS
Valuation of affected land due to expropriation	<p>The 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.</p> <p>For land subjected to expropriation proceedings, Section 7 (a) of the IRR of RA 10752 directs the implementing agency to deposit to the court in favor of the owner the amount equivalent to the sum of one hundred percent (100%) of the value of the land based on the current zonal valuation of the BIR, issued not more than three (3) years prior the filing of the expropriation complaint.</p>	<p>ESS 5 indicates that the valuation of the affected land must be based on replacement cost, which is the method of valuing assets to replace the loss at current market value. ESS 5 requires that compensation is fully paid before the start of construction.</p>	<p>Replacement cost of expropriated assets in favor of the PAP needs to be deposited in an escrow account - prior to the start of construction.</p>
Treatment of residential and business renters	<p>Fixed improvements introduced by renters on the land or structures automatically belong to the landowner, 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.</p>	<p>(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</p>	<p>Compensation for fixed improvements introduced by the renter will be paid to the renter. Renter will be provided compensation for transfer costs and disturbance compensation for temporary closure of the business establishment or rental accommodation while transfer is ongoing.</p>

4. Land Acquisition and Involuntary Resettlement Risks and Impacts

The MTCIP supports the agriculture sector of Mindanao by providing road infrastructure that will enable a more efficient movement of agricultural products from the hinterlands to the markets. The project intends to contribute to the national goal of promoting inclusive growth and shared prosperity in the region.

The project is expected to expand and upgrade infrastructure through the improvement of transport connectivity, embedding climate resilience in road design and asset management, and strengthening road safety measures along one of the important transport corridors in Mindanao.

The project will benefit 1,374,289 members of the community along its alignment and as well as the surrounding regions. Residents within the 189 barangays along the alignment are expected to benefit from the increased access to goods and transportation as well as positive effects on economic activities in the area.

In the long term, the project is also expected to contribute to poverty alleviation in the affected communities. The current poverty incidence is 38% along the Main Corridor, 40% on Link Road 1, 40% on Link Road 2, and 45% on Link Road 3.

However, the MTCIP presents social risks and impacts related to land acquisition and involuntary resettlement as follows:

4.1 Right-of-way acquisition

The MTCIP will entail right-of-way acquisition for the road upgrading and improvement component. The estimated land area required for the selected option per road⁵ is summarized below:

Main corridor: No right-of-way acquisition due to established road

Link Road 1: 237,990 square meters

Link Road 2: 357,920 square meters

Link Road 3: 740,138 square meters

4.2 Project-affected structures and households

The preliminary data collected during the DDOA on the project-affected population and affected structures need to be validated in a socio-economic survey for each sub-project of the MTCIP during project implementation.

Table 2 presents the estimated number of the project-affected structures along the Main Corridor and Link Roads 1,2 and 3. The data collected during project preparation shows a total of about 8,341 structures that will be affected by the project.

⁵ Source: MTCIP Environment and Social Impact Assessment, March 2024

Table 2. Summary of project-affected structures⁶

MTCIP Road	Number of project-affected structures
Main Corridor	5,013
Link Road 1	814
Link Road 2	1,708
Link Road 3	806
Total	8,341

Table 3. Summary of project-affected households⁷

MTCIP Road	Number of project-affected households
Main Corridor	1,002
Link Road 1	707
Link Road 2	1,217
Link Road 3	757
Total	3,683

Table 3 presents an estimated summary of the project-affected households, which is derived from the structure count. Some 3,683 households are projected to be affected by the project. Strips of land would be required for right-of-way and structures are likely to be affected in whole or in part.

Nearly a third of these households (1,217 households) reside along Link Road 2. Additionally, some 1,002 households along the Main Corridor will be affected by the project. On Link Road 1, it is expected that 707 households will be at risk of resettlement, while on Link Road 3, the project will affect 757 households.

4.3 Affected Indigenous Peoples

Within the MTCIP communities, the presence of Indigenous Peoples was recognized, especially in the area traversed by the link roads. Indigenous Peoples account for 30% Higa-onon on Link Road 1; 98% composed of Matigsalog and Islamized Ethnic Group (Kagan/Kalagan) on Link Road 2; and 98% Tagakaolo on Link Road 3.

Link Road 1 is predominantly inhabited by the Higa-onon tribal community, representing 30% of the total population in the three barangays the road traverses. Notably, this road lies outside the recognized ancestral domain of the Higa-onon community, with houses situated within municipal or barangay zoned built-up areas.

Link Road 2 passes through the ancestral domain of the Matigsalog communities in the Marilog and Paquibato districts of Davao City. Additionally, Kagan/Kalagan communities have opted to settle in vacant land spaces alongside this road, categorizing them as informal settler families (ISF), with over 200 families constructing structures along this link road.

Link Road 3 passes through barangays within the recognized ancestral lands of the Tagakaolo cultural communities, covering a distance exceeding 50 kilometers and traversing residential and agricultural areas of the Tagakaolo indigenous people. Maguindanaons also constitute informal settler families along this road. The barangay government in Link Road 3 permits

⁶ Source: Structure count - Environment and Social Team; Google Earth approximation - Engineering Team, Galerio Environmental Consultancy Inc.

⁷ The number of project-affected households is derived from the structure count.

Kagan/Kalagan to occupy public lands used as built-up areas, while some act as tenants on agricultural lands owned by medium to commercial-scale agricultural producers.

For IPs occupying land that will be acquired for the MTCIP RROW, **physical and economic displacement** is a risk as a result of involuntary acquisition of their land and involuntary restrictions on land use. Such displacement can be full or partial, permanent or temporary. The actual magnitude and details of such impacts will be determined during project implementation.

The **MTCIP Indigenous Peoples Policy Framework** details the approach when involuntary resettlement involves Indigenous Peoples including screening for Indigenous Peoples, meaningful consultation, and free, prior and informed consent.

4.4 Affected informal settler families

The number of informal settler households among the project-affected population was estimated using secondary data from the barangay profile of all barangays along the three link roads. The secondary information was corroborated with key informants, particularly through key informant interviews with barangay officials.

Of the total project-affected households, an estimated 305 households can be considered informal settler families. These ISFs reside within the 20-meter width of Link Road 2 and Link Road 3 (92 ISFs in Link Road 2 and 213 ISFs in Link Road 3). No ISFs occupy the 20-meter within Link Road 1 and along the Main Corridor. This preliminary information on the housing tenure of the PAPs needs to be validated for each sub-project during the implementation of the MTCIP.

The lack of housing and land tenure of these families makes them a part of the vulnerable population.

4.5 Other Risks

Security and conflict issues in MTCIP project areas, which span the conflict-affected regions of Northern Mindanao, Southern Mindanao, and SOCCSKSARGEN, emanate from ethnic differences, reported armed conflict between alleged terrorist groups and government military forces, overlapping and unreconciled tenurial instruments within the project area, denial of fair compensation for affected assets, some forms of gender-based violence, as well as grinding poverty.

The development of a new project poses risk when it comes to land speculation. First, the rise of land prices due to the anticipated rise in demand due to new opportunities brought on by the project. Second, the locals might be priced out in the future as the project introduces changes that will elevate the quality of living thereby driving up the prices of their daily living. Lastly, it can introduce conflict as investors might want to force the land owners to sell their property.

In terms of inter-family issues, there are some risks that might come in to play. Foremost is the issue of land inheritance among family members. As the land increases in value, the monetary aspect of this benefit might entice the people to resort to conflict such as lawsuits and complaints against other family members. Second, the issue regarding boundary of properties. As there will be lands that will be affected by the project development, the issue of boundary comes into surface as the people might not want their property to be affected by the project construction. Finally, the division of land area amongs the family unit might be affected.

As land area as mostly divided among family members, the allotted area of one might be the only one affected thus inducing conflict within the family.

During the Public Consultations conducted for MTCIP-DDOA in September-October 2023, the issue of fair compensation for affected lands was raised by the barangay officials. According to the local leaders, previous DPWH Right-of-way acquisition has remained unpaid and the landowners worry that for the MTCIP, the **delayed payment** may recur. It was not clarified if these instances are within the project scope or in other DPWH projects. Nevertheless, this raises the risk of DPWH being denied entry by the affected households to the proposed alignment. In order to avoid this risk, MTCIP will provide fair and prompt compensation for affected lands. MTCIP will also ensure that land titles and related documents are updated once properties have been acquired. This is to ensure that PAPs will pay the only the real property taxes for their remaining lots. In addition, the Project will assess legacy issues during RAP preparation and ensure that appropriate mitigating measures in accordance with ESS 5 and this RPF be put in place.

The project will comply with established procedures for ROW acquisition as well as the MTCIP Resettlement Policy. Compensation, entitlements, and other forms of assistance shall be provided to PAPs before displacement as a part of MTCIP Resettlement Policy.

Inter-ethnic conflict may arise due to the different cultural laws, practices, and traditions of the affected populations. Some ethnic groups in Davao City, Davao Occidental, and Sarangani have embraced Islam. On the other hand, IP groups such as Matigsalogs and Higa-onon in Davao City and Bukidnon observe their own cultural practices and live in a communally-owned ancestral domain, which may exclude other ethnic groups, such as Islamized ethnic communities.

Reported ambushes and **skirmishes** in remote areas in Region X (particularly Misamis Oriental and Bukidnon) raise threats to local populations. Moreover, the MTCIP may be stopped or significantly delayed due to these security concerns, or may worsen the conflict because of competing interests or access to resources.

Resettlement may expose these groups to increased vulnerability as the resettlement process already put people in a uncertain conditions which, in the presence of conflict, can increase their susceptibility to violence, exploitation and coercion. Moreover, areas with apparent security risks may experience disruptions in the resettlement process which may affect the distribution of compensation, construction of new dwellings or implementation of social services that will ultimately inhibit rebuilding progresses. Conflict also poses risks to physical access to new sites which could further hinder resettlement. Establishing social cohesion among resettlers as well as their new neighbors could also be challenging in an environment with high tension and mistrust common in conflict areas. Finally, land rights and tenure security may be an issue in conflict areas as possible disputes may arise over land ownership and use if land rights for resettlement is not properly acquired.

Tenurial instruments in the MTCIP project area include Certificate of Land Ownership Agreement under the Comprehensive Agrarian Reform Program (CARP), Community-based Forest Management Agreement (CBFMA) under the Department of Environment and Natural Resources (DENR), Certificate of Ancestral Domain Title (CADT) from the National

Commission for Indigenous Peoples (NCIP), Protected Areas under the National Integrated Protected Areas System (NIPAS), private land titles, and public estate. Each tenurial instrument is governed by specific laws and guidelines which may have different interpretations and which may not be reconciled. The differences will necessitate harmonization of the laws governing ownership as well as the development and management of land. For example, the proposed Link Road 1 traverses CBFMA, CARP, private lands and public lands, which all require compliance to the governing regulations on land ownership. The lack of harmonization of tenurial instruments covering one site will affect or delay road right-of-way acquisition. The MTCIP needs to engage with tenure holders and enter a Memorandum of Agreement in cases where the land is communally-owned.

The MTCIP will facilitate raw claims involving ancestral domains owned by ICCs and IPs recognized under IPRA, which will be affected by the implementation of national government infrastructure projects.

In the acquisition of RROW involving lands covered by Certificate of Ancestral Domain Title (CADT) or NCIP- confirmed Ancestral Domain, a ROW Easement Agreement shall be executed by and between the NCIP Accredited or Certified Tribal Council and DPWH UPMO, where the former will grant the latter the absolute and unimpeded right to use the affected portion of their ancestral domain as RROW for as long as the public requirement subsists, but the IPs/ICCs retain ownership of that portion of the lot. The agreement shall be in accordance with the procedure and requirements set forth in the Department Order No. 43, Series of 2020 and with the requirements for free, prior, and informed consent under the Indigenous Peoples Rights Act (IPRA).

5. MTCIP Resettlement Policies

The MTCIP Resettlement Policy Framework adopts the principles of the World Bank ESS 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.

In consonance with WB ESS 5, the MTCIP RPF abides by the following resettlement policies:

5.1 Resettlement Policies

- i. Avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- ii. Avoid forced eviction.
- iii. Mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- iv. Improve the living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- v. Conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- vi. Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

5.2 Hierarchy of Mitigation Measures

The WB hierarchy of mitigation measures prescribes that land acquisition and involuntary resettlement will be avoided where feasible, or minimized, by identifying possible alternative project designs that have the least adverse impact on the communities.

During MTCIP project preparation, alternative project alignments and designs were considered to avoid or minimize land acquisition or restrictions on land use, especially where this would result in physical or economic displacement, while balancing environmental, social, and financial costs and benefits. Particular attention was made on gender impacts and impacts on the poor and vulnerable.

While risks of involuntary resettlement cannot be completely avoided in MTCIP, the Due Diligence and Options Analysis (DDOA) done during project preparation presented opportunities to **minimize or reduce the risks and impacts** to acceptable levels. The findings of the DDOA are presented in various reports including the ESMF and ESIA.

The conduct of detailed engineering design (DED) presents another opportunity for minimizing involuntary resettlement impacts. The DED will be done in parallel with RAP preparation activities to ensure that technical design and involuntary resettlement impacts inform each other. Where resettlement impacts are unavoidable or have reached the minimum impacts, mitigating measures using the provisions of this RPF will be carried out.

5.3 Eligibility criteria for defining project-affected persons

Project-affected persons (PAPs) may be classified as persons:

- (a) Who have formal legal rights to land or assets;
- (b) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or
- (c) Who have no recognizable legal right or claim to the land or assets they occupy or use.

5.4 Compensation and entitlements of project-affected persons

When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, MTCIP will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihood.

PAPs 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.

PAPs losing less than 20 percent of their productive assets, and where the remaining assets remain viable for continued use, are entitled to cash compensation at replacement cost for the affected asset.

5.5 Compensation for agricultural land

Agricultural land will be replaced by:

- a) Land of equal productive capacity, which is acceptable to the PAP; or
- b) Full compensation at replacement cost, where land is not available.

5.6 Compensation for commercial and residential land

Commercial/residential land (or other real property) will be replaced by:

- a) Land of equal market value or business potential acceptable to the PAP; or
- b) Full compensation at current market value, where suitable replacement land is not available or at the informed request of the PAP.

5.7 Compensation for structures

The options for compensation of structures are (1) compensation in cash at replacement cost or (2) dwelling reconstruction. Replacement cost compensation for the affected portion of the structure includes the cost of restoring the remaining structure, as determined by an accredited appraiser. No deduction for salvaged building materials and depreciation shall be made.

Dwelling reconstruction, if this option exists, or cash compensation will be offered. Dwelling reconstruction will be at the same values of the part lost/or taken by the project only.

The cost of reconnecting the facilities such as water, power and telephone will be covered by DPWH, using the normal inter-governmental procedures and practices.

Consistent with Section 5 (b) of RA 10752 and Section 6.8 of its IRR, the replacement cost of structures and improvements also apply to those who do not have legally recognized rights to the land, and who meet the following criteria:

- (i) Must be a Filipino citizen;
- (ii) Must not own any real property or any other housing facility, whether in urban or rural areas;
- (iii) Must not be a professional squatter or a member of a squatting syndicate, as defined in RA 7279 Urban Development and Housing Act of 1992; and
- (iv) Must not occupy an existing government ROW.

5.8 Compensation for crops and trees

Cash compensation for perennials of commercial value as determined by the DENR or an accredited appraiser shall be provided. PAPs will be given sufficient time to harvest crops on the affected land. Compensation at market value at the time of taking for damaged crops will be given. The compensation will be based on the cost of production per hectare.

Entitlement for fruit-bearing trees will be based on the assessment of the LGU where the project is located. The assessment will be based on the price of the produce times its quantity, plus one year of yield times a period of 5 years.

Young trees will be compensated at a replacement cost for tree loss. For timber trees, cash compensation will be provided based on value of wood volume times the market value of the wood.

DPWH UPMO will be responsible for obtaining appropriate licenses and permits and covering the tax fees for removal of the trees from the various respective authorities.

For coconut trees, the authorization for cutting and compensation is handled by the Philippine Coconut Authority.

5.9 Compensation for damaged or lost crops

Replacement of damaged or lost crops will be based on full market value for one year's harvest and will be paid in cash.

5.10 Compensation for temporary loss of land

PAPs whose land is temporarily taken will be compensated at full replacement cost for their net loss of income and/or damaged assets, including a reasonable amount for opportunity cost/s.

5.11 Other types of assistance and entitlements

Disturbance compensation. For agricultural land, affected lessees are entitled to disturbance compensation equivalent to five times the average of gross harvest for the past 3 years but not less than PhP 15,000.

Income loss. Temporary losses of business will be compensated with a lump sum equal to the value of income loss based upon the previous yearly income. Permanent loss of business will be compensated based on the replacement cost of the structure and land.

Transitional allowance. For severely affected structures which require relocation and new construction, a transitional sum for three (3) months temporary rental and relocation expenses shall be given to the affected persons.

Rehabilitation assistance. Skills training and other development activities will be provided in coordination with other government agencies if the present means of livelihood will no longer viable for individual PAPs.

Rental subsidy. This subsidy is provided to PAPs who need to rent a housing facility during the period of the reconstruction of their lost house. The rental subsidy will be provided under the following circumstances:

- i. The affected properties are for residential use only;
- ii. The PAPs were physically residing in the affected structures and land at the time of the cut-off date; and
- iii. The amount given will be for the period between the delivery of house compensation and the delivery of land compensation.

Transportation allowance. Transportation allowance will be provided to displaced PAPs during the transition period (between displacement and livelihood restoration). The transportation allowance is provided along with other types of assistance to enable displaced PAPs to restore their pre-project standards of living.

Assistance to vulnerable groups. Affected poor, elderly, PWD, solo parents, female-headed households, and those whose impacts will induce them to fall on or below the poverty line as defined by the National Economic Development Authority (NEDA) and projected to be worse off after resettlement, shall be provided an additional allowance. Specific support will be determined together with the Department of Social Work and Development (DSWD) through the municipal social workers.

5.12 Verification of ownership documents

Verification of titles and tax payments shall be undertaken before land replacement or cash compensation to determine who owns the land and who will be entitled to what. Non-payment of taxes will not be a bar to receiving entitlements.

5.13 Modes of acquiring land and other assets

Consistent with the provisions of the RA 10752 (Right-of-Way Acquisition Act), DPWH may acquire real property needed as right-of-way for MTCIP through donation, negotiated sale, usufruct, expropriation, or any other mode of acquisition as provided by law.

In case of lands granted through **Commonwealth Act No. 141** (Public Land Act), the implementing agency shall:

- (a) Follow the other modes of acquisition enumerated in this Act, if the landowner is not the original patent holder and any previous acquisition of said land is not through a gratuitous title; or
- (b) Follow the provisions under Commonwealth Act No. 141, as amended, regarding acquisition of right-of-way on patent lands, if the landowner is the original patent holder or the acquisition of the land from the original patent holder is through a gratuitous title.

The DPWH UPMO may explore the mode of **donation** of the needed portion or whole of the affected property, i.e., lots with or without improvements, by the property owner concerned, which may be a private individual or corporation, or a government agency or corporation.

The property owner may willfully make a donation of his property or any part thereof that may be affected by the sub-project activities, provided that he has been informed of his entitlements first. A part or all of the land to be used by the project may be donated on a voluntary basis without payment of full compensation. This is acceptable only when the following criteria have been met and verified by DPWH-UPMO directly with the affected persons: (a) the potential donor has been appropriately informed and consulted about the project and the choices available to him/her; (b) the potential donor is aware that refusal is an option, and have confirmed in writing his/her willingness to proceed with the donation; (c) the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels; (d) no household relocation is involved; (e) the donor is expected to benefit directly from the project; and (f) for community or collective land, donation can only occur with the consent of individuals using or occupying the land.

If the property owner agrees to donate the property to be acquired by the DPWH UPMO for ROW, a deed of donation shall immediately be prepared. The deed of donation shall be simple and unconditional, and contain clauses to the effect that the donation is made not to defraud the donor's creditors, and that the donor has, if necessary, reserved for himself enough property for his family's subsistence, sustenance and support, in cases where the donor is a private individual.

The donation must be accepted by DPWH UPMO, which shall be indicated in the deed. DPWH UPMO shall pay the documentary stamp tax, transfer tax and registration fees, while the donor shall pay any unpaid real property tax.

Another mode to secure the use of land is through a **usufruct**, in which the property owner retains the ownership of the land while allowing the project proponent to use the land. A usufruct may be secured in the case of government-owned land or property to be used as a subproject site. The land owner and DPWH UPMO will execute a usufruct agreement which covers the rights and responsibilities of the two parties, including the duration of the usufruct which should not be shorter than the subproject life.

In a **negotiated sale**, DPWH UPMO shall offer to the property owner concerned, as compensation price, the sum of:

- (1) The current market value of the land,
- (2) The replacement cost of structures and improvements therein; and
- (3) The current market value of crops and trees therein.

If the property owner does not accept the price offer, the implementing agency shall initiate **expropriation** proceedings pursuant to Section 6 of RA 10752. However, MTCIP will only resort to expropriation as a last resort of land acquisition and it will be consistent with ESS 5 in terms of payment at replacement cost prior to construction.

5.14 Valuation of affected land and other assets

Assets to be compensated are categorized as: land, structures, other improvements and crops, trees and perennials.

Alienable and disposable land (residential/ commercial/ industrial/ institutional/ agricultural land)

Eligible landowner PAPs shall be compensated at replacement cost at the time of the RAP preparation with the expectation that land taking will immediately ensue. Should there be significant project delays (e.g., 2 years), the RAP will be revisited and replacement costs will need to be adjusted.

In the case of PAPs with liabilities for land tax in arrears, these arrears are payable by the PAP as these are not an impact caused by the project. Payment of tax arrears is required under Philippine law. In compliance with Philippine law and WB social safeguards to ensure that PAPs are not worse-off after land acquisition and resettlement, the following will apply:

- i. PAPs are liable for any tax in arrears;
- ii. PAPs who cannot afford to pay land tax in arrears, and would likely be worse off after compensation and project implementation, should be identified and eligible under the “Vulnerability” definition of PAPs of the project;
- iii. If the PAP is relocated to another piece of land (replacement land), they will still be liable for land tax in arrears, on the property taken, but only for the first quarter of land tax for the host site; and

- iv. The grievance system, internal and external monitoring described under this RPF, an effective census/and inventory of losses, and a consultation process should enable the identification of those made worse off by the land tax payment. If monitoring notes a PAP as worse off, WB requires that the implementing unit must make provisions, even during project implementation, to mitigate the situation.

6. Entitlements Matrix

Project-affected persons shall be given the entitlements according to the Entitlements Matrix of MTCIP, presented in the following table.

Table 4. MTCIP Entitlements Matrix

Type of Loss	Magnitude and Type	Eligible persons	Entitlement
A. Land	Full	Owner	Full cash compensation at replacement cost without deduction for capital gains, documentary stamp, transfer taxes, and other directly related transaction costs
	Partial	Owner	<p>Full cash compensation at replacement cost for the affected portion without deduction for capital gains, documentary stamp, transfer taxes, survey costs, cost of new subdivision plan, and other transaction costs.</p> <p>If remaining land is no longer viable for use, PAP will have the same entitlements as PAPs who lost their entire property (see above)</p>
B. Structure	Full	Owner-Occupant	Full cash compensation at replacement cost for the affected structure without deduction for salvaged/salvageable materials and depreciation. Replacement cost includes not only the cost of materials but also the cost of (i) architectural services; (ii) hauling cost of materials; (iii) labor cost; (iv) cost of reinstalling utilities; (v) contractor's profits; and (vi) cost of processing or securing the necessary government permits. Cost of transferring to the new structure, including any loss of wages or income incurred in the process.
		Renters	Full cash compensation at replacement cost for any fixed improvements introduced. Cost of transferring to the new structure, including any loss of wages or income incurred in the process.
	Partial	Owner-Occupant	<p>Full cash compensation at replacement cost for the affected portion of the structure without deduction for salvaged/salvageable materials and depreciation. Replacement cost includes not only the cost of materials but also the cost of (i) architectural services; (ii) hauling cost of materials; (iii) labor cost; (iv) cost of reinstalling utilities; (v) contractor's profits; and (vi) cost of processing or securing the necessary government permits. If owner occupant requires a separate dwelling while repair is ongoing, a rental subsidy will be provided equivalent to the estimated time it will take to repair the structure. The cost of transferring to the provisional structure and returning to the repaired structure, including any loss of wages or income incurred in the process, will be covered.</p> <p>If the remaining structure is no longer viable for use, PAP will have the same entitlements as PAPs who lost entire structure (see above)</p>
		Renter	Full cash compensation at replacement cost for the fixed improvements introduced by the renter. In consultation with the owner, guarantee to continue renting the facility upon completion of repair. Rental period will be equivalent to the unutilized portion of the contract and same rental rates will apply. If renter requires

Type of Loss	Magnitude and Type	Eligible persons	Entitlement
			a separate dwelling, while repair is ongoing, a rental subsidy equivalent to the estimated time it will take to repair the structure. Cost of transferring to the provisional structure and returning to the repaired structure, including any loss of wages or income incurred in the process. If renter does not opt to return, the project will shoulder the cost of transferring to the new structure, including any loss of wages or income incurred in the process.
	Informal settler (commercial land)	Encroachers on public ROW	(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
	Informal settler (residential and mixed residential-commercial land)	Owner-occupants	(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 First priority to receive a house and lot with security of tenure in a government relocation site; Free transportation to the relocation site; Free food or food allowance; Retention of ownership of salvaged materials; Loss of business income during the transfer capped at a maximum of five (5) days.
		Renters	Second priority to receive house and lot with security of tenure in government relocation. If not awarded, explore moving in with original household. If moving in is impossible, cost of transferring to new rental housing. Food allowance. (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
		Sharers	Third priority to receive house and lot with security of tenure in a government relocation site. If not awarded, explore moving in with original household. If moving in is impossible, cost of transferring to new rental housing. Food allowance. (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
		Absentee structure owners	(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
	Utilities	Private utility company	If facilities are located in public ROW, utility company pays for the cost of relocation to a new site or reconstruction in the new site. If facilities are located in private land, the project covers the cost of transferring or reconstruction, if the facility needs to be demolished.
C. Income	Temporary closure as business is relocated off-site.	Workers	Lost wages for days without work due to closure and/or transfer of the enterprise to new site.
		Enterprise owners-renters	Lost net income for days of business due to closure and/or transfer of the enterprise to the new site.
		Land and/or structure -owner	Rental contracts usually stipulate forfeiture of deposit (1 or two months) if contract is pre-terminated; therefore, no compensation for lost rental income is given.
	Permanent closure	Workers (temporary; daily wage)	Compensation for lost wages equivalent to the remaining days in the contract (usually less than six months).
		Workers (permanent or tenured)	The entitlements for permanent workers stated in the Labor Code or the Collective Bargaining Agreement (if the establishment has one) will be provided
D. Crops and Trees	Full	Project-affected Persons (PAPs) with or without full title to the land, who own compensable trees.	Cash compensation for trees and crops at current market value as determined by DENR or PCA. Non-landowners shall secure confirmation from the rightful landowner The assessment for trees and crops will be based on the price of the produce times its quantity, plus one year of yield times a period of 5 years.

7. Resettlement Planning

The preliminary information on social impacts and risks obtained during project preparation needs to be validated in each sub-project through established methods during project implementation. The validation methods include site-specific assessments and surveys for right-of-way acquisition.

Resettlement planning in each sub-project encompasses project ROWA information disclosure, establishment of the Cut-Off-Date of Eligibility and issuance of the Notice of Taking, survey activities, collaborative selection and development of resettlement sites, and participatory preparation of the RAP.

7.1 Project ROWA information disclosure

For each sub-project of the MTCIP, DPWH UPMO will disclose relevant project information, potential environmental and social risks, and expected development impact. The results of the Environment and Social Impact Assessment prepared by DPWH UPMO are shared and validated in each sub-project site.

Sub-project information related to ROWA and involuntary resettlement is disclosed in consultation meetings with local government officials, especially the concerned Governor, Provincial Engineer, Provincial Planning and Development Officer/Coordinator, Provincial Assessor, Mayors, City/ Municipal Engineers, City/Municipal Planning and Development Coordinators, and City/Municipal Assessors.

A series of public consultation meetings (PCMs) is conducted among PAPs in each barangay that will be traversed by the sub-project, normally held in neutral grounds such as barangay halls to encourage open and fair discussions.

The following topics are considered mandatory during the PCMs⁸:

1. Brief project description and alternative designs considered
2. Reiteration of concept of RAP as a tool for socio-economic development. The RAP preparer must ensure that the RAP concept is clearly understood by the PAPs.
3. Tagging and taking of photographs of owner and structures
4. In the case of informal settlers, specify the **Cut-Off Date for Eligibility**, which is reckoned as the start of the census for PAPs and tagging for improvements
5. Importance of honesty and accuracy of responses in the census and socio-economic survey to be carried out
6. Explanation of eligibility, entitlements, and valuation methods
7. Description of the grievance and redress mechanism
8. Explanation on the project process, timelines, and responsibilities
9. Open Forum to allow the PAPs to express their ideas, apprehensions, concerns and even objections regarding the proposed project

7.2 Establishment of the Cut-Off Date of Eligibility and Issuance of the Notice of Taking

⁸ Section 2.4, DPWH Right-of-Way Acquisition Manual 2017

The Cut-Off Date of Eligibility refers to the date prior to which the occupation or use of the project area categorizes residents as PAPs who are eligible to project entitlements, i.e., the beginning of the census-tagging. Individuals taking up residence in, or use of, the project area after the cut-off date are not eligible for compensation or resettlement assistance.

Moreover, the loss of fixed assets (such as built structures, trees, crops) built or planted after the cut-off date is not compensated, except where it can be demonstrated that such post-cut-off date improvements were needed to maintain the livelihood of the affected person during the period between the cut-off date and displacement. If there is a significant time lag between the completion of the census and implementation of the resettlement or livelihood restoration plan (two years or more), a repeat census and inventory and evaluation of assets are undertaken, and the RAP updated accordingly.

The cut-off date must be well communicated, documented, and disseminated to the affected communities, including providing clear demarcation of the affected areas.

For informal settlers, the cut-off date is the start date of the census of PAPs and tagging of structures and improvements. The cut-off date is disclosed to each affected barangay by the relevant LGUs, and the barangays will disclose them to their populations. The establishment of the eligibility cut-off date is intended to prevent encroachment by opportunistic settlers who might take advantage of MTCIP project entitlements.

For formal settlers (i.e., property owners), the date of the Notice of Taking applies, which is the date of the letter issued by DPWH UPMO to the concerned landowners informing them of the intent of DPWH to acquire their lands for the ROW. Once the Notice of Taking is issued, no development or construction, or issuance of any building, construction, development, or business permit that is contrary to the approved plans and purposes of the project within the right-of-way is allowed within two years from the date of the Notice of Taking unless explicitly authorized by the head of the implementing agency for justifiable reasons.

7.3 Survey activities

Resettlement planning includes the **identification of the impacts** of the project and the **populations that will be affected**. The impact assessment identifies the full range of people affected by the project, whether directly or indirectly, full or partial, temporary or permanent. The impacts of project land acquisition are described and **mitigation measures** are proposed. Where land acquisition cannot be avoided, the impact analysis includes a justification of their displacement after a consideration of alternatives that would avoid or minimize displacement, or mitigate its adverse impacts.

Following the environment and social assessment, delineation of the right-of-way, and estimation of the number of project-affected structures and households, a **Detailed Measurement Survey (DMS)** is conducted. The DMS measures all fixed assets such as land, structures, crops, and communal facilities, and identifies their owners. The DMS also includes an assessment of the severity of impacts on income or source of livelihood due to loss of fixed assets.

Concurrently, a **Census and Tagging of affected households** is implemented. During census and tagging, trained enumerators obtain information on the following:

- i. Summary data on the household, by ethnicity; gender of household head; whether the household is headed by a woman, elderly, ethnic minority, person with disability; household size, primary and secondary source of livelihood, income level;
- ii. Tenurial status and duration of tenure; ownership of occupied structure;
- iii. Whether the affected land or affected livelihood is a primary source of income; and
- iv. Knowledge of PAPs on the project, preference for compensation, relocations sites, and rehabilitation assistance.

Following the census, a tag sticker – containing the control number, date when the interview was conducted, and the name of enumerator – will be affixed to the affected structure. A photograph of the household and owners, wherever possible, will also be taken.

Beyond conducting cadastral surveys or inventories of affected assets, resettlement planning requires an examination of the social, economic and environmental conditions of the PAPs. A **Socio-Economic Survey (SES)** is administered among PAPs at the household level to obtain baseline information on the demography, income and expenditures, occupation and livelihood (including formal and informal economic activities), resource use patterns, social organization and community participation, and cultural and ethnic characteristics of the households affected by the MTCIP.

Depending on the size of the project-affected population, 100% of the households may be included in the SES. If complete enumeration is too costly or impractical, a sample can be taken, as long as the sample size is not less than 20% of the project-affected population.

The identity of landowners and structure owners in the SES must be validated and cross-referenced using documents such as titles and tax declarations. There may be PAPs who have undeclared structures and occupants, including renters, sharers, rent-free occupants, illegal occupants, and caretakers. In the absence of these data, SES results must be validated on the ground by the DPWH UPMO Resettlement Team through interviews and inspection. The team then recommends who would qualify for rental and relocation assistance.

Land Market Appraisal can be conducted by an independent appraiser as mandated by RA 10752. According to ESS 5, where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs.

A **Replacement Cost Survey (RCS)** is done to collect information on replacement costs through interviews with people living within the project area, material suppliers, developers, and the PAPs. The results are used to estimate the replacement cost of affected structures and other improvements. A Quantity Surveyor is engaged to conduct the RCS.

Along with the RCS is the **Estimation of the Value of Crops and Trees** affected by the project. DPWH may estimate this using data from the Department of Agriculture, Philippine Coconut Authority, Department of Environment and Natural Resources, Department of Finance, and the local government units.

Census and asset inventory enumerators are usually the first project-related personnel that PAPs will encounter. Enumerators must be thoroughly briefed on the objectives and timetable of the project and what is being planned in terms of physical resettlement, compensation for lost assets, and restoration of livelihood.

7.4 Selection and development of resettlement sites

The provision of a resettlement site or a resettlement package is mandated for informal settler PAPs who are poor and homeless and who are affected by a government infrastructure project⁹.

For PAPs that will be relocated to a new site, the selection of the resettlement site must prioritize in-barangay or near-barangay locations, or in the case of ancestral domains, within the same ancestral land. In all cases, these sites must be accessible to their sources of income and livelihood.

Additionally, the selection of resettlement sites must comply with established resettlement planning criteria, including the following:

1. Compliant with residential zoning classification (general residential zone or socialized housing zone as appropriate)
2. Settlers have access to social services (education and health), water and electricity utilities, sanitation and waste management facilities
3. Site is located outside hazard prone areas and danger zones, following a Climate and Disaster Risk Assessment

DPWH UPMO needs to coordinate with LGUs and the National Housing Authority (in cases where NHA is the landowner) in the provision and development of resettlement sites. The role of LGUs in resettlement planning is defined in the Urban Development and Housing Act (RA 7279), which requires city and municipal governments to conduct an inventory of all lands within their locality and identify lands for socialized housing and resettlement areas. LGUs can also collaborate with DPWH in site development, particularly in the development or rehabilitation of local roads leading to the resettlement site as well as drainage construction.

Consultation with officials of local government, community leaders, and other representatives of the affected population is essential. Host communities should be informed and consulted as part of the resettlement planning process. Consultation involving representatives of both host communities and the communities to be resettled helps to build familiarity and to resolve disputes that inevitably arise during and after resettlement. Any payment due to host communities for land or other assets that will be provided to new settlers should be agreed on and rendered promptly.

The information from the various surveys is analyzed and used to establish compensation parameters, especially the project Entitlements Matrix, and to design appropriate income restoration and sustainable development initiatives. The baseline information is further used for monitoring indicators, which provide some measurement of the impact of the project on the PAPs and their community.

⁹ Pursuant to RA 7279 **Urban Development and Housing Act** in accordance with Sec. 14 of the IRR of RA 10752 **An Act Facilitating the Acquisition of Right-of-Way, Site or Location for National Government Infrastructure Projects**

7.5 Formulation of the RAP

DPWH UPMO shall formulate a Resettlement Action Plan based on the results of the social assessment and surveys. The RAP shall contain the description and extent of the lands, structures/ improvements, and crops/trees to be acquired as ROW, the estimated costs and compensation due to the property owners and PAPs, the budget for all ROW costs including provision for inflation and contingencies, and the schedule of implementation and annual funding requirements¹⁰.

A Resettlement Action Plan will be prepared for each sub-project, which covers, at a minimum, the applicable requirements of WB ESS5 regardless of the number of people affected. The RAP is designed to mitigate the negative impacts of displacement and, as warranted, to identify development opportunities.

The RAP is based on up-to-date and reliable information about (a) the proposed project and its potential impacts on the displaced persons and other adversely affected groups, (b) appropriate and feasible mitigation measures, and (c) the legal and institutional arrangements required for effective implementation of resettlement measures.

The RAP covers IP and non-IP households. If a member of the IP community will have either their land, crops, homes, structures or other properties adversely affected by the subproject, they must be informed of their rights to just compensation from the Project as well as their right to partake of the benefits resulting from the subproject. The compensation for affected land, crops, homes and other assets of individual IP members will follow the DPWH Department Order No. 43, Series of 2020 Guidelines for Right-of-Way Acquisition and Payment of Ancestral Domain Affected by the Implementation of National Government Infrastructure Projects, consistent with the MTCIP RPF and WB ESS 5.

In the acquisition of RROW involving lands covered by Certificate of Ancestral Domain Title (CADT) or NCIP- confirmed Ancestral Domain, a ROW Easement Agreement shall be executed by and between the NCIP Accredited or Certified Tribal Council and the Implementing Office. The former will grant the latter the absolute and unimpeded right to use the affected portion of their ancestral domain as RROW for as long as the public requirement subsists, but the IPs/ICCs retain ownership of that portion of the lot.

The specific assistance to affected IP households will be stipulated in the agreement which may be a community-initiated program under their Ancestral Domain Sustainable Development and Protection Plan (ADSDPP). It can also be an infrastructure project that conserves or protects their natural resources.

Annex 2 lists the minimum elements of the RAP.

¹⁰ Source: DPWH Right-of-Way Acquisition Manual 2017

8. Grievance Redress Mechanism

The Project will set up a grievance redress mechanism to ensure that PAPs' concerns and complaints are heard and resolved.

The DPWH Grievance Mechanism Process Flow, illustrated in **Figure 2**, will be the general reference for the hearing and resolution of any issues. All costs incurred in meetings, consultations, communication, and reporting/ information dissemination will be borne by DPWH. There are no costs for the complainant at any stage of the GRM. Cost estimates for grievance redress are included in the resettlement cost estimates under administration cost. The complainant will not have to pay any fee for his/her case (official or unofficial).

DPWH shall coordinate with DOLE and CSC in the public hearing, arbitration and resolution of every labor issue forwarded to DPWH-UPMO-RMC II, regional and district offices.

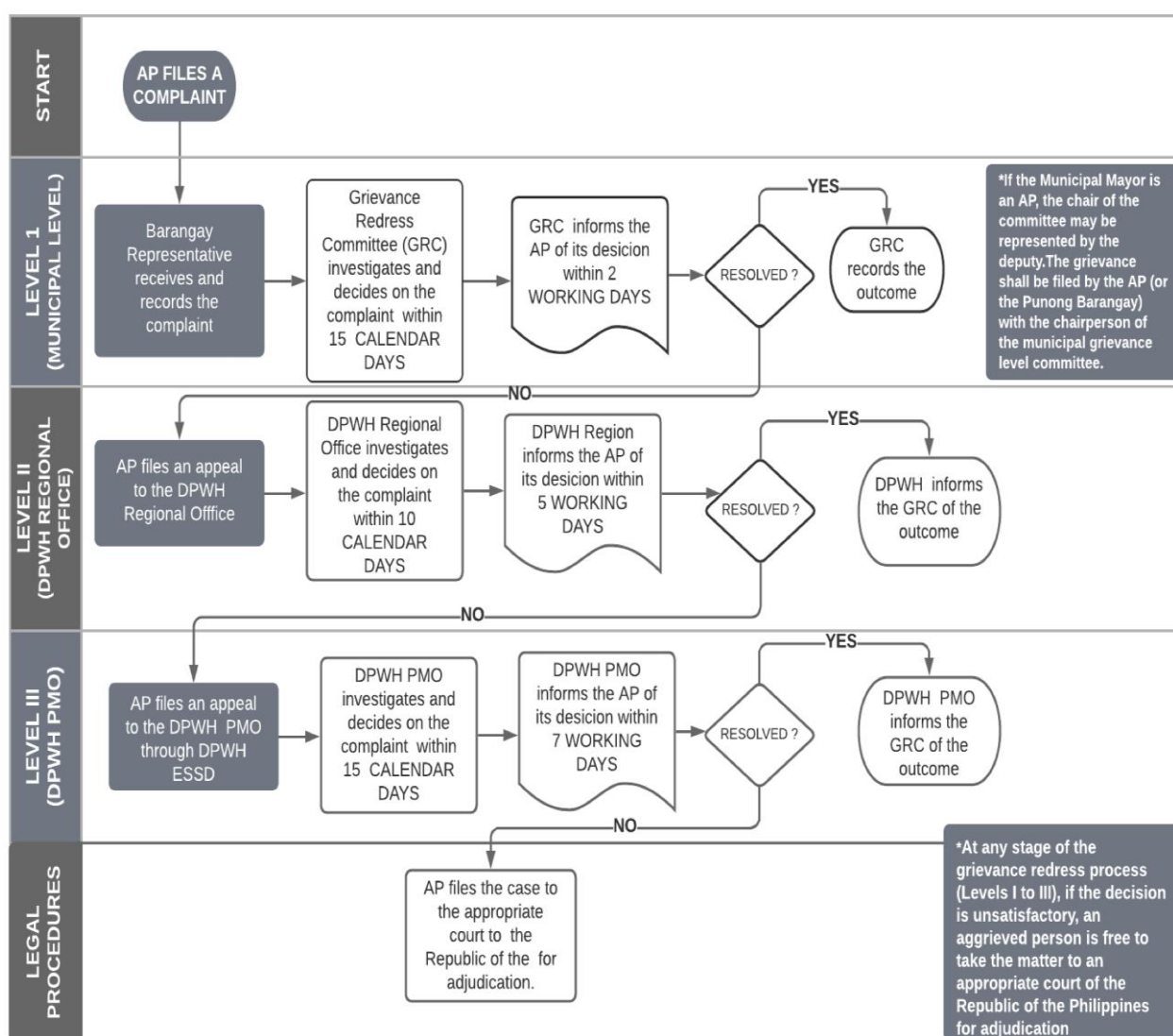


Figure 2. DPWH Grievance Redress Mechanism Process Flow

The creation of the Grievance Redress Mechanism and its operationalization shall be included in appropriate sections of the civil works contract of MTCIP.

A Grievance Desk shall also be established at the project site to ensure timely conveyance of any grievance filed by the complainant/s to the GO/GRC.

PAPs will be exempted from all administrative and legal fees incurred pursuant to the grievance redress procedures. All complaints received in writing (or written when received verbally) from PAPs will be documented and acted upon immediately according to the above outlined procedures.

DPWH UPMO shall disclose the proposed GRM during public consultations.

During stakeholder engagement activities such as public consultation meetings, small group or focused group discussions with affected stakeholders, grievance redress shall be discussed and presented. Leaflets and brochures will also be distributed widely within project communities and among PAPs containing information regarding grievance redress. When available, the project website will also contain links to grievance redress information and complaint forms. Names and contact numbers of responsible persons in this grievance mechanism shall be included in the publicly disseminated information and in the RAP report.

Aggrieved parties or complainants may also submit their complaints to DENR-EMB. The EMB is mandated by PD 1586 to act on complaints about environmental and social performance of projects issued environmental compliance certificates.

9. Institutional arrangements to deliver project entitlements

Table 5 lists the Philippine agencies and institutions involved in the implementation of resettlement activities for the project. DPWH UPMO is responsible for compliance with WB ESS5 and this RPF. As the implementing agency, DPWH UPMO will liaise with the various government agencies and institutions, and, if necessary, prepare a formal agreement with the agencies such that they will provide services in a timely manner according to the implementation schedule provided in the resettlement plan.

Table 5. Agencies and Institutions Involved in the Implementation of MTCIP Resettlement Activities

Agency	Resettlement Function
DPWH-Technical Working Committee (TWC) for Land Acquisition	<p>Responsible for the site/land acquisition necessary for the MTCIP.</p> <p>Responsible for implementation, management, and procurement of budget allocation from the National Government for payment of land acquisition.</p> <p>Review and approve RAP and associated budgets on behalf of the Philippine Government.</p>
DPWH UPMO Roads Management Cluster II	<p>Ensure that resettlement activities are implemented in accordance with the RPF and the RAP.</p> <p>Directly manage and supervise the project, including land acquisition and resettlement activities with the direction for the DPWH TWC for Land Acquisition.</p> <p>Implement resettlement activities in coordination with the LGUs.</p> <p>Ensure that funds for the timely implementation of the RAP are available and that expenses are properly accounted for.</p>
The World Bank	<p>The potential source of financing for MTCIP.</p> <p>Provide project appraisal ensuring that social safeguards are complied with during project implementation.</p>
Independent Property Appraiser	To be commissioned by the DPWH UPMO to undertake appraisal of the affected assets and to provide estimates of appropriate compensation values to PAPs based on the RPF.
Project Consultant (Resettlement Specialist)	<p>In coordination with the DPWH UPMO, the Project Consultant has the following functions:</p> <ol style="list-style-type: none"> 1. Prepare the RAP; 2. Assist the UPMO in identifying affected persons and assets; 3. Conduct necessary surveys to gather information on the PAPs and affected assets; 4. Assist the UPMO and other relevant agencies in community meetings and other related disclosure activities; and 5. Provide the UPMO with updated information on resettlement and related activities.
Barangay/LGUs	<p>Provide assistance to the UPMO during public consultation meetings</p> <p>Identify resettlement sites for PAPs, when necessary.</p>
Presidential Commission for the Urban Poor (PCUP)	<p>Issue clearances for demolition and eviction activities in national government projects; and</p> <p>Monitor all evictions and demolitions involving homeless and underprivileged citizens.</p>
Bureau of Internal Revenue (BIR)	Provide zonal valuation as basis for determination of just compensation
National Housing Authority	Acquire, develop, and establish relocation sites in anticipation of informal settlers' potential displacement in future projects (RA 10752 IRR Sec. 14)

Agency	Resettlement Function
Courts	<ol style="list-style-type: none"> 1. Issue Writ of Demolition to informal settlers (RA 8974 IRR Sec. 17); 2. Issue Writ of Possession of expropriated lands (RA 974); and 3. Determine “just compensation” to land/property owners (RA 10752 IRR Sec 14).
DILG	Extend full cooperation and assistance to the Implementing Agency (RA 10752 IRR Sec. 14)
PNP	Extend full cooperation and assistance to the Implementing Agency (RA 10752 IRR Sec. 14)
DHSUD	<p>Overall coordination of agencies in the resettlement of informal settlers (RA 10752 IRR Sec. 14)</p> <p>Provide development permits and regulate private housing developers</p>
LGU Register of Deeds	Record any ROW agreement, grant, sale, or expropriation decisions on the property (RA 10752 IRR Sec. 12)
Government Banks	<p>Depository of initial payments of just compensation</p> <p>Undertake appraisal of affected properties at the request of DPWH</p> <p>Accredit private sector appraisers which government agencies can tap to value affected properties.</p>

To ensure that project entitlements are delivered to informal PAPs that will be resettled, the project will manage the potential issue of professional squatting and squatting syndicates. DPWH UPMO will coordinate with the concerned local government units, Philippine National Police, the Presidential Commission for the Urban Poor (PCUP), and the PCUP-accredited urban poor organization in the area to identify, prevent, and curtail the nefarious and illegal activities of professional squatters and squatting syndicates.

DPWH District Offices will be responsible and accountable for the proper management of all acquired ROW and ensure that encroachments, structures, and professional squatters are not allowed within the ROW limits. All District Engineers, through the respective Regional Director, will submit monthly reports on the status of ROW to the ROW and Resettlement PMO.

10. Timing of resettlement, land development and civil works

Each subproject RAP will need to be disclosed, consulted, and the final versions re-disclosed with public consultation minutes. RAP implementation will not begin before final RAP has been approved by the World Bank. MTCIP shall not allow any land development activities on privately owned or used lands to commence until compensation has been paid and entitlements provided and resettlement activities are completed. The World Bank needs to issue a notice to proceed for civil works to commence. Resettlement must be implemented in accordance with the MTCIP RPF and the sub-project RAP, and to the satisfaction of the PAPs. Payments of compensation and provision of other entitlements (in cash or in-kind) must be satisfactorily completed prior to the World Bank issuance of “no objection” for award of contract for civil works.

Similarly, in cases where PAPs voluntarily contribute any part of their lands and/or assets for the project, all deeds of donations and other relevant legal documents must be satisfactorily completed prior to the World Bank issuance of “no objection” for award of contract for civil works.

11. Information Disclosure

During the MTCIP project preparation, stakeholder engagement was conducted in various levels of government as well as among sectoral representatives, particularly the indigenous peoples, older persons, youth, women, and persons with disability, mainly through public consultations and focus group discussions. The public consultations in September 2023 and the focus group discussions in October 2023 provided opportunities not only for DPWH UPMO to introduce MTCIP but also generated information on the perceived risks and impacts and suggested mitigation measures. Follow up key informant interviews with LGU officials in October and November 2023 were made to validate these inputs.

The stakeholder consultations for MTCIP apply WB ESS10: open engagement with stakeholders and providing opportunities for stakeholder views to be considered in the project design and during implementation. Even at the DDOA phase, they initiate the implementation of the MTCIP Stakeholder Engagement Framework.

The feedback from stakeholders was an integral consideration in the formulation of the MTCIP RPF. (Please refer to **Annex 3** for a summary of the public consultations and **Annex 4** Focus Group Discussion Reports).

An MTCIP project brochure was also created and distributed during the public consultations (see **Annex 5**. MTCIP brochure).

Upon the invitation of the governor of Bukidnon, DPWH UPMO presented the MTCIP in the regular meeting of the Bukidnon Provincial Council on September 27, 2023.

For the project implementation phase, MTCIP will continue to engage with affected communities, including host communities, through the process of stakeholder engagement described in WB ESS10. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. PAPs and stakeholders will be consulted in all phases of the resettlement planning and implementation processes.

Community meetings will be organized in accessible locations and at convenient times to allow the participation of all PAPs. Separate discussions with vulnerable groups will be held to ensure that their specific needs and views are obtained and acted upon through the RPF and the subproject RAP. If necessary, DPWH will provide the PAPs a transportation allowance.

Disclosure of relevant MTCIP information will continue throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process.

The MTCIP RPF as well as the sub-project RAP will be disclosed to the PAPs through the LGUs to which they belong. Public consultations will be held with LGU officials, PAPs, and other stakeholders. Minutes of Meetings or other evidence of public consultations will be recorded. The following topics will be discussed during the public consultations:

- i. Brief project description
- ii. Entitlement and compensation policies adapted by the project

- iii. Succeeding resettlement planning activities such as census validation, tagging, and socioeconomic survey
- iv. Detailed measurement survey (inventory of affected assets)
- v. Establishing the cut-off date

The cut-off date will be announced in public consultations.

Additional provisions apply to consultations with displaced Indigenous Peoples, in accordance with WB ESS7, as stated in the Indigenous Peoples Policy Framework.

12. Monitoring and Evaluation

Arrangements for the monitoring of resettlement activities will be made by the DPWH UPMO, supplemented by third-party monitors. Monitoring ensures that complete and objective information is gathered on the implementation of the RPF and the RAP, especially on land acquisition, payment of compensation, resettlement of persons severely impacted by the project, and release of project funds.

12.1 Internal Monitoring Agent and External Monitoring Agent

DPWH UPMO will organize an **Internal Monitoring Agent (IMA)** to undertake internal monitoring and evaluation of the subproject RAP.

The tasks and obligations of the IMA are to:

- i. Supervise and monitor the implementation of the RAP, on a regular basis, in coordination with the concerned Local Housing Boards/LIAC. The findings will be documented by IMA in the quarterly report to be submitted to the UPMO, for eventual submission to the World Bank.
- ii. Verify the baseline information of all PAPs. Confirm whether the provision of compensation and other entitlements has been carried out in accordance with the WB ESS5 and applicable Philippine laws.
- iii. Ensure that the RAP is implemented as designed and planned.
- iv. Verify that funds provided for the implementation of the RAP are given in a timely manner and the amount is sufficient for each activity and used for the intended purpose.
- v. Record all grievances, their nature, and the corresponding resolution, and ensure that complaints are handled in a prompt manner.

DPWH UPMO will commission an **External Monitoring Agent (EMA)** to undertake independent external monitoring and evaluation. The EMA is either a qualified individual or a consultancy firm with qualified and experienced staff.

The Terms of Reference of the engagement of the EMA will be prepared by DPWH UPMO. The TOR should be acceptable to the World Bank prior to the engagement.

The tasks of the EMA are the following:

- i. Verify the results of the internal monitoring done by the IMA;
- ii. Verify and assess the results of the information disclosure on the rights and entitlements of PAPs;
- iii. Verify that the compensation process has been implemented according to established procedures and that these are properly communicated to the PAPs during consultation meetings;
- vi. Assess whether the resettlement objectives have been met, especially the restoration or enhancement of livelihood and living standards;
- vii. Assess the efficiency, effectiveness, impact and sustainability of the implemented

resettlement plan and draw lessons from the RAP to serve as guide for future resettlement;

- viii. Ascertain whether the resettlement was appropriate to meet the development objectives of MTCIP, and whether the objectives were suited to PAP conditions;
- ix. Suggest modification in the implementation procedures of the RAP, if necessary, to achieve the principles and objectives of the Resettlement Policy Framework;
- x. Review how compensation rates were evaluated; and
- xi. Review the handling of compliance and grievance cases.

External monitoring and evaluation will be of two types: (i) random observation visits and (ii) consultation with PAFs, both at their current residence area and at their relocation site.

12.2 Updating of RAP information

If during subproject implementation or in case of changes in subproject design or alignment, additional adverse social impacts are identified and/or additional affected households are found, the PAPs are entitled to receive project entitlements as provided for in this RPF and the corresponding subproject RAP, and associated legal instruments.

Updating of RAP information and costs should be undertaken in the following cases: the implementation is delayed by twelve months; there is a significant change in the project scope; and/or there is material evidence of inflation significant enough to increase the resettlement budget.

In case there are variations made in the World Bank ESF and the Philippine legislation related to land acquisition and resettlement, a review of and amendments in the RPF and subproject RAP may be triggered.

Annexes

Annex 1. MTCIP Proposed Contract Packaging for LTPBM Contract

MTCIP Proposed Contract Packaging for Long Term Performance-Based Maintenance Contract (CDO-Davao-General Santos)				
Contract Packages	Length (km)	Proposed Project Length	Municipality/City	DPWH District Engineering Office (DEO), Regional Office
Main Corridor (422 km)				
1	10.245	50.575	Cagayan de Oro City	Cagayan de Oro 2nd DEO, Region X
	29.9		Manolo Fortich	Bukidnon 3rd DEO, Region X
	10.43		Sumilao	
a2	15.9	64.683	Impasug-ong	Bukidnon 1st DEO, Region X
	32.383		Malaybalay City	Bukidnon Sub DEO, Region X
	16.4		Valencia City	
3	22.611	80.991	Maramag	Bukidnon 2nd DEO, Region X
	58.38		Quezon	
4	30.7	50.2	Arakan/Davao City	Davao City 2nd DEO, Region XI
	19.5		Davao City	
5	26.493	53.761	Davao City	Davao City 2nd DEO, Region XI
	14.236			Davao City DEO
	13.032			Davao City 2nd DEO, Region XI
6	21.721	58.458	Sta. Cruz	Davao del Sur 1st DEO, Region XI
	8.779		Digos City	
	11.061		Hagonoy	
	4.3		Padada	
	2.397		Sulop	
	10.2		Malalag	
7	38.95	63.583	Malungon	Sarangani DEO, Region XII
	24.633		General Santos City	South Cotabato DEO, Region XII
Total	422.25	422.25		
Link Road				
1	LR1 = 25.03	25.03	Sayre-Kibenton-Kawayan-Sayre	Bukidnon 1st DEO, Region X
2	LR2 = 59.4	41.2	Bantol-Saloy-Malabog-Fatima-Panabo City	Davao City DEO, Davao City Sub DEO, Region XI
3		18.2		Davao del Norte Sub DEO, Region XI
4	LR3 = 44.03	18	Malungon-Sta. Maria	Davao Occidental DEO, Region XII
5		26.03		Sarangani DEO, Region XII
Total	128.46	128.46		

Annex 2. Contents of the Resettlement Action Plan

- 1) Description of the project
- 2) Identification of potential project impacts
 - (a) the project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project;
 - (b) the zone of impact of such components or activities;
 - (c) the scope and scale of land acquisition and impacts on structures and other fixed assets;
 - (d) any project-imposed restrictions on use of, or access to, land or natural resources;
 - (e) alternatives considered to avoid or minimize displacement and why those were rejected; and
 - (f) the mechanisms established to minimize displacement, to the extent possible, during project implementation.
- 3) Objectives of the MTCIP subproject resettlement program
- 4) Census survey and baseline socioeconomic studies. A household-level census identifies and enumerates affected persons, and, with the involvement of affected persons, surveys land, structures and other fixed assets to be affected by the project. The census is also used in the following:
 - (a) identify 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;
 - (b) yield information on vulnerable groups or persons for whom special provisions may have to be made;
 - (c) identify public or community infrastructure, property or services that may be affected;
 - (d) provide a basis for the design of, and budgeting for, the resettlement program;
 - (e) in conjunction with establishment of a cutoff date, provide a basis for excluding ineligible people from compensation and resettlement assistance; and
 - (f) establish baseline conditions for monitoring and evaluation purposes.
- 5) Legal framework
 - (a) the scope of the power of compulsory acquisition and imposition of land use restriction 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 grievance redress mechanisms that may be relevant to the project;
 - (c) laws and regulations relating to the agencies responsible for implementing resettlement activities; and
 - (d) gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps.
- 6) Institutional framework

- (a) the identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;
 - (b) an assessment of the institutional capacity of such agencies and NGOs/CSOs; and
 - (c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation.
- 7) Eligibility criteria
 - 8) Valuation of and compensation for losses
 - 9) Community participation
 - 10) Implementation schedule
 - 11) Costs and budget
 - 12) Grievance redress mechanism
 - 13) Monitoring and evaluation
 - 14) Arrangements for adaptive management

Land acquisition that entails resettlement must be supported by the following documentary requirements:

- a) Resettlement Action Plan;
- b) Master list of project-affected persons
- c) Summary of affected lands and Improvements and
- d) Legal documents signed by all affected persons.

Annex 3. Summary of Public Consultation Results Related to Land Acquisition and Involuntary Resettlement

Activity	Date	Venue	Total Number of Participants			Office/Agency	Key Issues discussed	Response of Project team/ Next steps
			Male	Female	LGBT	MinDA LGU, DPWH Other sectoral representative		
Public Consultation 2	Sep 26, 2023	Region X Northern Mindanao Province of Bukidnon PDO Auditorium, Provincial Capitol, Malaybalay City	22	17	1	DPWH-DEO 1 st District LGUs and other sectoral groups	<ol style="list-style-type: none"> 1. RROW process in widening. 2. Reminded that RROW acquisition in Kitaotao area is a primary challenge to DPWH road improvement projects. know the final design of the road. 3. Bantol LGU reminded of different types of land ownership in the affected areas (e.g. ancestral domain, A&D, and CADT issued land). Inquiry on the mode of acquisition that will be used. Asked on the RROW width. 4. Saloy LGU reminded that affected households by previous DPWH road projects have not been paid yet. And, inquired when will they know the final road alignment. 5. Suggestions from Barangay LGUs: <ol style="list-style-type: none"> a. Discuss and present the final design to the Barangay Councils. b. Barangay Councils can suggest areas that will not be greatly affected by the project. c. Sitio Cabonbon has lot of residents that will be affected by the project. 	<ol style="list-style-type: none"> 1. DPWH-UPMO follows R 10752. 2. DPWH-UPMO replied that MTCIP is still in FS phase, and for presentation to NEDA-ICC. Prior to it, PDC and RDC endorsement are needed. 3. DPWH-UPMO replied that improvement will be a complete package. 4. DPWH-UPMO said that replacement cost will be applied to affected structures, crops and trees. For land acquisition, RA10752 and other guidelines will be applied. RRWO will be 20 meters. 5. DPWH-RO explained that for MTCIP, affected households will be paid by DPWH first, not by barnagy LGUs.

Activity	Date	Venue	Total Number of Participants			Office/Agency	Key Issues discussed	Response of Project team/ Next steps
			Male	Female	LGBT	MinDA LGU, DPWH Other sectoral representative		
Public Consultation 3	Sep 27, 2023	Region XI Davao Region Province of Davao del Norte Provincial Capitol Conference Hall, Tagum City (9-11am)	18	16		DPWH-RO and DEO LGUs and other sectoral groups	<ol style="list-style-type: none"> 1. It was suggested that social and Environmental factors must be included in the study, and inquired about how it will be done. 2. Provincial LGU reminded DPWH that affected households of previous road projects are not yet compensated. Further inquired, if the MTCIP will affect other or additional households. Suggested that the Barangay LGUs must. 3. DPWH-DEO recommended rerouting of the proposed Link Road 3 to avoid passing through landslide-prone slope, narrow ridges and avoided loss of assets along ancestral lands: 	<ol style="list-style-type: none"> 1. GECI responded that the study conforms to the E&S mandate of the World Bank, and will submit an ESMF for the project. 2. DPWH-UPMO and GECI explained that compensation will be due to affected lands and other assets in current market values. Cost will be part of the project valuation. 5. DPWH-UPMO responded that the suggestions and observations will be included in the design phase of the project.
Public Consultation 4	Sep 27, 2023	Region XI Davao Region Davao City DPWH Regional Office Conference Hall, Davao City (2-4pm)	17	13		DPWH-RO and DEO LGUs and other sectoral groups	<ol style="list-style-type: none"> 1. Inquiry on the compensation for Cutting of trees, including coconut. Other effects of the project to the community based on study. Informed that there is an existing road project from Demoloc to Malungon but interrupted due to boundary conflict. Inquired if Demoloc is included in the MTCIP. 2. The National Commission on Indigenous Peoples should be informed on 	<ol style="list-style-type: none"> 1. DPWH-UPMO replied that the project is still in FS phase; technical options analysis is still being conducted by GECI; land acquisition and compensation will be based on RA 10752; RROW will be determined after the FS. Information is needed from to be included in the option analysis

Activity	Date	Venue	Total Number of Participants			Office/Agency	Key Issues discussed	Response of Project team/ Next steps
			Male	Female	LGBT	MinDA LGU, DPWH Other sectoral representative		
							account of Ancestral Domain, in order to invite IPs during consultation.	and/or final design of the road. 2. DPWH-UPMO said that replacement cost will be applied to affected structures, crops and trees. For land acquisition, RA10752 and other guidelines will be applied. RRWO will be 20 meters. 3. DPWH-RO explained that for MTCIP, affected households will be paid by DPWH first, not by barangay LGUs.
Public Consultation 5	Sep 28, 2023	Region XI Davao Region Province of Davao del Sur Digos City Gymnasium Hall (9-11am)	21	25		DPWH-RO and DEO LGUs and other sectoral groups	1. Provincial LGU requested GECl to determine all the affected barangays of the project. 2. Municipal LGU of Sta Cruz inquired if due diligence is really implemented, and relocation sites for affected households. 3. IP representative inquired the project plans for the remote barangays of Binaton, Kapatagan, Goma and Balabag.	1. DPWH-UPMO replied that the focus is on connecting farms to roads to provide easier access. DPWH-UPMO collaborates closely with MINDA and various LGUs to assess the needs of each town. The LGUs were urged to provide the necessary data to identify problem areas in the region. 2. GECl explained that due diligence follows WB ES standards. Selected barangays are along the main corridor road;

Activity	Date	Venue	Total Number of Participants			Office/Agency	Key Issues discussed	Response of Project team/ Next steps
			Male	Female	LGBT	MinDA LGU, DPWH Other sectoral representative		
								and the LGU is responsible in relocation/ resettlement in coordination with DPWH and other relevant agencies.
Public Consultation 6	Sep 28, 2023	Region XII SOSCSKSARGEN General Santos City City Hall of General Santos (2-4 pm)	14	-p		DPWH-RO and DEO LGUs and other sectoral groups MinDA	1. Inquiries if the ROWA is included, the estimated budget for the project and the environmental impacts.	1. DPWH-UPMO announced that ROWA is included, due diligence is being done for the estimated budget and ECC will be secured.
Public Consultation 7	Sep 29, 2023	Region XII SOCCSKSARGEN Province of Sarangani City Hall of General Santos City (2-4pm)	10	17		DPWH-RO and DEO LGUs and other sectoral groups MinDA	1. Barangay LGU official concerns on the compensation of affected families.	1. DPWH-UPMO said that RA10752 will be followed for the compensation of affected families.
Public Consultation 8	Sep 29, 2023	Region XI Davao Region Province of Davao Occidental Davao Occidental Provincial Capitol Conference Hall, Sta. Maria (2-4pm)	11	16		DPWH-RO and DEO LGUs and other sectoral groups	1. Inquiry on the compensation for cutting of trees, including coconut. 2. The National Commission on Indigenous Peoples should be informed on account of Ancestral Domain, in order to invite IPs during consultation. 3. Road 3 to avoid loss of assets along ancestral lands, Kidadan as a potential rerouting option while maintaining the same exit route.	1. DPWH-UPMO replied an existing law to compensate for the cutting of trees and houses affected and that the Philippine Coconut Authority is responsible for covering the cost associated with compensating coconut trees. 2. DPWH-UPMO that the recommendations by DEO will be considered in the FS and DED phase.

Annex 4. Summary of Land Acquisition and Involuntary Resettlement Issues Raised in Focus Group Discussions

Activity	Date	Venue	Total Number of Participants			Type of stakeholders	Key Issues discussed	Response of Project team/ Next steps
			Male	Female	LGBT	Women, Youth, Senior, Indigenous People, Business Sector		
Focus Group Discussion 1	Oct 17, 2023	CPDO Conference Room, Cagayan Davao de Oro City, Misamis Oriental	5	8		CPDO, Women Sector, ORO-TIPS, CEO	<p>1. Are there any other concerns aside about the project from what was mentioned?</p> <p>2. What are your suggestions on how the road improvement project can be implemented to address these concerns, manage risks, or mitigate possible adverse effects?</p>	<p>1. The ROW problem does not only affect the residents. There are cases where they experience utility problem in which the project was done but the equipment used stays in the area which causes trouble.</p> <p>2. Suggested that the DPWH to apply permit of cutting trees by whole not only by section.</p>
Focus Group Discussion 2	Oct 18, 2023	Tourism Hall, Municipality of Impasug-ong, Province of Bukidnon	6	19		Senior, IPs, LGU,	1. What are your current experiences, are there any other concerns aside about the project from what was mentioned?	1. Representative from senior: Raise her concern of the affected houses and buildings, and asked what this project will do?
Focus Group Discussion 3	Oct 20, 2023	Third Floor, Function Hall, Panabo City, Davao del Norte	1	3	1	CMO Housing, CPDO, CEO	1. What are your current experiences, are there any other concerns aside about the project from what was mentioned?	1. An increase in land value, changes in land use, possibility of attracting additional migrants to the area.

Annex 5. Public Consultation Brochure

PUBLIC CONSULTATION STAKEHOLDERS

Hon. Peter M. Unabia Governor, Province of Misamis Oriental
Hon. Rogelio Neil P. Roque Governor, Province of Bukidnon
Hon. Edwin I. Jubahib Governor, Province of Davao del Norte
Hon. Yvonne R. Cagas Governor, Province of Davao del Sur
Hon. Sebastian Z. Duterte City Mayor, Davao City
Hon. Franklin P. Bautista Governor, Province of Davao Occidental
Hon. Rogelio D. Pacquiao Governor, Province of Sarangani
Hon. Lorelie G. Pacquiao City Mayor, General Santos City

Republic of the Philippines
Department of Public Works and Highways
Unified Project Management Office
Roads Management Cluster II (Multilateral)

MINDANAO TRANSPORT CONNECTIVITY IMPROVEMENT PROJECT
Cagayan de Oro - Davao - General Santos City Corridor

PUBLIC CONSULTATION
September 26-29, 2023

PROGRAM:
Opening Remarks
Introduction of the Project
Open Forum
Closing Remarks

To be funded by:
WORLD BANK GROUP

DDOA Consultant:
Galerio Environmental
Consultancy Inc.

MTICP Mindanao Transport Connectivity Improvement Project

MTICP Mindanao Transport Connectivity Improvement Project

Cagayan de Oro Road - Davao City
Length= 277.40 km

Project 1
Sayre Highway (Patulangan) - Cawayan - Kibenton Rd., Bukidnon

Project 2
Fatima - Malabog Rd - Saloy - Bantol - Davao - Bukidnon Rd to Panabo City, Davao City and Davao del Norte

Project 3
National Highway Jct. Poblacion Matungon to Sta. Maria Rd. Davao Occidental

Davao City - General Santos City
Length= 150.80 km

PROJECT DESCRIPTION

The Mindanao Transport Connectivity Improvement is a pipeline project for future funding by the World Bank, in support to the Department's goal to enhance the transport network in Mindanao, particularly in the agricultural sector. It focuses on road upgrading/improvement, incorporating climate resilience in road design and asset management, and enhancement of road safety measures along the Cagayan de Oro - Davao - General Santos Corridor, of about 428.20 km and the new construction and upgrading of three (3) local road sections connecting to the national roads.

PROJECT OBJECTIVES

- The Project supports the agricultural sector of Mindanao by providing and enabling more efficient movement of agriculture products from hinterlands to markets, and to make the mountainous and rural areas that are difficult to reach, be reachable with ease, convenience, and safety;
- To implement better-quality maintenance practices through the Long Term Performance-Based Maintenance (LTPBM) Concept in improving and preserving the overall condition and value of road assets during the contract period resulting in a more economical approach to routine and periodical maintenance in succeeding years.

Legend:
— National Road (General Santos City - Davao City - Cagayan de Oro)
— Proposed Road Project