

# PHILIPPINES

## Housing, Land and Property in Urban Transitional Settlements





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## PROJECT DESCRIPTION

**Country:** The Philippines

**Project location:** City of Cagayan de Oro and Iligan City, Mindanao

**Disaster:** Tropical Storm Washi (Sendong)

**Disaster date:** December 16<sup>th</sup> 2011

**Project timescale:** 10 months

**Houses damaged:** 13,585 completely destroyed, 37,560 damaged in the whole region.

**Affected population:** 58,320 families affected, 1,470 people killed, 1,074 missing, 2,020 injured.

**CRS target population:** 1,823 households

**Material cost per shelter (USD):** \$410 for relocation sites, \$550 for onsite reconstruction.

**Project budget (USD):** \$1.9 million from USAID/ Office of Foreign Disaster Assistance (OFDA) Latter Day Saints Humanitarian Services and a number of private donors.

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## Housing, Land and Property for Urban Transitional Settlements

Housing, Land and Property rights include the full range of rights recognized by national, international and human rights law, as well as those rights held under customary land and practice. These include housing rights, land and natural resource rights, as well as other property rights. The complexity of Housing, Land and Property issues often pose a barrier to the effective delivery of early recovery housing operations, especially in urban humanitarian responses.

### Housing, Land and Property issues in the Philippines

CRS implemented an urban transitional settlement program after the destruction caused by Tropical Storm Washi. In the urban areas of Cagayan de Oro, many complex issues arose in connection with Housing, Land and Property, such as access to land for humanitarian action, affected populations seeking return to original homes, and land re-zoning issues. This experience in the Philippines highlights the importance of acquiring temporary land use for transitional settlements.

### Background

On the night of December 17, 2011, Tropical Storm Washi (locally known as Sendong) made landfall on the southern Philippine islands, causing heavy rains in northern Mindanao and parts of the Visayas. Rainfall in interior mountain areas led to severe flash flooding to levels that reached as high as second story buildings downstream in the cities of Cagayan de Oro and Iligan in Misamis Oriental and Lanao del Norte provinces. The cities of Cagayan de Oro (CDO) and nearby Iligan were decimated, with entire neighborhoods swept away in a few short hours. Flooding destroyed 13,585 homes and partially damaged another 37,559 across the affected areas, with approximately half of the destroyed homes and one-third of the partially damaged homes in Cagayan de Oro City alone. An estimated 58,320 families (more than 370,000 people) were affected by Sendong in Cagayan de Oro City and neighboring Iligan City.

The flash flooding annihilated a large portion of the city center. In Macasandig, the most heavily affected were the poor who resided informally in makeshift shelters along the river banks, but also many working and middle class families who were renting accommodation.

### What did CRS do?

- Set up over 30 transitional settlement sites, constructing transitional shelters, Water Sanitation and Hygiene (WASH) facilities, communal kitchens and site drainage.
- Constructed 1,629 transitional shelters in relocation sites.
- Constructed 194 transitional shelters in location of original houses.
- Built 252 latrines, 85 bathing facilities, 165 handwashing stations
- Cash for Work cleanup project for 561 people, for over 8,000 workdays.



Extent of damage caused to dwellings due to the storm.  
Photo: Charisse Mae Borja / CRS

## Project Principles

The transitional settlement program was designed to fill a gap between the emergency shelter solutions (tents/evacuation centers) and government's permanent housing plans.

CRS' transitional settlement program provided dignified living environments for the flood-affected families for the medium term.

CRS offered two type of response for the targeted participants:

1. A new relocation site for families who were unable to return to their original homes and were staying in evacuation centers or tents, or their original properties were now in the declared "no build zones."
2. Transitional shelters for families who were allowed to rebuild in their original neighborhood.

### Ill-defined no-build zones

Following Washi, the City Planning Department's zoning map for Macasandig delineates the flood zone into different categories of no-build zone, high-risk zone and medium-risk zone.

Implementing a settlement program according to this map and the code was a challenge. The authorities did not physically delineate the danger zones. Thus, when one stood on a site, it was difficult to ascertain whether a site was no-build, high-risk or medium-risk. This had a profound effect on families' futures; it determined whether they would be able to rebuild on site or be forced to relocate.

Not only was there ambiguity on the exact delineation of the zones, but an ambiguity in conditions connected to the zoning. The City Planning Department's map indicated the no-build zone, but no official statement had been made on the state of the high-risk zone. In order to clarify this issue, an ordinance should have been passed and enforced by the city council.

However, such a policy would have had a complex economic and political impact. Land owners have official land titles, and any city decision for mandatory relocation will come with compulsory purchase, which can become a large bill for the city and have a large effect on the city's economic activities.

### City Politics and Administration

With land occupancy issues, one cannot escape politics and power. In order to effectively navigate the system, research, local contacts and knowledge are essential. A close working relationship with the local government is key to success when working in an urban environment. CRS found that constant advocacy and relationship building were required to cultivate willingness for releasing land for humanitarian purpose.

**"Land availability is one factor. A shelter response needs to understand the urban context and anticipate how different kinds of displaced families such as owners, renters, and squatters will use their shelter assistance in the short and medium term."**

- Project Participant

## Land Acquisition

The following criteria were used to verify the suitability of land:

- clarity of land ownership
- donated land rent-free for up to 2 years
- clear understanding by land owner on the purpose and nature of transitional settlements
- land is well drained and not at risk of flooding or landslide
- access to roads
- access to water (either groundwater or pipe connection) and electricity
- affordability of costs for travelling into the city from the site
- proximity to public facilities such as schools, health centers and markets

Different landowners required different types of agreements. In most sites, the land was guaranteed to be returned to the owner. Overall 30 sites were established.

The types of agreements are summarized in the table below:

Owner	Type of agreement	Endorsed by
City	Verbal agreement for temporary use. Other conditions included requests for specific shelter recipients or, in one case, early closure of the site in order for the land to be used for permanent housing.	Mayor
Private	Written Memorandum of Agreement (MoA) between the Archdiocese of Cagayan de Oro and the landowner with terms and conditions.	Landowner
Church	Verbal agreement after request of Archbishop.	Archbishop

## Program Participant Selection

### Relocation Sites

CRS experienced a number of challenges in identifying, selecting and prioritizing the most vulnerable families affected by Washi. There was pressure from many sides (government officials, church leaders, camp managers, other NGOs) to prioritize certain evacuation centers (schools) or certain specific program participants. The government prioritized closing evacuation centers and tent cities over and above assisting community-based IDPs (internally displaced persons). The education cluster advocated for clearing evacuees from schools to address protection concerns associated with having IDPs within school grounds and to recommence schooling. Those who opted to return to their places of origin became the last priority in the permanent housing waiting list. Additionally, CRS faced difficulties determining whether informal settlers honestly lost their homes to the storm as there were a lack of official documentations. There were cases of "opportunists" trying to work around the system to receive a house. CRS aimed to retain community structures as much as possible when relocating program participants in the most affected areas. This was not always possible, as site locations varied, as did the timing and number of homes in each site.

## Onsite Construction

Informal settlers did not have official land or house tenure papers. Thus it was difficult to qualify whether they had lost their home to Washi or if they had lived elsewhere. In order to identify program participants for on-site rebuilding, CRS conducted a community mapping process by visiting potential program participants' former housing location, verifying the damage and/or lack of shelter, interviewing neighbors, and verifying lists of names with barangay (village) captains and community leaders. The aim was to work with a specific barangay and to keep the community structure intact as much as possible. Another difficulty was ascertaining the most needy families in the on-site rebuilding program. As time had passed, a number of families had begun rebuilding, making it tricky to verify the original damage and who was the most affected.

## Transitional Shelter Design

To gain agreement with the land owners for the temporary occupation of their land to shelter flood-affected populations, it was essential for our program to have minimal impact on their land. Thus, the shelters were designed to be moveable. CRS worked with a local architect and local engineers to design an adapted vernacular amakan house. This amakan house is an icon of Philippine culture as it represents the Filipino value of bayanihan, which refers to a spirit of communal unity or effort to achieve a particular objective. This pre-Hispanic architecture, ideally designed for the tropical climate of the Philippines, can be easily repaired or rebuilt if damaged by typhoon, flood or earthquake. The house is predominantly made of bamboo or weaved palm oil leaf for the walls, with a coco lumber structure, which is durable and inexpensive.

## Challenges

The Philippines is a middle-income country with a high level of educated population. This response had a number of favorable conditions for implementing a rapid, high-quality response.

Some positive assets were the availability of national attention and resources, ample funding pledges from national and local donors, an engaged and organized local and national government agencies and administration, and so on. Even with these conditions, this case study presents the complexity and challenges faced when addressing Housing, Land and Property issues:

- Understanding and working with new zoning rules such as no-build zones in a weak policy environment.
- Acquiring land for transitional settlements
- Coordinating with local government structures and understanding city politics and administration
- Identifying, selecting and prioritizing the affected
- Adopting appropriate transitional shelter WASH designs
- Understanding the local politics, as well as the major players with whom it was important to engage

## Further reading

NRC HLP guide

Security of tenure standard in Sphere 2018

### 1. Prepare a strategy on land acquisition

- Were there large, medium, small parcels of land within or in the outskirts of the city that could be used for transitional settlements?
- Was there willingness from the land owners to donate or allocate land for temporary occupation?
- Is there a need for advocacy for additional land to be released for transitional settlements?

### 2. What are the main conditions when searching for appropriate land?

- Clear ownership of land.
- Rent-free donation of the land for up to 2 years
- Land owner's clear understanding of the purpose of transitional settlements and its nature of use.
- Appropriate land with no flooding or landslide risk with good drainage.
- Access to road.
- Access to water and electricity
- Distance from the city.
- Guaranteed return of land to owner.

### 3. Identify, Research and then approach major land owners

- Who owns the land in the city?
- Are there any main land owners in the city?
- Is there any land owned by private, public or faith-based organizations?
- Are there certain types of land each of them own?
- Are there any protocols in initiating dialogue with any of the land owners?

### 4. Identify, survey potential sites

- Where is the land?
- How big are the parcels and how many transitional shelters can they accommodate?
- Are there any natural hazards?
- Are there public facilities nearby? i.e. schools, health centers and markets?
- Are they in a near or far location from the place of origin?

### 5. Enter negotiations for IDP occupation

- Can we determine the length of occupation of the site?
- What is the agreed occupation density?
- What is the physical design?
- Make agreement on conditions of occupancy.

### 6. Ensure Presence of utilities (electricity and water supply)

- Are there existing infrastructures on site? Can they be extended or expanded to cater for the IDPs?
- Is there piped water, rain water drainage, sewage and electricity routes near the site?
- Are utility companies willing to provide free utilities for a limited period of time?

The steps necessary to acquire land for transitional settlement relocation sites.

Credit: Joseph Curry / CRS

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