




# **Encroachment in Urban Resettlement**

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## Encroachers and squatters – people occupying land in violation of local or national law

- ▶ those with longstanding and sometimes customary or ancestral claims to the land they occupy;
- ▶ those who have occupied land more recently, e.g. on unused estates or margins of formal rights-of-way; and
- ▶ those who move into an announced project area or other zone, opportunistically seeking to receive benefits under a resettlement program




# Squatters - International standards

## Entitlements – E.g. WB OP/BP 4.12:

- Not entitled to land compensation but “resettlement assistance” to maintain or improve their livelihoods and living standards
- Compensation at replacement cost for lost assets other than land (primarily structures, trees, other improvements made to the land)

## Other concerns – sustainable development

- Poverty reduction goals of international agencies, donors and governments
- Equity – often squatters are among the poorest and most vulnerable, who may have settled to seek economic purposes and encouraged by enterprises and local governments
- Human rights – right to housing



## Avoidance of opportunistic influx into a project area (“professional squatters”)

- ▶ Early establishment of a cut-off date with identification and enumeration of occupants (legal and illegal) and assets (census)
- ▶ Cut-off date needs to be publicly announced (continuously)
- ▶ Cut-off date needs to be enforced; e.g.:
  - ▶ Issue identity cards as part of census
  - ▶ Photographs of assets, aerial photos, satellite images
  - ▶ Involving local communities in protecting area from influx



# Resettlement Assistance

- Upgrading of settlements and housing – in-situ resettlement
- Relocation to improved housing, preferably nearby to maintain livelihoods (in-city resettlement)
- Relocation assistance
- Regularization of tenure
- Livelihood restoration, employment opportunities
- Temporary income assistance
- New market sites for vendors
- Opportunity for development.....

# Encroachment in Metro Manila Waterways



- Nearly 600,000 ISFs in Metro Manila
- 1 out of every 4 people in Metro Manila live in informal settlements,
- Lack of security of tenure, poor living conditions, and high exposure to natural disasters, especially flooding
- Many ISFs live along/over drainage channels and waterways
- MM generates about 9,000 tons of waste per day---1,800 tons remain uncollected and end up in waterways



# Oplan Likas Approach

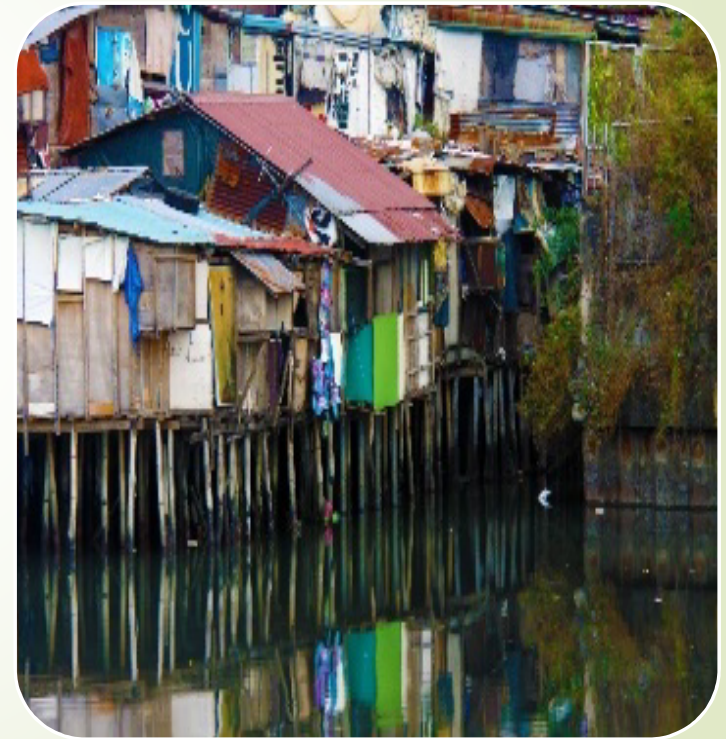
- Accelerating provision of shelter, particularly for low-income groups and urban poor
- Move 104,000 ISFs out of danger areas
- PHP 50 billion (approximately US\$1.15 billion) over 5 years from 2011 to 2016 to finance land acquisition and housing construction costs
- Taking global and national best practices into account, advocates for in-city relocation within the vicinity of ISFs' livelihoods, leaving off-city relocation as a last resort.

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Point 15 of President Aquino's **16-point Social Contract with the Filipino People**: "inclusive urban development where people of varying income levels are integrated in productive, healthy, and safe communities"

# Oplan Likas Good Practices

- ▶ In-City relocation
- ▶ Peoples Plan (Community-driven type; CSO engagement) –e.g. AMVACA resettlement
- ▶ Relocation of thousands of ISFs was carried out without any major incident of violence, contrary to many relocation activities prior to Oplan Likas
- ▶ Contributing factors include:
  - ▶ adoption of certain protocols, e.g. the affected families were allowed to demolish their houses themselves
  - ▶ Incentives, e.g. transitional assistance of PhP 18,000 (about US\$380)
  - ▶ a certain degree of choice on which site to resettle
  - ▶ clear eligibility criteria and conduct of a census.







# Gaps/Constraints

- ▶ Limited urban space (Social Housing competing with other commercial interests)
- ▶ Inadequate consultations with the hosting communities
- ▶ Instances of lack of preparation of a Peoples' Plan or a Resettlement and Rehabilitation Action Plan (RRAP)
- ▶ Insufficient information on types and extent of assistance ISFs were entitled to
- ▶ Unpreparedness of off-city sites to receive ISFs due to the absence of electricity and water connections
- ▶ Limited livelihood restoration measures, inadequate consideration of market demand of people's skills and products as well as the people's preferences, and without seed capital or provision of tools
- ▶ Untimely assistance to the hosting LGU and community to upgrade public facilities and basic services
- ▶ Grievance redress mechanism (GRM) not properly utilized



# Government's Remedial Measures

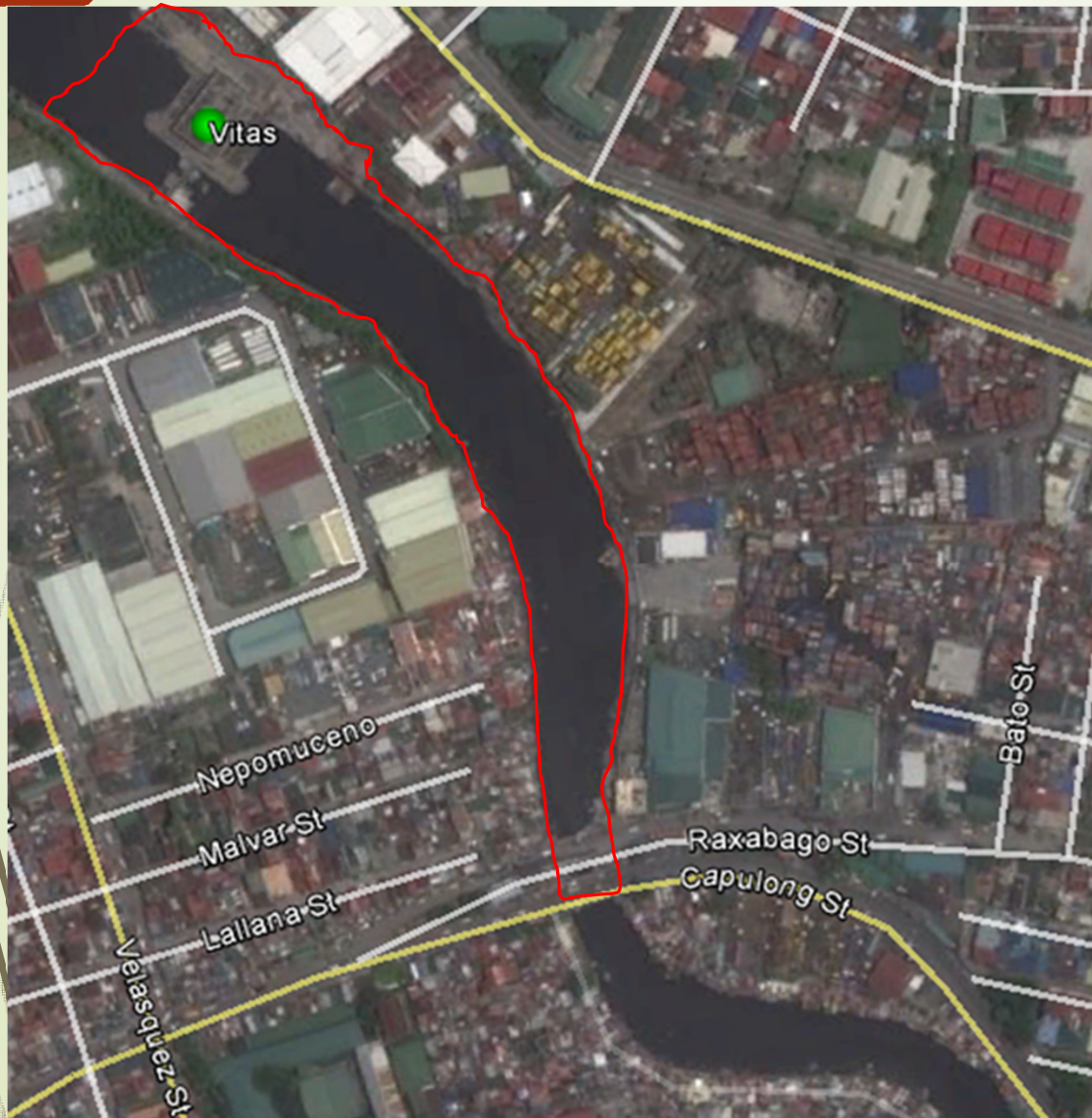
- ▶ Immediate measures:
  - ▶ actions by concerned agencies to ensure resettlers' access to basic services and short-term employment such as cash for work
  - ▶ setting up permanent NHA field offices to facilitate regular dialogue between NHA and resettlers.
- ▶ Medium- to long-term measures focus on policy development to address key issues including:
  - ▶ formulation of a National Housing and Resettlement Policy Framework
  - ▶ measures for re-allocation of resettlement budgets needed to accommodate sending and receiving LGUs
  - ▶ drafting of enabling legislation to provide specific rules and regulations for resettlement policy implementation
- ▶ P1.8 billion rehabilitation fund - to address service delivery gaps in the 18 Oplan Likas resettlement sites

# MMFMP Social Safeguards Approaches

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	Dec 8, 2014	Project Effectiveness
<u>Group 1</u> Meet national legislation and Objectives of OP 4.12	<u>Group 2</u> OP 4.12 compliant	<u>Group 3</u> OP 4.12 compliant
<b>DDR</b>	<b>RAP</b>	<b>RPF/RAP</b>
Community Projects	Entitlements per OP 4.12 Individual Assistance and/or Community Projects	Entitlements per OP 4.12

# Link with Oplan Likas only in Area of Influence/Technical Footprint



## Covers:

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

# Entitlements per RPF/OP 4.12

- Meaningful consultations leading to informed decisions by PAPs – participation in planning and implementing resettlement programs
- Provided with resettlement options
- Compensation at replacement cost for lost structures and fixed or immovable assets (for those who will not avail of the housing/resettlement option)
- Affordable in-city or near-city physical resettlement at locations in reasonable proximity to places of work and sources of income, which is essential to preclude any significant increase in travel costs and time to work places
- Assistance to vulnerable groups
- Post-displacement development assistance (e.g. training for livelihood, employment)



Resettlement activities conceived and executed as *sustainable development programs*, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits

Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.