

フィリピン「バタンガス港開発事業」

評価報告：2000年3月
現地調査：1999年5月、11月

事業要項

借 入 人 : フィリピン共和国政府
実 施 機 関 : フィリピン港湾公社 (Philippine Ports Authority)
交換公文締結 : 1991年3月
借款契約調印 : 1991年7月
貸 付 完 了 : 1999年7月
貸 付 承 諾 額 : 5,788百万円
貸 付 実 行 額 : 5,497百万円
調 達 条 件 : 一般アンタイト
貸 付 条 件 : 金利 年2.7%
償還期間 30年(うち据置10年)

参 考

- (1) 通貨単位 : ペソ(Peso)
 (2) 為替レート : (IFS年平均市場レート)

年	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	
レート	Peso / US\$	24.31	24.48	25.51	27.12	26.42	25.71	26.22	29.47	40.89	38.64
	円 / US\$	144.8	134.7	126.7	111.2	102.2	94.1	108.8	121.0	130.9	117.0
	Peso / 円	5.96	5.50	4.96	4.10	3.87	3.66	4.15	4.11	3.20	3.03
CPI ^{注)}	100.0	118.7	129.3	139.1	151.7	164.0	177.8	186.8	207.8	220.7	

注 : 1990 = 100

- (3) アプライザル時レート : 1ペソ = 6.8円

- (4) 会計年度 : 1月～12月

- (5) 略語 :

BCWD	: Batangas City Water District	(バタンガス市水道区)
ECC	: Environmental Compliance Certificate	(環境適合証明書)
DAR	: Department of Agrarian Reform	(農地改革省)
DENR	: Department of Environment and Natural Resources	(環境天然資源省)
DND	: Department of National Defense	(国防省)
DOTC	: Department of Transport and Communications	(運輸通信省)
DPWH	: Department of Public Works and Highways	(公共事業道路省)
DSWD	: Department of Social Welfare and Development	(社会福祉開発省)
NEDA	: National Economic Development Authority	(国家経済開発庁)
NHA	: National Housing Authority	(住宅公社)
NPC	: National Power Corporation	(国家電力公社)
PCUP	: Presidential Commission for the Urban Poor	(都市貧困問題に関する大統領委員会)
PNP	: Philippine National Police	(フィリピン国家警察)
PPA	: Philippine Ports Authority	(フィリピン港湾公社)

- (6) 用語説明 :

- ・ バース : 岸壁や棧橋等の船舶の停泊場所。または、停泊場所を数える単位。
- ・ Ro-Ro (Roll on and Roll off) 船 : トラック等の車両ごと貨物を輸送する船(旅客も同時に輸送可能)
- ・ 一般貨物船 : 様々な貨物を輸送する船舶で、旅客は扱わない(本報告書では、コンテナを扱う船舶も含んでいる)
- ・ 内貿貨物 : 国内貿易貨物(移出 / 移入)
- ・ 外貿貨物 : 外国貿易貨物(輸出 / 輸入)
- ・ コアハウス : フィリピンで、家の骨組みや外枠だけが準備された家屋(このままでも居住可能だが、一般的に更に手を加えて住む)
- ・ ジープニー : ジープを改造したフィリピンの乗合タクシー(15人ほど乗車可能)

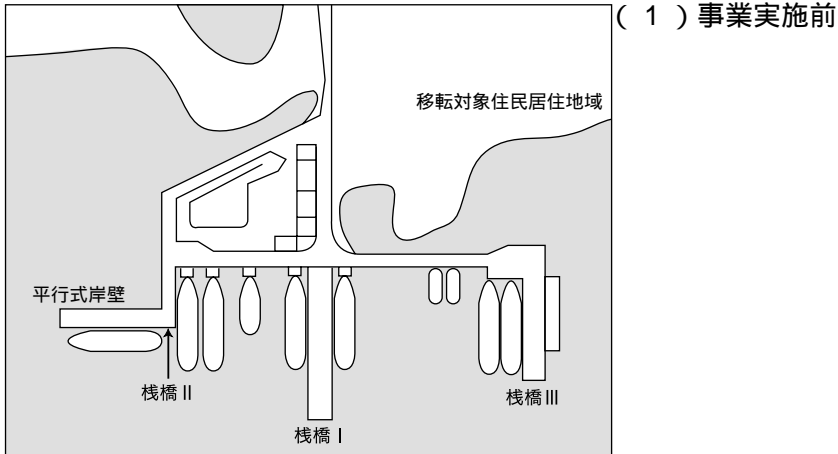
事業地

バタンガス港航路と周辺地域

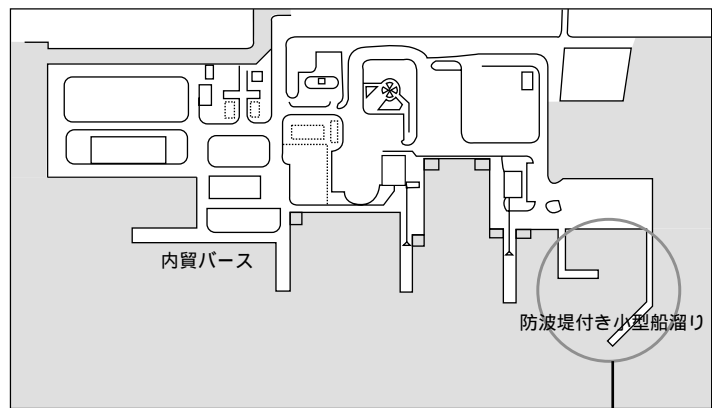


住民移転地

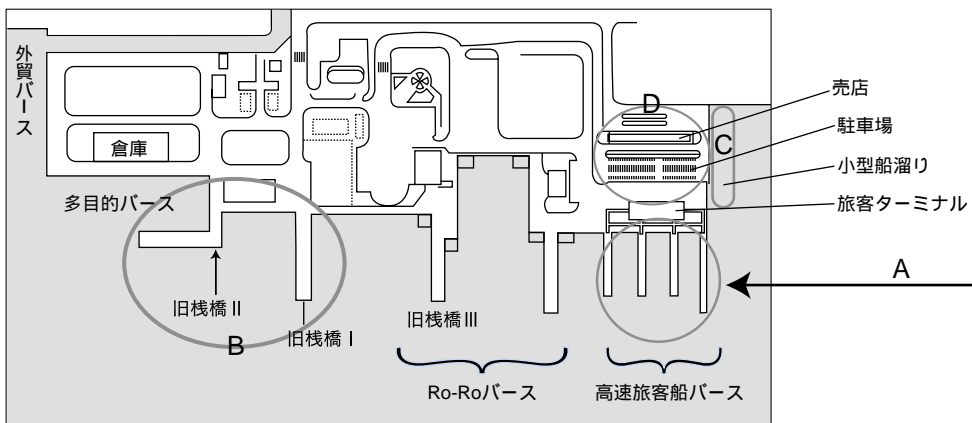
プロジェクト図



(2) 計画レイアウト



(3) 事業実施後



はじめに

本事業は、フィリピンの経済発展の観点から非常に必要性の高いプロジェクトとして、1991年に円借款供与が決定された。その後、事業実施段階で、1,467世帯の住民移転の実施に困難を伴い、1994年6月、強制家屋取り壊しに至った。住民移転の平和的遂行をフィリピン政府に求めてきた日本政府は、これを深刻に受け止め、本事業への円借款供与を一時凍結した。1994年12月に借款は再開され、1999年3月に港湾工事が完了した。

今回、国際協力銀行(以下、「本行」)では本事業の事後評価を行うにあたり、住民移転にかかわる評価に重点を置くとともに、完工によってもたらされ始めた事業効果を検証することとした。また、住民移転については、本行による評価にならび、フィリピンの住民移転問題に精通した第三者の観点からも評価する必要があると考え、アテネオ・デ・マニラ大学社会人類学部ポリオ教授¹に第三者評価を依頼した。

1. 事業概要と主要計画/実績比較

1.1 事業概要と国際協力銀行分

本事業は、バタンガス港の狭隘かつ不十分な施設を整備、拡張することにより、物流の効率化による周辺地域の開発促進・交通環境の改善を図るものである。本行の融資対象部分は、本事業の外貨全額と内貨の一部である。

1.2 本事業の背景 (1990年アブレイザル時点)

1.2.1 バタンガス港の開発計画

メトロマニラの南方110kmに位置するバタンガス港(冒頭地図「バタンガス港航路と周辺地域」参照)は、ルソン島南西に位置するバタンガス湾の北東部に立地しており、大規模港湾の開発に有利な「天然の良港」としての条件を備えている。1990年アブレイザル当時、バタンガス港は主に、ミンドロ島の玄関口であるカラバン港へのRo-Ro船の発着港として機能していたが、1980年代から、バタンガス港に以下の地域開発促進機能を持たせるべく、大規模な港湾開発が計画されていた。

ミンドロ島への門戸港としての更なる機能：マニラ首都圏、南タガログ地域の農産物の供給元であるミンドロ島との物流促進、ひいてはミンドロ島の開発に寄与。背後圏の経済開発に寄与する地域の中心港としての機能：フィリピンの主要工業地区である南タガログ地域の地域経済開発を刺激。

マニラ首都圏と関連した機能：交通渋滞の悪化するマニラ首都圏内のマニラ港を補完する第二の港としての機能。

これらの開発方針を背景に、フィリピン政府からの要請を受けて1984年にJICAがバタンガス港開発のフィージビリティ・スタディ(F/S)を実施した。このF/Sの中で、開発計画は短期と長期に分けられており、短期計画では、まず、現況の極めて狭隘かつ老朽化した施設を、整備、拡張し、物流の効率化を図ることが目的とされている。長期計画では、外貿施設の充実した大規模港湾への拡張を計画しており、これにより上述のマニラ港補完機能の促進を期待している。本事業は、バタンガス港開発事業のI期事業として、この全体開

¹ Dr. Emma Porio, Professor and Chair, Department of Sociology and Anthropology

米国ハワイ大学博士課程修了(社会学)。フィリピンを中心に、都市の貧困問題や住民移転に関する多数の調査・研究実績を有する。世界銀行、国連等のコンサルタントとしても活躍している。

発計画のうち、短期計画に相当するものである。なお、長期計画の一部となるII期事業にかかる円借款は1998年9月に契約調印されている。

1.2.2 本事業(第I期事業)の必要性

表1.1 本事業実施前の施設概要

施設	規模	用途	状態	建設時期
栈橋I	延長135m、幅15m、水深6m	Ro-Ro船と一般貨物船の共用	修復中(台風被害)	1940年代
栈橋II	延長48m、幅12m、水深4m	Ro-Ro船と一般貨物船の共用	老朽化顕著	1971年
栈橋III	延長85m、幅15m、水深2.67m	内側を船舶修理、外側をバージ船の係留に利用	老朽化顕著	1971年
平行式岸壁	延長93m、幅15m、水深7.5m	一般貨物船バース(内貿・外貿)	岸壁の入口が貨物車両で混雑。	1972年
港湾設備用地	2.6 ha	事務所・税関・旅客ターミナル・駐車場	狭隘で車両、旅客、貨物で混雑。	n.a.

出所：JBIC資料

冒頭「プロジェクト図」および表1.1にあるように、本事業実施前のバタンガス港の施設は、接岸施設や後背地が極めて狭隘で、かつ老朽化していた。そのため、港湾運営上、以下のような問題点があり、秩序だった効率的な運営が不可能であった。

貨物、旅客および車両の流れが分離できないため、荷役効率が低く、旅客の安全通行にも問題がある。

倉庫等スムーズな荷役に欠かせない貨物の保管区域がなく、また、駐車場も不十分であるため、港湾構外にも貨物や車両が溢れている。

一般貨物船とRo-Ro船が同じバースを共用するため、バースが混雑し、船舶、利用者ともに待ち時間が発生。また、1万DWT²を超える大型船を接岸できるバースがないため、錨泊させ、バージ(はしけ)による沖荷役が必要。

バタンガス港長期開発の第一歩となる本事業は、これらの問題点を解決し、今後の更なる輸送需要に応えるべく計画された。ラモス大統領は、本事業を「フィリピン2000年計画」³の中で、重要プロジェクトとして位置づけた。

1.3 本事業の経緯

詳しくは、別添「事業経緯」を参照ありたい。また、住民移転にかかわる経緯は 3.1 で詳述する。

² DWT = Dead Weight Ton = 載貨重量トン数

³ ラモス大統領によって策定された開発計画であり、2000年までにフィリピンが国際経済における競争力をつけることを目的としている。

1984年	JICAによるフィージビリティ・スタディ(1985年12月報告書発行)
1987年5-6月	本行「バタンガス港開発事業 E/S」アプレイザル
1988年1月	「バタンガス港開発事業 E/S」借款契約締結(承諾額192百万円)
1990年7-8月	本行による「バタンガス港開発事業」アプレイザル
1991年7月	「バタンガス港開発事業」借款契約締結(承諾額 5,788百万円)
1993年5月	本行が港湾工事契約の同意申請をPPAから受領(翌年12月まで同意保留)
1994年6-7月	強制家屋取り壊し
1994年7月	日本政府による本事業の融資凍結
1994年12月	日本政府による借款再開、本行による本体工事契約同意
1995年2月	本体工事開始
1999年3月	本事業(I期事業)完工

1.4 主要計画・実績比較

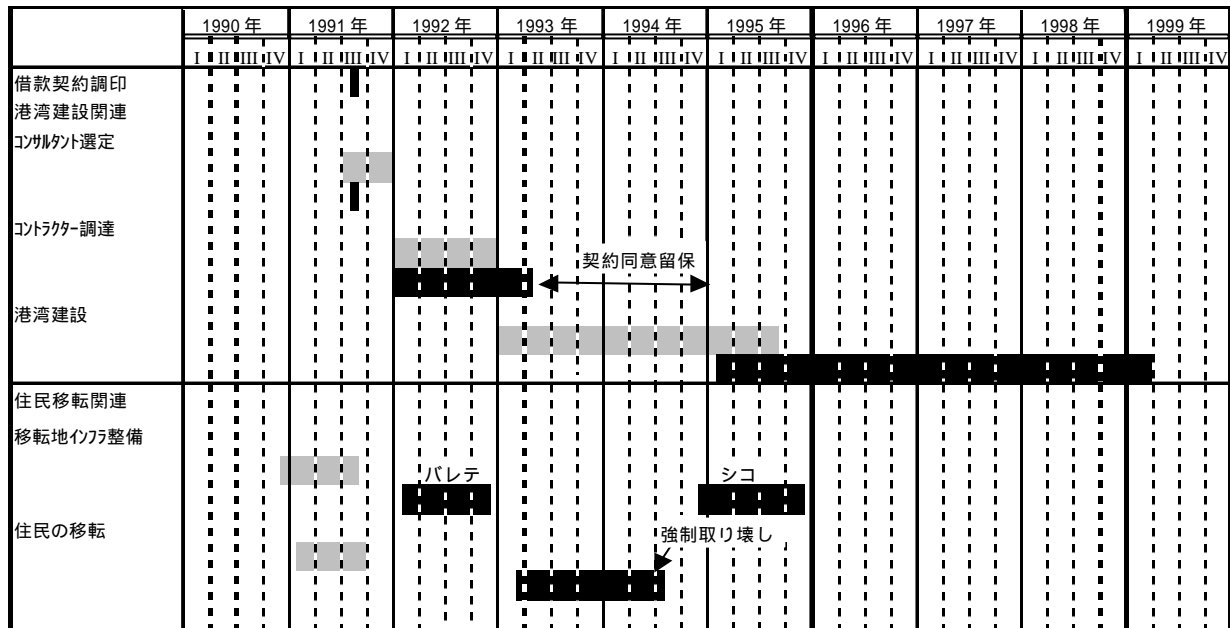
1.4.1 事業範囲

	計画(アプレイザル時)	実績
<u>港湾建設</u>		
・ Ro-Roバース建設 / 改良	建設4バース、改良2バース (水深5m、延長120-130m)	建設6バース(全て建設)
・ 外貿バース	1バース(水深10m、延長185m)	同左
・ 多目的バース	1バース(水深10m、延長220m)	同左
・ 埋立地造成・各種建物建設	旅客ターミナル・倉庫・駐車場等	同左
・ 小型船溜り(防波堤付き)	1箇所	高速船7バースに変更
・ 内貿バース建設 / 改良	2バース(水深10m、延長220m)	削除(II期事業に延期)
<u>移転住民支援に係る施設建設</u>		
・ 住民移転地シコから市の中心への 道路舗装		9km(追加)
・ 港湾敷地内の売店設備		1棟(追加)
<u>コンサルティング・サービス</u>		
詳細設計 / 施工監理等	310 M / M	390M / M

出所：JBIC資料、PPA資料

1.4.2 工期

単位：百万ペソ



■ 計画：港湾建設関連はアプレイザル時(1990年8月)
住民移転関連は実行委員会による覚書成立時(1989年3月)
■ 実績

出所：JBIC資料、PPA資料

1.4.3 事業費

単位：百万円、()内は百万ペソ

	計画(アプレイザル時)				実績				差異				
	外貨		内貨		外貨		内貨		外貨		内貨		
	総額	借款額	総額	借款額	総額	借款額	総額	借款額	総額	借款額	総額	借款額	
土木工事	2,819	2,819	3,435 (505)	2,359	2,245	2,245	4,016 (1,049)	2,858	574	574	+581 (+544)	+517	
コンサルティング・サービス	328	328	132 (19)		376	376	18 (5)	18	+48	+48	114 (14)		
税金	-	-	378 (56)		-	-	652 (170)	-	-	-	-	+274 (+13)	
計	3,147	3,147	3,945 (580)		2,621	2,621	4,686 (1,224)	2,876	526	526	+741 (+644)		
予備費	282	282	343 (51)		-	-	-	-	-	-	-	-	
借款額	5,788			5,497				291					
比政府負担	1,929			1,811				118					
合計	7,717			7,308				409					

出所：JBIC資料・PPA資料

[換算レート] アプレイザル時：1ペソ=6.8円、実績：1ペソ=3.8円 (貸付実行時平均レート)

(参考)：住民移転にかかわる費用 (計画は実行委員会による覚書成立時：1989年3月)

単位：百万ペソ

	計	PPA	NHA	DSWD	NPC	BCWD	DPWH	バタンガス市	バタンガス州	中央政表
計画										
移転用地取得	4.72	4.72								
移転地整備 (土木工事)	22.49	6.23					16.26			
コアハウスの供与/宅地整備	11.16		11.16							
移転費用(家屋取り壊し、住民の輸送等)	0.86	0.86								
社会サービス	1.40			1.40						
給水	4.15					4.15				
配電	1.41				1.41					
計	46.19	11.81	11.16	1.40	1.41	4.15	16.26	-	-	-
実績										
移転用地取得	5.61	5.61								
移転地整備(土木工事/宅地整備)	17.38	12.30						2.00	2.00	1.07
コアハウスの供与	3.34	1.39		1.95						
移転費用(家屋取り壊し、住民の輸送等)	8.96	8.96								
給水	1.28	0.08						1.20		
配電	1.16	1.16								
補償金の支払い	42.21	42.21								
シコへの道路補修	52.27	52.27								
港湾敷地内の売店設備建設	45.50	45.50								
生計プログラム	3.00									3.00
学校用地取得	0.63	0.63								
計	181.31	170.09	-	1.95	-	-	-	3.20	2.00	4.07

出所：PPA資料

注：「シコへの道路補修」と「港湾敷地内の売店設備建設」の費用は、「1.4.3 事業費」にも計上。

2. 事業実施にかかる評価

2.1 事業範囲

本事業では、事業範囲にいくつかの変更があった。主な変更点は、小型船溜り(防波堤付き)の高速旅客船バースへの変更(冒頭「プロジェクト図」の(3)A)、内貿バース建設/改良の削除((3)B)、移転住民の支援に関わる施設の追加の3点である。その他、棧橋IIIについては、改良を予定していたが老朽化が激しく、一からの建設となった。

については、1995年に対岸のミンドロ島カラパン港との高速旅客船の導入に伴い旅客数が増大し、高速旅客船専用のバースが必要となったためであり、小型船溜りは埋立地の脇((3)C)に移動した。この小型船溜りは、移転住民を中心とした周辺の漁民が漁業をするための施設であり、移動後の場所は波が穏やかであるため防波堤がなくとも利用可能である。

は、利便性・安全性を考慮して設計変更を行った結果、大幅な埋立が必要となり、II期事業の事業範囲とされた。これらは船舶の種類の変化(4.2.2で後述)に見合った変更となっており、適切な措置として評価できる。については、i)住民移転地シコから市の中心地への道路舗装と、ii)港湾敷地内の売店設備の建設およびそれに伴う埋立造成((3)D)がその内容である。なお、コンサルティング・サービスはこれら事業範囲変更と工期延長によって、全体で310M/Mから390M/Mに増加している。

2.2 工期

本事業は、アプレイザル当時、1995年8月完工の予定であったが、3年7ヶ月遅延し、1999年3月に完工した。これに併せて、貸付実行期限も1996年10月から2年9ヶ月延長している。主な理由は、住民移転問題により本行の契約同意が1年7ヶ月間留保されたこと、上記事業範囲変更によって施工期間が約1年半延長したことである。

2.3 事業費

本事業(港湾建設)にかかわる費用は、ほぼ計画どおりに収まっている。他方、住民移転にかかわる費用は、当初計画の46百万ペソ(借款対象外)から約4倍の181百万ペソ(一部借款対象)に増加している。

2.4 実施体制

2.4.1 実施機関

本事業の実施機関はフィリピン港湾公社(PPA: Philippine Ports Authority)である。PPAは1974年に設立された運輸通信省(DOTC)監督下の公社であり、国有港の建設、運営・維持管理を担っている。本事業の実施には、PPA職員およびコンサルタント(計30名)からなるプロジェクトチームが設置された。

2.4.2 コンサルタント

アプレイザル時点では、ショートリスト方式によるコンサルタント選定を予定していたが、本事業の詳細設計および入札書類作成を行ったコンサルタントと随意契約している。同コンサルタントは本邦企業と現地企業の共同体であり、その業務内容は、入札補助、施工監理、環境モニタリングであった。PPAはコンサルタントのコーディネート能力を特に高く評価している。

2.4.3 コントラクター

港湾建設工事のコントラクター調達については、1契約として事前資格審査付きの国際競争入札にかけ、韓国籍のコントラクターに決定した。PPAは、コントラクターの実施能力を高く評価している。また、建設工事にできるだけ多くの移転住民を雇用するようPPAから要請があったが、これに対し、コントラクターが極力応じた点も付記しておきたい。

3. 住民移転にかかる評価

本章では、本事業(I期事業)の住民移転における事実関係、関係各者の対応を時系列に分析・評価し、更に移転が移転対象住民に及ぼしたインパクトを評価する。ここから、本住民移転から得られる教訓をまとめ、II期事業の住民移転では、どのような改善がなされたかについても述べる。本章の記述は、本行としての評価であるが、第三者評価を引用する際は、その都度言及する。なお、第三者による評価結果の詳細は、「第三者評価報告書」(英文。要約部分は和訳)を参照ありたい。

3.1 経緯

3.1.1 移転対象者と移転にかかる法律

(1) 移転対象者

本事業の計画段階において、本事業の実施には住民移転を伴うことが判明していた。1984年に実施されたJICAのF/S報告書には、港湾拡張予定地に500~600世帯の不法居住者⁴

⁴ 移転対象者が「不法居住者」であるか否かという点は、本住民移転の争点であったが、最終移転対象者のうち数世帯を除き、土地所有の証明を有していなかった。フィリピンでは、土地所有の根拠は土地登記であるが、慣習的に「地税支払い証明」も土地所有の根拠となる。本事業移転対象者の反対派リーダーは、彼らが祖父母の代からその地に居住していることを理由に、「不法居住者」とされることを拒否し、裁判で争う等しているが、彼らは土地所有を示す上記根拠を持ち合わせておらず、判決でも土地所有は認めら

が居住しており、港湾拡張の障害となる旨が記述されている。これらの住民はルソン島、遠くはビサヤ地域からバタンガス港周辺での仕事を求めて移住してきた人々であり、バランガイ⁵・サンタクララ住民の一部を成していた。フィリピンでは一般的に不法居住者は低所得者であることが多いが、サンタクララの場合は、100年ほど前に移住してきた人もいるためか、所得に開きがあり、中には飲食業や娯楽関連業を成功させている者など、大きな家屋を所有する世帯もあった。これは、生活レベルに大差のない世帯が集まるマニラ首都圏の不法居住区とは異なる点である。

1986年にバタンガス市政府により、最初の移転対象世帯調査が行われ、対象住民にバタンガス港の開発が正式に伝えられた。この世帯調査によると、718世帯が約1haの地域内に居住していた。また、ほとんどの人が生計手段を有しており、その内容は露天商や荷担ぎ等、港湾に密着したインフォーマルな職業⁶が多数を占めていた。

(2) フィリピンの住民移転・用地取得の法律

フィリピンでは、公共プロジェクト実施のために、国家による用地取得が認められており、土地所有者に対しては、行政命令(Executive Order)1035号に、正当な補償の支払い等、その手続きが規定されている⁷。他方、不法居住者に対しても、「1992年都市開発および住宅法(共和国法7279号)」によって、政府による一定の保護が認められている点が、フィリピンの住民移転政策の特徴である。同法は、地方自治体を中心となって、移転対象となる不法居住者のための移転地を用意することが義務付けられており、移転地のインフラ整備や生計援助の実施も規定されている。更に、やむを得ず、強制家屋取り壊しを執行する際には、それがより人道的に行われるべく、実施細則が規定されている(後述)。

共和国法7279号は、本事業の住民移転準備半ばの1992年3月1日に新規に制定された⁸ものであり、それ以前そのような法律は存在しなかった。よって、本住民移転は、いわば同法律のテストケースとなったことを、第三者評価者は指摘している。

3.1.2 移転計画と交渉経緯

(1) 実施体制と移転地選定

移転の実施体制としては、まず、1986年6月10日に、バタンガス市、PPA、DSWD(社会福祉開発省)、教会、サンタクララのコミュニティ・グループ⁹代表からなる住民移転特別委員会が設立された。同委員会は、住民の移転先として4つの代替案の中から、市へ売却申込がなされたカエド地区(10ha、港から2km)を推薦した。これを受けて1989年3月29日に、PPA、バタンガス市、NHA(住宅公社)、DPWH(公共事業道路省)、DSWD、PCUP(都市貧困問題に関する大統領委員会)、DAR(農地改革省)、NPC(国家電力公社)、BCWD(バタンガス

れていない。更に、海岸線は公有地として指定されている。

⁵ バランガイ = フィリピンにおける最小行政区

⁶ 一般的に、インフォーマルな職業とは、比較的自由に就業でき、就業時間が不定な職業を指す(国際労働機関等の定義による)。

⁷ 本事業の移転対象者の中に含まれていた数世帯の土地所有者に対しては、行政命令1035号による用地取得が行われた。

⁸ 同法は、都市の土地なし貧困層の権利保護を主張するNGO等によって、制定が要請されたものであり、マルコス時代には、不法居住自体が犯罪であった(大統領令772号)ことを考えると、大きな時代の変化といえる。

⁹ フィリピンでは、各バランガイに行政組織(後述のバランガイ議会)とは別のコミュニティ・グループが組織されており、サンタクララのコミュニティ・グループも住民移転特別委員会設立前から存在していた。同グループはバランガイ・サンタクララ全体の住民組織であるため、移転対象住民中心のものではなかった。

市水道区)からなる関連機関実行委員会が設立され、各関連機関はカエドの共同開発につき覚書を交わし、実行スケジュールや各々の資金負担計画を策定した。しかしながら、この覚書は実現されなかった。カエドは港近くで水害の危険性があったため移転住民がこれを拒否し、移転地として却下されたためである。ここで、移転地の選定、および移転実施体制の形成は振り出しに戻った。

移転地の再選定にあたり、1990年10月から1991年3月にかけて、PPA、バタンガス市、NHAおよびバランガイ議会¹⁰は、15の候補地をNHAの選定基準に基づき詳細に検討した。候補地の視察にはバランガイ議会メンバーが同行する他、1990年10月27日の会議では、出席したバランガイ議会メンバーが移転対象住民を代表していることを他の出席者が確認し、彼らに住民に委員会の情報を伝えるように指示している(しかしながら、後々になって、移転計画に一部住民が強硬に反対することになる)。1991年1月には、これら15の候補のうち、3つが残り、費用や土地所有権等の観点から、そのうちの1つバレテ(港から7km、6.5ha)が選定され、5月に州知事、市長、バタンガス選出の国会議員、バランガイ・キャプテンの承認を経て、PPAが5.61百万ペソで購入した。また、後になってバタンガス市の所有地であるシコ(港から15km、4.5ha)が、家屋を有しない賃借世帯や同居世帯に提供された。

(2) 住民との協議

これまで述べてきたように、1986年の住民移転特別委員会の設立から1991年のバレテの購入に至るまで、PPAはコミュニティ・グループ代表およびバランガイ議会メンバーとの協議を続けていた。サンタクララ内に移転地確保を要求するバランガイ議会の決議書(1989年8月)が残っていることなどから、当時サンタクララ内部で、移転に対する賛否が分かれていたものと思われる。1992年9月8日に開催された住民公聴会では、住民からの出席はバランガイ・キャプテンのみであった。公聴会では、バランガイ・キャプテンから、住民達は移転を拒否しているとの報告があったが、PPAは、既にバレテの土地を購入し、整備も開始していたことから、移転地の再選定はできないと回答している。

自主的移転の期限は1993年3月15日に設定されたものの、住民の中から強硬反対派が台頭し、それを支援した13のNGOが連帯で書簡をラモス大統領に送付する等、反対の動きが広まっていった。大統領の命を受けて、2月15日に、内閣で南タガログ地域(バタンガス州)を担当する国防省(DND)長官¹¹と運輸通信省(DOTC)長官を議長とする関連機関委員会[PPA、DND、NHA、PCUP、大統領諮問委員会、PNP(フィリピン国家警察)、バタンガス市、バタンガス州、DSWD等]が設立され、1993年末にかけて移転対象住民との協議を繰り返し、港の開発の必要性、補助・支援内容、移転地の状況を説明した。しかしながら、強硬反対派は、生計手段を失うとの理由から、港からごく近距離地への移転を主張し、また、補助内容についても、協議の度に要求額を高めるなど、協議は平行線をたどった。

(3) 支援内容

本住民移転の最終的な補助・支援内容は表3.1の通り(個人補助は 〇 の太枠内)であり、一部を除いて1994年1月に関連機関委員会より移転対象住民に提示されたものである。1989年の最初の移転計画(カエド)では、移転地整備とコアハウスの提供のみであり、迷惑料(Disturbance Pay)や住宅補助等の金銭補助は含まれていなかった。その後、同委員会による

¹⁰ バランガイ議会は、住民から選出されたバランガイ・キャプテン(村長)を長とする住民代表者によって運営される。ちなみに、当時のバランガイ・キャプテンは、移転対象住民ではなかった。

¹¹ 国防省長官が議長の一人に任命されたのは、彼がバタンガスの出身であり、かつ内閣にてバタンガスを含む南タガログ地域を担当(フィリピンでは内閣のメンバーは各担当地域を割り当てられている)していたからである。第三者評価では、国防省長官が議長になったことが、本住民移転を更に複雑化したと指摘している。

表3.1 移転住民に対する補助・支援内容

共和国法第7279号の規定	補助・支援内容	
	バレテ(PPAにより開発)	シコ(バタンガス市により開発)
移転地確保と整備(第21項)	バタンガス市バランガイ・バレテにPPAが6.5haの私有地を購入 ・港からの距離：7km ・用地取得費用：5.61百万ペソ ・用地整備費用：12.30百万ペソ ・宅地849区画分整備	バタンガス市バランガイ・サンホセに市有地4.5haをバタンガス市が提供 ・港からの距離：15km ・用地取得費用： ・用地整備費用：5.07百万ペソ ・宅地450区画分整備
住宅補助：宅地や家屋の供給と長期金融および金利支払い面での優遇措置(第21項(r))	・宅地区画(50㎡)無償提供 ・家屋補助(3択) コアハウス(25千ペソ相当)の無償提供 2万ペソの現金支給(家屋建設補助) 4万ペソの住宅ローン(金利6%、償還期間10年)提供(ただし応募者なし) ・コアハウス66戸を建設済み	・宅地区画(70㎡)無償提供 ・原則的に移転前の家屋所有者のみ同左の補助。ただし、賃借者/同居者向けにもコアハウスを無償提供している。 ・コアハウス75戸を建設済み
移転地の基礎サービス提供(第21項)		
(a)給水	15本の井戸をPPAが建設(しかし維持管理がされず、バタンガス市が水道敷設)	井戸と給水タンク
(b)配電	MERALCO社が配電	BATELEC社が配電
(c)下水道および固形廃棄物処理	・コンクリート製排水路 ・週2回市がゴミ回収	・同左 ・近隣にゴミ捨て場
(d)幹線道路へのアクセスと交通手段	・アスファルト舗装(幅8m) ・PPAがジープニー2台を寄贈	・同左 ・大統領府からの支援金で2台購入
その他、医療、教育等、優先順位の高いものを供給	・近隣に小中学校建設(敷地はPPAが購入、建設は国防省工兵隊) ・市健康局による医療チームの派遣 ・診療所の医療機器を草の根無償で供与 ・公衆トイレ建設	・小学校はサイト内に、中学校は1kmのところ既存 ・同左 ・診療所を草の根無償で新設
生計援助のためのプログラムやローンの提供(第22項)	・大統領府から、150万ペソのローン資金が約束される ・住民による自治会の設立 ・港湾内の食堂経営	同左
規定範囲以外の措置(個人補助)	・迷惑料(1世帯10千ペソ)の支給 ・更に追加で5千ペソの支給(1994年9月)	同左
規定範囲以外の措置(インフラ整備)	・シコからのバタンガス市中心への舗装道路(9km) ・港湾構内に売店を建設(移転住民の生計支援のため)	

出所：PPA資料、共和国法7279号

注：ジープニー供与については、取り壊し後に供与が決定された。

住民との交渉開始当時に、政府側案として1世帯あたり迷惑料1万ペソおよび住宅ローンが加わった。しかし、強硬反対派はこれに対し、迷惑料5万ペソ、住宅ローン10～15万ペソ、解体される住居の評価額に応じた補償額(最低1万ペソ)等のより高額な補助金を請求した(1993年7月)。これは政府側が提示した金銭補助案の約5倍の費用を要するものであり、政府の予算では供与不可能であった。しかしながら、最終的には、住宅補助として2万ペソの現金支給が追加され、また、迷惑料も1万ペソから1万5千ペソに引き上げられた。

本支援内容は、共和国法7279号の規定(最低限の支援内容を定めたもの)を大きく上回るものであり、かつ当時フィリピンで他に例をみない高額かつ包括的なものであった。法律では、移転地の確保と整備は地方政府および関連機関の責任であるものの、宅地や家屋の無償供与や金銭補助は義務づけられていない。マニラ首都圏で移転を伴ったプロジェクトとの比較については、第三者評価Appendix D、Table 1を参照ありたい。個人補助、インフラ供与ともに、本住民移転の支援内容は優遇度の高いものとなっている。

(4) 移転対象者の増加と移転地準備

移転対象者は、1986年の最初の世帯調査時で718世帯、2回目の1992年11月で971世帯、1993年10月の最終調査では1,467世帯と、7年間で倍増した。これは、港の開発面積の増加¹²、7年間に新たに住み始めた者により世帯数そのものが増加、利益を最大化するために、住民側から家屋所有世帯のみでなく一つの家屋に同居する世帯も移転対象として申請されたこと等がその要因である。なお、1,467世帯の内訳は、1,041世帯が家屋所有者、うち81世帯が賃借者、345世帯が同居世帯である。法律(共和国法7279号)では、家屋所有者のみが補助対象者となっているが、教会やNGOが、賃借者や同居世帯にも移転地を準備するよう働きかけたため、1994年に入ってパタンガス市がシコの供与を決定した。移転地整備については、バレテのインフラ整備は1992年2月に工事を開始し11月に完了、コアハウスの建設は1992年末から開始された。他方、シコは移転地として後から加わったため、コアハウス建設は移転に間に合ったものの、インフラ整備¹³については、強制取り壊し後の1994年11月から1年間に、国防省工兵隊が集中的に実施した。

3.1.3 強制取り壊し

(1) 自主的移転の動きと交渉の決裂

1992年頃より住民側で台頭した強硬反対派は、政府側との交渉をリードし、他の移転対象住民達を説得するようになっていった¹⁴。1992年11月15日には、バレテの移転地整備完了を受けて、最初の自主的移転が行われようとしたが、この反対派のバリケードにより阻止された。上述のように1993年の関連機関委員会との交渉は平行線をたどり、強硬反対派による法外な補償金額が要求された時、それまで支持していたNGOも交渉の見通しが立たないため、去っていったという。

他方、政府側は、パタンガス港の開発は重要な国家プロジェクトであるため、実施の強い意志があった。なお、日本政府も1990年の本事業アプレイザル当時から住民移転についてはフィリピン政府の責任において平和的に執り行うよう要請しており、また、1993年1月5日に発行された環境適合証明書(ECC)¹⁵で、工事着工前に移転を終了することが規定されていた。1993年5月19日には、PPAは本行に対して本事業工事部分の契約同意申請をしたが、住民移転問題が進展をみせなかったため、本行は同意を留保していた。このような状況から、フィリピン政府にとって住民移転の早期実施は重要な課題であった。

PPAは、共和国法7279号の手続きに従い、1994年1月20日に最初の立ち退き通知を、2月3

¹²1990年10月19日付けの行政命令431号にてF/Sの短期計画より更に港湾工事面積を拡張することが決定されている。

¹³シコはパタンガス市内の他のプロジェクトの住民移転地でもあったため、バランガイレベルでは、インフラがあったものの、本住民移転対象者の居住区は、水も電気もない状態であった。

¹⁴第三者評価によると、住民の中にはこの強硬反対派の台頭によって、政府との交渉から疎外されたと感じている者もあり、住民の移転に関する考え方は様々であったようである。

¹⁵フィリピンでは、インフラ事業実施の条件として、環境天然資源省(DENR)からECCを取得することが義務づけられている。

日に2回目の立ち退き通知を発出し、1ヶ月以内に自主的移転がなされない場合は、強制家屋取り壊しを執行する旨を通知した。しかしながら、日本政府および本行のフィリピン政府に対する平和的解決の要請や、NGO、マスコミによる事業実施の反対運動を背景に、取り壊しは執行されなかった。3月21日には、強硬反対派とPPAとの間で小競り合いが生じ、治安維持のため一時港が閉鎖され、4月20日に4月25日から取り壊しが実施される旨が通知された。日本政府の要請によりラモス大統領は延期を決定したが、5月に反対派リーダーが、サンタクララのバランガイ・キャプテンに選出される等、政府側と住民側との関係はますます緊迫化した。これを受け、政府側はもはや強制取り壊しを執行する他に解決の道はないと判断、ラモス大統領もこれを了承するに至った。

このような緊迫した状況の中、平和な生活を求めて、自主的に移転をする住民も現れていた。最初の移転は1993年3月に開始され、1994年6月の取り壊し実施前に、既に498世帯が移転に合意、補助金を受領しており、うち約200世帯は移転済みであった。自主的移転者の内訳は、移転後も定期的な現金収入を見込むことができた世帯や、政府側の提示する補助・支援内容を魅力的と受け止めた家屋を有しない世帯等であった。逆に、港に密着したインフォーマルな職業への従事者にとっては、港から離れることは、生計手段の喪失につながる可能性があり、それらの中には強硬反対派に動員される者も多かった。

(2) 強制家屋取り壊し

1994年6月24日、再びPPAがプロジェクト・サイトに残る移転対象住民に対して、27日に取り壊しを実施する旨通知したが、住民側は応じなかった。6月27日の午前9時10分より取り壊しは開始され、7月3日に終了した。取り壊しに関わった人数は、取り壊しを請け負った民間建設会社の作業員約300名と、同作業の安全を確保するためのPNP警察官約300名であった。27日当日、取り壊しを途中で中断し、強硬反対派との話し合いを持つなど、できるだけ平和的な取り壊しが行われるよう、政府側の努力がなされた。しかしながら、初日の混乱の中で、数名の負傷者が出ており、PPAの報告によると、住民側で男性1名が右足を銃で打たれ¹⁶、女兒1名が催涙ガスによる被害で一時的に病院に収容された。また、取り壊し作業員4名、警察官2名も、住民による投石などにより軽傷を負った。フィリピン、日本双方のマスコミ、NGOは、この強制取り壊しを大きく取り上げ、「反人道的なプロジェクト」としてフィリピン・日本政府を厳しく批判した。

共和国法7279号第28項および同項の実施細則では、「家屋取り壊し」がより人道的に行われるべく、様々な条件が規定されているが、本住民移転は、これらを全て満たしている。規定によると、家屋取り壊しの執行は「財源が手当てされた公共インフラプロジェクトが、まさに施行されようとしている場合」に認められ、以下の所要手続きに従わなくてはならない。(1)移転の必要性や移転地について住民またはその代表との適切な協議を行い、自主的移転を奨励、(2)世帯調査の実施、(3)執行の少なくとも30日以前に住民に通知(通知の有効期限は90日間)、(4)執行における地方政府代表者の立ち会い、(5)取り壊しに従事するメンバーの身元を明確にすること、(6)住民からの同意がない場合、平日の業務時間帯(8時から15時)に執行、(7)耐久構造物以外には重機械の使用不可、(8)制服を着用した国家警察が執行の最前線に立ち、取り壊しが適切に執行されるよう監視、(9)住民の移転地への輸送、住民に対する食糧支給(DSWD)と医療支給(健康省)。

3.1.4 強制取り壊し後の動き

(1) 住民の移転先と補助金受領

¹⁶ 本人は警察官に撃たれたと主張しているが、PNPは威嚇のための空中に向かったの発砲しか警察官に許可していなかったため、真偽は確認されていない。

移転対象世帯総数1,467世帯は、政府が用意したバレテ、シコに移転する他、強制執行直後、強硬反対派リーダー(バランガイ・キャプテン)を含む400世帯弱が、私有地アニタ地区、港へのアクセス道路沿い、サイトに隣接する小学校等、港湾の近隣地を占拠した。また、故郷等その他の地域に移った世帯も多い。表3.2は、PPAから報告された移転先別の世帯数の推移を表しており、強制取り壊し後2年間は移転地への世帯数が増加しているが、最近では特にバレテで減少が見られる。

表3.2 移転対象者住民の移転先推移

移転先	1994年8月3日	1995年8月	1996年5月	1999年5月
バレテ(849区画を準備)	556	535	690	556
シコ(450区画を準備)	77	131	104	123 ¹⁾
移転地小計	633	666	794	679
港の近隣地を占拠	380	n.a.	n.a.	n.a.
その他(故郷など)	454	n.a.	n.a.	n.a.
計	1,467	n.a.	n.a.	n.a.

出所：PPA資料。

注：1)バタンガス市DSWDより聴取。

なお、補助金の受け取り状況(表3.3参照)については、移転対象世帯総数1,467世帯のうち、最終的に受け取ったのは強硬反対派を含む1,458世帯であり、残りの9世帯についてはPPAが追跡調査を試みたものの、遠方への移転等により行方不明であった。

表3.3 補助金受領者数の推移

	1994年8月3日	1994年11月30日	1995年2月28日	1995年8月16日
家屋保有世帯	741	n.a.	968	1,039
賃借/同居世帯	231	n.a.	343	419
計	972	1,076	1,311	1,458

出所：PPA資料

(2) 関係者の動き

1994年7月8日、日本政府はフィリピン政府に対して、6月27日からの取り壊しが日本側に通知なきままに実施され、かつ負傷者が発生したことへの強い遺憾の意を表明し、本事業への融資を凍結せざるを得ない旨を伝えた。これに対し、ラモス大統領自らが「凍結見直し」を要請し、バタンガス州議会、ミンドロ州議会、商工会議所などからも日本政府に対し、円借款の凍結解除が要請された。他方、住民やフィリピン・日本のNGOは、ODA融資取りやめの反対運動を行った。ラモス大統領は、8月19日に、バタンガス現地で直接反対住民と対話集会を持ち、移転住民への新たな支援措置として、港内での雇用や職業訓練プログラムを優先的に提供することを約束し、引き続き交渉の場としての「三者協議会」¹⁷(PPA、バタンガス州および市政府、反対住民の各代表者)の設立を決定した。このような大統領自らの積極的な取り組みもあり、村山首相は8月24日のマニラでの首脳会談で、環境が整えば本事業への融資を再開する旨を伝えた。

¹⁷ この三者協議会は8月から9月にかけて実施されたものの、強硬反対派リーダーが、港近隣を占拠している300世帯に対し、港近くの私有地プロヨに1世帯100㎡の土地を用意するよう要求するなど、再び交渉が平行線をたどり、3回で打ち切りとなった。

(3) 融資再開と日本政府および国際協力銀行の施策

フィリピン政府側の住民合意取り付けに対する努力が認められ、合意世帯も増加したことから、1994年12月19日、日本政府および本行は融資を再開した。この時、日本政府はフィリピン政府から本住民移転に関する「平和的解決」の確約を取り付けており、両政府が交わした合意事項は 未同意住民への説得の継続と合法的かつ平和的移転、移転住民の生活改善措置(港内での優先的な雇用、バレテ、シコの改善など) 両政府によるモニタリング委員会の設置であった。その後、日本政府および本行は、上記への支援として、草の根無償でシコにおける診療所の建設とバレテの診療所に医療機器を提供し、本事業借款の一部に市中心からシコへの道路補修(9km)を追加した。この道路補修はクラックの補修工事であり、1997年1月に開始され、11月に完成した。本体工事は1995年2月8日に開始されたが、本行は移転対象住民の建設工事への雇用確保がなされるよう、PPAに雇用状況を報告するよう要請した¹⁸。

3.2 移転住民へのインパクト

移転住民へのインパクトについては、第三者評価にてバレテ、シコでの世帯調査¹⁹を実施しており、これによると、住民の大半は家屋等の住環境に満足しているものの、所得、就業機会が減少した²⁰と報告している。なお、移転地にて生計向上プログラムの実施が試みられたものの、住民による組織形成が不十分である等の理由で十分な成果は得られていないとも報告されている。以下、第三者評価による調査結果を簡単にまとめることとする(詳細は「第三者評価報告書」Part IIIおよびAppendix Fを参照)。

3.2.1 住環境

バレテはバタンガス港より7km、シコは15kmのところの位置しており、それぞれジープニーで15～20分(4.5ペソ)、40～45分(7ペソ)である。1999年5月現在、バレテには556世帯、シコには123世帯が居住している。原則的に、バレテは家屋所有者の、シコは賃借者・同居者の移転地として用意されたが、現実には例外も存在する。バレテ回答者の63%、シコの74%が家屋や基礎インフラ等の物理的住環境について、サンタクララより改善したと報告している。サンタクララは、特に基礎インフラの整備が不十分であり、宅地も狭隘であったためと考えられる。なお、水道や排水路などの基礎インフラの維持管理には、住民参加が重要であるものの、その協力体制は不十分²¹であり、バレテではPPAの供与した井戸が機能せず、新たにバタンガス市が水道を敷設している。また、シコでは、水道・電気の供給が不十分で、特に水については独自で購入している世帯もある。なお、移転直後から現在に至るまで、バタンガス市とDSWDの職員が協力して、移転地での住民苦情処理に積極的にあたっている。

3.2.2 就業・所得・生計向上プログラム

就業状況については、バレテの回答者の87%、シコの96%がサンタクララに比して就業

¹⁸ 1997年2月18日付けの報告によると、652人の全雇用者数のうち、188人が移転対象者であり、うち108人がサンタクララ、66人がバレテ、14人がシコの住人であった。

¹⁹ バレテ、シコとも居住世帯の約15%をランダム抽出し、93のサンプル数を得ている。回答者は世帯主とそれ以外が半数ずつになるようにしている。この世帯調査の他に、キー・インフォーマント・インタビューやフォーカス・グループ・ディスカッション等の手法も取られている。

²⁰ 就業機会の減少は、本住民移転のみならず、オフサイト移転(元の居住地から離れた場所への移転)に典型的な現象と第三者評価者は分析している。

²¹ 住民の協力体制が不十分であった理由としては、移転の過程で、移転に対する考え方の違いから住民間に軋轢が生じていたことが挙げられる。

機会が減少したと回答している。現在、バレテでは回答者自身の53%、回答者の属する世帯の6%が失業しており²²、シコでは回答者自身の45%、回答者の属する世帯の4%が失業している。回答者自身の失業率が高いのは、世帯主以外にも聞き取りをしているためであるが、低所得層では、世帯主以外の家族も仕事をしなければ生活が苦しいことから、回答者の属する世帯の失業率が低ければよいというものではない。また、以前に比して、物売りや荷役など港に関連の大きい仕事が減少し、他方で、国外への出稼ぎなど港に関連の低い仕事が増加している。

第三者評価者の分析によると、就業機会の減少は、港の近代化による港内でのインフォーマルな就業機会の減少と、港からの移転とに大きく起因している。港が整備される前は構内の出入りは自由であり、港湾内および周辺で、物売り、荷担ぎ、時には非合法的な仕事など、一定の職業についていなくとも、その時々で生計を営むことができた。すなわち、港はスキルを有しない単純労働者にとって、比較的容易に収入が得られる場所であった。しかしながら、現在は、港が整備され、構内への出入りも制限されるようになったことから、港構内でのインフォーマルな就業機会が減少した。また、これらの職業に従事する人々にとって、港近くに居住することは、船の入港にあわせて仕事をする上で重要であり、逆にジープニー等で港に勤務するといった生活スタイルではなかった。強硬反対派は港からの移転に反対したが、この反対に加わり、後に反対派リーダーと共に港近隣に移転した人々のほとんどは、このようなインフォーマルな職業への従事者と考えられる。

所得については、バレテ、シコともに以前より減少した回答者が多く、支出についてはバレテで減少、シコで増加している。シコでは交通費の占める割合の増加が顕著である。

移転地での生計援助については、バタンガス市の働きかけもあって、大統領府からのバレテ、シコにそれぞれ150万ペソのローン資金の支給が約束されていたが、現在、バレテに50万ペソ、シコに75万ペソが支給されるにとどまっている。これらの資金を用いて住民の自治会によるジープニー経営や縫製、クラフト製作などの生計向上プログラムが実施されたが、これらは、移転住民の組織形成が不十分であったことや、彼らの企業家としてのスキルが不足していたことから、十分に機能していない。また、第三者評価で、一部の住民によるジープニーの私物化も報告されている。しかしながら、現在、バタンガス市とDSWDの援助によって、新たな生計向上プログラムが実施されており、その成果が期待される。その内容は、自営業者への融資や市の企業家協会とタイアップした職業訓練等で、既に全体で10万ペソのローンが130人に支給されている。なお、PPAは移転住民の港湾構内での就業確保のために、55店舗分の売店設備を建設し、500人が交代でそれ使用している。

3.2.3 住民の受け止め方

全体として、バレテの回答者の74%が、シコの65%がそれぞれの移転地に満足と回答している。しかしながら、就業面での困難など、経済状況の改善を求める声は依然強く、一部の住民はバレテ、シコから既に立ち去っている。満足度の程度は、個人の以前の暮らしや移転に対する意見などによってまちまちであり、特に住環境についてシコの回答者の満足度が高い理由は、サンタクララで家屋を有していなかった世帯が多いためであると考えられる。

3.3 まとめと教訓

以上、本事業における住民移転の経緯と住民へのインパクトを分析してきたが、これらを踏まえ、その評価と教訓をまとめることとする。

3.3.1 本住民移転のまとめ

²² 「回答者の属する世帯の失業」とは、回答者の属する世帯メンバー全員が失業していることを指す。

第三者評価者は、本住民移転の手続きが全て法律にしたがって実施され、かつ補助・支援内容も他に例を見ない優遇度であるにもかかわらず、なぜ住民との軋轢が激化したかについて、移転の合意形成途中で、住民側より強硬反対派が台頭し、以降、住民側と政府側が互いの立場を貫いたこと、高位の政治家や左翼系のNGOの関与、フィリピンと日本双方のマスコミの過剰報道を挙げている。

このように、本住民移転のケースから、住民移転問題は、合法性かつ優遇性のみで解決するものでもなく、その時々に関わる関係者、政治、時代背景など、様々な要因が絡み合っていることがわかる。当時、本住民移転の関係者は、それぞれの立場でベストを尽くしたが、いまだに互いの言い分がある。住民側にとっては、不法居住者として扱われ、また、十分に協議することなく移転地が決定されたことに対する不満がある。他方、政府側としては、 balan g ay 議会メンバーと協議し、正当な手続きを経ていたこと、できる限りの支援をしても住民から感謝されないことに対する不満があるようである。

3.3.2 本住民移転の教訓

住民移転問題は、その国独自の問題であるとともに、上述したように、個々のケースに特異性があり、解決法も一般化できるものではない。しかしながら、本住民移転より、住民移転実施関係者(本行も含む)に対して、以下の教訓が導き出せる。

(1) 住民の多様性を踏まえた住民協議を

法律では、住民もしくはその正当な代表者に協議を行うことが規定されており、実際のところ、全住民との協議の実施は困難である。しかしながら、本住民移転のように、住民の代表者と協議したにも関わらず、その代表者がうまく住民の合意を得ることができない場合もある。住民には家屋を所有する者もいれば、賃借者もあり、また、その職業や考え方も様々であった。このような住民の多様性を踏まえ、移転対策計画当初から、できるだけ様々な住民を巻き込んで、意見をとりまとめていくことが望ましい。更に、現場で多くの情報チャンネルを確保し、バランスの良い情報収集に努めることが重要である。

(2) 移転対象者の確定は早めに行う

本住民移転では、移転対象者に関する最初の調査から7年を経て、最終調査が実施され、対象世帯数が倍加している。事業開始の決定以前に、対象地域内の世帯調査を実施し、移転対象世帯数およびその内の不法居住者数を確定させることが望ましい。

(3) 移転地のインフラは早めに整備する

本住民移転では、特に移転地シコの本格的なインフラ整備が、強制移転の後となった。未整備の移転地への移転は、誰しものが躊躇するものであり、安心して移転ができるように、移転地のインフラは早めに整備することが重要である。

(4) 生計向上プログラムの形成は住民参加型で

港から離れた場所への移転や、港の近代化による就業機会の減少は、十分に予測されるものであり、生計向上プログラムは、住民協議によって、移転前から準備する必要がある。本事業では、移転先で自治会による生計向上プログラムの実施が試みられたが、今回の聞き取り調査によると、回答者の半数は同プログラムに関する協議に参加していないと回答している。なお、移転後の住民間の協力体制は、移転前より形成していくことが重要であり、その点でも、住民間に軋轢を生じさせないスムーズな移転の実施が望まれる。

3.4 II期事業での施策

I期事業での経験を踏まえ、II期事業では、不法居住の移転対象者77世帯に対して、E/S 借款(1997年3月契約締結)で雇用された現地の社会開発専門コンサルタントが大学と共同で

住民調査や協議を実施した。住民との協議は、移転対象者、関連諸機関、バレテ、シコに既に移転した住民等の参加を得て9回にわたって実施された。協議では、住民からの質問・要望の聴取、政府側からの移転プロセスや支援内容の説明などがなされ、関係者間で移転後のより良い生活のために様々な意見交換がなされた。このような周到な準備を経て、バレテへの移転は1998年2月に平和裏に実施された。第三者評価者は、II期事業の移転がスムーズに実施された理由として、システムティックな計画、開かれた住民参加型の協議、少人数の移転者、政府側担当者と住民間の信頼関係を挙げている。また、強硬な反対者が存在しなかったこと、移転地バレテが既に整備されていたことも、重要な点である。このように、I期事業での移転の際に問題となった点を改善することによって、II期事業での移転を成功させたことは、大いに評価できよう。

なお、I期・II期事業の移転住民もその対象に含め、PPAが港湾関連労働技能の習得を主目的とした職業訓練プログラムを実施することになっている。これにかかるコンサルタント雇用や、機器調達等に関わる費用が、II期事業の借款により賄われることになっている。

4. 運営・維持管理にかかる評価

4.1 運営・維持管理体制

バタンガス港の運営・維持管理については、PPAバタンガス港湾管理事務所(PMO: Port Management Office)²³が、港湾管理(設備維持管理、手続き・規制遵守の監理、警備等)を担当する一方、荷役とターミナルの運営は、PPAの定める料金設定のもと、民間オペレーターに委託しており、収益の一定割合をバタンガスPMOに納めさせている。バタンガスPMOには80名が配属されている他、荷役業務には700名が従事しており、港全体の雇用者は約1,000名である。また、本事業後は、港湾構内の警備に70名が雇用されている。

なお、バタンガスPMOの1998年度の営業収支は収入(港湾使用料、委託収入等)30.3百万ペソに対し維持管理費用(人件費含む)29.1百万ペソとなっており、約百万ペソの営業利益となっている。

4.2 港湾運営状況

本節では、バタンガス港の(1)港湾運営の効率化、(2)貨物取扱量・旅客数の変化、といった、質的かつ量的な面を見ることにより、本事業実施後のバタンガス港の運営状況について評価する。しかしながら、本事業の完工は、1999年3月(ただし、1998年11月より現行の運営が可能)であるため、それから半年しか経過していない現時点では量的変化を評価するには時期尚早である。よって、ここでは、本事業実施による港湾運営の質的向上に重点を置いて分析する。

バタンガス港の取扱貨物は外貿と内貿の双方であるが、約8割が内貿貨物である。内貿貨物は、車両ごと積載できるRo-Ro船による輸送が主であり、貨物専用船は遠距離航路以外、ほとんど利用されていない。Ro-Ro船積載貨物の約7割は対カラバン港(ミンドロ島)であるが、他にも冒頭地図「バタンガス港航路と周辺地域」のような航路がある。Ro-Ro船積載貨物の内容について統計は存在しないが、カラバン港への移出は日用品、移入はミンドロ島の米、果物などの農産物である。また、旅客については、その8割が対カラバン港であり、そのうち約4割がRo-Ro船、残りの約6割が1995年に導入された高速旅客船による輸送である。

²³ PPAの組織は本部および22の主要港に設置されたPMOからなっているが、バタンガス港にもこのPMOが設置されており、バタンガスPMOは、バタンガス港のみならず、周辺6港の港湾施設を管理している。

4.2.1 港湾運営の効率化

「1.2.2 本事業の必要性」で述べたように、本事業実施前のバタンガス港湾施設は、狭隘で、かつ老朽化しており、秩序だった効率的港湾運営が不可能であった。本事業の整備、拡張により、これらの問題点が解決されることとなった。特に、Ro-Ro船、高速旅客船、一般貨物船専用のそれぞれの目的別バースが建設されたことにより、貨物、車両、乗客の動きが分離され、より効率的で安全な港湾運営が可能となった。また、それまで2.6haしかなかった港湾施設用地が23haに拡張され、倉庫、貨物の保管区域、また、駐車場や旅客ターミナル等の施設が充実した。その他、警備が強化されるとともに、旅客ターミナルの入場料として、10ペソ(約30円)の支払いが必要となった。乗客へのインタビューによると、以前は待合室での置き引きが多く、治安が悪かったが、今は安全であり10ペソ払う価値はあるとのことであった。

以下、(1)Ro-Ro船、(2)高速旅客船、(3)一般貨物船の各々について、運営状況の変化を見ていくこととする。

(1) Ro-Ro船

表4.1は、バタンガス港・カラパン港間のRo-Ro船運行について、本事業完工前後の変化を表したものである。本事業の完工は1999年3月であるが、1998年11月より現行の運営が可能となっていたため、比較対象年は1997年と1999年とする。これによると、以前は、Ro-Ro船専用バースが無く、Ro-Ro船運行会社も3社に限られていた。その結果、バースに接岸中の船は出港時刻を過ぎても旅客、車両が満載になるまで待ってから出港するのが慣例となり、入港船はバース待ちを余儀なくさせられていた。専用バース6基建設の結果、運行会社数が8社に増加し、PPAの指導のもとバース接岸時間が制限され、満載にならなくても時刻通り出港が義務づけられるようになった。このため、バース待ちは解消し、従来バタンガス港・カラパン港間の所要時間が、待ち時間1～2時間を含め4～5時間もかかっていたものが、渡航時間のみ2～3時間に短縮された。更に、夜間運行時間の延長も伴って、1隻一日あたり2往復しかできなかったものが、3往復可能となり、一日の出港回数は24便から52便に倍増している。なお、バースの水深が4-6mから10mとなったため、船舶の大きさも若干増加している。

表4.1 バタンガス港・カラパン港間のRo-Ro船運行の変化(事業完工前後)

	1997	1999
専用バース数	0	6
運営会社数	3	8
1船舶あたり往復回数/日	2	3
船舶数	10	18
船舶の平均GT数(注)	480 GT	590 GT
渡航時間(バタンガス～カラパン)	2-3 H	2-3H
バタンガス港でのバース待ち時間	1-2H	0H
カラパン港での接岸待ち時間	0	0
バタンガス港出港回数/日	24	52
バタンガス港 始発便/最終便	1:00a.m. / 9:00p.m.	12:30a.m. / 11:30p.m.

出所：PPA、海事産業庁(MARINA)、民間オペレーター会社資料

注：GT(Gross Ton)=総トン数(船舶の大きさを表す単位)

(2) 高速旅客船

1995年2月に、高速旅客船が導入された結果、バタンガス港・カラバン港間がRo-Ro船で2時間半以上かかっていたものが、45分に短縮された。高速船はRo-Ro船に比べ、運賃が若干高いものの(Ro-Ro船：70ペソ、高速船100～125ペソ)、今では対カラバンの旅客数の6割は高速旅客船を利用している。本事業の工事中は在来施設を利用した暫定就航のため、仮のランプ²⁴を使用する等、乗客の乗り降りの安全性に問題があったが、本事業で専用バースが7基新設されたことにより、安全な運行が可能となった。表4.2は、事業完工前後でのバタンガス港・カラバン港間の高速船運行の変化を表しているが、出港回数に大きな変化はない。専用バース7基が存在しなかった時に既に現行の運行を行っていたということは、いかに港湾施設が混雑していたかがわかる。

(3) 一般貨物船

水深が深く延長が長い多目的バースや外貿バースが建設されたことにより、大型貨物船の接岸が可能となり、沖荷役の必要がなくなり荷役効率が高まった。特に、1999年6月からは、外貿バースでの外貿コンテナ船の操業が開始し、今後の増加が期待される。

表4.2 バタンガス港・カラバン港間の高速船運行の変化(事業完工前後)

	1997	1999
専用バース数	0	7
運営会社数	2	3
1船舶あたり往復回数/日	3～6	4～7
船舶数	7	7
渡航時間(バタンガス～カラバン)	45分	45分
バタンガス港での待ち時間	0	0
カラバン港での待ち時間	0	0
バタンガス港出港回数/日	32	35
バタンガス港 始発便/最終便	5:00a.m. / 6:30p.m.	4:45a.m. / 6:30 p.m.
平均的乗客積載割合	n.a.	50%以上

出所：PPA、海事産業庁(MARINA)、民間オペレーター会社資料

4.2.2 貨物取扱量・旅客数の推移

(1) 過去の推移

表4.3(表4.4でグラフ化)は、過去10年間のバタンガス港の貨物取扱量・旅客数の推移を表している。上述の通り、1999年に本事業が完工したため、本事業の効果を現時点で評価することは困難であるが、過去10年間の推移をみると、旅客数が急増しているのに対して、内貿および外貿貨物は伸び悩んでる。旅客数の急増は1995年2月の高速船の導入によるものである。他方、貨物量が伸びていないのは、1993、1994年の災害²⁵に加えて、1997～98年の経済不況、1995～1999年3月の建設工事に伴う施設使用の制約が主な理由と考えられる。また、E/S時(1988年)の予測と比較すると1995年時点で内貿貨物量は予測を下回っているのに対し、旅客数と外貿貨物量は予測を上回っている。

²⁴ 旅客や車両がバースから船舶に乗り降りする時の渡り板で、バースには接岸船舶の種類に合わせたランプが設置されている。

²⁵ 1993年にミンドロ島で洪水があり、翌年には大地震が起こった。

しかしながら、表4.3では内貿貨物量が減少しているものの、他の統計によるとRo-Ro船の積載車両数が1993年の8.6万台から1998年の13万台と5年間で大きく増加しているため、実際の内貿貨物量は増加している可能性がある。Ro-Ro船積載貨物量は、積載車両の種類によって自動的に積載貨物量を算出(例えば6輪トラックであれば10MT等)しているが、これは、実際の積載量よりも低いことが多いためである。

外貿貨物については、輸入については米、肥料、家畜、石膏、砂糖、塩等が主品目であるが、ここ数年、輸出はほとんど無かった。しかし、1999年6月のコンテナ船の操業開始以降、輸出が少しずつ伸びはじめている。電気製品が主品目であり、これは南タガログ地域の工業地区で生産された製品である。コンテナ貨物の取扱量は、1999年10月までで257TEU²⁶と未だ少量であるものの、当初月2便であったコンテナ船の就航が10月より週2便に増加し、月毎取扱量が伸びている。

表4.3 バタンガス港の貨物取扱量・旅客数の推移(1990年~1999年)

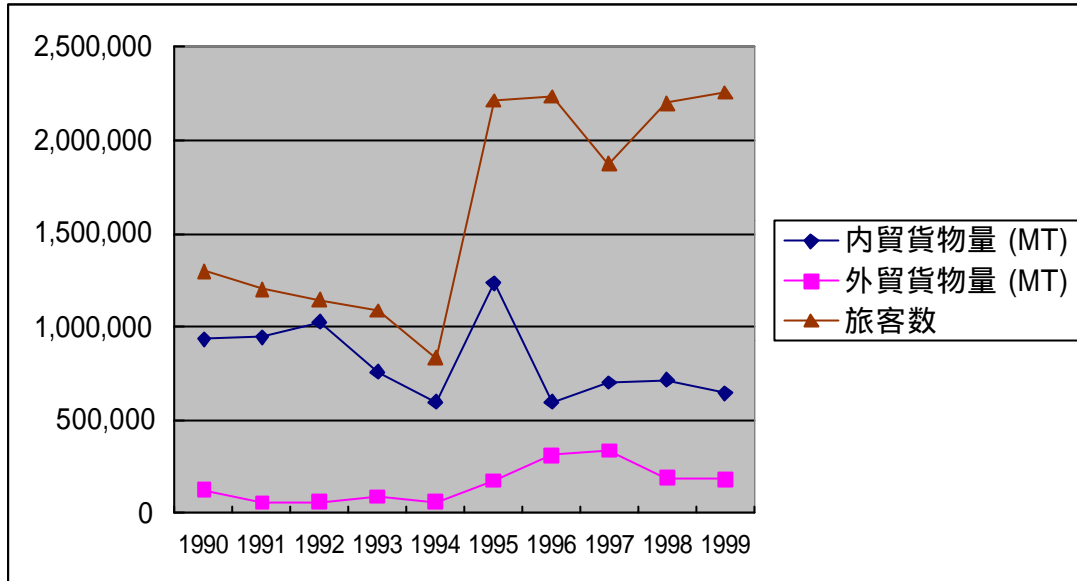
		1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
寄港船舶数	国内	5,175	5,648	6,735	7,106	8,293	13,994	15,688	19,404	20,406	20,428
	国外	56	51	40	48	41	89	88	102	111	135
	計	5,231	5,699	6,775	7,154	8,334	14,083	15,776	19,506	20,517	20,563
内貿貨物量 (MT)	移出	392,978	381,411	429,067	319,203	267,629	348,693	323,874	385,292	382,279	350,504
	移入	541,500	562,165	594,758	437,303	327,444	385,075	270,593	315,437	330,619	293,327
	計	934,478	943,576	1,023,825	756,506	595,073	733,768	594,467	700,729	712,898	643,831
外貿貨物量 (MT)	輸出	3,533	4,972	10,468	3,556	729	40	0	278	0	729
	輸入	121,138	51,055	48,094	85,625	60,553	174,964	308,454	335,689	187,198	180,475
	計	124,671	56,027	58,562	89,181	61,282	175,004	308,454	335,967	187,198	181,204
旅客数	乗船	632,536	599,139	586,636	538,178	408,210	979,412	963,254	853,032	978,809	1,047,461
	降船	667,293	601,295	558,867	547,855	423,132	1,233,339	1,273,516	1,020,726	1,221,148	1,209,931
	計	1,299,829	1,200,434	1,145,503	1,086,033	831,342	2,212,751	2,236,770	1,873,758	2,199,957	2,257,392

出所：PPA資料

注：1999年は9月までのデータをもとに12ヶ月分で計算したものの、年末はいつも利用量が増加するため、低めの見積もりとなっている。

²⁶ TEU：コンテナ数の単位で、20フィートコンテナに換算した個数

表4.4 バタンガス港の貨物取扱量・旅客数の推移(1990年~1999年)



(2) 今後の推移

現在、ピサヤ、ミンダナオから大型旅客船がバタンガス港に就航する計画が準備中であり、これが実現すると旅客数の大きな伸びが期待される。ピサヤやミンダナオからマニラへの移動時間は、バタンガス港まで乗船し、そこから陸路を使用することによって、全て海路を利用するよりも3時間ほど短縮されるため、需要は高いと考えられる。また、II期事業にて、バタンガス港を、434万トン/年(2005年対応)の外貿コンテナ処理能力を有する国際貿易港として整備する予定であり、今後、旅客、貨物とも、バタンガス港によるマニラ港の補完機能は高まることが期待されている。

4.3 維持管理状況

本事業により建設された港湾施設は、完工後まだ間も無いこともあり、現地調査時点では維持管理状況に問題はみられない。PPAでは、維持管理に関わるガイドラインが策定されており、これに基づき各港の維持管理が実施されている。

4.4 環境への影響

本事業では、港湾建設中の水質、大気、騒音についてのモニタリングがECCによって義務づけられ、これはコンサルタントによって実施された。建設後のモニタリングについては、義務づけられておらず、実施されていないが、港湾排水については、排水処理設備の敷設が本事業の港湾工事に組み込まれており、特段問題は発生していない。他方、ゴミ処理については、現在、旅客ターミナルのゴミおよび船舶から港に陸揚げされるゴミの回収が、バタンガス市ゴミ処理場の容量不足によって遅れがちになっており、関係者によって対策が検討されているところである。

5. 事業効果

5.1 定量的効果

アプレイザル時には、経済的内部収益率(EIRR)として、15.37%が算出されていたが、本評価では15.22%となっている。表5.1にあるようにアプレイザル時と評価時では計算根拠が

異なるが、所期のレベルの定量的効果が確保されたといえよう。

便益項目を変更した理由は、高速旅客船バースの追加建設、内貿バース建設の削除などの事業範囲変更に伴うものである。また、Ro-Ro船に関しては、アプレイザル時には、バース待ち時間短縮によって、対カラパン港の運行が4隻2往復から2隻3往復となり、減少した隻数分の船舶維持費節約効果を想定していた。現実には、往復数とともに船舶数も増加している(表4.1)ため、この前提はあてはまらないため、対カラパン港の積載車両と旅客による待ち時間短縮を、Ro-Roバース建設の経済効果とした。外貿については、今後の増加が顕著なコンテナ取扱による経済効果を算出した。

表5.1 EIRR算出の項目

	アプレイザル時 (1990年)	評価時(1999年)
EIRR	15.37%	15.22%
費用項目	事業費(本事業全体)	事業費(本事業全体) 維持管理費(全事業費の2%)
便益項目	Ro-Ro船舶の維持費節約	高速旅客船導入による経済効果 ¹⁾
	Ro-Ro船積載車両の待ち時間短縮	Ro-Ro船積載車両の待ち時間短縮
	内貿一般貨物船の荷役効率改善による接岸費節約	Ro-Ro船旅客待ち時間短縮
	外貿一般貨物船の荷役効率改善による接岸費節約	外貿コンテナ取扱による経済効果 ²⁾
	維持管理費節減(事業費の0.25%)	

注 : 1) 対カラパン港の高速船旅客数の増加にRo-Ro船との運賃差(55ペソ)をかけ、乗客のWillingness to Pay(追加の支払いに見合った時間短縮等の経済効果があると想定)を算出。

2) 荷主のWillingness to Pay(バタンガス港からの輸出はマニラ港よりも1TEUにつき500ドル高額であるが、その差額を払ってでもマニラ港よりバタンガス港を利用したい)のうち300ドル(1万ペソ)を港拡張に帰するものとし、それにTEU数をかけた。

5.2 定性的効果

直接的な定性的効果としては、港湾運営の効率化が挙げられるが、これは4.2.1で述べた。本節では、本事業の波及効果として、「1.2.1 バタンガス港の開発計画」で述べたバタンガス港の地域開発促進機能が、本事業終了段階でどのように働いているかについて見ることとしたい。

(1) ミンドロ島への門戸港としての機能

ミンドロ島はマニラ首都圏や南タガログ地域で消費される米、果物、家畜、魚等の供給元であるが、本事業のRo-Ro船バース建設により、物流が効率的になり、新鮮な食糧の輸送に役立っている。また、高速旅客船の導入によって、バタンガス港・カラパン港間の渡航時間が2時間半以上から45分に短縮されたことから、ミンドロ島カラパン市(人口約10万人)周辺からバタンガス市への日帰り客が増加した。また、島への観光客も増加する等、本事業はミンドロ島の開発に大きなインパクトをもたらしている。

(2) 南タガログ地域の経済開発に寄与する地域の中心港としての機能

南タガログ地域(冒頭地図「バタンガス港航路と周辺地域」を参照)は、マニラ首都圏の南に位置し、14州よりなっている。そのうち、カピテ州、ラグナ州、バタンガス州、リサール州、ケソン州はマニラに隣接した好立地条件から、過去10年ほどで企業による投資が急増し、工業地区数も増加している。フィリピン投資委員会(BOI: Board of Investments)資

料によると、過去10年間の総投資額のうち、25%がこの南タガログ地域への投資であり、更にそのうち約半分がバタンガス州への投資となっている。バタンガス州への投資は1997年に急増しており、主な投資セクターはエネルギー、工業、工業地開発等、今後の経済発展の基礎となる分野である。

バタンガス州²⁷、バタンガス市²⁸政府によると、バタンガス港は投資のマグネットとして機能しており、本事業の工事を開始した1995年頃から将来の開発を見込んだ投資が増加している。実際、1995年時点でバタンガス州に1つしかなかった工業団地が現時点では15に増加し、進出企業の一部がバタンガス港からのコンテナ輸出を既に開始している。州・市では、II期事業による更なる波及効果として、産業発展に伴う雇用の増大を期待している。

(3) マニラ首都圏と関連した機能

上記のようにバタンガス港が開発効果を呼んでいるのは、南タガログ地域の生産物を今までのようにマニラ港からではなく、一部バタンガス港から輸出することによって、物流の効率化が期待されているからである。マニラ首都圏は、交通渋滞が悪化する一方であり、トラックは日中の首都圏内の交通が規制されている等、物流面で大きな弊害が生じている他、マニラ港の今後の取扱能力の不足も予想されている。また、バタンガス港からの輸出はマニラ港よりも1TEUにつき500ドル高額であるが、その差額を払ってでもマニラ港よりバタンガス港を利用したい、と考えている荷主もあり、バタンガス港利用の潜在需要は高い。

しかしながら、現時点では、マニラ首都圏とバタンガス港を結ぶ幹線道路である南ルソン高速道路の工事が遅延²⁹しており、リパ市周辺での渋滞が物流のボトルネックとして指摘されている。現在、マニラ・バタンガス間は車で2時間から3時間以上要するが、同道路の完成により、1時間半ほどに短縮されると考えられている。バタンガス港の今後の開発と併せて、同道路の早期完成が重要である。

6. 教訓

住民移転についての教訓を3.3.2に既述。

²⁷ 人口181万人。

²⁸ 人口23万人。昔から商業の町として発展しており、労働人口の約60%は第3次産業に従事している。

²⁹ 本事業と同時完成が予定されていたが、用地取得の問題で工事が遅延。円借款部分は2000年に完成するが、リパ市からバタンガス市のBOT部分21kmは完成の目処が立っていない。

別添 「バタンガス港開発事業 事業経緯」

1984年		・ JICAによるフィージビリティ・スタディ(1985年12月報告書発行)
1986年	6月10日	・ 住民移転特別委員会(メンバー：バタンガス市、PPA、DSWD、教会、コミュニティ・グループ)の設立
	12月	・ 最初の世帯調査(718世帯が移転対象となる)
1987年	5-6月	・ 国際協力銀行「バタンガス港開発事業 E/S」アプレイザル
1988年	1月27日	・ 「バタンガス港開発事業 E/S」借款契約締結
1989年	3月29日	・ 関連機関実行委員会(メンバー：PPA、NHA,DPWH,DSWD,PCUP, DAR,NPC, BCWDバタンガス市)が設立され、移転地カエドの共同開発に関する覚書が交わされる
1990年	7-8月 10月	・ 国際協力銀行による「バタンガス港開発事業」アプレイザル ・ 翌年3月にかけて15の候補移転地の検討 (バランガイ議会メンバーが参加)
1991年	5月24日	・ 移転地バレテをPPAが購入(選定につき、バタンガス州・市、バタンガス選出の国会議員、当時のバランガイ・キャプテンが承認)
	7月16日	・ 「バタンガス港開発事業」借款契約締結
1992年	3月	・ 「1992年都市開発および住宅法(共和国法7279号)」制定
	9月8日	・ 移転にかかわる住民公聴会 (バランガイ・キャプテンのみ出席)
	11月	・ 2度目の世帯調査(971世帯が移転対象となる)
	11月15日	・ 最初の自主的立ち退きが反対派のバリケードにより阻止される
1993年	1月5日	・ 本事業の環境適合証明書(ECC)がDENRによって発行される
	2月15日	・ ラモス大統領の命を受け、国防省長官と運輸通信省長官を議長とする関連機関委員会が設立。7月、10月、11月と同委員会が移転対象住民と協議を開催。
	3月	・ 最初のバレテへの自主的移転が行われる
	5月19日	・ 国際協力銀行が本事業本体部分の契約同意申請をPPAから受領(翌年12月まで同意留保)
	10月26日	・ 最後の世帯調査(1,467世帯が移転対象となる)
1994年	1月	・ 各省連絡委員会が住民側に補助パッケージの最終案を提示
	1月20日	・ PPAが対象住民に立ち退き通知を发出
	2月3日	・ PPAが対象住民に1ヶ月以内に移転を求める立ち退き通知を发出
	3月21日	・ 反対派住民強硬派とPPAとの間で小競り合いが発生し、一時港を閉鎖
	4月20日	・ PPAが対象住民に対し、4月25日から取り壊しを開始する旨通知
	4月27日	・ 在フィリピン日本大使館がフィリピン政府に対し平和的解決を申し入れ
	4月28日	・ フィリピン側は取り壊しの延期を決定
	5月	・ 住民強硬反対派のリーダーがバランガイ・キャプテンに選出される
	6月	・ PPA等は住民対話集会を開催しようとしたが住民側がこれを拒否、ラモス大統領が取り壊しを了承
	6月24日	・ 再びPPAが対象住民に対し、6月27日から取り壊しを開始する旨通知
	6月27日	・ 家屋取り壊し開始
	7月3日	・ 家屋取り壊し終了
	7月8日	・ 在フィリピン日本大使館がNEDAに本事業の凍結を通知
	7月17日	・ ラモス大統領、大使館に「凍結見直し」を要請
	8月19日	・ ラモス大統領、現地に対話集会をし、三者協議会の設立等を決定。8-9月に3回にわたり三者協議会が開催されるが、政府側と住民側で接点は得られず
	8月24日	・ 村山首相がフィリピンにて、ラモス大統領と会談
	12月19日	・ 日本政府がフィリピン政府の「平和的解決」確約後、国際協力銀行が本体工事契約同意
1995年	2月8日	・ 本体工事開始
1997年	3月18日	・ 「バタンガス港開発事業(II期事業)E/S」借款契約締結
1998年	9月10日	・ 「バタンガス港開発事業(II期事業)」借款契約締結
1999年	3月	・ 本事業(I期事業)完工

フィリピン「バタンガス港開発事業」第三者評価報告書

**フィリピン、アテネオ・デ・マニラ大学教授
エマ・ポリオ**

**Dr. Emma Porio, Chairman / Professor,
Ateneo de Manila University**

要約(英文Executive Summary 和訳)

PPA(フィリピン港湾公社)による「バタンガス港開発事業」は、ラモス大統領の旗艦プロジェクトであり、フィリピン経済の国際競争力の向上を目標とした「フィリピン 2000 開発計画」においても重要な位置を占める事業であった。本報告書は、本事業の円借款契約が1991年に締結され、その後1994年6月にサンタクララ住民の強制家屋取り壊しが行われるまでの、住民移転にかかる経緯に焦点を当てている。フィリピンにおける大規模なインフラ事業に、住民移転や家屋取り壊しはしばしば発生するものの、本事業の住民移転は、日本、フィリピン両国のマスコミや政府高官、NGO等から特に注目されることとなった。それは、CLARA-CBO¹というサンタクララに根差したCBO(Community-Based Organization)によってサンタクララ住民の一部が動員され、移転に対する反対活動を行い、更にそれが教会や他のNGO、政治家によって様々な支援を受けたため、活動が大規模なものに発展したためである。

本評価は、次の4つの問いについて、答えようとするものである²。(1)移転手続きは、全て法律にしたがって実施されたものの、なぜそれは住民の合意を得ることなく強制的に執り行われなければならなかったのか。(2)移転は、移転住民に、どのような経済社会的インパクトをもたらしたのか。(3)本事業の住民移転の補助・支援内容は、フィリピン国内の他のプロジェクトとどのように比較されるのか。(4)本住民移転より得られる教訓とは何か。

A. 強制家屋取り壊し --- 住民との協議を経て

フィリピン政府は、法律にしたがって移転の手続き(住民側との協議、移転地の供与等)を進めたにも関わらず、住民の合意を得られずに強制家屋取り壊しに至った。これには、以下の原因が考えられよう。

1. 住民やNGO側は、住民協議や移転のシステム(住民の組織形成、移転地の取得・開発、移転プロセス、移転後の活動の組織作り)が不十分であったと認識している。

他方、PPAや地方政府によると、住民代表と協議を持ち、また、サンタクララ住民に対しても、国の発展にとって本事業は重要であり、住民の移転が必要であることを説明した、とのことである。何名かの住民代表者は、移転地の選定や移転補助に関する協議に参加したものの、その代表者達から住民に対しては、システムティックに情報が伝わっていなかった。その後、CLARA-CBOのリーダーを通じて呈されるサンタクララ住民からの要望は変更し続け、ついには、政府側を苛立たせるだけでなく彼らの側についていた教会やNGOも失望させた。協議や交渉が合意に至らなかった理由として、更に重要なことは、PPAや地方政府などの政府側とCLARA-CBOが主導する住民側は、互いに妥協し得ない確固たる立場を貫いたことである。後者は、ごく近隣地への移住を主張したのに対し、前者は、住民の移転を伴う事業計画を執行しようとした。このような状況を鑑みると、強制家屋取り壊しを避けることは困難であったと考えられる。

2. 移転対象者リストは、対象者の追加要求など、紆余曲折を経て最終化したものであり、正当な手続きを経た信頼性の高いものではなかった。1993年に最終的に1,467世帯が移転対

¹ 当事者のプライバシー保護のため、実名は用いていない。

² 調査には、文書記録のレビュー、世帯調査、キー・インフォーマント・インタビュー、フォーカス・グループ・ディスカッション、現地視察等の手法を用いた。世帯調査では、パレテ、シコとも居住世帯の約15%をランダム抽出し、93のサンプル数を得ている。

象者として登録されるまで、複数の世帯調査が実施されており、それぞれの調査が異なる移転対象者数を報告している。例えば、1986年の調査では、718世帯、1992年の調査では、917世帯となっている。1993年の調査は最終的な移転対象者を決定するものであったが、繰り返される調査のために、住民はこの調査の重要性を認識していなかった。中には、この調査対象になることは移転に同意するものだと思い込み、調査を拒否した者さえいる。よって、何世帯かは最終リストから漏れ、住民や地方政府の有力者による仲裁によって、1993年10月の最終リストは更に追加されることとなった。このように、移転のプロセスにおいて、様々な情報が錯綜し、関係者らは、それぞれの立場、解釈、また利益に基づいて行動した。

3. 移転プロセスの形成に、透明性とアカウンタビリティが不足していた。PPAとCLARA-CBOが互いに強硬姿勢を取ったことにより、強制取り壊しは、住民側に“軍の関与”を印象づけるまでとなった。これは政府と住民の間の交渉が決裂し、当時、政府側の交渉責任者であった国防省長官³が、強制立ち退き以外に解決の道はないと決断して以降のことである。また、軍によってCLARA-CBOとサンタクララの住民が左翼に影響を受けているという情報が政府に伝えられていたようであり、これにより政府⁴は強制執行の決断をしたとも考えられる。

4. 幾度もの立ち退き通知にも関わらず、取り壊しが実施されなかったため、住民達は取り壊しの実施を本気で受け止めていなかった。よって、1994年6月27日に、国家警察を伴った取り壊しチームが現れた時、ほとんどのサンタクララ住民にとって、それは大変な驚きであった。住民が取り壊しを本気にしていなかった理由として他に挙げられるものは：

移転地、とりわけシコの準備が不十分であった。バレテでは、基礎的なインフラと家屋の建設は終了していたものの、住民はそれらをまだ不十分としていた。また、シコでは、ほとんどのインフラは、取り壊し後(1994年から1995年の間)に、国防省の工兵隊によって建設された。

住民を移転地に輸送するトラックや、食糧配給、そして避難センターの準備が、取り壊し当日十分ではなかった。

住民側の強硬反対派リーダー (CLARA-CBO) は住民に対して、PPAとは訴訟中 (1993年2月、PPAにより提訴) であるため、PPAは住民側に対して取り壊しを含むどのようなアクションも取ることができない⁵、と繰り返し説明していた。

5. アニタ地区の住民にとって、取り壊しは「戦いさながらの状況」と記憶されている。552名⁶もの取り壊しチームと300名もの国家警察隊が現れたのは、住民にとって脅威的な光景であったからである。インタビューを受けた人の中には、取り壊しチームの中に国防長官に關係する軍隊も混じっていたことを主張する者もいた。インタビューや記録文書から判断されることとして、国防省庁官のような高位の政治家が住民移転に関わることは、交渉や移転実施を複雑化する可能性がある。高位の政治家の関与は、政府が事業遂行のために、どのような補助金額も払う用意があるかのような印象を、住民側に与えてしまったようである。更に重要なことは、フィリピンの政治において1988年から1994年は非常にセンシティブな時

³記録には、軍の関与についての記述はないが、国防省長官は、1993年から1994年にかけて、住民との交渉の中心人物であった。このことが、住民側やその他の関係者に、家屋取り壊しに軍が関与したという印象を持たせることにつながったのかもしれない。一般的に、フィリピンでは、警察と軍隊が区別されず、迷彩服を着用し、武器を携帯した者は軍人と見られている。

⁴ [本行脚注] 当時、フィリピン政府は勢いを増す左翼活動に警戒を強めていた。

⁵ [本行脚注] 実際には、法律上、このような規定は存在せず、政府側の執行を保留するには特別の手続きが必要である。ちなみに、本訴訟ケースは現在、高裁にて審議中である。

⁶ [本行脚注] PPAの資料によると、取り壊し作業員は300名である(552名はバタンガス市の資料による)。

期であり、開発プロジェクトに軍が関与することは、左翼の注意を引き付けることになったことである。

6. フィリピン政府は、様々な批判にも関わらず、バタンガス港事業を遂行しようとしたが、その執行能力は不十分であった。移転実施諸機関は、移転実施に係る十分な資金やノウハウを持ち合わせていなかった。また、これらの機関は、住民移転に関するノウハウを有した専門家のサポートを受けることもしていなかったようである。

フィリピン政府は、国民を法律や規定に従わせる、という点で十分な執行能力を持ち合わせていない。以下の点は、それを例示する事項である。

上述した通り、7年間もの間、幾度も移転の説明や世帯調査を受けたにも関わらず移転が実施されなかったため、住民は強制取り壊しの実施を本気で受け止めていなかった。

移転計画や支援パッケージが政府から提供される度に、CLARA-CBO は更なる要求をし、また、教会や他の NGO も CLARA-CBO をサポートした。他方、政府側は、本事業はラモス大統領の旗艦プロジェクトであることもあり、資金の投入を惜しまぬような印象を住民側に与えた。大統領自らがバタンガス港の建設と住民移転の実施に特別な注意を払っていたが、日本政府が、大統領を含む政府高官に本住民移転の平和的解決を何度も願い出たため、大統領の関心は更に高まっていった。皮肉なことに、このように高位の政治家や日本政府が関心を示すことが、住民側から更に高額な補助要求を引き出す一因となったようである。

地方政府と PPA は、住民からの同意が得られぬまま、住民移転を実施しなければならない立場となった。PPA は、パレテを 1991 年に購入し、その際主にバランガイ・キャプテンらからの同意を得た。その後、移転実施の委員会に高位の政治家が加わってから、1993 年から 1994 年にかけて、住民達との集中的な度重なる協議が行われた。本事業の借款契約は 1991 年に締結されていたが、日本政府は、フィリピン政府に住民移転問題をまず解決することを伝えていた。しかしながら、フィリピン政府には、土地なし貧困者や不法居住の問題一般に対して、抜本的な解決策を持ち合わせてはいなかった。

更に重要なことは、かなりの数の住民がサンタクララやその近くへの移転を強硬に主張し続けた CLARA-CBO に動員されたことである。

B. 移転が移転住民にもたらしたインパクト

移転住民の大半は、家屋や基礎インフラ等の住環境には満足している。しかし、オフサイト移転⁷に典型的であるように、主たる負のインパクトは、所得、就業機会の減少である。フィリピン政府はいくつかの所得回復プログラムを試みたものの、これらは移転住民の企業家としてのスキル不足により、十分には機能しなかった。また、住民自治会の役員の汚職等も報告されており、これもプログラムがうまく機能しなかったことの原因のようである。住民達はまず、生活設計、組織形成、ビジネスの方法(管理やマーケティング)について、訓練されなければならない。そして、その訓練プログラムは彼らの学歴や、リーダーシップ能力等に適合していることが重要である。同様に、所得回復プログラムもまた、住民のリーダーシップやスキル能力、マネジメント能力に適合していなければならない。

C. 本事業と他事業の住民移転プログラムの比較

本事業の住民移転に、PPA と自治体は約 180 百万ペソ(移転住民一世帯あたり約 12 万ペソ)

⁷[本行脚注]もとの居住地より離れたところへの移転。

の費用を住民移転に投じている。また、バタンガス市は、アニタ地区の住民達による 3 ha のプロヨ地区の購入資金(全体で 21 百万ペソ)のために、7.7 百万ペソを供与している⁸。本事業の移転住民に対する補助・支援内容は、フィリピンにおける他の住民移転のケースと比較し、非常に優遇度の高いものである。これは、住宅補助、金銭補助、生計支援、基礎インフラ(道路、交通手段、電気、上下水道、教育・医療施設等)提供など、全ての面で言えることである。バタンガスの住民移転プログラムは、フィリピンの住民移転の歴史において、一、二を争う高額なものであったといえよう。

D. II 期事業での住民移転

1998 年に実施された II 期事業の住民移転は、I 期事業(本事業)での教訓を十分に活かして計画され、住民との十分なコンサルテーションを経て実施された。II 期事業の移転がスムーズかつ平和的に実施された要因として、システマティックな計画、開かれた住民参加型の協議、少人数の移転対象者、政府側の実行責任の所在が明確であったことが挙げられる。これらに加え、交渉の場で、政府側と住民側間の信頼関係が形成されていたことも重要点である。

E. 本事業の住民移転の経験から得られる教訓

1. 住民参加型の「実質的な」協議を：

移転地、移転地計画に関する住民側との協議は、住民代表とのみ行い、決定事項を住民全体に通知するという方法ではなく、住民参加型の実質的な協議がなされなければならない。本事業の場合、交渉の当初、協議に参加したサンタクララの代表者達は、住民全体からの支持を得ていたわけでも、住民の同意を得ることができたわけでもなかったからである。政府側が実施した協議と決定のほとんどは、トップダウンのアプローチであった。たとえば、PPA は住民代表者の一部からの了承を得たのみで移転地バレテを購入したため、住民全体はその決定を知りえなかったのである。協議や交渉は、多くの住民からの支持を得た住民代表者を行うことが望ましく、またその代表者は住民間のコンセンサスを取るべく住民と話し合わなければならない。更に重要なことは、この住民間のコンセンサスを、移転を実施する委員会などが確認することである。

2. 住民移転のノウハウの必要性：

住民移転の実施には、住民側、政府側双方に準備が必要であるが、特に政府側には、移転実施特有のノウハウ(堅実でありかつ住民の立場を配慮した交渉能力等)が必要である。PPA や DPWH などの大型プロジェクトを扱う実施機関は、都市貧困や住民移転の問題等を扱うノウハウが十分でないことが多いため、その専門性を有する専門家に委嘱して、住民との協議等を行うことが望ましい。また、実施機関からも、住民移転の実施担当として、住民との適切な交渉スキルを有した人物を配することが望ましい。

3. 移転対象者の確定は堅実に：

移転対象者リストは、信頼性の高い正当な手続きを経て最終化されるべきであり、住民からの要請を受けた訂正はできるだけ避けることが望ましい。また、対象者の資格条件は明確かつ一貫性を有さなければならない、その変更はリストそのものの信頼性を損なうことにつながる。移転対象者の確定は、NGO や大学機関等(または政府機関であったとしても)、

⁸ サンタクララ住民のうち、移転地への移住を拒否した者は、現在、港近隣のアニタ地区に不法居住しているが、補助金を集めてプロヨ地区 3ha のうち 2ha を購入し、残りの 1ha については、バタンガス市が購入資金を供与したとのことである。

独立性が高く、各関係者から信頼された機関が実施することが望ましい。

4. 信頼関係の構築の重要性：

政府と住民の間に信頼関係(好意的感情、手続きが正当であることの信頼)を築くために、双方に特別な努力が必要である。これには、移転プロセスの各段階にて、明確なコミュニケーション・ライン、明確な責任の所在、アカウントビリティ、物事の透明性が確保され、それが大半の関係各者に認識されることが必要である。一旦、両者間の信頼が崩れ疑義が入り込むと、コミュニケーションのラインは分断され、友好的な解決は困難となるからである。

5. 住民移転費用の確保：

住民移転にかかわる諸費用は、政府側で確保しておくことが望ましいが、そうでなければ、インフラプロジェクトの事業費の一部(たとえば借款の一部)に組み込んでおくことが有効な場合がある。また、国際協力銀行のような援助機関は、移転費用が確保されていることや、移転手続きが住民からの信頼を得て行われていることを確認しつつ、事業監理を進めることが重要である。

6. 決断は一貫性を要する：

堅実で一貫性があり、かつ公正な決断が、住民の移転の実施に必要である。幾度もの決断の変更や訂正や一旦決断されたことが長期にわたり実施されないことは、移転プロセス全体の信頼性を損なうことになる。たとえば、1994年の初めに、幾度か立ち退き通知が出されたが、その都度何のアクションも取られなかった。これらのアクションは迅速に一貫性を持って行使されるべきであった。

[本行のコメント]：実施機関や移転実行の委員会は、日本政府を含む様々な関係者からの「平和的解決」の要請を受けていたため、強制家屋取り壊しを行使するか否かは、現実的に非常に難しい決断であった点を付記しておきたい。

7. 高位の政治家の関与について：

高位の政治家等や影響力のある人物が住民移転にかかわる(本ケースでは、大統領や国防省長官)場合、住民側からより高額な補償要求がなされる等、物事を複雑化する傾向がある。よって、移転や強制家屋取り壊しの実施は実施担当者レベルでコーディネートすることが望ましい。また、マスコミや反対派が、過剰な行動を起こすような状況を作らないよう、細心の注意が必要である。

[本行のコメント]：本事業の場合、政府側と住民側との交渉が難航したために、高位の政治家が関与することになったという経緯を付記しておきたい。

8. 援助機関に対する留意点

一般的に、住民移転の終了を貸付実行の条件とする場合、実施機関がどんな手段を使っても移転を行使しようとするため、適切な移転プロセスがなされない場合がある。国際協力銀行は、PPAのような実施機関が適切な方法で移転の計画や実施を行うことを、確認しておく必要がある。

[本行のコメント]：本事業の場合、本行は事業アプレイザル以降、一貫してこれを確認しており、例えば、1992年の共和国法7279号の制定後は、法律規定を整理し、PPAに対して十分な規定遵守を要請する等していた。また、PPAが法律にしたがって住民移転を実施したことは、本行として確認していた。

9. 「1992年都市開発および住宅法(共和国法7279号)」に関する留意点

共和国法7279号では、地方政府が、インフラプロジェクトによって移転を必要とする不法居住者のために、移転地準備等の責務を負うことが規定されている。しかしながら、地方

政府の間には、国家プロジェクト実施のための住民移転をなぜ地方政府が負わなければならないのか、という不満がみられる。法律の実施面において、プロジェクトの実施機関(本事業の場合は PPA)が住民移転の財務面について主たる責任を負い、移転実施については、法律上の責任を有し、移転のノウハウを蓄積している機関(NHA や地方政府、DSWD、DPWH 等)の協力を得ることが望ましい。

10. 移転実施の長期化を避ける：

住民移転の実施は長期化すればするほど複雑化するため、移転対象住民を堅実に確定後、例えば1~2年後などの妥当な期間で実施することが望ましい。本事業では、最初の対象者選定より7年後に強制家屋取り壊しに至っている。

[本行のコメント]：目標スケジュールを設定し、システムティックな移転計画を行うことは重要であるが、住民との十分な協議が、早期実施に優先される。

以 上

**Demolition and Resettlement
of Sta. Clara Residents:
Policy, Politics, and Personalities
in the Batangas Port Development Project**



Prepared for
Japan Bank for International Cooperation (JBIC)
by
Dr. Emma Porio

with the assistance of

Ms. Christine S. Crisol

Ms. Nota F. Magno

Mr. David M. Cid

Mr. Ryan M. Indon

TABLE OF CONTENTS

List of Acronyms	110
Executive Summary.....	111
Introduction	118
Objectives/Methodologies of the Evaluation.....	119
Organization of the Report.....	119
Part I. Illegal Settlement and Resettlement in the Philippines: A Background	119
Historical-structural background.....	119
Legislative basis	121
Part II. The Resettlement Process of the Batangas Port Development Project Phase I	122
Planning the relocation	122
Selection/ cost of the resettlement site	122
Consultations/ Public hearing.....	123
The Demolition.....	124
Delivery of compensation	125
Preparation of resettlement sites	125
Measures taken by the Japanese Government/ JBIC	125
The Relocation Process: An Evaluation	126
Consultations and the relocation package.....	126
Differentiating structure owners/ renters	127
Increase in number of relocatees and characteristics of volunteers.....	127
Increase and delivery of compensation	127
Box 1. Compensation Package Completion	128
Adequacy of compensation and income restoration package.....	128
Delays in the relocation process	128
The Japanese Government/ JBIC interventions	128

Part III. The Impact of Resettlement on the Socio-Economic Conditions of Relocates.....	129
Introduction.....	129
Living Conditions.....	129
Geographical and socio-economic aspects	129
Basic services.....	130
Income levels.....	131
Income generation/ restoration programs	131
Expenditures.....	132
Perceptions of Residents in Host community.....	132
Lots, Housing Assistance, and Selling Rights	132
Titles to home lots.....	132
Selling of rights.....	132
Relocation Experience.....	133
Consultation.....	133
Demolition.....	133
Opposition to relocation.....	133
Changes in the beneficiary list.....	133
Volunteers and oppositionists.....	133
Compensation and delivery.....	134
Resettlement and overall satisfaction.....	134
Notes on Villa Anita squatters/ settlers	134
Summary of Issues: Socio-economic Impacts.....	135
Changes in living standards and relocation.....	135
Income restoration programs.....	135
Levels of satisfaction by socio-economic location of respondents	135
Social integration to host community	136

Maintenance of basic services/ infrastructure	136
Land titles	137
Assessment of relocation package.....	137
 Part IV. Evaluation of Resettlement Package in Batangas Port Development Project Phase II...137	
Relocation Process: Phase II.....	137
Recommendations for the Vocational Program.....	138
 Part V. Overall Assessment of Resettlement Package of Batangas Port Development Project Phase I	139
Appropriateness of the relocation process.....	139
Impacts on the relocatees.....	140
Part VI. Comparative Assessment of the Resettlement Package of the Batangas Port Development Project Phase I.....	141
 Part VII. Summary and Lessons Learned	141
 Appendices	142
Appendix A. Chronology of Events and Processes	142
Appendix B. General Background on Illegal Settlement and Resettlement in the Philippines	154
Appendix C. Examples of the Different Assistance Packages Proposed	157
Appendix D. Table 1. Comparative Beneficiary Packages	158
Table 2. Cost Allocations per Agency - Dumaguete Resettlement Project.....	159
Table 3. Cost Allocations per Agency - Batangas Relocation Project.....	159

Appendix E. Issues and Discrepancies Regarding the Compensation Package for Affected Families of the Batangas Port Project.....	160
Table 1. Issues in Barangay Balete	160
Table 2. Issues in Barangay Sico.....	162
Table 3. Other Issues in Barangay Balete and Barangay Sico.....	164
 Appendix F. Results of the Socio-Economic Survey of Relocatees	166
F.1 Profile of Respondents	
Table 1. Sample Sizes	166
Table 2. Distribution of Respondents by Gender.....	166
Table 3. Distribution of Respondents by Age	167
Table 4. Distribution of Respondents by Educational Attainment	167
Table 5. Distribution of Respondents by Previous Residential Status	167
Table 6. Distribution of Respondents by Occupation	168
Table 6.1 Occupational Distribution of Income Earners in Balete and Sico	169
 F.2 Living Conditions	
Table 7. Responses Comparing the Physical Characteristics of Current and Previous Residence.....	170
Table 8. Responses Comparing the Economic Characteristics of Current and Previous Residence.....	170
Table 9. Responses Comparing Employment in Current and Previous Residence.....	170
Table 10. Responses Comparing Unemployment in Current and Previous Residence.....	171
Table 11. Perceptions of Respondents Regarding the Employment Situation of Their Fellow Relocatees.....	171
Table 12. Responses Comparing Basic Services in the Current and Previous Residence.....	172
Table 13. Responses Comparing Living Standards in Current and Previous Residence	174
Table 14. Responses Comparing Job Opportunities in Current and Previous Residence Levels of Agreement Among Respondents	174
Table 15. Responses Comparing Mutual Cooperation Systems in Current and Previous Residence	175
Table 16. Responses Comparing Infrastructure in Current and Previous Residence	175
Table 17. Responses Regarding Maintenance of Infrastructure	175

Table 18. Distribution of Respondents by Regular Monthly Income (RMI) Levels for Sico	176
Table 19. Distribution of Respondents by Regular Monthly Income (RMI) Levels for Balete	177
Table 20. Distribution of Respondents by Number of Breadwinners in their HH	178
Table 21. Responses Regarding Awareness of and Participation in Income Restoration Programs (IRPs)	178
Table 22. Mean Expenditure Levels for Sico and Balete	178

F.3 Perceptions Regarding Resident of Host Communities

Table 23. Responses Regarding Cooperation Between Old and New Residents	180
---	-----

F.4 Lots, Housing Assistance and Rights

Table 24. Percentage of Respondents Who Hold Lot Titles	180
Table 25. Percentage of Respondents Who Perceived that Relocatees Had Moved Out	180
Table 26. Percentage of Respondents Who Perceived that Relocatees Had Sold their Rights	180
Table 27. Selling Price Range for Lot/ House Rights	180

F.5 Relocation Experience

Table 28. Percentage of Respondents Who Claim to Have Been Consulted Regarding Relocation Process	181
Table 29. Percentage of Respondents Who Claim to Have Been Consulted Regarding Relocation Site	181
Table 30. Percentage of Respondents Who Claim to Have Been Consulted Regarding Assistance Package	181
Table 31. Percentage of Respondents Who Claim to Have Been Consulted Regarding Income Restoration Programs	181
Table 32. Range of Amounts for Cash Compensation Received	181
Table 33. Percentage of Respondents Who Availed of the Core House Package	182
Table 34. Mode of Payment for Cash Compensation	182
Table 35. Percentage of Respondents Who Availed of the Home Lot Package	182
Table 36. Percentage of Respondents Who are Satisfied with the Relocation Site	182

Appendix G. Maps	183
Map 1. A Map Showing the Presence of Illegal Settlements in Batangas.....	183
Map 2. A Map Showing the Sites Considered for the Relocation Site.	184
Map 3. A Map Showing the New Relocation Site (Balete) With Respect to the Old Site (Sta. Clara).	185
Appendix H. Survey Questionnaire	186

LIST OF ACRONYMS

BATELEC-Batangas Electric Company
BPDP – Batangas Port Development Project
CBOs - Community-based Organizations
DENR – Department of Environment and Natural Resources
DND – Department of National Defense
DPWH- Department of Public Works and Highways
DSWD- Department of Social Welfare and Development
DTC - Department of Transportation and Communications
ECC – Environmental Compliance Certificate
JG – Government of Japan
LGC - Local Government Code of 1991
LGU - Local Government Unit
MERALCO-Manila Electric Company
MWSS or NAWASA-National Waterworks and Sewerage System
NGOs - Non-government Organizations
NHA - National Housing Authority
JBIC – Japan Bank for International Cooperation(former Overseas Economic Cooperation Fund)
PCUP – the Presidential Commission for the Urban Poor
PMS – Presidential Management Staff
PPA - Philippine Ports Authority
RROW – Road Right of Way
UDHA-Urban Development and Housing Act of 1992

EXECUTIVE SUMMARY

The Batangas Port Development Project (BPDP) of the Philippine Ports Authority (PPA) was one of the major flagship programs of Philippines 2000, the development plan of the Ramos Administration in its bid for a globally competitive economy. This report focuses on the events and processes surrounding the project starting with the loan approval from the Japanese government in 1991 to the relocation and demolition without agreement (hereinafter referred as demolition) of Sta. Clara residents in June 1994. Although the displacement of residents and the demolition of their houses have always accompanied large infrastructural developments in the Philippines, the BPDP attracted high visibility and attention from the Philippine and Japanese media, high government officials, and NGO leaders both in Japan and in the Philippines. This was mainly due to the campaign mounted by the organized segments of Sta. Clara, represented by a community-based organization (CBO), the CLARA-CBO¹, with support from church leaders, NGOs, and high level political officials.

The evaluation sought the answers to the following questions²: (1) Although the relocation process was implemented within the framework of the law, why did the demolition occur without agreement from residents? (2) What are the socio-political and economic impacts of the relocation to the affected residents? (3) How does the Batangas port relocation package compare with other similar packages? and (4) What lessons can be learned from this resettlement experience?

A. Demolition Without Agreement Despite Consultations

Despite the attempts of the Philippine government to follow the legal requirements, the demolition occurred because of the following reasons:

1. *Inadequate system of consultation and relocation from the point of view of the residents and NGO leaders*: from the social preparation stage of the community, site acquisition and development, the relocation process, and to the organization of the post-relocation activities.

From the point of view of the PPA and the LGU, however, they had consulted the leaders and informed the community of the need to relocate them because the modernization and expansion of the port is very important to national development. While some community leaders participated in the site selection and the negotiation of the compensation and relocation package, this was not **systematically** disseminated to the affected residents. The demands of the Sta. Clara residents as articulated by the CLARA-CBO leaders kept on changing, that in the end, it exasperated the government officials and disappointed the church leaders and the NGOs allied with them. More significantly, the consultations and negotiations could not arrive at a consensus because the positions of both the PPA/LGU leaders and the influential community leaders were quite fixed and unyielding: the latter

¹ To preserve confidentiality in research and to protect the anonymity of persons and organizations, names have been changed.

² To answer these questions, the evaluation utilized the following research methodologies: records review, survey, key informant interviews, focus group discussions (FGD), and field observations. The survey employed a systematic sample with a random start, selecting a 15 percent sample of the population of relocatees in Balete and Sico, yielding a total sample of 93 households.

wanted on-site development while the former had to push for the implementation of the approved loan package for the port development which made the relocation of residents necessary. **Therefore, demolition without agreement from residents was difficult to avoid.**

2. *The relocation process and the master list of beneficiaries was based on a contested/negotiated data base, therefore lacking in credibility and legitimacy.* Several surveys reporting different numbers of beneficiary households (HHs) were conducted prior to the 1993 survey (1,467 HHs). The 1986 reported 718 HHs while the 1992 survey reported 917 HHs. While the 1993 survey became the basis of the master list of HHs, the community did not believe this survey will mean much to their lives and did not pay attention to it. Some even refused to participate because they thought it would mean that they agreed to the relocation. This is the reason why some were not included in the list, which underwent several revisions through the intercession of influential people from the community and the LGU even after the final validation in October 1993. There was a mesh of information disseminated to various stakeholders who acted according to their own perspectives, interpretations, and interests.
3. *The organization of the relocation process itself lacked transparency and accountability.* Owing to the intractable positions of both the PPA and CLARA-CBO, eventually the demolition seemed to have evolved into “some kind of a military operation.” This was after the negotiations bogged down and the major negotiator on the Philippine government side, the National Defense Secretary³ saw no other way but to move the residents out of the project site. Presumably, this decision was also made after military intelligence reports alleged that the CLARA-CBO leadership and the Sta. Clara community were “infiltrated by left-leaning elements”⁴.
4. *The people doubted that the relocation would push through as they had received several notices to vacate before and nothing happened afterwards.* It was therefore like the Philippine government crying “wolf” several times (issuance of several notices) without the animal ever appearing. Finally, when the demolition squads accompanied by members of the Philippine National Police (PNP) came on June 27, 1994, it came as a surprise to the majority of the Sta. Clara residents. Several factors also reinforced this belief, such as:
 - i. The site was not quite ready, especially the Sico relocation area. While building structures and facilities for basic services have already been constructed in Balete, residents perceived these to be incomplete. Most of the infrastructures and facilities in Sico were constructed after the demolition, between 1994 and 1995, by a brigade of soldiers from the DND.

³ Although, the documents do not show evidence of military participation in the demolition, the National Defense secretary was a major player in the negotiation process in 1993-94. Perhaps this influenced the accounts of the residents and other key informants who alleged that the way the demolition was conducted resembled a military operation. In general, Filipinos do not make a distinction between the police and the military. Anybody wearing military-like uniforms and carrying arms are perceived to belong to the military.

⁴ [JBIC footnote] In those days, Philippine Government was quite sensitive to the activities of the left.

- ii. Transport trucks, food assistance, and evacuation centers were not quite adequate on the day of the demolition.
- iii. The residents were under the impression, strongly reinforced by their leaders that since they had an ongoing court case against the PPA (filed by PPA in February 1993), the latter cannot take any action (including demolition) against them.⁵

5. *According to Villa Anita residents, the demolition resembled a "war-like" situation: 552*⁶ demolition squads from Metro Manila hired through a contractor, supported by 300 members of the Philippine National Police (PNP) was an overwhelming sight to residents. Key informants also alleged that the presence of men in military uniform during the demolition may have been connected to the National Defense Secretary's role in the negotiation. From the accounts of key informants and the documents, the participation of high level officials like the National Defense Secretary seemed to have complicated the negotiation, demolition, and the subsequent relocation. It seemed to have communicated the idea to the residents that the government was willing to pay whatever price was needed to push through with the development of the port. More importantly, the political climate between 1988 and 1994 was quite sensitive. At that time, the presence of military officials in development projects always attracted the attention of left-leaning elements.

6. Although the Philippine government seemed committed to pursue the development of the Batangas port despite criticisms, its authority was quite weak. The project was implemented by agencies that did not have enough nor stable resource base and have also their own institutional interests to protect. It also appeared that these agencies did not obtain the assistance of expert individuals/institutions who had experience in relocation operations as this would mean delegating authority and resources to them.

The Philippine government is quite weak because its agencies are unable to compel majority of its citizens to follow its laws and regulations. The following illustrates this contention.

- i. The people did not really believe that their houses were going to be demolished because for seven years they have been "censused" and told the same information over and over again but nothing happened.
- ii. The relocation plans and package offered kept on being negotiated and it kept on changing because of the assertions of the CLARA-CBO, with support from the church and some NGOs. Meanwhile, the government seemed willing to pour resources on it since it was a key flagship program of the Ramos administration. The president himself gave special attention

⁵ [JBIC footnote] This is only in cases where the residents file a writ of preliminary injunction and judge had issued a technical restraining order. The court decision is being appealed by PPA.

⁶ [JBIC footnote] The number is from a LGU document. According to PPA documents, the number of demolition squads is 300.

to the implementation of the relocation and the construction of the port itself. This became more critical when the Japanese government made several representations to the president and other government officials for a peaceful resolution to the Sta. Clara issue. Ironically, the institutional interests of high-level officials in the port development including those of the Japanese government drove the compensation demands from the residents higher and impossible to meet.

- iii. The LGU/PPA found themselves in a situation where they have to implement their decisions despite the lack of agreement from the community. The PPA had acquired the Balete property in 1991 with concurrence mainly from barangay leaders. Intensive consultations with the community, however, occurred between 1993 and 1994 when national executive officials were involved. The loan agreement was executed in 1991 but the Japanese government told the Philippine government to fix the problem of “squatters” first. Yet, the Philippine state does not have the resources, the political will, and the compelling authority to provide solutions to the problem of landlessness among the poor and their squatting in private/public lands.
- iv. More importantly, a significant number of the residents were mobilized by the CLARA-CBO who took a hard line position of not relocating anywhere but in Sta. Clara or nearby.

B. Socio-economic Impacts on Relocatees

Majority of the relocatees are quite satisfied with their housing conditions and basic services in the relocation sites. Like in other off-site relocation⁷ areas, the major negative impact of relocation is the decrease of their incomes and employment opportunities. The Philippine government initiated several income restoration activities but these did not work effectively because of the relocatees’ lack of entrepreneurial skills and the alleged corruption and mismanagement among the officers of the cooperatives. This study recommends that the residents be trained to increase their competency on life-strategizing and survival skills, community organization (CO), and business operations, marketing and management. Special efforts have to be exercised to match their educational backgrounds, leadership capabilities, and potentials with the corresponding training or apprenticeship programs. In the same manner, any income-generating activity or program (IGA/IGP) has to match the leadership, management, and skills capability of the residents with the appropriate leadership or decision-making position in the group and the type of IGA/IGP.

C. The Batangas Port Relocation Package vs. Other Relocation Packages

A total of P181.31 million (or P125,000/family) for the relocation of Sta. Clara residents (see Appendix D). The LGU of Batangas City also spent an additional P7.7 million for the Villa Anita residents to acquire the 3-hectare Puyo property (worth 21 million)⁸. Compared to other

⁷ [JBIC footnote] Relocation to another site from the original living site

⁸ Sta. Clara residents who refused to move to Balete and are now squatting in Villa Anita “pooled” their financial compensation together and bought two hectares from the Puyo property. The additional hectare was paid by the

relocation packages of similar projects, the Batangas relocation package is quite superior. This can be seen in the provision of housing assistance, financial compensation, livelihood assistance, and the construction of infrastructures for basic services like roads, transportation, electricity, water, drainage, education, and health. The Batangas relocation is perhaps one of the most, if not the most expensive relocation package in the resettlement history in the Philippines.

D. Relocation Process of Phase II

The formulation and implementation of the Phase II relocatees in 1998 benefited very much from the lessons of the Phase I relocation experience, and a thorough consultation process was conducted for it. The Phase II resettlement process was quite smooth and peaceful because of the systematic planning, open/participatory consultations, and the smaller number of people involved with clear lines of authority and responsibility. In addition, it is also important that negotiating parties relatively trusted each other.

E. Lessons from the Batangas Relocation Project

1. Real, genuine, and participatory consultations must be conducted among the affected residents, rather than just consulting the leaders and informing the whole community later of the decisions about the relocation site/package. In the Batangas relocation, the Sta. Clara leaders who participated in the negotiations did not have full community support nor were they able to obtain consensus regarding acceptance of the relocation package. Most of the consultations conducted by the government officials and the consequent decision-making followed a top-down approach. As an example, the PPA purchased the Balete relocation site only with the participation of some members of the Sta. Clara barangay council. In short, not all residents were aware of this decision. Consultations and negotiations, then, must be conducted with leaders who have the full support of the community. Moreover, the leadership must consult its members and arrive at a consensus of their position in the negotiation. More importantly, this must be verified by the implementing agency or committee.
2. Socio-technical preparation for both the community and the government officials is necessary for the relocation process to be organized. The implementing agencies of large infrastructural projects like the PPA and the DPWH, who usually do not have the technical background to deal with urban poor communities and resettlement issues, shall employ agencies/groups who possess the necessary expertise and experience. They should also find within their bureaucracies, people who know how to negotiate (firmly but with empathy) with urban poor communities. Government officials who have poor social and negotiating skills should not be put in negotiating positions as they further complicate the problem.
3. The process of making the final beneficiary list must be credible/legitimate and should not be subject to negotiations/revisions. Beneficiary criteria must be very clear and consistently implemented by the field surveyors. Revisions erode the legitimacy and credibility of the list.

The study recommends that a legitimate, independent, and credible party (i.e., not a government agency like PCUP) conduct a one-time survey for the beneficiary list. This could be an NGO, a university, or even a government agency but whose capability, performance, and integrity is recognized by the stakeholders.

4. Special effort must be exerted to preserve social capital (i.e., trust, goodwill, perception of legitimacy) between the government and the people; and within the community and the state bureaucracy itself. This can be ensured through clear lines of communication, responsibility, accountability, and transparency, with the rationale for each step of the process respected by the major stakeholders. Once trust is destroyed and suspicion sets in, communication lines break down and the amicable resolution of issues becomes dim.
5. The relocation costs must have secure funding from the government; if not, it must be built into the loan or the infrastructural development package. Prior to approving the loan, overseas development agencies (ODAs) like JBIC should make sure that the funding sources and the implementation of the relocation are in place and implemented by entities with high credibility and legitimacy before the residents.
6. Firmness, consistency, and relative fairness must underscore the decisions and actions of implementing agencies. Changing/revising decisions several times as well as not implementing courses of actions that have been agreed render the whole relocation process suspect. For example, several notices to vacate were given in the first quarter of 1994 but no corresponding action followed. Notices issued should be followed with a swift and consistent execution of the order.

[JBIC Comment]: JBIC would like to point out that the decision for actual demolition was quite hard for Philippine Government, since Government was requested for “amicable solution” by various stakeholders including GOJ and JBIC.

7. Employing the influence of high level officials (e.g., President of the Philippines, the Secretary of National Defense) and the participation of many government officials from all levels could result in counterproductive situations (e.g., increasing demands on the part of residents). Thus, this study recommends that demolition and relocation programs should be conducted in a low-key manner. Extreme care should be exercised to avoid situations that could potentially be sensationalized by the media and by the opposition elements.

[JBIC Comment]: JBIC would like to point out that, in the process of this project, high level officials became involved because of the difficulty of negotiation between PPA and affected families.

8. Clearing the site of infrastructural development of encumbrances (e.g., settlers) as a precondition for loan release pressures implementing agencies **to fulfill this requirement by all means** which sometimes compromises the actual relocation process itself. JBIC should make it clear to the implementing agency like PPA to fulfill the requirement in a proper manner and not to compromise the planning and implementation of the process of clearing the site and relocating the residents.

[JBIC comment]: JBIC kept making clear of this point with PPA and Philippine Government at each step of this project since the appraisal. For example, after the issuance of Republic Act 7279, JBIC requested PPA to follow each process prescribed by this law. As a result, JBIC confirmed that all the relocation process was implemented within the framework of the law.

9. The UDHA provision making the LGU responsible for the provision of housing and relocation site to residents displaced by special bodies like the PPA causes tensions and problems in the resolution of the issue. LGUs find this arrangement not very fair as they seem to be “mopping up” the displacement caused by PPA. The displacing agency should be heavily responsible for

the financing of the relocation. But they should delegate the execution of the relocation to agencies/entities (i.e., NHA in coordination with LGUs and other government agencies like the DSWD, DPWH and the like), which are mandated to relocate residents and possess the necessary experience and system.

10. Finally, the implementation of relocation projects should not be allowed to drag on for a long time as in the case of Batangas (over a period of seven years). It should be implemented within a reasonable time (1-2 years) from the moment of the inventory of beneficiary households to the actual relocation.

[JBIC Comment]: JBIC also considers that it is very important to plan a systematic relocation schedule within a reasonable time frame. Yet, JBIC prioritizes thorough consultation with affected families to the swift implementation of the schedule.

**Demolition and Resettlement of Sta. Clara Residents:
Policy, Politics, and Personalities in the Batangas Port Development Project**

by

Dr. Emma Porio

with the assistance of

Ms. Christine S. Crisol

Ms. Nota F. Magno

Mr. David M. Cid

Mr. Ryan M. Indon

Introduction

The Batangas Port Development Project of the Philippine Ports Authority (PPA) has a long political history. Starting with the Presidential Decree no. 857 in 1974, the port coverage was expanded through Executive Order no. 431 of President Aquino in 1990. In 1992, President Ramos made the development of the Batangas port one of the key flagship programs of Philippines 2000, the centerpiece of his administration's bid for a globally competitive economy. Philippines 2000 also included the development of the Calabarzon (Cavite, Laguna, Batangas, Rizal, and Quezon provinces)¹. Initiatives for the relocation of affected residents started in 1986 but activities intensified between 1991-1994. The keen political interest, the intense media coverage, the large funding with loans from the Japanese government, and the number of residents to be displaced largely shaped the developments and outcomes of the project during the past nine years. This report, however, focuses on the events and processes surrounding the project starting with the loan approval in 1991 to the demolition without agreement from affected residents (henceforth, referred to as demolition) and relocation of Sta. Clara residents in 1994 and how it shaped, then and now, the perceptions and behavior of the key stakeholders. The stakeholders are (1) the PPA, (2) the local government units or LGUs (provincial, city, and barangay), (3) the affected residents, (4) the church, (5) NGOs, and (6) the CLARA-CBO,² the community-based organization (CBO) that has been challenging the authority of the Sta. Clara barangay council in the negotiations.

Although the demolition of houses and the displacement of residents have always accompanied the development of most large infrastructural projects in the Philippines, the Batangas Port Development Project attracted high visibility and attention from the Philippine and Japanese media, politicians, and NGOs. Partly, this was due to the organized resistance of certain segments of the Sta. Clara community (represented by the CLARA-CBO) and their mobilization of support from the church, NGOs, opposition politicians, media, and the left³.

¹The organized segments of Sta. Clara asserted that their relocation was linked to the negative impacts of the Calabarzon Development Plan.

² To preserve confidentiality in research and to protect the anonymity of persons and organizations, names have been changed.

³ This was mainly gathered from the documents reviewed in the course of the evaluation. From the documentary evidence and key informant interviews, it seemed that the church, NGOs, and the left (National Democratic Front) provided mainly moral support and/or technical advice.

Objectives/Methodologies of the Evaluation

This evaluation seeks to answer the following questions: (1) Why did the demolition occur despite the consultations and negotiations? (2) What are the socio-economic impacts of the relocation on the relocatees? (3) How does the relocation package in this project compare with the relocation package of other similar projects? (4) What lessons can be learned from the Batangas relocation experience?

To answer these questions, the evaluation utilized the following research methodologies: records review, survey, key informant interviews, focus group discussions (FGD), and field observations. The survey employed a systematic sample with a random start, selecting a 15 percent sample of the population of relocatees in Balete and Sico, yielding a total sample of 93 households. The household head or the spouse (regardless of whether they are the main breadwinners or not) was interviewed for the survey (see Appendix H for a copy of the questionnaire). Additional information was gathered through a few household and key informant interviews among Villa Anita residents.

Organization of the Report

The report consists of seven parts. Part I discusses the historical and structural bases of illegal settlement and resettlement in the Philippines including an overview of relevant laws and regulations. Part II traces the resettlement process of Sta. Clara residents from the initial inventory of affected residents in 1986 to its eventual demolition and relocation in 1994. Part III documents the socio-political and economic impacts of the resettlement to relocatees in Balete and Sico. This section is complemented with some data obtained from affected residents who chose to settle/squat near the port in Villa Anita. Parts IV to VI evaluate the merits of the resettlement process/package (Phase I and II) based on its design and implementation as well as in relation to other similar projects. Finally, Part VII provides a summary of the evaluation findings and lessons learned from the resettlement process. Several appendices provide an elaboration on the key assertions of the report.

Part I. Illegal Settlement and Resettlement in the Philippines: A Background

Historical-structural background. In the Philippines, the top 20 percent of the population control most of the land, capital, and other resources. The elites with their rent-seeking mentality usually invest in land because its value always appreciates and it is an investment that is almost risk-free barring the threat of squatters. The taxation policy of the state also favors this set-up as taxes are computed in direct proportion to the income or produce derived from the land. This explains why even in Metro Manila a lot of vacant lands lay idle while congested slum and squatter communities also abound. Thus, the urban/rural poor usually do not have access to land for housing nor the capital to invest in building their homes nor in educating or training themselves and their children. They end up in low-paying occupations/jobs, requiring low education/skills. Poverty, the root cause of squatting and congestion in slum communities, is then repeated across generations among the bottom 30 percent of the population.

Owing to the concentration of investments on infrastructure and basic services in urban areas, the exodus of a large number of Filipinos from the countryside to the metropolis has been going on since World War II. More recently, high in-migration rates have been observed in rapidly

urbanizing areas and growth corridors like General Santos City or the Calabarzon area in Southern Tagalog, which includes Batangas. Thus, areas like the Batangas port are attractive to poor residents/migrants because of the potential opportunities for informal sector jobs that do not require high education/skills like stevedoring, tricycle driving, and selling/vending of goods/services. The making of an urban poor settlement like Sta. Clara is so much a part of the history of the growth of the port and of the city of Batangas. Residents of Sta. Clara came from Batangas and Luzon, including migrants from Visayas, who had settled near the port because of available economic opportunities. With low incomes, they cannot afford housing; thus, they always end up squatting in public/private lands or in low-rental housing with hardly any amenities or basic services. According to Starke (1996)⁴, they usually comprise 40 percent of the urban population living in slum and squatter settlements, **usually considered illegal settlements**. Results of numerous surveys showed that most of the Sta. Clara residents resembled those of other urban poor settlements. They possessed the following socio-political and economic characteristics: (1) low education and low skills, (2) have relatively large households, (3) low/unstable income and income sources, (4) inadequate access to basic services, (5) low health status, and (6) insecure tenure to their home/home lot (Ahmad 1998, Nuiqui 1991, Porio 1995).⁵ However, there were some residents (i.e., big structure owners, operators and owners of karaoke bars, restaurants, mini-groceries and the like) of Sta. Clara who did not fit this description. These owners and operators were some of the dominant leaders during the negotiation for/against the relocation.

Control or ownership of land in the Philippines is proven by one's possession of a title or a tax declaration in some parts of the Philippines. In Sta. Clara, some of the CLARA-CBO leaders asserted that they were not squatters. But according to municipal records only about six residents⁶ had papers (i.e., land tax declarations) to prove their ownership of their home lot. Some local officials explain that the residents have been paying building tax/permits that may have been construed by the latter as constituting legal basis for their land claims. Leaders of CLARA-CBO have asserted that their parents and grandparents have lived in Sta. Clara all their life, thus giving them rights to claim the land. Research shows that **there has never been a legal precedent to this type of claim**. The JICA Study in 1985, which is disputed by the CLARA-CBO leaders, **classifies most of the Sta. Clara residents as illegal settlers or squatters. Other documents also show that many Sta. Clara residents have been trying to secure formal ownership of the land since 1969 but their efforts have failed**. Local officials asserted that since the Sta. Clara lands were along the shoreline and mostly swampy, these were covered by a cadastral survey attesting government control over it. Moreover, through the power of eminent domain, the government can

⁴ Starke, Kevin, 1996, *Living the Slums: The Challenge of Relocating the Poor*. Pulso Monograph No. 16. Quezon City: Institute of Church and Social Issues.

⁵ Ahmad, Ijaz, 1998. *People's Participation in a Relocation Process: A Case Study of the Balete Relocation Project Undertaken by the Philippine Ports Authority in Batangas City, Philippines*. A masteral thesis presented to the School of Urban and Regional Planning, University of the Philippines; Nuqui, Wilfredo, 1991. *The Urban Poor and Basic Infrastructure Services in the Philippines*. Paper presented in a Regional Seminar on the Urban Poor sponsored by the Asian Development Bank, Jan. 22-28, Manila, Philippines; Porio, Emma, 1995. *Urban Poor Communities Fight for Survival in C. Szanton-Blanc, Urban Children in Distress*, New York: Gordon and Breach Publishers.

⁶ Accounts vary as to the number of owners. Local officials alleged that there were six residents who possessed ownership papers while JBIC papers recorded four.

also claim land for its use, especially for infrastructural projects like the modernization and expansion of port facilities as provided by UDHA of 1992 (see below). The 1996 court ruling in the case filed by Sta. Clara residents only recognized their rights to be compensated for damages to their structures and appliances (see Appendix A). This court decision, however, is being appealed by PPA. Since possession of a land title or land tax declaration is the legal basis for ownership --- which the Sta. Clara residents did not have --- then, they were illegal settlers.

Legislative basis. The assumption of power in 1986 by President Corazon C. Aquino in the throes of the People Power movement paved the way for legislations that institutionalized democratization of power and the decentralization of local governance. Notable among these were the enactment of the Local Government Code (LGC) in 1991 and the Urban Development and Housing Act (UDHA) or RA 7279 in 1992. These legislations, particularly the UDHA, were promulgated because of the advocacy of civil society groups like NGOs, POs, and the church, who have been pushing for the rights of urban/rural poor. This is particularly significant because under the martial law of President Marcos, squatting in public/private lands was considered a criminal act as provided for in Presidential Decree No. 772. The UDHA protected the rights of urban poor who do not have security of tenure to their homes (see Appendix B for a more detailed description of the law).

The UDHA provides that evictions are allowed in danger areas, **in sites of government infrastructure projects**, and when covered by a court order. In addition, the law requires that prior to demolition there must be proper consultations, a 30-day notice, and the provision of a relocation site. Despite these provisions, however, about 105 demolitions affecting 20,116 families were recorded between July 1992 and December 1995. Of these figure, only 43 percent were given relocation sites.⁷ Considering that these figures are based only on reported evictions, it is fair to conclude that compliance of the law is quite low.

Another significant provision of the UDHA is the devolution of responsibilities (in harmony with the LGC of 1991) to local governments to provide housing and relocation to illegal settlers in both public and private lands. In part, this provision is central to explaining the tensions and problems that emanated from the Sta. Clara resettlement. Since the eviction and relocation of Sta. Clara residents affected by the port expansion is the major responsibility of the local government, the PPA observed that they were doing more than what was expected of them. Yet, PPA felt that the residents did not really recognize their efforts. The local governments (provincial and municipal), on the other hand, found themselves called upon to provide solutions to problems caused by nationally-mandated agencies like the PPA, which was directly responsible for the displacement of the residents. The local governments also found themselves in new territory since the UDHA and LGC that devolved these responsibilities to them had just been recently enacted. They did not have the proper orientation/experience nor did their bureaucracies possess the technical and resource capabilities to respond to the problems of squatting, eviction, and relocation.

The Sta. Clara relocation, therefore, suffered from “transition” problems of devolution. By placing the burden of responsibility on the LGU and putting the PPA relatively “off-the-hook”, so to speak, may have accounted for the perception of some Sta. Clara residents that the latter was not sympathetic to them and behaved in an arrogant and distant manner. According to some key informants, this complicated the situation leading residents to distrust the PPA and their negotiators.

⁷ As reported by the Urban Poor Associates (UPA), an NGO monitoring evictions among the poor.

Although according to the UDHA, the PPA was irresponsible for relocating the residents, approval of the Japanese loan disbursement was dependent on clearing the project site.

The demolition of settlements is often taken as a last resort when the notice to vacate is ignored by illegal settlers and the stakeholders have exhausted all options. In most eviction cases, demolitions occurred because of the occupants' refusal to vacate the area, despite offers of a relocation site. To a certain extent, this is what happened in Sta. Clara. But what is more significant in this case is that the residents' refusal to vacate — thus, leading to demolition — was reinforced by the seeming lack of firmness and consistency in the actions/decisions of the government (the PPA, barangay/municipal/provincial/national, other agencies) and the CLARA-CBO over a six-year period, from 1988 to 1994. The following section shall further elaborate on this contention.

Part II. The Resettlement Process of the Batangas Port Development Project I

The following section describes the institutional framework of the resettlement process, choice and cost of resettlement sites, formulation and delivery of compensation package, preparation of resettlement sites, actual relocation/demolition process, income restoration programs, and measures taken by the JBIC/Japanese government. Please refer to the chronology in the appended text/tables for a more detailed description of the process.

Planning the relocation and site selection. Based on the prescribed relocation procedures, the PPA and other agencies as much as possible adhered to the legal requirements. As prescribed by law, interagency committee(s) with representations from the PPA, national/local agencies/governments, the residents, and other relevant groupings (e.g., Catholic Church) were constituted to plan and execute the planned relocation of affected residents. In 1986, a Special Committee for Sta. Clara Relocation was formed to tackle the resettlement issue. Composed of representatives from the PPA, Sta. Clara, national agencies, and local governments, they met several times to identify and evaluate the merits of several potential sites. In 1988, during an interagency meeting, they signed a memorandum of agreement (MOA) regarding the choice of the Caedo property as the relocation site. But this MOA did not materialize because the development cost was too high and the people rejected the site because of the threat of floods from the nearby Calumpang River. In 1989, a private individual bought the Caedo property. Thus, in March 1990, a liaison monitoring committee was formed to scout other relocation sites. In July 1990, a Committee on Site Selection was constituted. During a meeting in October 1990, the PPA and provincial/city officials asked Sta. Clara officials to affirm that they truly represented the affected residents. When the latter responded in the affirmative, they were instructed to relay committee decisions to the residents. Between October 1990 and March 1991, the committee met several times to visit and deliberate on the merits of 15 proposed relocation sites. In each of these visits, the provincial/city officials claim that members of the Sta. Clara barangay council accompanied the team. Thus, they could not understand why the residents kept on rejecting their relocation proposals. Provincial/city officials did not seem to realize that the committee decisions as well as the site visit deliberations were not **systematically** relayed to the community. They also assumed that the barangay leaders had the full support of the community.

Selection/ Cost of the resettlement sites. The costs of the proposed alternative sites were too high and beyond the capacity of the Philippine government (see Appendix A). The selection of the resettlement site went through an elaborate process of evaluation by a team composed of PPA

representatives, the Batangas city mayor, and officials from the National Housing Authority (NHA), other relevant agencies and the Sta. Clara Barangay Council. Of the 15 properties, only three were acceptable (Gulod at P100/sq.m. Balete at P85/sq.m, and Balagtas at P150/sq.m.). The others were either too expensive, environmentally unacceptable, or land titles/ownership were questionable or were not for sale. But Gulod residents objected to the possibility of Sta. Clara people moving into their community. So in February 1991, the barangay officials of Sta. Clara (represented mainly by their head) chose the Balagtas property with concurrence from the District Congressman, the Governor, and the Mayor. In March 1991, the executive committee of the Provincial Development Council passed a resolution in a special meeting requesting the PPA to buy the Balagtas property. But there were problems with the road right of way to the property so the Asst. Gen. Manager disapproved of its purchase. In the end, the team endorsed the purchase of Balete because the obstacles (e.g., resistance from residents) surrounding this site were still surmountable. The 62,952-sq.-m. property was purchased on May 24, 1991. In June 1991, the PPA informed the provincial development council of Batangas that it had purchased the Balete property.

Acquisition and site development costs ultimately determined the choice of Balete, 7 kilometers from the port. Later, the city government offered Sico (15 kilometers from the port), their only available property to accommodate the sharers and renters. Originally, PPA did not include them in the beneficiary list as the law does not stipulate the provision of a relocation site.

On July 8 1991, Barangay Balete filed a petition before the Sangguniang Panglunsod ng Batangas (Provincial Legislative Council) objecting to the relocation of Sta. Clara residents to their community. But this petition was addressed and resolved by the local officials. This resistance, however, would shape the host community's attitude and behavior towards the relocatees.

Consultations/Public hearing. As mentioned earlier from 1988 to 1992, the PPA held several consultations and meetings (please see chronology in Appendix A) with local officials including representatives from the Sta. Clara Barangay Council. After the acquisition of Balete, a public hearing was organized in Sept. 1992 regarding the desirability of the relocation site. It was almost cancelled because the Sta. Clara representatives did not come. When the barangay captain showed up he said he was in favor of the site but the residents refused to attend because they wanted the hearing to be held in the community. It was decided that the team could not look for alternative sites as the PPA had already invested P23 million in Balete's site development.

The deadline for voluntary relocation was set for March 15, 1993. But this was derailed because on March 9, 1993, 13 NGOs wrote to JICA as well as an open letter to President Ramos in a full-page ad in national newspapers, on behalf of the Sta. Clara residents' objections to the relocation. President Ramos instructed the DND (Department of National Defense) National Defense Secretary and the DOTC (Department of Transport and Communications) Secretary assigned to Region IV in the Cabinet Organization for Regional Development (CORD), for his Ad Hoc Committee (created in Feb. 15, 1993) to conduct hearings/consultations, and to resolve the issues raised by the affected residents. When the National Defense Secretary called the 13 NGOs to a meeting in Camp Crame, he explained to them that he, being from Batangas, was quite committed to resolving this issue. From March 1993 to December 1993, several consultations were held but according to key informants from the NGOs, local governments and national agencies, the demands of the Sta. Clara group kept on changing and the price for compensation kept on going higher. Supposedly, every time the officials agreed on certain demands of the CLARA-CBO regarding the relocation package, the latter would present another set of demands to the Ad Hoc

Committee. But according to the leaders of CLARA-CBO, they were clear on their position: on-site or nearby development but not relocation far away from the port. This position has also been reiterated by several petition letters that the group had written to the media, NGOs, and government officials in Japan and the Philippines. The PPA/local officials, on the other hand, had to insist on Balete (7 kms. away) as they had purchased and developed it already. Towards the latter part of 1993, the negotiations bogged down because both sides remained fixed on their positions.

It must be noted that at several points of the negotiation, the Committee had to organize consultations with other segments of the Sta. Clara community who claimed that those with alternative positions to CLARA-CBO were “prevented” by the latter from participating in the process. The leaders of this alternative group also claimed that they were marginalized from the negotiation process as well as in their economic activities by the CLARA-CBO leadership. These allegations, however, were denied by CLARA-CBO.

In early January 1994, the PPA (through Board Chairman and the Secretary of Transportation and Communication and the General Manager), the Batangas city mayor, and the Ad Hoc Interagency Committee Chairman and the National Defense Secretary sent a letter to the affected residents outlining the final offer of relocation package and options for different types of residents (see Appendix C for examples of demands and the final offer). PPA served the first notice to vacate on January 20, 1994 and another one on February 3, 1994. The first notice of actual demolition was served on April 20, 1994 informing the residents that they will start dismantling the structures on April 25, 1994. Responding to pressures, the Japanese government appealed on April 27, 1994 for a peaceful solution. President Ramos then decided to postpone the demolition. In the May 1994 elections, a leader of CLARA-CBO, was elected barangay captain. According to the local officials, this affected the subsequent outcome of events as the barangay captain decided to stop negotiations in early June 1994. CLARA-CBO, however, denied this. They asserted that they were always willing to negotiate as long as their rights were respected. Respecting their rights, however, meant scrapping the earlier decisions of the Committee (where Sta. Clara was represented by the previous barangay leadership) which had already been implemented, entailing great costs which the Philippine government could hardly afford.

The Demolition. President Ramos approved the demolition order upon the recommendation of Ad-Hoc Committee Chairman who was convinced it had already exhausted all means to secure the approval of the affected residents. The night before June 27, the demolition squads (530 in number) backed by a battalion from the Philippine National Police began taking their positions.⁸ Meanwhile, the community also prepared themselves for their last struggle. At 8:00 a.m. of June 27, the demolition squads started dismantling the housing structures. In the course of the demolition, several unfortunate incidents happened: the use of tear gas by the police and the throwing of molotov cocktails/stones allegedly by the residents. As a result, one child (exposed to

⁸ Accounts of the demolition from the documentary records, key informants, and affected residents had some variations. Some records alleged that there were 552 members of the demolition squads and 2 battalions of the PNP Regional Command. Although, records show the participation of the members of the Philippine National Police, residents insisted that the military was also present. It could be that in the Philippines anyone wearing a fatigue uniform is invariably associated with the military. This allegation was strengthened by the dominance of the National Defense Secretary in the consultations/negotiations.

tear gas) was hospitalized, a member of the demolition squad was hit by an arrow, another one was hit by a bullet, and a resident reportedly died of a heart attack.

Majority of those who resisted the demolition (about 300-400 families) ran and settled in the nearby property of Villa Anita.

Delivery of compensation. The compensation package consisted of the following: Structure owners were entitled to a free 50 sq.m. lot in Balete, core housing worth P25,000, and a disturbance fee of P10,000; while sharers/renters could have 70 sq.m. lot, core housing P25,000, and disturbance fee of P10,000.⁹ In addition, Balete and Sico were given P1.5 million each (or a total of P3 million),¹⁰ for livelihood from the Office of the President. Financial compensation was given in check form. The delivery of the compensation was done by a group of community volunteers organized by the PPA, who based their operations at the National Manpower and Youth Council (NMYC) headquarters in Batangas City. The PPA made arrangements with a bank so that the relocatees could encash the check they received even without their having an account with the said bank. Majority of those who resisted claimed their financial compensation and subsequently handed it over to the CLARA-CBO leadership to buy a resettlement site. It must also be noted that owing to the continued resistance and appeals by the affected residents, the PPA announced in September 1994 it will give an additional P5,000 compensation, in lieu of the P10,000 loan demanded by the relocatees.

Preparation of resettlement sites. The preparation of the Balete resettlement site took place between 1991 and 1993. After the completion of site development, a Notice to Vacate was issued on January 20, 1993 but no mobilization took place. The Presidential Management Staff called for a meeting on February 15, 1993 to facilitate the establishment of an operation center in PPA to help relocate volunteer families. The deadline for volunteer relocation on March 15, 1993 was postponed because of the dialogue called by the National Defense Secretary.

The site development of Sico (the building of roads, and installation of infrastructures for basic services) was done by an engineering battalion from the army between November 1994 to November 1995. According to the documents, the preparation of the resettlement sites cost a total of P5.07 million.

Measures taken by the Japanese Government/ JBIC. The Japanese government (JG) made clear its position to the Philippine government that it wanted a peaceful resettlement of the Batangas port residents. In fact, the loan release was dependent on the resolution of this issue. This position has been reinforced also by representations of the Japanese government to the administration of Fidel V. Ramos. In fact, President Ramos tasked the National Defense Secretary, to head the Ad Hoc Committee hoping that a peaceful resolution to the issue could be realized especially since it is from Batangas. Thus, the JBIC/JG seemed to have used their fund leverage for the Philippine government to effect a peaceful resolution to the issue. Unwittingly, however, this appeared to have strengthened CLARA-CBO's resolve to push for the cancellation of the port development and expansion and for PPA to become determined to push for their relocation.

⁹ The residents also had the choice of P20,000 cash instead of a core housing worth P25,000.

¹⁰ Part of this fund was used to purchase two jeeps for Sico for their transportation needs as well as an income-generating source for their community cooperatives, which had been organized to augment their incomes.

After the relocation, in response to the appeals for help from affected residents, the Japanese government financed the following: (1) construction of the 10.1 kms. access road to Sico (P52 million), and (2) a modern health center with facilities in Sico and medical facilities in Balete. According to JBIC records, the total grant amount approved was 6.4 million yen. But apparently, this was not maintained as the residents in Balete are currently complaining of inadequate medical facilities. The local government is also currently building a community hall in Balete which could also serve as a training center according to the officials. Pres. Ramos also instructed the PPA and local officials to create a tripartite committee to mainly address the job opportunities in the port and the livelihood needs of affected residents.

The Relocation Process: An Evaluation

As discussed in Part I, prior to demolition of areas required for infrastructural development projects, the law requires: (1) consultations with the affected residents, (2) a 30-day notice to vacate, and (3) provision of relocation areas. In the Batangas Port Phase I relocation, **these legal conditions were all met**. But assessing the adequacy of the actions of stakeholders in the light of legal requirements is not very difficult. What is difficult to assess is whether the decisions of the stakeholders were the best that could have been done in order to avert the demolition without agreement from the affected residents. But these are easier assessed after the fact rather than during the occurrence of events that led to the demolition. What is only clear from the documents and the interviews is that the stakeholders had the strongest conviction that they were doing the best at that given event.

Consultations about the relocation/compensation package. Opposition leaders alleged that the implementing agencies did not conduct enough consultations. This is despite the series of consultations conducted by the government with the community through their leaders from 1988 to 1992, and more intensely from 1993 to 1994. The results of these consultations, however, were not sufficiently relayed to the residents nor were they thoroughly consulted by their leaders regarding the options in the relocation package. These consultations followed a rather top-down approach and appeared more like information dissemination to the residents. Moreover, since PD 772¹¹ criminalizes squatting, the offer of a relocation package was viewed by PPA/local officials as more than sufficient compliance of the UDHA law. More significantly, midstream in 1992-93, a new group (CLARA-CBO) became dominant in the community leadership, who alleged that they did not concur to the relocation conditions agreed by the previous leadership and that they were “sold” by their leaders. The assumption of President Ramos in 1992 and his keen interest in modernizing the port brought in the participation of the National Defense Secretary. into the picture, affecting greatly the outcome of relocation events. His committee cut the Gordian Knot, so to speak, in the Batangas relocation issue by implementing the demolition.

The CLARA-CBO mounted a strong opposition to the port modernization because they saw it as part of the larger developmental pattern exemplified by the Calabarzon Plan that will marginalize the workers and the peasantry. This seemed to have made them closed to the idea of relocating at all. Those allied with CLARA-CBO alleged that the PPA did not have a right to demolish their homes as there was still a court case pending regarding their status in the port. But the committee of the National Defense Secretary, after going through several negotiations and allegedly receiving intelligence reports that the community was infiltrated by left-leaning elements,

¹¹ In 1994, Republic Act No. 8368 “decriminalized” squatting.

deemed that the only possible way to resolve the issue was to move demolition squads in with police support. Thus, the whole process culminated to a demolition without agreement.

Differentiating structure owners/ renters. The National Housing Authority (NHA), the Philippine government agency responsible for relocation recognizes **only** the rights of structure owners. Thus, the policy to differentiate structure owners from sharers/renters follows the legal framework. In Sta. Clara, however, the claims of sharers and renters to a compensation package was accommodated because of representations made by local officials, church leaders, and allied NGOs. Thus, the local government of Batangas City offered the relocation site of Sico which was the only available property of the city. This site was added to accommodate the increased number of affected families.

Increase in number of relocatees and characteristics of volunteers. The different surveys revealed an increasing number of affected families (1988 survey---718; 1992 survey—971; 1993—1,465). The reasons for the increase include: 1) expansion of the port area, 2) quite a number of residents were working/out of town during the period of survey, and 3) some mistrusted or did not understand the purpose of the survey so they refused to be enlisted during the PCUP-led survey which became the basis of the master list. Although the evidence is not conclusive, the list may have expanded because the respondents included other adult/married members of the household. Apparently, in anticipation of the small lot allocation, families wanted to maximize their package by enlisting other members. Owing to so many complaints of the incompleteness of the list, the survey was revalidated in collaboration with the LGU, the leaders, and the residents. But even after the revalidation and cross checking in October 1993, several appeals for inclusion still occurred.

The initial set of volunteers (a little bit over 200) relocated during the first quarter of 1993. They were mainly those who a) were not aligned with the CLARA-CBO thus relatively not organized nor politicized; b) recognized the government's right of eminent domain, and c) realized that demolition was inevitable and they were better off if they accepted the compensation package offered by the government.

Increase and delivery of compensation. The compensation package, which started at P5,000, kept changing and increasing because of the intense pressure and resistance mounted by the CLARA-CBO group. This was also reinforced by the support provided by church leaders and their allied NGOs who appealed on behalf of the urban poor residents of Sta. Clara. Meanwhile, the national/local governments and the PPA just wanted to implement the modernization of the port as they had already invested so much resources, time, and energy into the project. Thus, in a sense, they became vulnerable to the demands of the people, as articulated by the CLARA-CBO. Moreover, the local government officials, church leaders and NGOs felt sympathetic to the poor and thus pressured the national government/PPA to respond to these demands. PPA, lacking in relocation experience, suffering from intense pressures, and badly wanting to implement the project, accommodated the demands for increase in the compensation. Most of the compensation packages were delivered to the relocatees, with the exception of some who were not able to receive their cash settlement because of delivery problems.

Box 1. Compensation Package Completion

	No. of those who have Received compensation as of 19 July 1994	No. of those who have Received compensation as of 10 May 1996
Structure Owners	638	1039
Renters/ Sharers	275	419
Total	913	1458

Adequacy of compensation and income restoration package. In comparison to other relocation experiences in Metro Manila, the compensation and income restoration package in Batangas City was quite superior. As shown in Appendix D, the relocation package in Dumaguete and Norzagaray did not provide compensation nor an income restoration package. At most it provided compensation equivalent to 5-days wage, in the case of the Pasig Rehabilitation. But perception of adequacy is relative to the expectations of the recipients, which were quite high in Sta. Clara because of the CLARA-CBO campaigns and assertions. Thus, it is quite doubtful whether satisfaction can be obtained in this situation.

The relocatees were allocated a total of P3 million to finance their income generation activities. These were used to purchase two passenger jeepneys in Sico (two jeepneys in Balete were donated by the PPA) and capitalization for their cooperative and other income-generating projects like garment sewing and crafts. But all of these business enterprises allegedly went bankrupt because of mismanagement and corruption among the cooperative officers and workers.

Although quite generous compared to other income restoration packages in other relocation sites, these initiatives did not work effectively because of the lack of socio-technical preparation and low capabilities on the part of the relocatees and their leaders to manage and operate the micro-enterprises and cooperatives.

Delays in the relocation process. The problems and delays surrounding the relocation process was also affected by the failure of the members of the Interagency Committee like the National Housing Authority to come up with the resources that they promised to contribute. The local governments did not also have the budget to provide for the relocatees' needs. In the end, the PPA with the help of the National Defense Secretary's committee and local officials had to mobilize resources from other sources. More importantly, both the PPA and the local governments were not adequately prepared nor did they have the experience to handle resettlement issues. The delays were also compounded by an immensely slow bureaucracy and the numerous requirements needed to approve the allocation of resources.

Although the major reason for the delay of relocation was the opposition of the residents, this was reinforced by the weakness of the government and its bureaucracies, strongly manifested in their vulnerability to so many contending factions within and without (e.g., elite-based interests and political ambitions of leaders, overlapping jurisdictions of agencies, NGOs with varying political ideologies, among others).

The Japanese Government/JBIC interventions. Prior to the loan agreement, the Japanese government and the JBIC made it clear that the relocation of Sta. Clara residents was the responsibility of the Philippine government. This requirement was also reinforced by the environmental compliance certificate issued by the Department of Environment and Natural Resources (DENR). Thus, it was appropriate that the JBIC waited until after the relocation to

resume the project operations in accordance with the prescribed responsibilities of the parties involved.

The Japanese government (JG) was certainly keen on arriving at a peaceful resolution to the “illegal settlers” issue in Sta. Clara and based on documentary evidence made several representations to the Ramos administration to appeal for an amicable settlement. But in the final analysis, the demolition occurred because the negotiations bogged down and the loss of trust between the Philippine government and the CLARA-CBO. Even the sympathetic NGOs and church leaders sort of withdrew from the picture because of their disappointment with the outcome of events. Thus, at this point in June 1994, the government had spent so much money on the Balete relocation site and the negotiations were not going anywhere amidst intelligence reports of infiltration of left-leaning elements in Sta. Clara. Given these conditions, it was doubtful if there was anything that the Japanese government could have done to prevent the demolition without both sides incurring irreparable political and economic costs.

Part III. The Impact of Resettlement on the Socio-Economic Conditions of Relocatees

Introduction

Balete is seven kilometers from the port area (see map in Appendix G). It was bought, developed and prepared by the PPA for occupancy by the relocatees. Meanwhile, Sico which was donated by the Batangas City government, is located 15 kilometers from the port area. When the relocatees transferred to the site, it was still largely a forest area with footpaths as access to the main road. For more detailed descriptions of the sites, please refer to Appendix F.

Living Conditions

Geographical & socio-economic aspects. Majority of both Balete respondents (63 percent) and Sico respondents (74 percent) found their relocation sites to be more satisfactory than Sta. Clara. For them, the new sites are more spacious, structurally organized and have a good physical environment while they had found Sta. Clara to be congested, dirty, noisy, and having minimal facilities. The distance to the port, however, had made their livelihood difficult. They also noted the stress of adjustment, the lack of employment, water supply, medical facilities, and garbage collection system. Sico residents complained of the pollution coming from the Fortune plant nearby. While both areas suffer from lack of livelihood, Balete has a higher unemployment rate (53 percent) than Sico (45 percent). In Balete, many adult males can be found roaming or standing by the streets during working days. Key informants also noted a higher incidence of drug use and interpersonal friction in Balete.

The high unemployment rate, however, is partly accounted by the inclusion of housewives in the sample. Thus, in Balete, of the 53 percent unemployed, 47 percent were dependent on other household members for support. In Sico, of the 45 percent who were unemployed, 41 percent could rely on other household members as well. But in urban/rural poor households, several income earners including housewives are necessary to make ends meet. All in all, only six percent in Balete and four percent in Sico are absolutely unemployed and with no one to support them.

Balete and Sico relocatees differed significantly in their perception of the state of peace and order in their areas. Balete informants seemed more dissatisfied with the interpersonal relationships in their neighborhood. Quarrels among couples and neighbors as well as teenage love

affairs were presumed to be high in Balete. Sico informants, meanwhile, found their area to be more peaceful and orderly than Sta. Clara, despite the massacre that occurred recently at the site.

Majority of the Balete respondents (84 percent) and all Sico respondents perceived that they and their fellow relocatees experience the same adjustment difficulties even five years after their relocation. Except for those who do not rely on the port for their livelihood (e.g., overseas contract workers, government or private employees), everyone is still coping with the physical and economic repercussions of displacement and relocation.

Basic services. As previously mentioned, the relocatees had different living conditions in Sta. Clara. Thus, their judgments of the adequacy or inadequacy of basic services (i.e., water, electricity, education, health and transportation) largely depended on their own individual conditions in Sta. Clara. In Balete, there are artesian wells as well as running water from the National Waterworks and Sewerage System (NAWASA). Eighty (80) percent of Balete respondents found their water service more adequate because it is metered and more predictable than in Sta. Clara. Meanwhile in Sico, 96 percent of respondents found water supply to be very inadequate because it is expensive and murky. The water tank built by the 51st Engineering Battalion was not maintained well. A huge debt (electric costs) which was settled by the provincial government was also incurred during the construction. Sico residents now have to buy their daily supply of water at a higher price from outside the community.

While in Sta. Clara, some relocatees had illegal electric connections, others had metered access to MERALCO and a few had no electricity at all. In Balete, 86 percent of the respondents found the regular and metered MERALCO service more adequate. Sico respondents get their electricity supply from the Batangas Electric Corporation (BATELEC), whose services 57 percent of the respondents found inadequate as compared to what they had in Sta. Clara because of frequent blackouts and higher charges. Their current monthly electricity bill is approximately P250; at Sta. Clara, they only paid P45 every month.

Majority of Sico respondents (91 percent) and Balete respondents (89 percent) found health services more adequate and accessible in Sta. Clara because it was near the city hospital with more complete facilities, and personnel to serve residents everyday. In Balete, the midwife visits only every Friday and a doctor is available only once a month. Residents have to go to town or the city hall to get medicines or to the city hospital for health services. Sico residents likewise experience the same inadequate health services. This is despite the donation by the Japanese Embassy of a bigger health center with more facilities.

With regard to education, 83 percent of Sico respondents found it to be accessible and adequate; 60 percent of Balete respondents, however, rated it as inadequate. But both sets of respondents shared the observation that the quality of education in Sta. Clara was better. College education was available in Sta. Clara, while in Sico, only day-care service, elementary and high school education were offered. But elementary classes are held only for half a day; thus, the children are perceived to learn less. In Sta. Clara, elementary classes were held the whole day. In Sico, respondents felt that their children are safer from street danger because the school is nearer; in Sta. Clara, children had to travel farther and exposed themselves to more risks. Meanwhile, the school in Balete only has a footpath, which gets very muddy during the rainy season.

Transportation was not a problem in Sta. Clara but relocatees find it difficult in their current place of residence. Although Balete is nearer the city (15-20 minutes ride by jeepney) than

Sico (40-50 minutes ride costing by jeepney but vehicles become scarce after 5 p.m.), 77 percent still rated transportation to be inadequate while only 35 percent of Sico respondents rated it so.

Physical characteristics (i.e., facilities, services) are better in both relocation sites because availability of better housing and basic services. Respondents, however, feel that they cannot sustain these because of lack of employment and income. Thus, only 30 percent of Sico and 34 percent of Balete respondents found living standards adequate.

All Sico respondents and 91 percent of Balete respondents said that Sta. Clara definitely had more job and income opportunities. They also asserted that mutual cooperation systems were more visible in Sta. Clara where they had stronger cooperation and more cohesive groups. They had a vendor's and driver's cooperative, a *paluwagan* (an informal savings/micro-credit scheme), and other special projects.

In the relocation site, majority reported the short-lived cooperative for two jeepneys, a regular clean-and-green project and a *paluwagan*. But they are quite unaware of other livelihood programs and they admitted that there is little cooperation among relocatees. They do not seem to trust their leaders and they have difficulty adjusting to their new neighbors. In Balete, especially, people feel that they are disorganized, uncooperative, and envious of each other. Previous attempts at cooperation failed which is why the city government took the jeepneys away from them.

Respondents in both Balete (83 percent) and Sico (70 percent) found the infrastructures to be more adequate. They feel like they are living in a subdivision with well-constructed roads, houses and facilities (i.e., toilets, drainage, rural health unit, and school). However, Balete respondents claimed that there are not enough lighting facilities and that some portions of the drainage system are clogged, thereby emitting a foul odor. The respondents also complained that the roads are narrow. Sico respondents also have problems with lighting facilities and water.

Majority of the Sico respondents (83 percent) and Balete respondents (73 percents) reported that infrastructure is maintained through regular cleaning programs. In Balete, these are initiated by barangay officials; in Sico, maintenance is done through the cooperation of families and barangay officials. Balete respondents, however, noted that lack of funds prevented the improvement of facilities. Meanwhile, Sico respondents observed that except for the water tank, all infrastructures in their site are new and well built.

Income levels. Monthly median incomes are lower in Balete (P5,000) and Sico (P7,000) than in Sta. Clara (P6,150; P9,000 respectively). Respondents attributed the decrease in their incomes to the lack of income sources in their respective new communities. Sta. Clara had higher demand for vending and services (e.g., laundry, carpentry, carrying baggage). But even relocatees who continued vending at the pier still earn less because of the rotation scheme of vending stalls arranged by the PPA. Their incomes also decreased because of death/illness in the family, change in the employment and remuneration, and inflation. For a more detailed description, please refer to Tables 17 and 18 of Appendix F.

Income generation/restoration programs. Awareness of income restoration programs (IRPs) is higher in Sico (48 percent) than in Balete (43 percent). But both Balete and Sico respondents claimed that officials did not inform them about these initiatives because the latter were the ones who benefited from these programs. They also felt that information about livelihood programs came as promises that were hardly fulfilled.

Only about one-third of the relocatees said that they had participated in IRPs. The DSWD assisted women in setting up small-scale general merchandise stores and handicraft activities. However, the relocatees were not able to return the capital that DSWD lent them. DSWD also conducted seminars in making candles, meat/food processing; dressmaking, and hairstyling. But there was little appreciation for these programs because these are not quick ways of earning money.

Expenditures. Sico respondents spent a little bit more in the relocation site (P4765) due to transportation, water, and electricity expenses, increase in prices/fees than when they were in Sta. Clara (P4720). Balete respondents, however, said they adapted their spending patterns according to the availability of money. Thus, their mean monthly expenditure in Balete was P5, 212.20 while in Sta. Clara, it reached P6, 691.34.

Perceptions of Residents in Host Community

Residents in the host communities of Balete and Sico are more financially established. They have stable jobs, have bigger lots, and are more educated. Thus, some of them are working in the formal sector (e.g., professionals). They also own farms, raise animals, sell fruits, and vegetables, and have other sources of income. Relocatees, meanwhile, have to work harder and depend on government assistance.

The relocatees' initial interaction with residents in the host communities were unfriendly and even hostile. Majority of the Sico respondents (61 percent) felt there is better cooperation between them and their host community, compared to those in Balete (49 percent). Sico relocatees felt that they integrated into the community, while those in Balete sensed hostility with their new neighbors, especially with regard to drug addiction.

Lot Titles, Housing Assistance, and Selling of Rights

Titles to home lots. Almost all of the Balete (84 percent) and Sico relocatees (96 percent) do not have titles to their home lots; this erodes their confidence in the legitimacy of their occupancy. This has reinforced the rumors spread by Villa Anita residents that the government will eventually displace relocatees again because of their lack of lot titles. Supposedly, the PPA had informed them that they must pay their taxes for 5 years before they can claim their titles. They were also told that the PPA would settle it in the near future if they pay their tax, or when all the lots have been occupied. Other reasons given were: 1) the relocation area is government land and therefore they could only be given rights to the lot; and 2) the government wants to avoid the selling of rights by residents¹².

Selling of rights. Majority of the Balete respondents (91 percent) and Sico respondents (87 percent) said that many relocatees have moved out because of economic difficulties. Some have also sold their rights for as low as P7,500 to as high as P100,000 depending on whether they were

¹² [JBIC footnote] According to the PPA, lot titles in Balete are given to the relocatees when relocatees declare their land tax, and after paying the land tax for 5 years, they can sell the lot. On the other hand, according to Batangas City, relocatees in Sico can get the lot title in the same manner, but they cannot sell the lots, since the lots are considered to be the possession of both LGU and relocatees. The reason why most of the relocatees do not have the titles seems that only a small number of relocatees have declared their land tax so far.

selling the house, lot or both. Prices were lower in Sico than in Balete because the former is farther and not as well constructed. A few (less than 10 percent) have rented out their houses for P400 to P500 monthly.

Relocation Experience

Consultation. Majority (87 percent) of both Sico and Balete respondents were consulted about the relocation site. Similarly, many respondents from Sico (74 percent) and Balete (93 percent) were consulted about the assistance package. However, about 50 percent of the respondents do not remember being consulted regarding income restoration programs. They also claimed to have been simply informed about the relocation site and assistance package. They said they were made to feel they did not have a choice but to move to the relocation sites.

The respondents also alleged that only their leaders decided and mediated the transactions between relocatees and government officials.

Demolition. The demolition in 1994 occurred despite several and intense consultations between 1993 and 1994 as Sta. Clara residents stubbornly fought their position of on-site development because their livelihood depended on their being in Sta. Clara. They also said that the PPA was bent on making them move as it had already bought the relocation site in Balete. Key informants alleged that they would have agreed to relocate if the government increased the amount of compensation to P150,000 per person. The information that they heard about the demolition was largely based on what their friends and neighbors had told them.

The respondents vividly remember the demolition as being been scary. While their houses were suddenly torn down, armed men were firing blank bullets to the sky, and residents retaliating with stones and bottles. There was panic and some were reportedly injured.

Opposition to relocation. Mostly vendors and drivers opposed the relocation because they did not want to lose their income sources in the port. Those who owned big houses and business establishments (e.g., restaurants, stores/mini-grocery, gambling joints, karaoke bars, and billiard halls) also opposed the relocation. Another opposing group was the CLARA-CBO, which is now in Villa Anita. Composed of both structure and non-structure owners, this group was quite forceful and influential in community decisions. They were willing to relocate only to a place near the pier. Those who were not included in the master list but owned lots/houses in Sta. Clara also opposed the relocation.

Changes in the beneficiary list. A few respondents said that some outsiders took advantage of the relocation package offered by the PPA. Another reason cited was that the counting was not done well; only structure owners were counted. There were also absentee homeowners. In one census, only heads of families were counted. Then in the next census, other household members were included, and so on. In short, the census process was not reliable.

Voluntary resettlers and oppositionists. Some residents in Balete and Sico were perceived to have volunteered to relocate because they wanted peace. Others fought but eventually relocated themselves. Others continued to resist because they wanted the government to raise compensation. Some felt compelled to oppose due to peer/family pressure.

Voluntary resettlers include those who did not depend on the pier for their livelihood such as government and private employees; structure owners who thought it practical to relocate and

follow the government; and renters/sharers who wanted their own house and lot. Other reasons for volunteering are: a) they did not have any voice to fight the government; b) they wanted to live peacefully with their families without the trouble of demolition; c) they were attracted to the relocation package, as well as to the promise of prioritized assistance, more money, bigger lots, and employment in the pier.

Compensation and delivery. The compensation that Balete and Sico respondents received varied. For Sico residents, compensation ranged from P5,000 to P40,000; Balete residents received from P10,000 to P50,000. Home lots that measured 50 square meters were given to Balete relocatees, and 70 square meters for those in Sico. They also received two to three sacks of rice and P400 worth of groceries

Fifty-seven percent of Sico respondents and 62 percent of Balete respondents received their compensation in checks, which they themselves or their relatives encashed. Most of them got their cash and check compensations from the PPA while food assistance was given by the DSWD. The rest received their compensation from the Land Bank, city government officials. A few respondents did not know from whom they got their compensation.

Resettlement and overall satisfaction. All in all, respondents are generally satisfied with their lives in Balete (74 percent) and Sico (65 percent). The relocation sites are now more peaceful, organized, and less polluted. They now live in their own houses. Even if they earn less and are having some financial difficulties, they have adjusted to and accepted their situation. However, they greatly desire to improve their livelihood and socio-economic situation.

Those who were not satisfied with their overall situation indicated the desire to go back to Sta. Clara. They feel shortchanged because they have no permanent sources of income, thus making it hard to maintain their usual standard of living. They said relocation is acceptable as long as they are given jobs and claimed that the livelihood the program given by the government was inadequate and not properly delegated.

While the above assessments of the respondents do have some empirical bases (their lack of jobs and decrease in household incomes), there, however, seems to be a tendency to romanticize the “lost” place/home and to remember the “best parts” of that experience. This phenomenon, known as *selective retention*, is exhibited mostly by people who are highly frustrated and disappointed with their current conditions.

Notes on Villa Anita squatters/settlers. Residents who refused the relocation package in Balete and Sico “settled” in the nearby property of Villa Anita. Based on documents, about 300 families rejected the offers of both relocation sites and during the demolition sought refuge in Villa Anita. According to the barangay captain, during the time of the evaluation about 600 families had already settled in the area. The original group who refused to relocate to Balete and Sico pooled their financial compensation together and bought two hectares from the Puyo property. The city government bought for them an additional hectare for P7.7 million, bringing the total land cost to P21 million. The Puyo property had earlier been rejected by the Committee on Site Selection because it was mostly fishponds and P10 million would be needed to reclaim it according to the feasibility study. Moreover, it has problems with the road right of way (RROW). Five years later, Puyo remains underdeveloped. Families live like squatters; the absence of basic services such as piped water, drainage and sewerage system is quite notable.

Interestingly, those who are now squatting in Villa Anita still feel they are better off compared to those who went to Balete and Sico. They argued that now they are real owners of the Puyo property compared to the relocatees who have not received their lot titles yet. They also said that the relocatees still go back to the port for their livelihood. They also claimed that some relocatees have gone back to the port and have become squatters like them in Villa Anita.

Summary of Issues: Socio-economic Impacts

Changes in living standards and relocation. The changes of living standards among relocatees can be largely attributed to their relocation site being far from their place of work, to their low levels of education and lack of skills, and to the “formalization” of the organization of port activities like vending/selling, portage and other services. In Sta. Clara, prior to their relocation, they were free round the clock to create any source of income (*“puwede kang mag-diskarte maski ano”*) ranging from vending/selling goods/services, entertainment services to creative employment like hazzling rides/services for passengers, carrying baggage, pickpocketing, and the like. After the relocation, they have to spend on transportation and their hours in the port became more limited because they have to go home early to catch the last jeepney trip at 5 p.m. Before, they could stay in the port as long they wanted because they lived nearby. Now, as the port is being modernized, entry is quite restricted to protect the passengers from hassles according to the PPA. In the same manner, vending/selling is limited to 56 stalls which several hundred members of five cooperatives/associations take turns in occupying. **Thus, the modernization of the port and the formalization of activities associated with it have severely restricted the opportunities of relocatees who are still used to operating in the informal sector.**

Income restoration programs. The income restoration programs in the relocation sites (e.g., cooperatives, income-generating activities like the two passenger jeepneys for each site, sewing garments, crafts) did not work effectively because of mismanagement and corruption among the officers and workers (e.g., driver). The cooperatives set up by the relocatees were not able to recover the capital given for micro-credit activities as the borrowers refused to pay. They alleged it is part of their benefit package and also they were so pressed for money for their survival needs. The jeepneys were not maintained properly. Two have ceased to being operational. One (in Sico) is still being held hostage by the homeowner who wanted compensation for his house after being hit/destroyed by the jeepney. While another one (in Balete) is being “monopolized”/“privatized” by one of the leaders among the initial volunteer relocatees.

It must be also noted that the PPA had constructed 56 stalls for vendors in the port. But residents complain that this is not enough for the over 500 residents who are engaged in vending/selling. In the same manner, PPA also said that they gave opportunities to the residents to manage a canteen cooperative in the port. PPA alleged that the relocatees’ groups could not come to an agreement of how to manage it. CLARA-CBO, however, alleged that the PPA were “sabotaging” their efforts by having their own cooperative.

Levels of satisfaction by socio-economic location of respondents. The experience of relocatees regarding the impacts of the relocation varied by different time periods and by their socio-economic conditions in Sta. Clara. Right after the relocation, the relocatees had several complaints regarding the inadequacy of the water, electricity, and basic services. Two years after

the relocation and now when these problems have been fixed, there is relative satisfaction among the relocatees.

The relative satisfaction experienced by relocatees vary according to their position/alignment in the negotiation (fixed on-site development or amenable to relocation), income sources (tied/not tied to port activities), and their perceived level of loss in terms of home structures and income opportunities. Those who volunteered were amenable to relocation (and also recognized the government's power of eminent domain), or those who did not own much in Sta. Clara felt that the relocation have given them a more secure place to live. Those who derive their income sources elsewhere (families with OCWs, regular employment with public/private entities outside the port, selling and vending in the city or barangay) are quite satisfied with their housing structures in the relocation sites. But those who controlled businesses (e.g., karaoke bar, restaurant, mini-grocery store, beauty parlor, barbershop, etc.), had higher incomes, and/or owned big houses in Sta. Clara feel dissatisfied with their current conditions in Balete. Those who felt that the PPA was not sympathetic to their cause as well as those who had sympathies with the CLARA-CBO and their causes expressed their disappointments with the relocation site and the government.

It must be noted that Sico residents expressed more satisfaction with their place compared to the relocatees in Balete. The former were mostly sharers/renters and migrants from the Visayas area who felt lucky to have their own home and lot because they did not own much in Sta. Clara. According to them even though it is far away from the port, it is their own. Among those who owned their own homes in Sta. Clara but chose to relocate in Sico said they wanted peace in their lives. They perceived Balete to be "*magulo*" (disorderly) because of the presence of drug users and disgruntled big structure owners and business operators in Sta. Clara. They said that this group suffered a great loss in their fortunes. This relative satisfaction expressed by Sico residents could be also due to the fact that they seem to be more integrated to the old/host community compared to the Balete relocatees.

Social integration to host community. Balete and Sico relocatees seem to experience different levels of integration to their host communities due to geographical/physical and socio-political reasons. The Balete relocatees are separated from their host community by a subdivision perimeter fence. While it gives an ambience of security in a subdivision, it also sets it apart from their host community. It seems like the barangay captain is presiding over two barangays—each with their own set of basic services (health center, chapel, social hall, etc.) and each celebrating their community social activities like the annual fiesta, *Flores de Mayo* separately. In Sico, the barangay council made special efforts to integrate the relocatees by instructing them to adapt to the norms and lifestyles of the host community. There is no perimeter fence dividing them from the old residents. Both the old residents and relocatees go to the same health center and send their children to the same day care center and elementary school. They also celebrate the same fiesta dates and other community social activities together.

Maintenance of basic services/ infrastructure. The operation and maintenance of services and infrastructures in the relocation sites have not been very well managed by the relocatees. The community have not really worked out a system of maintaining the upkeep of these services (e.g., contributions to maintain the streetlights or replace damaged pipes/parts in the water system, regular cleaning of the drainage, pay for medicines and medical services and the like). In Balete, the 15 artesian wells installed by PPA did not function well so the city government had to install a P1.2 million water tank and the drainage system is not well maintained by the residents. It

was also noted that while residents complained of the inadequacy of streetlights, PPA still pay for their electric costs. Balete residents seem to think that the government must provide support in maintaining the services rather than the community. In Sico, despite the efforts of the local government and the national government, water and electricity services are not very reliable. They frequently experience brownouts and low water supply.

About 10-15 percent of the relocatees have either sold their rights and moved out. Majority of them have gone back to areas near the port in order to be near their place of work or have relocated to other areas of Luzon and the Visayas since they could not find jobs in Batangas City.

Land titles. The PPA has prepared tax declarations for all the lot owners as this document is recognized as proof of ownership in Batangas. But according to the PPA, only a few have claimed them as the residents would have to pay the tax. The residents, however, have claimed that it has not been distributed to them. They would like that these would be given (i.e., free) to them. This has been used by the opposition group to support their claims that the government will eventually get back the lands from the relocatees.

Assessment of relocation package. Compared to other relocatees in Metro Manila (Pasig and Norzagaray) and other port relocation projects (e.g., General Santos and Dumaguete City), the Balete and Sico residents have received a superior package of benefits (see Appendix D). Yet, quite a number are still quite dissatisfied with their situation because of the decrease in income sources.

Part IV. Evaluation of Resettlement Package in Batangas Port Development Project Phase II

Relocation Process: Phase II

The formulation and implementation of the Phase II relocatees in 1998 benefited very much from the lessons of the Phase I relocation experience. (See chronology in Appendix A for a more detailed documentation of consultations and negotiations.)

Phase II involved 77 affected families and all opted to be transferred to the relocation site of Balete. A thorough consultation process was conducted for the Phase II relocation. After a series of information dissemination, a consultation workshop was held on June 5-6, 1997 in Lipa City, a venue outside of Sta. Clara and Batangas City, so as to create an atmosphere of neutrality. External consultants organized and facilitated the consultation process. It was attended by representatives of 90 percent of the affected families, 50 representatives from 20 agencies and five (5) NGOs. The benefit package was clearly explained and the opinions of each stakeholder were given equal attention. There was relative agreement regarding the components of the relocation package. Between July 1997 and December 1997, a total of nine (9) consultation/meetings to iron out the details of the relocation package and the process itself were held. The actual transfer of the relocatees took place from February 16 to 28, 1998.

The systematic planning, open/participatory consultations, and the smaller number of people involved with clear lines of authority and responsibility allowed the Phase II relocation process to proceed quite smoothly. Moreover, the LGU officials involved were known and trusted by the people in comparison to those in Phase I where high level politicians/officials, who had their own agenda, were much more dominant. The relocatees of Phase II also seem to have a more positive view because of the perceived sympathy they got from LGU and JBIC officials involved in

the relocation. In the Philippine context, the manner that authorities conduct themselves (with respect/empathy/sensitivity) before the people is much more important than any legal provision.

Therefore, in comparison to Phase I, the Phase II resettlement process was quite smooth and peaceful since dialogues/consultations were relatively open/participatory and the negotiating parties relatively trusted each other.

Recommendations for the Vocational Program

In response to the appeal of affected residents, JBIC provided a vocational training programs (costing P38 million) for relocatees, as part of Phase II loan package. This involves the training/retraining of at least 1,000 affected residents so that they can find employment in the port or in industries outside the port. PPA has entered a memorandum of agreement with the government agency, the Technical and Educational Skills Development Authority (TESDA) to implement the program. The following section offers some recommendations to make the program more effective.

For a vocational training program to be fairly successful (i.e., high rate of absorption into the labor market among trainees), the structure/design of the training has to be matched closely with the capability/skills and potentials of the trainees and the human resource needs or labor market in the surrounding areas. More importantly, some efforts have to be made in linking the graduates of the training programs to the manpower demands and recruitment initiatives of companies/industries or other potential employers in the area. Thus, there is a need to exercise a strong positive affirmative action for residents relocated from the port premises. More importantly, the relocatees should be placed in training programs appropriate for their background and potentials. For example, relocatees who have low education and had mostly experienced jobs in the informal sector are not likely to perform well in technical training programs like machine shop operations and the like. They should also be trained in the ways formal employment structures operate and how to survive in this environment. This should also be matched with outreach initiatives to affected residents for effective targeting and placement. Mechanisms should be established to link the job training programs and the trainees to potential employers/industries. Currently, both barangay officials and relocatees from Balete, Sico, and Villa Anita complain that the PPA has not tried their best to accommodate them even in jobs requiring low skills such as arrastre services and construction. They claim that one still needs influential connections in addition to skills in order to find a position in the port. As of February 18, 1997, however, the records of PPA and that of a construction company contracted by the PPA, showed that 188 had been employed from affected families out of their total 652 employees; as there are not so many low-skilled jobs available in the port. JBIC, however, has exerted pressure on PPA to hire relocatees. From time to time JBIC has asked PPA to report the number of relocatees that they have hired.

The above complaints of local officials and relocatees seem to assume that the port facilities have high levels of labor absorption capacity. Considering that currently only 188 out of the several hundreds of relocatees have found jobs or positions in the port, it is unlikely that further training will greatly increase this figure. It may be worthwhile to link the training programs and graduates (especially the relocatees) to the labor needs outside the port and surrounding urban areas through job placement and community outreach initiatives.

Part V. Overall Assessment of the Resettlement Package of the Batangas Port Development Project Phase I

Appropriateness of the relocation process. The resettlement process in the Batangas port followed the **basic** requirements of the law, particularly UDHA as well as those principles governing resettlement articulated by the World Bank, the Asian Development Bank, and the JBIC documents. Thus, if we assess the resettlement process according to these frameworks, then it was able to fulfill the fundamental requirements. More significantly, the resettlement package was quite generous, if considered within the context of resettlement experience of both national and local governments in the Philippines.

But what made the Batangas port resettlement complicated is some “vagueness” of the law. The UDHA clearly rules that squatters in “danger areas” and in lands needed for infrastructure can be evicted as long as a notice to vacate has been issued and a relocation site has also been prepared for them. This can be done without a court order, only a notice to vacate is needed. But the Sta. Clara residents were under the impression (reinforced with assurance from their leaders) that the PPA would secure a court order because in other demolition cases, a court order had been served. So they waited for a court order and were surprised that the demolition team came on June 27, 1994. Moreover, the leaders believed that as long they had a court case in progress, their houses could not be demolished. But this is only in cases where the residents file a writ of preliminary injunction and a judge had issued a technical restraining order (TRO)¹³. From the available records, this was not apparently done. However, this is usually done in private lands, not in government lands needed for major infrastructural development.

But following or not following the legal requirements as shown above is not the main reason why the resettlement process remained unsatisfactory to the Sta. Clara residents, especially among those who opposed it as represented by the CLARA-CBO. The main reason for the contentious process was that both the PPA and the residents felt that there was no room for negotiation at all. Both sides were bent on sticking to their respective positions. The oppositionists were willing to “shed blood” in order to defend their position (“As is, where is” or on-site development or just nearby the port) while the Philippine government had already committed itself to modernizing the port through a loan package from the Japanese government. Thus, the government (mainly the executive branch and the PPA) felt they had to implement the project by all possible means. Thus, from 1992 until the demolition in 1994, the whole process of consultations and all the activities of both sides had only one goal: that their position will prevail on the other. **The possibility, therefore, of a demolition with agreement from the residents was quite remote.**

Also, the PPA and other government officials were convinced (based on the opinions of other residents) that the CLARA-CBO did not really represent the interests of the whole community but only of some segments of Sta. Clara. More significantly, they had military intelligence reports that Sta. Clara was infiltrated with left-leaning elements which is the main reason why their demands kept on changing. Supposedly, after agreeing on some points during the negotiations, the CLARA-CBO will consult their leaders in Manila and then change their minds about it. And according to the local officials, this kept going on for years that they became

¹³ Based on the interpretation of an attorney of the Alternative Legal Center or SALIGAN, specialist on UDHA, squatting and evictions.

frustrated and exasperated with the whole process. CLARA-CBO leaders, on the other hand, disputed this and maintained that they had only one demand: on-site or nearby development. Available records regarding changing compensation demands, however, seem to support the allegations of the PPA/local officials.

Based on the data obtained from the records, key informant interviews, and surveys, the relocation process followed by the Philippine government was appropriate. But assessing whether the actions of the different stakeholders were appropriate was not the central issue. For both sides, the main goal was how to achieve their asserted position: the government wanted development for everyone through modernization of the port while the CLARA-CBO maintained this will just marginalize them and therefore they will “shed blood” to defend their homes. Thus, the issues became muddled and complicated as frameworks of reference kept on changing as negotiations progressed with no resolution in sight.

How do we evaluate resettlement projects like Batangas? Evaluating relocation projects where demolition occurred without the agreement of affected residents is quite challenging and potentially contentious. But this can be evaluated based on the laws and policies governing it. In the Philippines, the UDHA requirements serve as the fundamental basis for evaluating such a relocation project. This shall be verified with data from secondary sources (documents/records) and primary sources (stakeholders and other key informants, affected residents, field observations).

Impacts on the relocatees. The relocation package was quite superior compared to other relocation packages in other parts of the Philippines (see Appendix D). This is also attested by the following positive impacts enumerated by relocatees: their ownership of house and lot located in spacious and peaceful environments with basic access to water, electricity, sewerage/drainage, health, and education facilities. It should be noted that post-relocation surveys in other areas have rarely shown this kind of positive evaluation of their houses and basic services.¹⁴ The negative impact is summarized by comments often repeated by relocatees, “What good is the possession of a home, when we do not have a stable job or source of income?” But this is the most common problem for off-city relocation. To my knowledge, no off-city relocation in the Philippines has successfully satisfied the economic/job requirements of relocatees. For elaboration of the impacts on relocatees, please refer to the summary in part III.

This evaluation has noted that the Batangas relocation experience was exceptional because of two key reasons: 1) the participation of high level officials, opposition politicians and the members of the PNP, and 2) the presence of opposition groups who maintained their position of on-site development throughout several negotiations as well as increased their demands for compensation as the negotiations progressed, making the stakeholders like the PPA, LGU and the national government representatives exasperated and some of the affected residents bewildered and confused. In addition, these seemingly intractable positions were reinforced by: 1) the excessive coverage both by the Philippine and Japanese media highlighting the sensational aspects of the relocation, 2) the support provided by the Catholic Church and allied NGOs (who later withdrew from the negotiation process), 3) left-leaning NGOs/CBOs in the Philippines, and 4) NGO support from Japan.

More importantly, the Batangas relocation process became contentious because of the characters and personalities, with clearly defined political/economic interests, in the negotiating

¹⁴ Based on the author’s review of literature on post-relocation surveys for the past decade.

process. While the PPA perceived the residents as quite unyielding in their position and demanding, the latter perceived the former as “righteous and arrogant” in their ways/behavior at the negotiating table. Whether these perceptions have concrete basis is not important. What is significant is that each side was guided and shaped by its perceptions. As W.I. Thomas said: **If the perceptions are real, then the consequences are real!**

The Batangas relocation experience was also a result of policies (LGC and UDHA) in transition to being institutionalized. Thus, the implementing agencies (PPA and the LGU) had no experience at all in dealing with relocation under a decentralized context. As a matter of fact, the Batangas port became a test case for the UDHA implementation¹⁵.

Part VI. Comparative Assessment of the Resettlement Package of the Batangas Port

Development Phase I

Compared to other resettlement packages in Manila and other parts of the Philippines, the resettlement package of the Batangas Port is relatively superior. This can be seen in the assistance package provided to relocatees in selected projects in Metro Manila such as the Pasig Rehabilitation and the relocation project in Norzagaray, Bulacan (see Appendix D). According to an NGO leader involved in the Batangas negotiations in 1993, some of the urban poor leaders in Metro Manila have said in private that if the BPDP relocation package was offered to them, they would grab it! Most relocation packages do not provide free housing/lot nor income restoration package as was given in Sico and Balete. This is illustrated in the case of the Pasig Resettlement Program and the Dumaguete Port Relocation Program shown in Appendix D. In Pasig, the relocatees had to pay for their housing. In Dumaguete, based on my interviews with officials from the NHA, local government and the NGOs, the process was smooth because both sides trusted that the other will try their best to get the best for the relocatees. But this kind of trust was absent in the relocation of Batangas Phase I but it seems to have been operative in Phase II. More importantly, Phase I involved so many government officials from all levels and NGOs with different political persuasions, each wanting to help as well as increase their political score. On the other hand, Phase II involved mainly the LGU of Batangas City and the people were quite cooperative.

Part VII. Summary and Lessons Learned

See “Executive Summary”.

¹⁵ Based on interview with an NGO leader specializing in urban poor issues, who facilitated the dialogue/consultations between government officials and residents. Accordingly, NGOs withdrew from the negotiations when CLARA-CBO’s demands kept on changing and becoming hard to fulfill (e.g., P100,000-P150,000 compensation for each family).

APPENDICES

Appendix A

Chronology of Events and Processes

Barangay Sta. Clara, Batangas is located along the northeastern section of Batangas Bay. It is believed that this portion of foreshore land was first settled on even before the **1900s** and has been passed down for generations. Initially composed of fisherfolk, the community found other sources of livelihood as vendors, stevedores and the like when the port was constructed in the **mid-1930s**. **Many of them have tried to secure formal ownership of the land since 1969 but have failed.**

In **December 1975** President Ferdinand Marcos issued *Presidential Decree No. 857* which broadened the scope and functions of the Philippine Ports Authority (PPA) to facilitate the implementation of an integrated program for the planning, development, financing, operation and maintenance of ports or port districts for the entire country. This charter was amended in **1978** by *Executive Order No. 513* which granted the PPA police authority, created the National Ports Authority Council and empowered the PPA to exact reasonable administrative fines for specific violations of its rules and regulations.

The Batangas Port Expansion Program was formulated by the Philippine Government and the Japanese International Cooperation Agency (JICA) in **1984**.

In **December 1985**, a JICA feasibility study was conducted. This document became the basis for the Batangas Port Expansion Project and in it the residents of Sta. Clara were identified as “squatters”. The JICA also completed its Final Report on the Study on the Development Project in the Port of Batangas City wherein it identified the areas to be affected by the short and long term plans for the development of the port.

The final report of JICA made the Sta. Clara settlers apprehensive. A Special Committee for Sta. Clara was created by then City Mayor-OIC through *Executive Order No. 10* on **10 June 1986** at the request of the Ad-Hoc Coordinating Committee for Sta. Clara. The Committee was composed of a representative from the City Government, the Parish Priest of the Parish of the Immaculate Concepcion, the Chairman of the Ad Hoc Committee for Sta. Clara (CLARA¹), the manager of the Batangas City Port representing the Philippine Ports Authority and the Office of the Ministry of Social Services and Development for Batangas City. This action signified the beginning of the Sta. Clara Relocation Program.

The officers were elected for the Special Committee for Sta. Clara on **2 July 1986**.

¹ Kalipunan ng Nagkakaisang Samahan ng Sta. Clara (= Society of United Residents of Sta. Clara), a civil society group of Barangay Sta. Clara.

In **December 1986**, the City Government of Batangas completed a socio-economic survey of the area to be affected by the Short-Term Development Plan. Seven hundred and eighteen (718) families were identified as living in six hundred and six (606)² structures.

Executive Order No. 159 was issued in **1987**. This order vested the PPA with the function of undertaking all port construction projects under its port system and granted the PPA financial autonomy.

The results of the survey conducted by the City Government of Batangas were presented to the Special Committee for Sta. Clara on **19 February 1987** and to the community on **5 March 1987**.

The JBIC E/S mission took place from **May – June 1987**.

After several meetings, the Committee decided to make plans concerning the relocation of the affected families. Four plans were deliberated on:

Plan A: which involved reclaiming the needed area was ruled out by the PPA representative in a meeting on **June 1987**.

Plan B: to acquire Villa Anita and the adjoining properties, was not possible because some of the owners were unwilling to sell.

Plan C: the acquisition of the Seremonya properties was difficult because the properties had several owners and were occupied by squatters.

Plan D: proposed by the City Government, was to acquire the Caedo property. The owner was willing to sell it and it was the most available and suitable site according to the NHA inspection report of 3 proposed relocation sites which was completed on **23 March 1988**.

The Inter-Agency Task Force was formed on **24 March 1988**.

The composition of the Special Committee for Sta. Clara was amended on **15 April 1988** in order to expand membership for the purpose of providing wider government participation and interchange of ideas.

An Inter-Agency Top Level meeting was held on **16 December 1988** to further consider the Caedo property. It was attended by representatives from the PPA, NHA, DPWH, DSWD, DAR, Office of Congressman, Batangas City Government and the Special Committee for Sta. Clara. The formulation and signing of the Memorandum of Agreement between all the agencies involved was accomplished at the meeting. The agencies and their assignments were as follows:

- a. National Housing Authority (NHA) – to undertake the acquisition of land and the construction of housing units with joint venture with the private sector.
- b. The Department of Public Works and Highways (DPWH) – to undertake the construction of bridge, river control and access road.
- c. Department of Agrarian Reform (DAR) – to attend to the land conversion requirements.

² Other accounts place the number of structures at six hundred and sixty (660).

- d. Philippine Ports Authority (PPA) – to construct a dike along the seashore to prevent soil erosion.

However, the MOA did not materialize at once because Caedo site was rejected on two counts: because the development cost was too high and the people were not amenable to it because it easily flooded during rainy season. It was eventually bought by a private individual.

The Municipal Council (Sangguniang Panglunsod) passed a resolution approving the draft of the Executive Order that declared and delineated the Batangas Port Zone with an area of 348 hectares under the jurisdiction of the Philippine Ports Authority on **26 June 1989**.

Executive Order No. 385, issued by President Corazon Aquino on **19 December 1989**, delineated the territorial jurisdiction of the Port of Batangas.

A Liaison Monitoring Committee was formed on **8 March 1990**, through a joint meeting of the Provincial and City Development Council, to scout for alternative relocation sites. After several meetings, the Committee came up with three alternative sites in **May 1990**. Unfortunately, all the properties (Caedo Property; Velasques, Custodio, Ocampo and Abrenica Properties; and, Macatangay and Cantos Properties) were not for sale.

The JBIC conducted its initial appraisal mission from **July – August 1990**.

A meeting was held on **17 July 1990** at the National Housing Authority in Manila, during which another committee was formed to look for alternative relocation sites.

On **17 September 1990** The City Mayor, the Sta. Clara barangay captain and the KLARA chairman met to reconsider the Serrano and Villa Anita properties as possible relocation sites. The City Mayor endorsed this option to the PPA but it was disregarded in **October 1990** because of the high cost of the properties (approximately P1,500 – P2,000/sq.m.).

President Aquino issued Executive Order No. 431 on **19 October 1990** in order to carry out the initial implementation phase of the Port Development Plan. This order expanded the jurisdiction of the PPA as provided for under *Executive Order No. 385* and delineated the port area to include the area occupied by the residents of Sta. Clara.

During a meeting with PPA, Provincial and City Government representatives, the officials of Sta. Clara, including Barangay Captain, at the Port Managers Office in Batangas on **27 October 1990** the Sta. Clara officials affirmed that they represented the affected families. They were then tasked with communicating with the affected families to find out about their attitudes towards and willingness to resettle in another barangay.

In early **January 1991** an evaluation, based on NHA criteria of the following sites was completed following site inspections by the Assistant General Manager Engineering, PDO-Luzon District Manager, City Mayor of Batangas, an NHA representative and officials of Barangay Sta. Clara:

- | | | |
|-----------------------|--------------------------|--------------------------|
| 1. Gulod Property | 6. San Pascual Property | 11. San Isidro Property |
| 2. Balete I Property | 7. Libjo Property | 12. Ibaan Property |
| 3. Balagtas Property | 8. Balete II Property | 13. Banaba West Property |
| 4. Sta. Rita Property | 9. Tingga Labak Property | 14. Pallocan Property |
| 5. Caedo Property | 10. Paharang Property | 15. Castillo Property |

The three highest ranking sites were considered and again inspected. The results were:

1. Gulod – a resolution from the Barangay Council of Gulod protesting the use of Gulod as a relocation site was sent to the PPA on **18 January 1991**.
2. Balagtas – this was initially the final choice agreed upon by the District Congressman, Governor, the Mayor, and the Sta. Clara barangay captain . However, problems about the road right of way emerged and it was found that half the property was already sold.
3. Balete – a letter of endorsement dated **9 May 1991** from the District Congressman, the Batangas governor , the Batangas city mayor and the Sta. Clara barangay captain was given to the PPA General Manager.

Meetings for the relocation project during the selection process were held at the Batangas City Hall on **23 February 1991** and on **2 March 1991** with some officers and the Barangay Captain of Sta. Clara present. Each time the Committee on Site Selection visited the proposed site, Barangay officials and members accompanied the group.

The Balete property, having an area of approximately 65,952 square meters was purchased by the PPA at P85.00/sq.m. on **24 May 1991**. During a meeting in **June 1991**, the PPA informed the Provincial Development Council that it had already purchased the relocation site in Barangay Balete.

Headed by their chairman, the residents of Barangay Balete filed a petition to the Municipal Council opposing the proposed relocation project in Balete on **8 July 1991**.

On **16 July 1991** a loan agreement with JBIC was forged in the amount of Y5.788 billion. The Port of Batangas was expected to help strengthen the industrial base of the outskirts of Manila through its role as a major shipping base. This project covered the construction of port facilities such as wharves as well as breakwaters.

On **25 July 1991**, the CALABARZON called for a Provincial Consultative Workshop in Batangas Capitol where representatives from Sta. Clara were present. Afterwards, a public hearing was advertised in a local newspaper.

During the Provincial Development Council meeting held on **26 July 1991**, the opposition of the Barangay Balete families to the relocation project was taken up. The City Government was also requested to conduct another survey of the affected families. The City Government representative was unable to make any commitments at this meeting due to the absence of the City Mayor.

The PPA Project Manager was invited to a meeting on **3 February 1992**. It was at this meeting that the Barangay Balete Captain once more aired the opposition of the Balete residents to the transfer of the affected families to their area.

The public hearing was held on **8 September 1992**, chaired by the Environmental Management Officer and attended by 4 PPA officials, 2 consultants, City Administrator, 7 people from the DENR and the Barangay Captain of Sta. Clara. The hearing was threatened with postponement due to the absence of the complainants. The arrival of the barangay captain as representative of his constituency allowed the meeting to resume. During the hearing, it was found that there was no answer to the question as to whether the residents

of Sta. Clara were properly invited or informed. Neither was there an answer to the question of whether there was any opposition to the project of the PPA. When asked by the Environmental Management Officer if there were any in favor of the project, the barangay captain replied that he was in favor of it. Moreover, he explained that he had convened the residents of Sta. Clara a few times and asked them to attend the hearing but they had refused and demanded that the hearing be conducted in their place. They also asserted their position that they would not leave and that the PPA should bear the burden of having to find another relocation site. Due to the continuous refusal of the public to attend the hearing they were declared in default and since no opposition to the PPA proposed project was raised, the meeting was adjourned. Afterwards a short meeting was held wherein the Mayor, PPA representatives, consultants and the barangay captain agreed to establish a Memorandum of Agreement to keep the communication lines open between the community and the project management. The endorsement letter as well as the minutes of the public hearing indicated that the people of Barangay Sta. Clara were amenable to Balete as a relocation area. Furthermore the possibility of acquiring another relocations site other than the newly developed/ constructed Balete relocation site was made difficult and impractical as P27.125M had already been spent on site development, P9M on financial assistance, and other options had already been exhausted. Consequently, the relocation program was planned and the schedules for relocation were as follows:

1. Original – 15 November 1992 to 31 January 1993
2. 1st revision – 15 January 1993 to 31 March 1993
3. 2nd revision – 15 March 1993 to 31 May 1993.

A **1992** survey of the area done by the PCUP showed that 80 percent of the Sta. Clara population were illegal settlers, 971 affected families were identified. The President was informed of this through a PCUP memorandum dated **17 November 1992**. There was also a voluntary relocation planned in this same period but it was hindered by the barricade set up by the opposing groups. The site development of Balete was completed by the PPA on **30 November 1992** and the initial relocation took place from **March 1993**.

On **5 January 1993**, the PPA was granted a Environmental Compliance Certificate by the Department of Environment and Natural Resources. Stipulated in the certificate are the following conditions:

- (1) that should damage to life and property occur during the project development, the proponent shall pay just and reasonable compensation to aggrieved parties (condition no. 10);
- (2) that relocation of affected residents shall be given priority for employment in the projects (condition no. 11); and
- (3) that the displaced residents shall be given priority for employment in the project (condition no. 12).

After the site development of Balete was completed, a Notice to Vacate was issued on **20 January 1993** but no mobilization took place.

The PPA filed a case for ejectment (*Civil Case No. 3601*) against the affected families occupying the expanded portion of the delineated Batangas Port Zone located at Barangay Sta.

Clara on **9 February 1993**. In the filed complaint, the PPA asserted their territorial and administrative jurisdiction over the Batangas Port Zone as granted by *Presidential Decree 857*³ and delineated by *Executive Order No. 431*⁴. They also identified the repeated refusal of the affected families to vacate the premises as an obstacle to the implementation of the expansion and development project of the Batangas City Port.

The Presidential Management Staff called a meeting on **15 February 1993** to discuss the facilitation of mobilization activities. As a result, an Operation Center was based at the PPA in Batangas to provide assistance for the volunteer families. The President also called for the creation of an Ad-Hoc Inter-Agency Committee composed of the PPA, DND, NHA, PCUP, PWP, Batangas Provincial and City Governments, DSWD, the Office of Congressman, the National Manpower and Youth Council, and the Presidential Management Staff. The National Defense Secretary was requested to head this Committee.

On **9 March 1993** members of 13 social development NGOs (along with 300 other signatories) in the Philippines wrote a letter to JICA outlining their position regarding the Batangas Port Expansion Program's resulting displacement of (then) 1,200 families in Sta. Clara. They published the same as an open letter to President Ramos. They stated that:

- (1) the residents of Sta. Clara have lived and made a living in their area since the 1900's thus they have a moral and legitimate right to participate and be heard;
- (2) the compensation package being offered to the residents is inadequate and unjust;
- (3) the whole process of planning and project implementation has been conducted in a highly questionable manner;
- (4) the compensation package and choice of relocation site could have been more just and acceptable if the government and technical planners had seriously consulted the people and took into consideration their moral right and welfare;
- (5) the people could have presented the PPA and the government with viable on-site development plans; and
- (6) the group questions the manner by which the Philippine government and the PPA is handling the problem with particular alarm at the prominent role certain members of the military have taken.

On the same day, "concerned citizens and members of social development NGOs" sent a letter to the National Defense Secretary expressing concern over the negotiations and the "prominent role of certain members of the military in the Inter-Agency Committee making the preparations for the relocation...". It was suggested that genuine consultations with the people be held and adjustments in the relocation site and assistance package be made.

The deadline for voluntary relocation was set for **15 March 1993** but was postponed due to a dialogue between the Inter-Agency Committee (headed by Secretary de Villa) and Sta. Clara leaders at Camp Miguel Malvar, Batangas on **12 March 1993**. During this meeting, the residents were assured that no demolition would take place.

³ See December 1975 for details.

⁴ See 19 October 1990 for details.

The Inter-Agency Committee met with an NGO staff on **21 May 1993** during which the NGO presented suggested procedures for consultation and referendum.

The Presidential Commission on Urban Poor (PCUP) and the National Housing Authority (NHA) conducted a Census Revalidation Survey for the Ad-Hoc Inter-Agency Committee from **6 – 12 June 1993**. A total of 1,467 families were identified as affected by the project. Of the total number, 1,028 were structure owners, 151 were renters, and 381 were sharers.

Consultation meetings with the affected families were held by the Committee on **31 July 1993, 15 October 1993** and **4 November 1993**. During these consultation meetings government assistance packages were offered but these were rejected by the people. The community leaders proposed their own assistance package which would have increased the cost of relocation by 400 percent⁵.

The Committee conducted a census validated as the final list by the City Mayor on **26 October 1993**. The census reflected that the total number of affected families was 1,465.

A Notice to Vacate was served by the PPA on **20 January 1994** and then again on **3 February 1994**. The first Notice of Actual Demolition served by the PPA on **20 April 1994** was to inform all the families to be affected by Phase I of the Batangas Port Development Project that the dismantling of structures would begin on **25 April 1994**. The qualified beneficiaries were those identified in the listing accomplished in **26 October 1993** and would be relocated to the designated relocation areas. In relation to this, the beneficiaries were reminded to dismantle their own structures before April 25. Disregarding this notice, gave the PPA the authority to dismantle the remaining structures and relocate those residing in them. By this manner, the PPA would not be held liable for any loss or damage to items or other types of personal property.

The CLARA-CBO wrote to JBIC-Manila on **22 March 1994** reiterating their position that JBIC cancel its funding of the BPDP. This demand was based on five grounds: the residents of Sta. Clara are not squatters, the project would cause the families massive physical and socio-cultural dislocation, the project would serve the interest of the poor and marginalized people of Sta. Clara, the BPDP is not necessary because of the existence of other ports whose services could be optimized, and the Philippine Government did not conduct genuine and participatory consultation with the affected families.

On **27 April 1994** the Government of the Japan requested the Philippine Government to find a peaceful solution. President Ramos decided to postpone the demolition on **28 April 1994**.

The representative of the CLARA-CBO was elected to the position of Barangay Captain during the Barangay Elections held in **May 1994**.

In **June 1994** The ex-governor submitted a proposal offering one hectare of land that the relocatees could use for commercial purposes. A meeting was held on **16 June 1994** in order for him to explain his proposal but it was rejected by the community leaders. The PPA attempted to hold further dialogues with the affected families but their efforts were rejected by the opposition. President Ramos then approved the demolition. Another Notice of Actual Demolition was served on **24 June 1994**.

⁵ Details can be found in Appendix C.

The actual demolition took place from **27 June – 3 July 1994**.

The leaders of an NGO wrote to President Ramos on **28 June 1994** denouncing the demolition.

The Archdiocese of Lipa circulated a pastoral letter of the archbishop regarding the Church's stand on the Sta. Clara and port issues on **28 June 1994**. The Clergy, Religious, School Heads and the Faithful were informed on the conditions of the Sta. Clara residents and were entreated to help them.

On **29 June 1994** the CLARA-CBO circulated a statement asserting their condemnation of the demolition and the objectives of the BPDP. Several NGOs issued separate press statements condemning the violence that took place during the demolition.

The Government of Japan gave notice to the Philippine Government to extend the approval of contract for construction in **July 1994**.

An NGO of the Philippines wrote to a senator on **6 July 1994**. They informed him of the reported violence that occurred during the demolition. It was mentioned in the letter that the 530 member demolition crew backed up by almost 2 battalions of fully armed members of the PNP used excessive force during the demolition. The NGO documented various human rights violation as well as the illegal nature of the demolition as the demolition team showed no court order during the demolition. Attached to the letter were sworn statements of victims, clippings and photos taken during the demolition. In response to this, a senator wrote to Secretary de Villa on **12 July 1994** requesting an investigation of the Batangas incident and an update-report on the situation.

On **20 July 1994**, a team comprised of 5 members from the Presidential Broadcast Service was mobilized to Batangas from 7:30 A.M. to 7:00 P.M. to document events concerning the demolition and relocation.

Based on an ocular inspection done on **4 August 1994**, it was observed that all the shanties had been demolished and that the area was fenced off, to a substantial degree. To prevent possible intrusion of other squatters, a contingent group of military personnel made an encampment inside the affected area to guard the premises.

The Prime Minister of Japan discussed the Batangas issues with President Ramos in Manila when he visited the Philippines in **August 1994**. President Ramos visited the Batangas port on **19 August 1994**, after which he issued a directive instructing the National Defense Secretary, the Governor, the Mayor and PPA General Manager to create a Tripartite Committee on the Batangas Port Expansion. This Committee was to be composed of one representative each from the PPA, the Batangas Provincial Government, the Batangas City Government, the Sta. Clara Barangay Council and the local people's organizations. Along with the Inter-Agency Committee, the Tripartite Committee was instructed to deliberate on the demands of the Sta. Clara barangay officials which were :

- (1) priority in job/ livelihood opportunities at the port for qualified applicants,
- (2) coordination with Sta. Clara Barangay Officials,
- (3) removal/ disbanding of the PNP detachment in the demolished area, and
- (4) removal/ replacement of the PPA Project Director and the PNP Colonel.

The Tripartite Committee held meetings at the PPA-Batangas on **21 August 1994**, **26 August 1994**, and **13 September 1994** to discuss issues related to the relocation sites and the needs of the affected families.

Meanwhile, in **September 1994** the PPA put up a notice to inform the people that an additional P5,000.00 would be given to the people in place of the P10,000.00 that would have been loaned to them for payment of the core houses.

The CLARA-CBO wrote to JBIC and the Japanese Embassy on **27 September 1994** urging them to stop funding the BPDP for various reasons such as the government's negotiations done in bad faith. The Japanese Embassy was sent another letter with similar contents on **19 October 1994** by CLARA-CBO. On that same date, another NGO sent the Japanese Embassy a letter also urging a withdrawal of funding for the port project.

In **November 1994**, only 6 individuals from the affected families were employed by the BPDP.

On **10 November 1994**, an Ad-Hoc Inter-Agency Committee meeting, presided by Secretary de Villa, was held to discuss updates on the status of relocation acceptance and livelihood assistance at Sico.

A Fact Finding Mission (FFM) was launched on **30 November 1994** by an NGO to investigate the issues concerning the BPDP.

The actual construction of the port development began in **December 1994** after the Government of Japan and the Philippine Government had exchanged records of discussion concerning the resettlement.

On **19 December 1994** an NGO sent a copy of the FFM results to the Japanese Embassy. The FFM validated the inability of the Philippine government to prepare a "just and efficient amelioration package" to the affected families. The recommendations of the SPP fully supported the plans laid out by the CLARA-CBO. On **22 December 1994** the SPP released a press statement condemning the release of the BPDP Fund.

In **February 1995** an NGO celebrated the 50th anniversary of Liberation Day by circulating an article describing Japan's support for Project CALABARZON as the second Japanese Occupation of the Philippines.

By **28 February 1995**, out of 1,467 affected families, 1,311 had already availed of the government assistance packages. This number constituted approximately 90 percent of the affected families.

The 1st Consultative Committee Meeting for the BPDP Phase I was held on **16 March 1995**. The PPA discussed the present situation and future plan for the construction work of BPDP and the relocation of the affected families. It was reported that as of **13 March 1995**, 94.47 percent (1,428 families) of the total 1467 families had availed of the assistance package. The present situation and future plan for the assistance to the affected families were discussed by the PPA and the Embassy of Japan.

The number of workers employed in the various construction-related jobs of the BPDP increased to 65 in **June 1995**.

The 2nd Consultative Committee Meeting for the BPDP Phase I was held on **22 August 1995**. The PPA presented a situation report on the Batangas Port Development Project as well as

the situation and prospects for affected families concerning relocation and assistance. The Embassy of Japan/ JBIC presented the situation and plan of assistance to affected families through JBIC loans and grass-roots grant-aid.

The 3rd Consultative Committee Meeting for the BPDP Phase I was held on **1 December 1995**. The relocation process and the relocatees in Sico and Balete were the topics for discussion.

On **15 August 1995**, The Barangay Captain (also the representative of CLARA-CBO) went to Japan to meet with the Prime Minister of Japan and request that the construction be stopped. She also attended the symposium on Retrospection of the Japanese Invasion on the 50th Anniversary of the End of World War II. It was at this function that she called the Japanese involvement with the Batangas Port Project “the second Japanese invasion”. She also characterized the port project as using Japanese taxes to hurt the poor in the Philippines rather than help them and as beneficial only to the Japanese investors. By this time 1,458 out of the 1,467 of the affected families had received financial assistance.

The Japanese Embassy received letters from CLARA-CBO and other NGOs on **19 October 1995**. Both letters opposed the JBIC funded CALABARZON projects (Batangas Port and South Luzon Expressway) and implored the Embassy to take action by withdrawing JBIC funding.

The CLARA-CBO leader went to Japan to solicit funds from Japanese NGOs and the Japanese people on **31 October 1995**. Upon her request a fund from the Japanese people was founded. This assistance fund partly financed the purchase of the Puyo property.

On **11 November 1995** organized members of the construction crew wrote a letter to the construction company threatening legal action if their demands for:

- (1) morning and afternoon break-times,
- (2) protective gear,
- (3) retention of the previous overtime system,
- (4) updating of social security remittances,
- (5) regularization of employment for the duration of the construction,
- (6) termination of the timekeeper and the re-hiring of the previous one,
- (7) salary increase and
- (8) salary payment on an updated basis.

The company agreed to the first two demands, the third to fifth demands were set aside for further discussion, while the remaining demands were refused.

The Port Zone Consolidation Committee (including representatives from the City and Provincial Governments and the PPA) held a meeting on **16 February 1996** at which Barangay Captains from Sta. Clara and Sta. Rita were present along with CLARA-CBO representatives. During this meeting the Barangay Captain of Sta. Rita aired his apprehension that his Barangay would be occupied by the proposed port zone and certain port practices that were adversely affecting his Barangay. CLARA-CBO leader of Sta. Clara complained of the development that had damaged the Barangay and warned that this could also happen to Sta. Rita. No concrete actions were done.

As of **26 April 1996**, 139 workers from the affected families (from Sta. Clara, Balete and Sico) were working for the BPDP contractor and various subcontractors handling the port

construction. They were employed in low-level positions such as carpenters, masons, laborers, drivers, and other construction-related occupations.

On **29 October 1996** the Court of Appeals in Manila promulgated that in Civil Case No. 3601⁶ (406 counter-claimants including the CLARA-CBO leader vs. the PPA) the PPA was to pay the P65,053,913.00 demanded by the counter-claimants (the CLARA-CBO leader, et al.) less 25% discount, less partial amount already paid plus interest of 6% interest per annum computed from 27 June 1994 until fully paid. So ordered, in Batangas City **19 April 1996**. The Court deemed the people (counter-claimants) to be possessors in good faith. Since time immemorial inhabitants had started settlements on the seashore, as in the case of Batangas City. Of marked significance in this case is that the counter-claimants were not originally included in the Port zone and only became so on 19 October 1990 when Pres. Aquino issued E.O. 431⁷. The Court stated that the demolition was simply done in a harsh manner, not sanctioned by law, under deceptive methods, and without adequate provisions for its after effects. While the Court did not sanction the manner in which the demolition and ejection was effected, it sanctioned the taking of the property for public use. The PPA has contested this ruling and is appealing the decision.

A survey of the Batangas Port Development Phase I and Phase II was conducted on **14-28 February 1997** consultants hired by the PPA. They reported that 188 workers from affected families living in Sta. Clara, Balete and Sico were working for the port's contractor and sub-contractors for the construction of the Batangas Port.

The Phase II (E/S) loan agreement took place in **March 1997**.

June 1997 was the month for information dissemination and dialogue with affected families. A Consultation Workshop for Resettlement was held on **5-6 June 1997** at the MTDC Auditorium of De La Salle University Lipa. It was attended by 90 percent of the target representatives from the affected families and 50 representatives from 20 different government agencies and 5 NGOs.

In **July 1997** a confirmatory notice to the affected families on the workshop itself was conveyed as notice compliance with legal requirements. During a consultative meeting on **29 July 1997**, a proposed human resources development plan was presented. This included discussions on job training.

A consultation was held on **4 August 1997** with affected families to discuss issues and concerns regarding the impending relocation. The first meeting of the LANDCOM (Land Acquisition Committee)/ Ad-Hoc Committee on Batangas Port Development - Phase II was also held on this day.

The verification of claimants took place throughout the month of **August 1997**. The final survey and tagging took place on **11 – 13 August 1997**. The survey identified 94 affected families coming from three barangays - Barangay Sta. Clara Ilaya, Barangay Calicanto and Barangay Bolbok.

⁶ See 9 February 1993 for a description of Civil Case No. 3601.

⁷ See 19 October 1990 for details.

A consultative meeting was held on **22 August 1997** to present the government's initial offer to the affected families.

Another consultation was held with the affected families on **18 September 1997**. The Inter-Agency Committee, created under Administrative Order Number 48 of the City of Batangas, convened for the first time on this day as well.

A joint meeting conducted by the LANDCOM and the Ad-Hoc Committee took place on **19 September 1997**. Both committees undertook an ocular inspection and simultaneously conducted an "ambush" survey of the Phase II lots on **23 –24 September 1997**.

A meeting was held on **14 October 1997** to discuss the relocation status of the structure owners in Phase II. The affected families were given **15 October 1997** as their deadline to vacate the premises and demolish their structures in the area covered by the BPDP Phase II.

The people were called to attend a consultative meeting on **2 December 1997** to further discuss issues regarding the relocation of the affected families. The status processing of applicants began on **9 December 1997**.

The actual transfer of the affected families and related relocation activities took place on **16 – 28 February 1998**.

A post-relocation consultation workshop was held on **21 July 1998** for the affected families and service providers. The evaluation of the status of the Phase II relocatees was also discussed in the course of the workshop.

For the families affected by the construction of the Vendor's Facility, the final official survey and tagging took place on **27 – 28 July 1998**. The survey identified 41 affected families. The relocation activities for these families took place on **8 – 10 August 1998**.

The Phase II loan agreement for Y14.55 billion took place in **September 1998**. This loan was for the enlargement of the port for it to become an international port and for vocational training for relocatees of Phase I and Phase II.

In **March 1999** the construction of Phase I was completed.

Appendix B

Background on Illegal Settlement and Resettlement Laws and Institutions in the Philippines

During the post-war and pre-Marcos era, housing agencies were already involved in the development of housing projects and carrying out slum clearance and resettlement activities in the Greater Manila Area. The People's Homesite and Housing Corporation was responsible for producing low-cost housing projects. The Presidential Assistance on Housing and Resettlement (PAHRA), the Central Institute for Training and Relocation of Urban Squatters (CITRUS) and the Presidential Committee for Housing and Urban Resettlement (PRECHUR) were the different governmental bodies involved in relocation.

During the early martial law period of the Marcos era, new agencies such as the National Housing Corporation (NHC) and the Tondo Foreshore Development Authority (TFDA) were created while others, like the Home Financing Corporation (HFC) were reactivated. Because these housing agencies lacked coordination and a well-defined policy, the National Housing Authority (NHA) was created in 1975 to absorb the functions of all the previous agencies involved in housing. In 1978, a Ministry of Settlements (MHS) was created and given a much broader mandate of developing a shelter delivery system utilizing the framework of human settlements popularized in Habitat I. The NHA, NHC, HFC and the Human Settlements Regulatory Commission (HSRC) were placed under the MHS. Two new offices, the Human Settlements Development Corporation (HSDC) and the National Home Mortgage and Finance Corporation (NHMFC) were created. Later, the Home Development Mutual Fund (HDMF) was also organized and placed under the MHS. The MHS responsibilities included directing and supervising the housing responsibilities and land use planning

In 1986, the beginning of the Aquino administration, the government was reorganized. The MHS was abolished and replaced with a downgraded coordinating body called the Housing and Urban Development Coordinating Council (HUDCC). The four principal housing agencies under the HUDCC were: the NHA and the NHMFC which were retained, the HSRC which was transformed into the Housing and Land Use Regulatory Board (HLURB), and the HFC which was supplanted by the Home Insurance Guarantee Corporation (HIGC). Basic elements of the policy framework remained the same and despite a slight shift in emphasis, there was overall continuity in the programs implemented. Slum upgrading was discontinued while the Community Mortgage Program was given more emphasis. The stress was more on financing programs than production but the policy frame work still relied on relocation as the main solution. A defining characteristic of this administrations policy framework is RA 7279 or the Urban Development and Housing Act (UDHA) signed into law in 1992. It hoped to address the housing shortage in the country by providing a comprehensive and continuing urban development and housing program.

The housing policy of the Ramos administration still flows along the lines of the framework in which the Aquino administration operated. The HUDCC remains the coordinating body and other agencies have been retained albeit with additional functions. The HLURB as the sole housing and land development regulatory board charged with housing standards, the NHA is the government agency engaged in direct shelter production for low and marginalized income groups, the NHMFC is the institution charged to provide a housing sector mortgage market with the use of long-term funds and the HIGC is the institution charged with the provision of guaranty and

credit insurance for private sector housing funds. Two pension fund agencies, the Social Security System (SSS) and the Government Service Insurance System (GSIS) remit a percentage of their portfolio as housing loans to the NHMFC. The HDMF has continued to be the sole provident fund for housing for wage workers both in the public and private sector.

A defining characteristic of the Ramos administration's housing policy is the devolution of the responsibility to local government. This was made possible by the 1991 Local Government Code and the UDHA. A notable legislative pronouncement concerning socialized housing is RA 7835 or the Comprehensive and Integrated Shelter Financing Act (CISFA) which was signed in 1994. This provides increased annual public sector appropriations to the shelter sector in order to strengthen the financial capability of government housing agencies and the greater provision of public funds.

Currently, there are four major policies which provide the framework on housing development in the Philippines. The National Housing Strategy recognizes the need for ways to mobilize additional funds for housing, to increase the availability of land, to formulate appropriate building codes and regulations, and to disseminate information on appropriate building materials and production mechanisms for these materials. This strategy has the following objectives:

1. To increase accessibility of home ownership to lower income families;
2. To have a stable, sustainable and viable long and medium term home financing;
3. To ensure security of land tenure for Urban Land Reform areas and Areas for Priority Development;
4. To prevent unauthorized and unplanned squatting;
5. To move towards greater private sector participation, both formal and informal; and
6. To ensure equitable distribution of benefits to the geographic features of the region.

The Urban Development and Housing Act (UDHA, RA 7279) features the provision of access to land and housing by the underprivileged and homeless citizens through a number of strategies and a system of incentives to encourage private sector participation. The program covers all land in the urban and urbanizable areas. Funds for the urban development and housing programs from several sources such as a portion of the income of the Public Estates Authority, proceeds from social housing tax and from the sale or disposition of alienable public lands in urban areas, flotation of bonds, and loans, bequests, grants and donations from foreign or local sources, to name a few. In terms of land access, the UDHA requires developers to provide 20% of the project cost or area for socialized housing. The LGU tasks as mandated by the UDHA are as follows:

1. Prepare a comprehensive land use plan aimed at achieving the objectives of UDHA (Sec 6 and 39);
2. Conduct an inventory of all lands and improvements thereon with the respective localities in coordination with the HLURB and with the assistance of the appropriate government agencies (Sec 7);
3. Identify, in coordination with the NHA, the HLURB, the National Mapping and Resources Information Authority (NAMRIA) and the Land Management Bureau of the Department of Environment and Natural Resources (DENR), lands for

socialized housing and resettlement areas for immediate and future needs of the underprivileged and homeless in urban areas (Sec 8);

4. Certify as to the blighted status of lands, which shall be considered as one of the factors in the evaluation of the market value of land for socialized housing and resettlement areas (Sec 13);
5. Identify and register all qualified socialized housing beneficiaries within their respective localities (Sec 17);
6. In pursuit of Balanced Housing Development, enter into joint venture projects with private developers (Sec 18);
7. Provide basic services and facilities in socialized housing or resettlement areas in cooperation with the private sector and concerned agencies (Sec 21);
8. Provide the program beneficiaries or their duly designated representatives, in coordination with the Presidential Commission for the Urban Poor (PCUP) and concerned government agencies, the opportunity to be heard and to participate in the decision making process over matters involving the protection and promotion of their legitimate collective interests (Sec 23);
9. Adopt measures to identify and effectively curtail the illegal squatting [in coordination with PCUP-accredited organizations and the Philippine National Police];
10. Implement the relocation and resettlement of people living in danger areas such as esteros, railroad tracks, garbage dumps, river banks, shorelines, waterways and in other public places such as sidewalks, roads, parks and playgrounds (Sec 29); and provide relocation or resettlement sites with basic services and facilities, and access to employment and livelihood opportunities sufficient to meet the basic needs of affected families (Sec 30). This is in coordination with the NHA;
11. Prevent the construction of any illegal dwelling units or structures within their respective localities (Sec 30);
12. Assist the NHMFC in initiating the organization of CMP beneficiaries (Sec 23);
13. Promote, in coordination with the HUDCC, NHA, TLRs, DOST, and other concerned agencies on the production of indigenous, alternative and low-cost construction materials and technologies for socialized housing ;
14. Submit a detailed annual report, with respect to the implementation of the Act, to the President and House of Representative (Sec 41);
15. May impose an additional one-half percent tax on the assessed value of lands in urban areas in excess of Fifty Thousand Pesos (Sec 43).

Appendix C

Table 1. Examples of the Different Assistance Packages Proposed.

Assistance Package Proposals*	Early in the Negotiation Process (around 1993)	Demands from the Community Leaders	Demands from the Community Leaders (after dialogue deadlock)	Final Offer
Area and location	For structure owners: free 50 sqm. lot in Balete. For renters/ sharers: free lot in Sico.	Free 100 sqm. lot in a relocation area near the port.	Free 50 sqm. lot in Barangay Balete.	For structure owners : free 50 sqm. lot in Barangay Balete. For sharers/ renters: free 70 sqm. lot in Barangay Sico.
Housing Arrangement	For structure owners: Free core house and cash loan payable in 10 years with 6% interest per annum. For renters/ sharers: Earning P4,000 and below - free core house.	A housing loan from P100,000 to P150,000 per family which will be paid on 25 years with 2 to 5 years moratorium.	A housing loan worth P40,000 to be amortized in 25 years.	For structure owners: free core housing or P20,000 cash.
Livelihood	P3 million Livelihood Fund to start a cooperative. Job Priority Assurance Certificate for those qualified to work during the construction and operation of the port.	All application for business inside the port shall have prior approval of the community leaders.	Assurance of business opportunities during construction. P3 million Livelihood Fund from the President. Multi-Purpose Co-op will be awarded the right to operate at least 30% of the stevedoring services at the port.	The President's Social Fund allocated P1.5 million for the Transportation Cooperative in both relocation areas. Priority hiring for port construction projects.
Disturbance Pay	P10,000 per family	P30,000 – P50,000 per family.	P50,000 per family	P15,000 per family.
Damage Compensation	Not Applicable	Structure owners shall be compensated for their demolished houses in accordance with their assessed value but not lower than P10,000.	Not applicable	Not applicable.
Conditions/ Additions	Food assistance in the form of one sack of rice per family for the first three months after relocation.	No relocation shall take place unless all housing units are completed in the relocation area.	Subsistence assistance for a transition period of 3 months Manpower training.	Food assistance of one sack of rice per family for the first 3 months after relocation as well as some dry goods.

* The actual dates could not be ascertained from the documentation.

Appendix D

Table 1. Comparative Table of Relocation Packages for Metro Manila Relocates and Batangas Port Relocates of Balete/Sico.

(Reference for Pasig and Norzagaray projects: Urban Research Consortium.)

Components of the Relocation Package	Metro Manila Relocates to Norzagaray, Bulacan ¹ (R - 10 Project)	Pasig River Rehabilitation ²	Balete, Batangas	Sico, Batangas
Potential Beneficiary Families	8, 000 families	10, 000 families	Structure owners from Brgy. Sta. Clara, 1, 041 families.	Structure owners/sharers/renters from Brgy. Sta. Clara, 426 families.
Size of lots/units	5, 600 lots of 40 or 50 square meters each	No data	849 lots of 50 square meters each.	450 lots of 70 square meters each.
Disturbance Pay / Financial Assistance	No data	Minimum wage compensation for 5 working days	P10, 000 per family	P10, 000 per family
Housing Package	1. P14, 000 cash grant or a 20 square meter core housing unit with pit privy	Amortization (if the beneficiary is a PAG-IBIG Fund member) or rent (if not a member) are paid in the following amounts: P400 for the 1 st year P600 for the 2 nd year P800 for the 3 rd year P1000 for the 4 th year P1200 5 th - 10 th years P1300 for the 11 th year.	1. Core houses jointly funded by DSWD and PPA costing P25, 000 per unit. 2. P20, 000 cash grant for those who opt to build their own houses.	1. P20, 000 cash grant for structure owners those who opted to be relocated.
Livelihood Program	None	Relocates can work at the site in Montalban (as labor for unit construction & improvement)	P1.5 Million Livelihood Fund committed from President's Social Fund	P1.5 Million Livelihood Fund committed from President's Social Fund
Additional Cash Grant	None	None	P5, 000 per family	P5, 000 per family
Facilities Present in the Relocation Site	1.50-room school building (functioning) 2.Temporary septic tank 3.2 basketball courts 4.3 police/brgy. Outposts 5.3-6 brgy. Roads	1.Schools are planned to be constructed 2.Proposed fully equipped hospitals and clinics	1.Concrete paved 8-meter roads 2. Concrete open canal 3.CHB-cyclone wire perimeter fence with 3 gates for both vehicles and pedestrian 4.12 units of street lighting 5.15 artesian wells and a deep well with an elevated water tank 6.MERALCO power 7.5, 000 square meter lot with an 8-classroom elementary school and an additional school building 8.health center with personnel	1. Concrete paved 8-meter roads 2. Open canal 3.Deep well with elevated water tank 4.MERALCO services were initially available after which services were obtained from BATELEC 5.Street lights installed in every corner 6.day care and elementary schools 7.health center with personnel 8.road to Sico
Transportation Assistance	None	None	Two units of passenger jeepneys	Two units of passenger jeepneys
Sanitation	None	Garbage collection system – at the discretion of contractor	8 public toilets garbage collection twice a week	2 open pits within the area.
Food Assistance	DSWD food assistance only for families who have not yet relocated.	3 kilos of rice	DSWD food assistance for relocated families: 1 sack of rice /mo. and groceries for 3 months.	DSWD food assistance for relocated families: 1 sack of rice /mo. and groceries for 3 months.

¹ Accomplished between October 1997 and July 1998.

² Phase 2 of this project was accomplished in 1999.

Comparison of Cost Allocations per Agency Between the Dumaguete and Batangas Projects.

Table 2. Dumaguete Resettlement Project

	TOTAL (in millions of pesos)	ALLOCATION BY AGENCY (in millions)			
		NHA	PPA	LGU	NGO*
1. Land Acquisition	6.4567	6.4567			
2. Land Development	5.3340	5.3340			
3. Core Houses	32.4040		20.000		12.404
4. Relocation					
5. Water Supply & Distribution System and Tapping	0.3973		0.3973		
6. Electrical Power & Distribution System and Tapping	0.3212		0.3212		
7. Livelihood Program					
8. Financial Assistance					
9. Lot Acquisition and Construction of School					
Total	44.9132	11.7907	20.7185		12.404

*NGOs: Consuelo Alger Foundation – P 2.450 million

Mother Rita Foundation – P 9.954 million

Total P 12.404 million

Table 3. Batangas Relocation Project

	TOTAL (in millions of pesos)	ALLOCATION BY AGENCY ¹ (in millions)				
		PPA	DSWD	PSOP (PSF)	City Gov't.	Prov. Gov't.
1. Land Acquisition	5.61	5.61				
2. Land Development	17.38	12.30		2.00	2.00	1.07
3. Core Houses	3.34	1.39	1.95			
4. Relocation	8.96	8.96				
5. Water Supply & Distribution System and Tapping	1.28	0.08			1.20	
6. Electrical Power & Distribution System and Tapping	1.16	1.16				1.07
7. Livelihood Program	3.00			3.00		
8. Financial Assistance	42.21	42.21				
9. Construction of Sico Road	52.27	52.27				
10. Acquisition of Lot	0.63	0.63				
11. Vendor's Facilities	45.50	45.50				
Total	188.31	170.09	1.95	3.00	3.20	1.07

¹ The NHA, NPC-BCELS, BCWD, DPWH, PCUP, and DAR originally committed funding but their budgets were not approved.

Appendix E

Issues & Discrepancies Regarding the Compensation Package for Affected Families of the Batangas Port Project

Table 1. Issues in Barangay Balete

Description	Official Records	Relocatees' Perceptions/Accounts
1. Location	Barangay. Balete, Batangas City	
2. Distance from Port	7.0 kms.	
3. Area	6.5 hectares provided by PPA	
4. Acquisition Cost	P5.60 Million from PPA fund	
5. Development Cost	P17.0 Million from PPA fund	
6. Facilities Available		
a. Road	Concrete paved road with a width of 8.0 meters constructed by PPA	Small road space; concrete
b. Drainage	Concrete open canal constructed by PPA	Open drainage smells putrid
c. Fence	CHB-cyclone wire perimeter fence with 3 gates for both vehicle and 2 gates for pedestrian only, constructed by PPA	There is a perimeter fence but strangers – drug addicts perceived as outsiders - are still able to go in.
d. Water Supply	Artesian wells (15) located within the relocation site provided by the PPA Deep well with elevated water tank provided by the city government – operational	NAWASA, deep well and metered; Scheduled water delivery (4-7 pm.) (P55-57/month)
e. Power Facilities	MERALCO power available within site	Electric meter (P150 / P200 / P800 per month)
f. Street Lighting	Units (12) installed and still being paid by PPA, operational	Inadequate lighting facilities
7. School Facilities	PPA donated 5,000 sq.m. lot for the elementary school (located 100 m. at the back of the relocation site), a high school (located about one km. along the main barangay road). Both schools were constructed by DND. Additional school rooms were constructed through the assistance of JICA.	Accessible, new classrooms; A bit farther and small; only foot path to school; no road right of way
8. Access Road to Relocation	Two-kilometer concrete road from national highway	
9. Transportation	Public jeepney transport available, including tricycle	Some say it is adequate while others say there are few vehicles.
10. Transport Assistance	PPA donated two units of passenger jeepneys to the Sta. Clara Assn. To service both Balete and Sico Relocation Site residents. The association operates the jeepneys	There was no cooperation among relocatees and funds to maintain the jeepneys.

Description	Official Records	Relocatees' Perceptions/Accounts
11. Sanitation	Eight public toilets provided by PPA near the temporary bunkhouses. Private toilets provided by residents in their respective lots. Garbage collected by City twice a week.	Barangay captain asserts that there is a program for cleanliness (clean & green). But the mayor complained about lack of sanitation and efforts to improve the situation. The community also complained of irregular garbage collection.
12. Health Services	One medical team from City Health Office conducts free consultation and provides starter medicine 3 times a week. City gov't. constructed a day Care Center and community hall.	Medical consultations are available every Friday when the midwife is available; they have to go to the City Hall for medicine; medical services are available only once a month; not enough apparatus
13. Market Accessibility	Flea market within the site. Public market located in city downtown area 5 kms. Away. Spaces in flea market (<i>alipapa</i>) open to individual relocatees.	Respondents note the lack of livelihood or opportunities to work (that includes vending).
14. Food Assistance	DSWD provided 3 sacks of rice per family for 3 mos., soup kitchen and canned food from the provincial government and private sector were made available during relocation.	Respondents invariably received 2 to 3 sacks of rice and some groceries (sardines & noodles) from the DSWD.
15. Lots Available	Lots (849) of 50 sq.m. each; lots to be titled to awardees, provided by PPA	Lots have not been titled to the awardees. Only 11% of respondents claim titles. The rest were only given tax declaration and/or lot certificate. Others don't even know about it.
16. Disturbance Pay	P10, 000 per family from PPA funds; P 5, 000 was added later.	Respondents do not know the breakdown of cash compensation. Only a few note that disturbance pay amounts to P10, 000.
17. Housing Assistance	Core houses jointly funded by DSWD and PPA costing P25, 000 per unit. P20, 000 cash grant for those who opt to build their own houses.	Most respondents do not know the breakdown of cash compensation. They note the following amounts: P35, 000 P20, 000 P 15, 000
18. Livelihood Program	P1.5 Million Livelihood Fund committed by the President for all affected families. P500, 000 was released already to the Balete Residents Association.	They are not sure where it went. Some claim that it still has not been given. Some claim that it was embezzled by the officials while others did not pay back.
19. Vendor's Facility	Construction of Vendor's Facility in the amount of P45.5 M, was incorporated in the project. Beneficiaries are affected families both from Sta. Clara, Balete & Sico relocation sites.	Respondents note the lack of livelihood or opportunities to work This includes vending, despite the 56 stalls initiated by the PPA.
20. Canteen	A canteen was constructed inside the port for the relocatees of Balete, Sico and Sta. Clara groups. However, this did not prosper due to the squabbles among themselves.	No explicit statements regarding this. But respondents note the strict rules of PPA with regard to vending. Vendors sell in rotation, thereby their incomes have decreased from when they were living in Sta. Clara.

Table 2. Issues in Barangay Sico

Description	Official Records	Relocatees' Perceptions/Accounts
1. Location	Barangay San Jose, Batangas City	
2. Distance from Port	15.0 kms.	
3. Area	4.5 hectares provided by city government	
4. Acquisition Cost	Donated by city government	
5. Development Cost	Estimated to be P 1.072 from the National Government and P 2 M each from the City and Provincial Governments. Development (roads, electricity, posts/cables, water) was undertaken by Adhoc Interagency Committee of Dept. of National Defense Secretary.	
6. Facilities Available		
a. Road	Concrete paved road with a width of 8.0 meters constructed by the City Engineer's Office	Cemented
b. Drainage	Open canal maintained by the City Engineer's Office	Individual households maintain their drains and environment.
c. Fence	None	
d. Water Supply	Deep well with elevated water tank provided by the city government - operational	The 51 st Engineer Battalion left the water tank non-functional and with a huge debt of electricity to MERALCO paid by LGU. Water is expensive and in short supply. They line up and buy water everyday.
e. Power Facilities	MERALCO power available within site	MERALCO withdrew its services and was replaced by BATELEC, which is more expensive; blackouts are frequent.
f. Street Lighting	Streetlights installed in every corner, provided by the City Government.	Streetlights did not function.
7. School Facilities	Elementary school located within the relocation site and a high school about one km. along national road	The children stay in school for only half the day. Less expensive but seems to be of lower quality.
8. Access Road to Relocation	Paved road from the national highway to Sico relocation site constructed by PPA under JBIC loan (Phase I) worth P 52.267 M	
9. Transportation	Public jeepney transport available	Vehicles are available but after 5 p.m. become less accessible; unreliable in emergency cases
10. Transport Assistance	Two units of passenger jeepneys donated to the residents' association from the President's Livelihood Fund approved already.	There was no cooperation among relocatees in managing the jeepneys.
11. Sanitation	Private toilets provided by residents in their respective lots. Garbage disposed in 2 open pits within the area.	Without garbage collection
12. Health Services	One medical team from City Health Office conducts free consultation and provides starter medicine 3 times a week	Health service is available only once a week or even once a month.
13. Market Accessibility	Public market located in city downtown area 13 kms away .	Sico is very far from the market.
14. Food Assistance	DSWD provided 3 sacks of rice per affected family, soup kitchen and canned goods during relocation.	Respondents invariably received 2 to 3 sacks of rice and some groceries (sardines & noodles).

Description	Official Records	Relocates' Perceptions/Accounts
15. Lots Available	450 lots of 70 sq.m. each	70 sq.m.
16. Disturbance Pay	P 10, 000 per family from PPA funds	Respondents are generally not sure of the breakdown of cash compensation. It was usually stated as P15, 000.
17. Housing Assistance	P20, 000 cash grant (only for structure owners who opted to be relocated in this site), from PPA funds. 75 units of core houses already constructed jointly by PPA/DSWD	Respondents are generally not sure of the breakdown of cash compensation. P20, 000 was the usual answer. The core house cost DSWD P10, 000.
18. Livelihood Program	P700,000 were used for purchasing two geepneys.	The respondents have heard of the P800,000 PSF but have not seen it materialized.
19. Add'l. Cash Grant	P5, 000 per family – PPA funds	
20. Vendor's Facility	Construction of Vendor's Facility in the amount of P45.5 million, was incorporated in the project. Beneficiaries are affected families from Sta. Clara in both Balete & Sico relocation sites.	Respondents note the lack of livelihood or opportunities to work (that includes vending).
21. Canteen	A canteen was constructed inside the port for the relocatees of Balete, Sico and Sta. Clara groups. However, this did not prosper due to the squabbles among themselves.	

Table 3. Other Issues in Barangay Balete and Barangay Sico

The Relocation Process	Official Records	Perceptions/Accounts
Census		<ol style="list-style-type: none"> 1. The residents were not counted well. Only structure owners were counted, not the sharers and renters (which they should have). 2. There were absentee homeowners not included in the census. 3. Those who conducted the census were not consistent in their measurements each time they counted (e.g., heads of families, all members of the family). 4. Sta. Clara relocatees joined displaced residents from Calicanto (Calabarzon site) & Sta. Rita (First Gas site). 5. Some did not want to include themselves in the census. Some even changed their names believing that if the census failed, the government will postpone or cancel the demolition.
Consultation	<ol style="list-style-type: none"> 1. <u>23 Feb. 1991</u>: Sta. Clara officials were asked to select among the 3 sites recommended (Balagtas, Gulod & Balete). 2. <u>2 Mar. 1991</u>: An agreement was reached among the Congressman, the Governor, the Mayor & the Brgy. Captain that finalized Balagtas Property as the choice for relocation site. 3. <u>April to May 1991</u>: But there were problems with road right of way. The owner of the lot also pulled out from the negotiations. 4. <u>24 May 1991</u>: Finally, Balete was selected. The area, approximately 65, 952 sq.m., was purchased by PPA at P85.00/sq.m. <u>29 May 1991</u>: Balete was transferred to PPA after payment of necessary fee. 5. <u>8 July 1991</u>: However, after the conversion of the land from agricultural into residential, the Brgy. Captain filed a petition opposing the proposed relocation project in Balete. 6. Then there was a hearing regarding this petition. A task force was created to disseminate information of projects to constituents of Brgy. Balete. 	<ol style="list-style-type: none"> 1. The project was implemented without clear and participatory consultation with those affected. 2. They were not consulted. They were only given information. 3. Consultation was in December 1993 and demolition was in June 1994. 4. The information reached others only 2 weeks prior to demolition. 5. The CLARA-CBO leader was a chief mediator for the people.
Demolition	<ol style="list-style-type: none"> 1. Demolition of shanties was contracted to a private firm. The firm mobilized a team of about 550 personnel supported by about 300 policemen as deterrence against occurrence 	<ol style="list-style-type: none"> 1. Demolition was done in the evening, when people were asleep (NB: relocatees seem to have been mistaken the preparations for resistance the night before demolition as the beginning of the demolition itself.) 2. There was panic. It was like a war with armed

	<p>of any possible violence. Demolition started 27 June 1994.</p> <ol style="list-style-type: none"> 2. Demolition of remaining units of shanties for Phase I was completed on 3 July 1994. 3. According to a status report (4 August 94), majority of affected families volunteered to demolish their own shanties. 4. According to a status report (4 August 1994), "it appears that relocation was undertaken peacefully". 	<p>men firing blank bullets and people retaliating with stones & bottles.</p> <ol style="list-style-type: none"> 3. Demolition and relocation took half a month. It was disorganized/chaotic. 4. The people did not know whom to trust and/or take instructions from. 5. Demolition at 27 June 94 at 8 a.m., PPA sent some 530 demolition crew backed by almost 2 battalions of fully-armed PNP and violently attacked the beleaguered residents. The police forces were aiming and firing their guns if the residents opposed to the demolition of their houses.
Casualties/Incidents	<ol style="list-style-type: none"> 1. Civilian contractual demolition crew men <ol style="list-style-type: none"> a. A was shot by a dart on the leg. b. B was stoned at the leg. c. C got a head injury. d. D was injured by a falling roof. 2. 2 PNP officers had slight head injuries. 3. One female child was <u>hit by tear gas canister</u>, was brought to the hospital and shortly released. 4. E was hit by a bullet on the right leg and was confined in the Batangas Regional Hospital. 5. F was arrested (27 June 94) for possession of sling darts and fan knife. 6. A woman fainted and recovered. 	<ol style="list-style-type: none"> 1. A 3-year old boy almost died of suffocation from a teargas thrown by the policeman. 2. One resident sustained a gunshot wound in the leg. 3. Several others were hurt as a result of violent attack.
Relocation	<p>Around the first week of July, 529 structure owners had availed of lots in Balete. Construction of 300 houses completed, 131 on-going, 98 about to start.</p>	<p>Relocation (and food assistance) was disorganized.</p>
Tripartite Committee	<p>Created in 19 August 1994 by FVR; it is composed of representatives from the government, the opposing group of affected families & NGO-Church panel.</p>	<p>The government itself through the PPA, the Provincial & City Government of Batangas manipulated this. It did not take responsibility for negotiating & deciding alternative site(s) proposed by the residents (i.e., Puyo).</p>

Appendix F¹

Results of Socio-Economic Survey of Relocates²

F.1 Profile of Respondents

Table 1 : Sample Sizes³

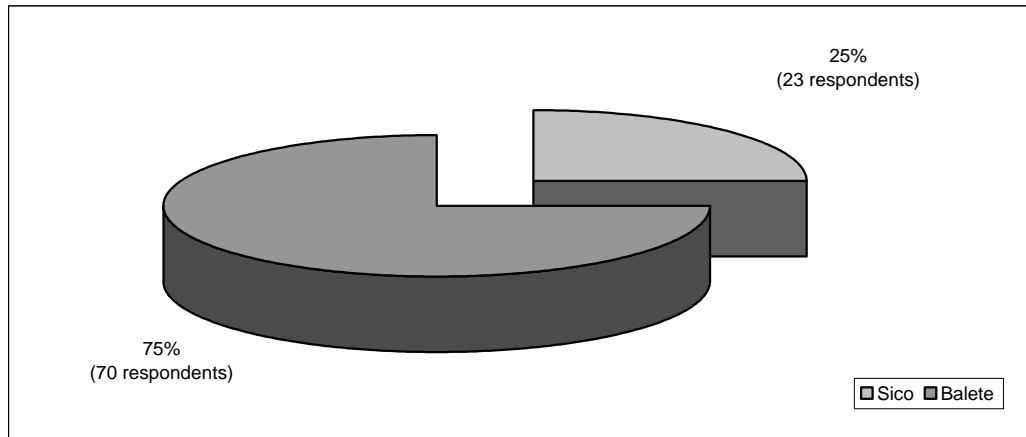
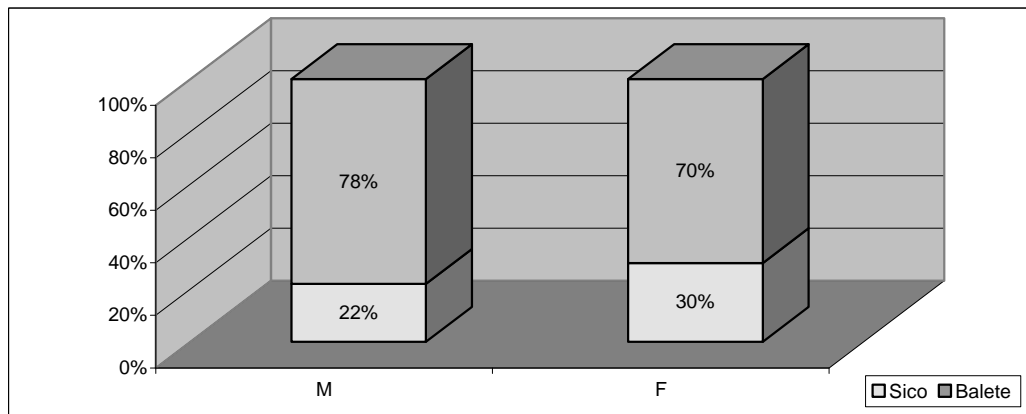


Table 2 : Distribution of Respondents by Gender



¹Please refer to Part III of the report for an elaboration of appended tables and graphs.

²The survey conducted on July 1-3, 1999, basically drew the perceptions of the relocatees regarding the relocation process. Its findings supplement the "factual" data from the official documents. The relocatees perceptions are crucial in explaining their attitudes and actions toward the whole relocation process and their experiences in the relocation sites.

³The survey employed a systematic sample with a random start, selecting a 15% sample of the populations in Balete and Sico.

Table 3 : Distribution of Respondents by Age

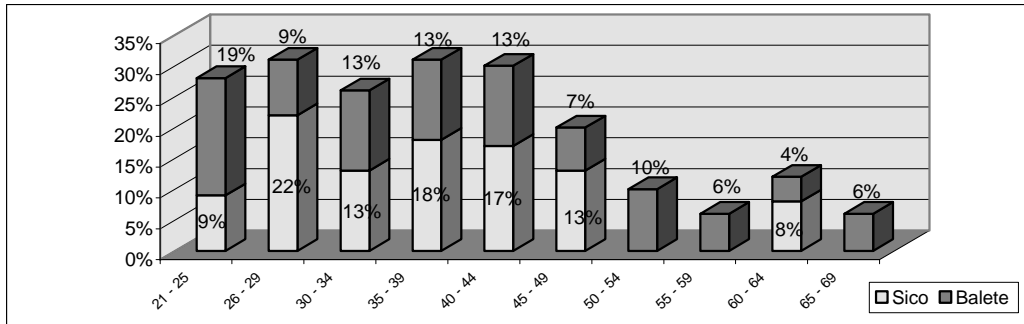


Table 4 : Distribution of Respondents by Educational Attainment

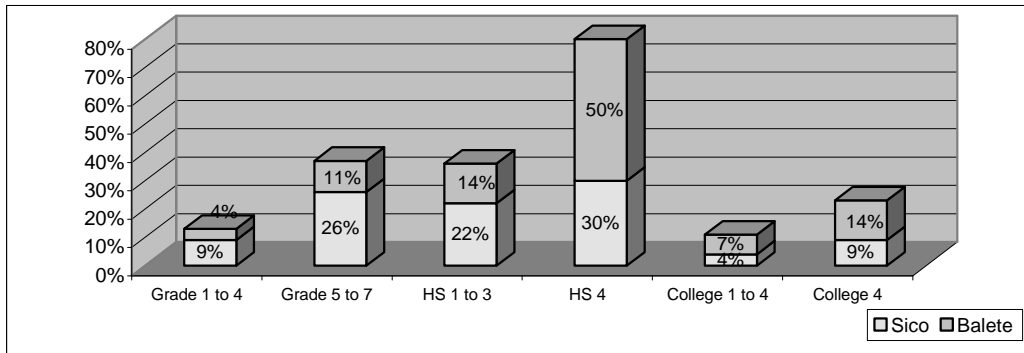
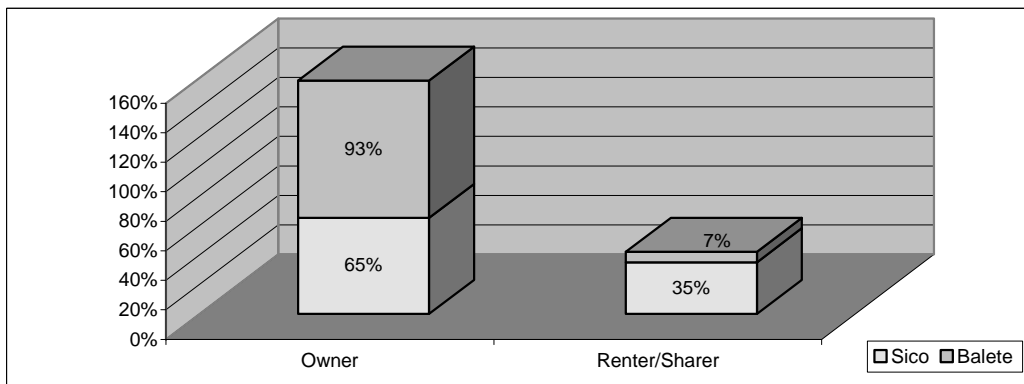


Table 5 : Distribution of Respondents by Previous Residential Status



CR = Current Residence
 PR = Previous Residence

Table 6 : Distribution of Respondents by Occupation

Occupation	Sico (%)	Balete (%)
TOTAL EMPLOYED	55%	47%
Vendor	17%	19%
Driver	4%	4%
Manicurist	4%	3%
Port / Dock worker	0%	1%
Construction worker / laborer	0%	4%
Painter / Welder / Carpenter	4%	4%
Business / Salesperson	4%	7%
Laundress / Seamster / Helper	4%	4%
Employee (Government / Private)	9%	0%
Others	9%	1%
TOTAL UNEMPLOYED	45%	53%
Relies on HH members for support ⁴	41%	47%
Does not rely on HH members for support	4%	6%
TOTAL WORKFORCE	100%	100%

⁴The sampling scheme called for household heads (husband / spouse). Thus, majority of those who relied on others for financial support were housewives.

Table 6.1 Occupational Distribution of Income Earners in Balete and Sico

Occupation ⁵	Balete		Sico	
	CR	PR	CR	PR
Port/Dock worker	2.90%	5.10%	3.30%	3%
Stevedore	2.90%	3.80%	6.70%	10%
Ship worker (captain, maestro, etc.)	0%	0%	3.30%	3%
Vehicle (bus, jeep, tricycle) Operator/Conductor/Dispatcher/Caller	4.30%	3.80%	0%	0%
Forklift operator	1.40%	1.30%	0%	0%
Construction Worker/ Laborer/Mason	4.30%	3.80%	3.30%	0%
Welder	1.40%	0%	3.30%	3%
Business/Sales	8.90%	7.60%	3.30%	3%
Vendor	14.50%	24.10%	16.70%	37%
Fisherman	4.30%	5.10%	0%	0%
"Tourist guide"	1.40%	1.30%	0%	0%
Carpenter	1.40%	3.80%	0%	3%
Driver (jeepney and tricycle)	18.80%	11.40%	13.50%	14%
Employee (govt./private)	9%	10%	6.70%	3%
Fish Dealer	0%	0%	3.30%	0%
Helper/Waitress	2.90%	0%	3.30%	0%
Laundress	2.90%	2.50%	6.70%	3%
Manicurist/Barber	2.90%	2.50%	3.30%	3%
Painter	5.80%	6.30%	0%	0%
Seaman/OCW	5.80%	2.50%	10%	3%
Seamster	1.40%	1.30%	3.30%	3%
Singer	0%	0%	0%	3%
Surveyor	0%	0%	0%	3%
Technician/Radio Operator	0%	0%	6.70%	3%
Trucking	1.40%	1.30%	0%	0%
Other informal occupations	1.40%	2.50%	3.30%	0%
TOTAL	100%	100%	100%	100%
	N=69	N=79	N=30	N=30

⁵Occupations are arranged according to their relation to port activities.

CR = Current Residence
PR = Previous Residence

F.2 Living Conditions

Table 7 : Responses Comparing the Physical Characteristics of Current and Previous Residence

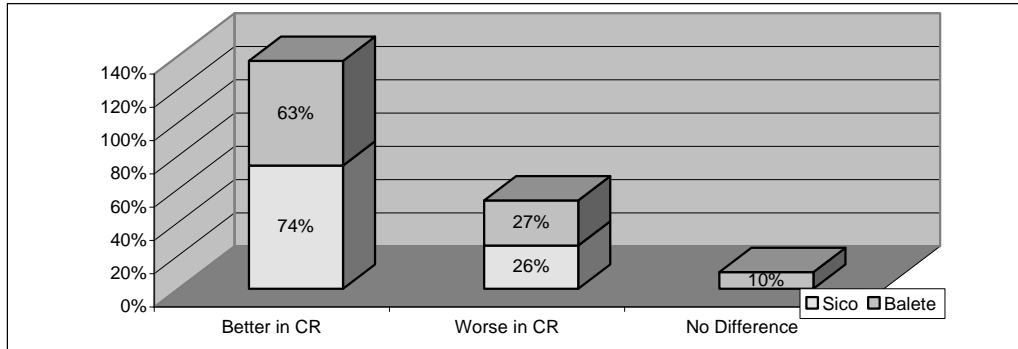


Table 8 : Responses Comparing the Economic Characteristics of Current and Previous Residence

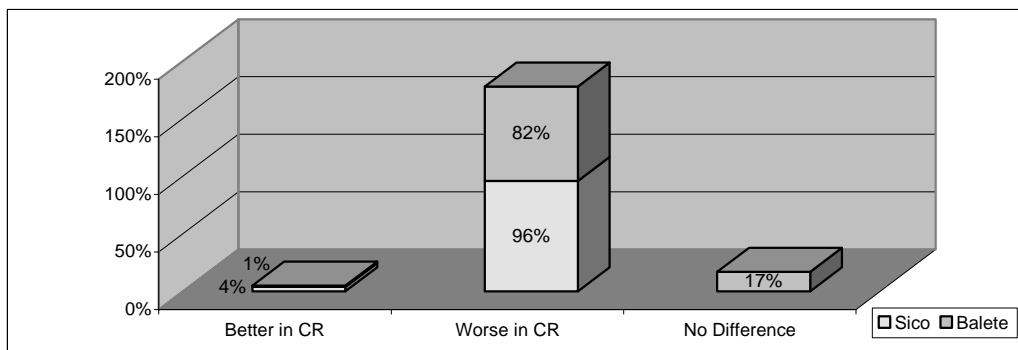
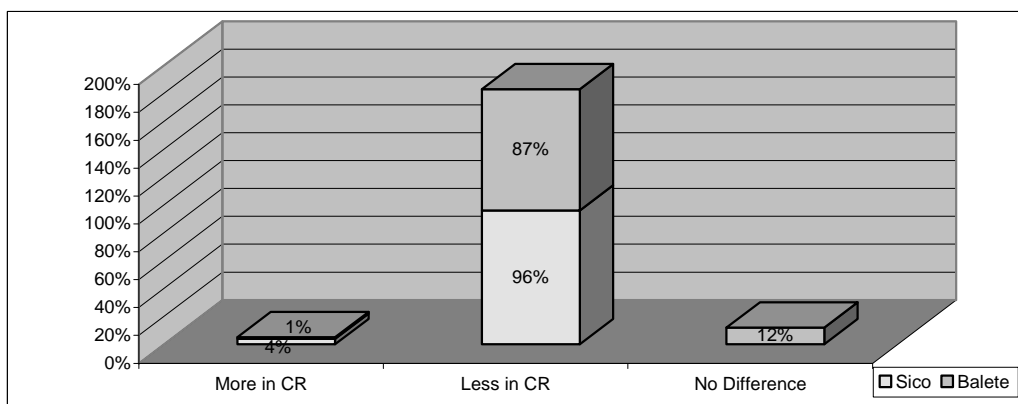


Table 9 : Responses Comparing Employment in Current and Previous Residence



CR = Current Residence
PR = Previous Residence

Table 10: Responses Comparing Unemployment in Current and Previous Residence

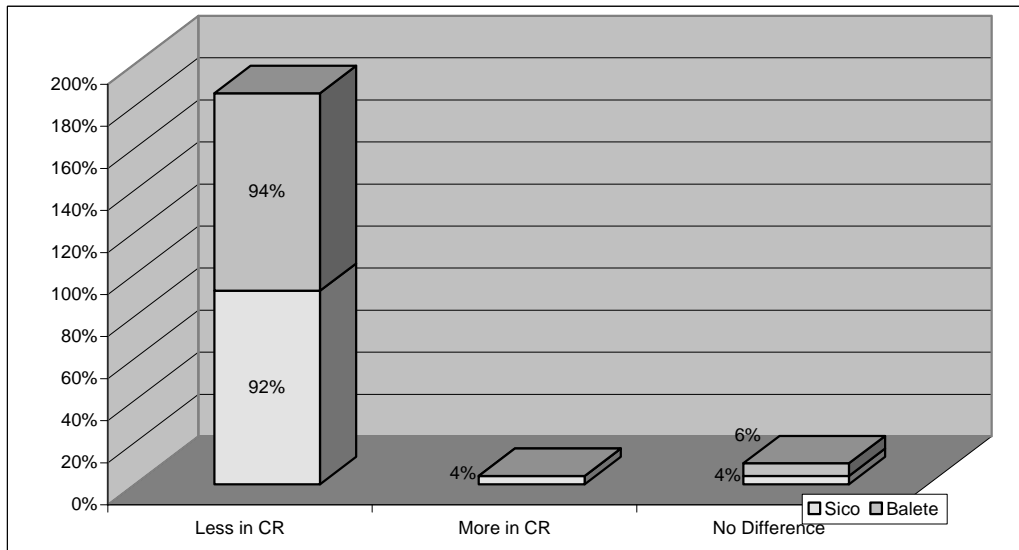
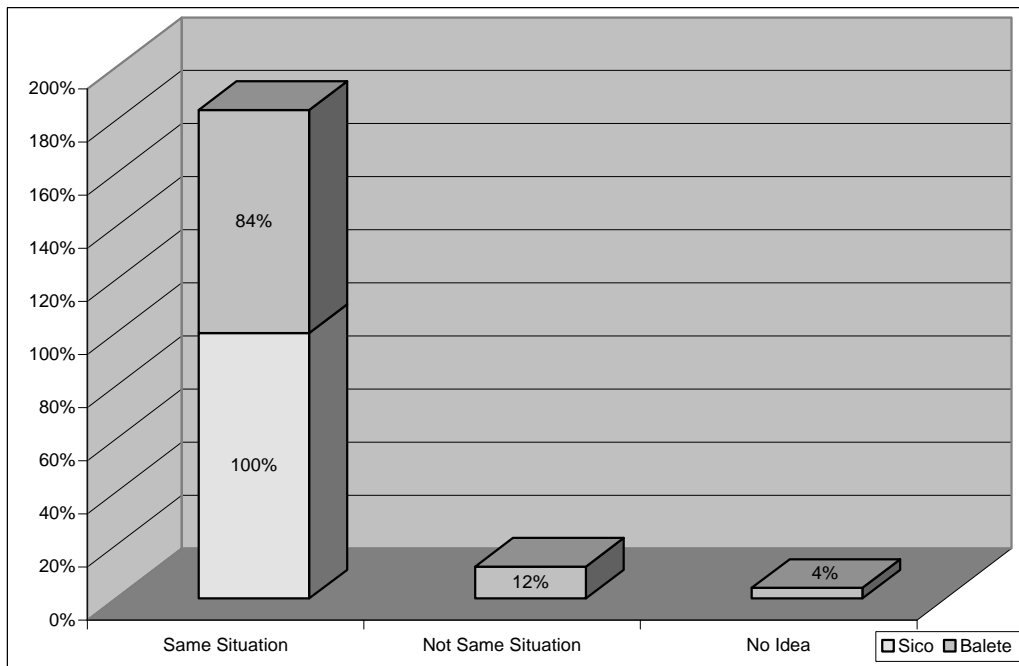
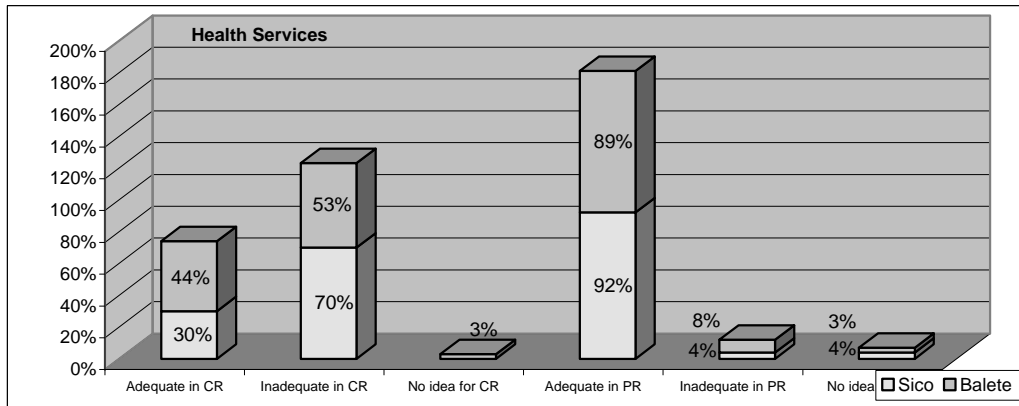
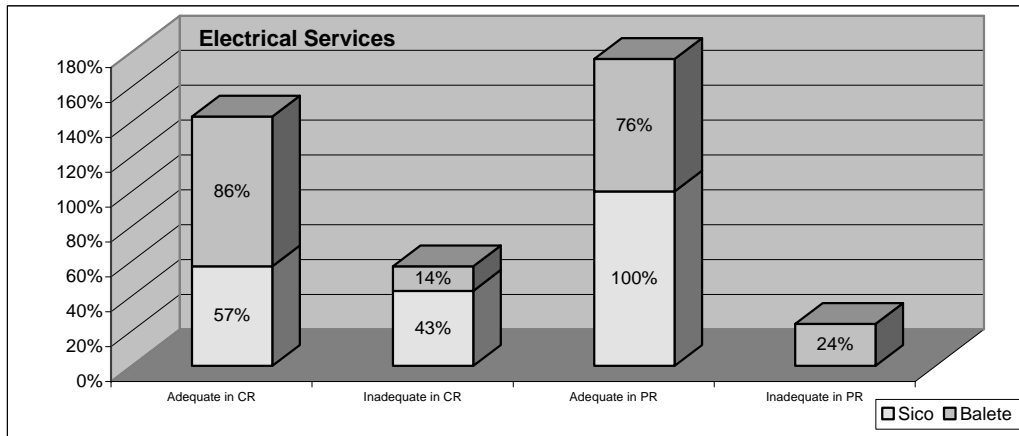
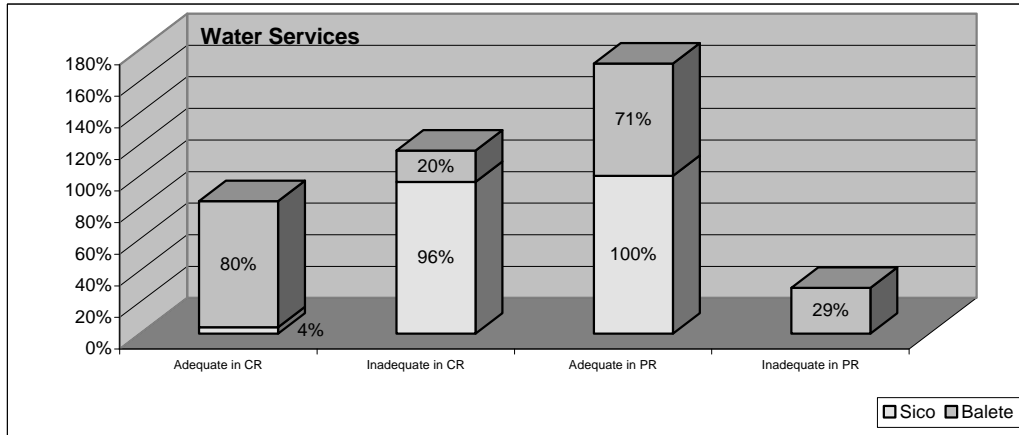


Table 11 : Perceptions of Respondents Regarding the Employment Situation of Their Fellow Relocates

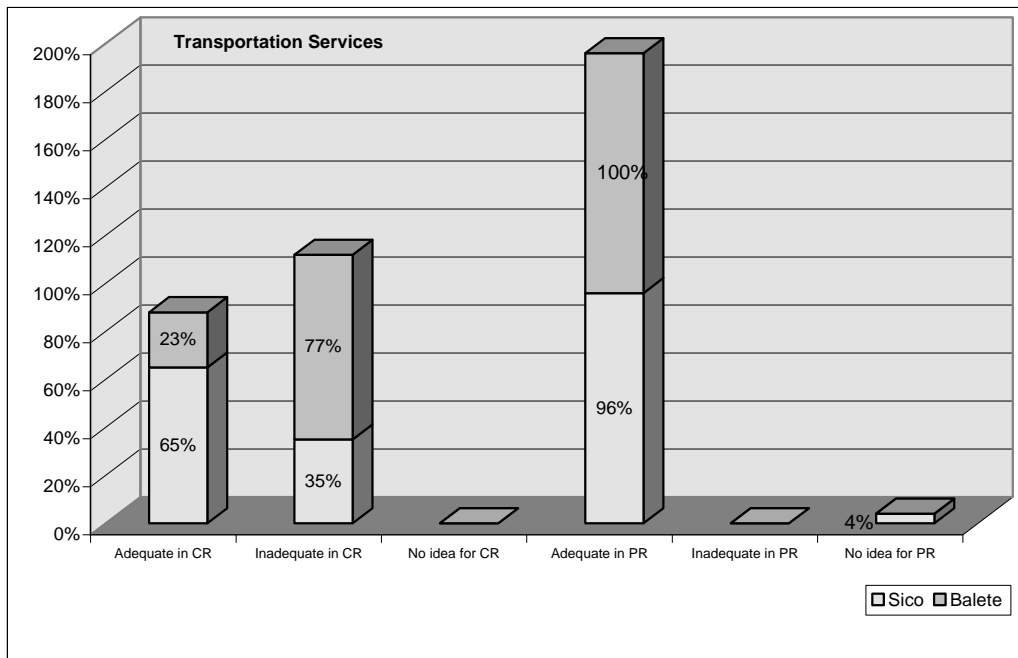
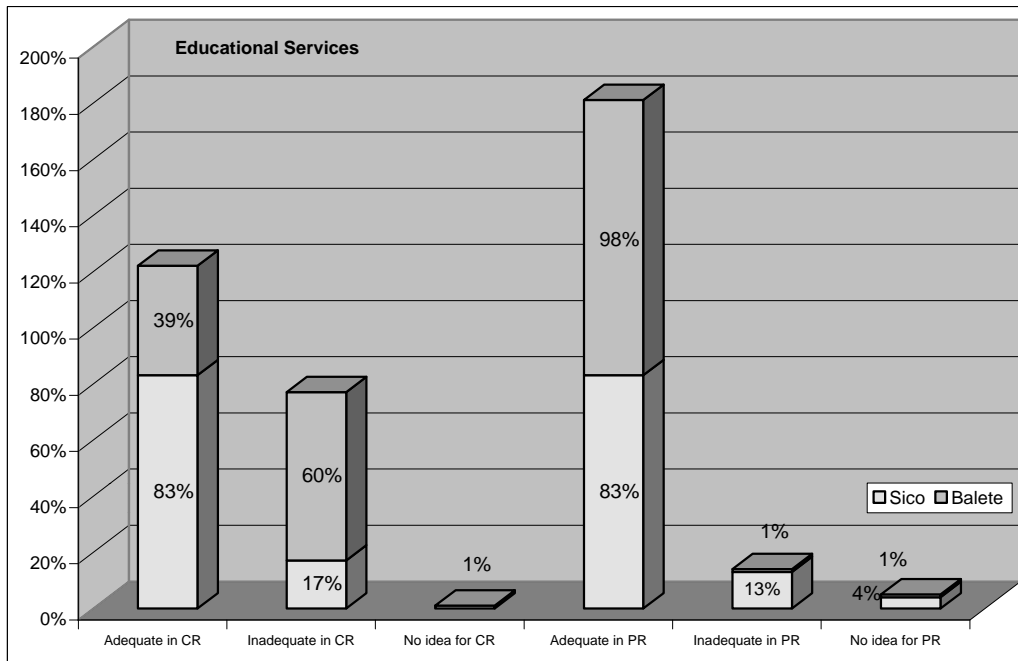


CR = Current Residence
 PR = Previous Residence

Table 12 : Responses Comparing Basic Services in Current and Previous Residence



CR = Current Residence
PR = Previous Residence



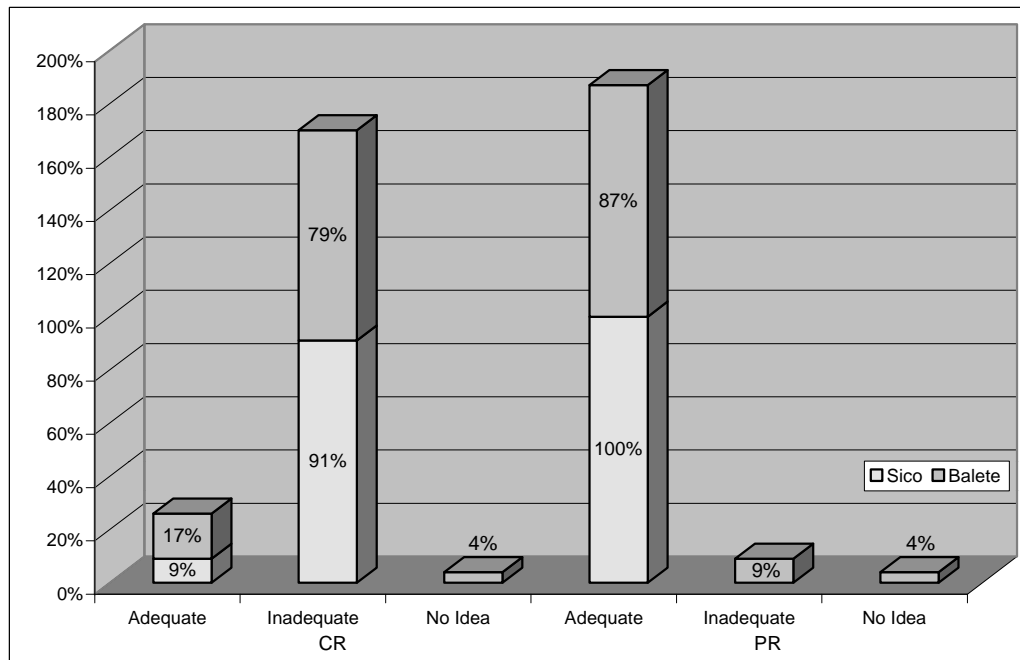
CR = Current Residence
 PR = Previous Residence

Table 13 : Responses Comparing Living Standards in Current and Previous Residence

Place of Residence	Response	Respondents by Residence	
		Sico (%)	Balete (%)
CR	Adequate	30%	34%
	Inadequate	70%	66%
PR	Adequate	96%	93%
	Inadequate	4%	7%

Table 14 : Responses Comparing Job Opportunities in Current and Previous Residence

Place of Residence	Response	Respondents by Residence	
		Sico (%)	Balete (%)
CR	Adequate	9%	17%
	Inadequate	91%	79%
	No Idea	0%	4%
PR	Adequate	100%	87%
	Inadequate	0%	9%
	No Idea	0%	4%



CR = Current Residence
PR = Previous Residence

Table 15 : Responses Comparing Mutual Cooperation Systems in Current and Previous Residence

Place of Residence	Response	Respondents by Residence	
		Sico (%)	Balete (%)
CR	Exists	70%	50%
	Does not Exist	30%	44%
	No Idea	0%	6%
PR	Existed	74%	74%
	Did not Exist	17%	19%
	No Idea	9%	7%

Table 16 : Responses Comparing Infrastructure in Current and Previous Residence

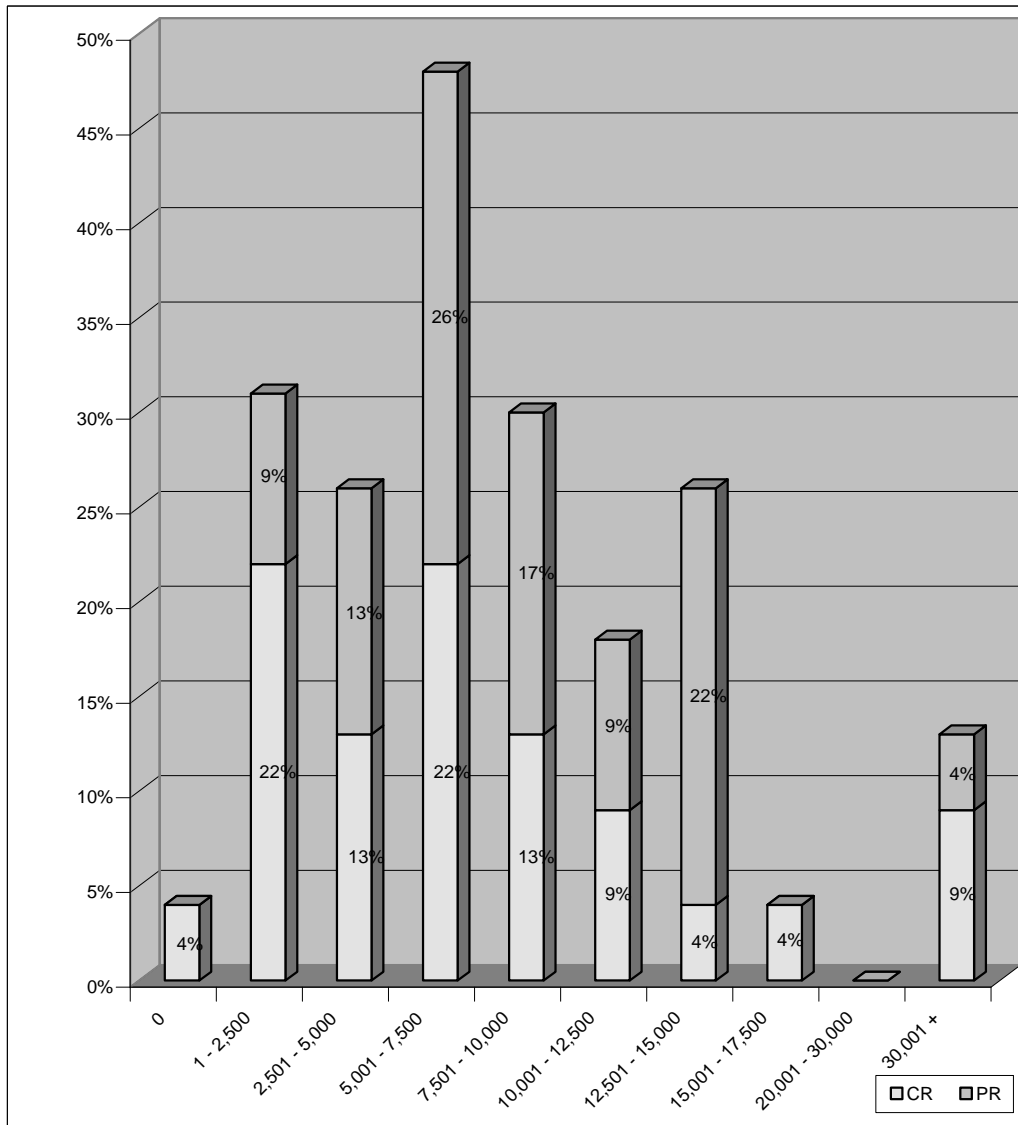
Place of Residence	Response	Respondents by Residence	
		Sico (%)	Balete (%)
CR	Adequate	70%	83%
	Inadequate	26%	16%
	No Idea	4%	1%
PR	Adequate	78%	57%
	Inadequate	22%	1%
	No Idea	0%	42%

Table 17 : Responses Regarding Maintenance of Infrastructure

Response	Respondents by Residence	
	Sico (%)	Balete (%)
Maintained	83%	73%
Not Maintained	17%	26%
No Answer	0%	1%
TOTAL	100%	100%

CR = Current Residence
PR = Previous Residence

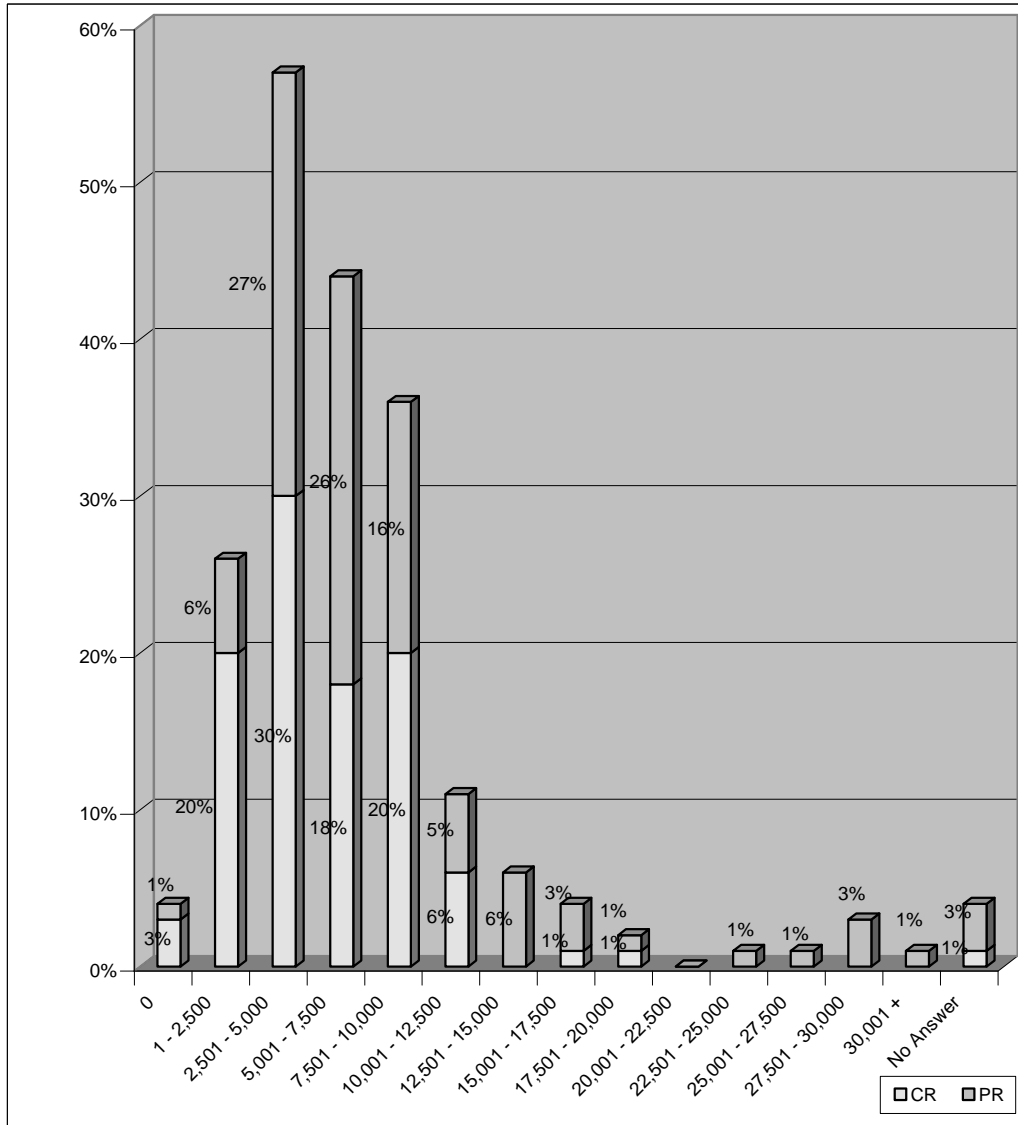
Table 18 : Distribution of Respondents by Regular Monthly Income (RMI) Levels for Sico



Median for Owners	PHP 7,500	PHP 10,000
Median for Renters	PHP 4,500	PHP 6,000
Median Overall	PHP 7,000	PHP 9,000

CR = Current Residence
PR = Previous Residence

Table 19 : Distribution of Respondents by Regular Monthly Income (RMI) Levels for Baleté



Median for Owners	PHP 5,000	PHP 6,000
Median for Renters	PHP 6,000	PHP 8,000
Median Overall	PHP 5,000	PHP 6,150

CR = Current Residence
PR = Previous Residence

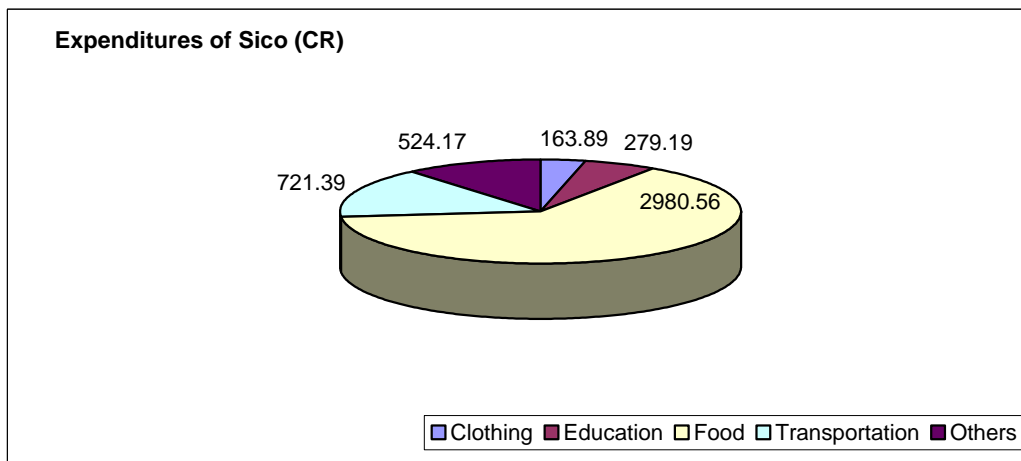
Table 20 : Distribution of Respondents by Number of Breadwinners in their HH

Place of Residence	Number of Breadwinners	Respondents by Residence	
		Sico (%)	Baleta (%)
CR	0	4%	3%
	1	48%	67%
	2	43%	24%
	3	4%	4%
	4	0%	1%
PR	0	0%	1%
	1	43%	59%
	2	52%	30%
	3	4%	7%
	4	0%	0%
	No Answer	0%	3%

Table 21 : Responses Regarding Awareness of and Participation in Income Restoration Programs (IRPs)

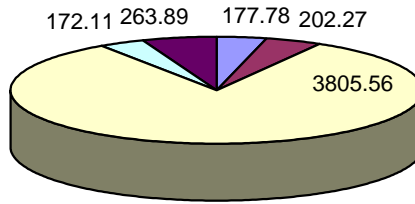
	Response	Place of Residence	
		Sico (%)	Baleta (%)
Awareness	Aware of IRP	48%	43%
	Unaware of IRP	52%	57%
Participation	Participated	35%	17%
	Not Participate	65%	79%
	No Answer	0%	4%

Table 22 : Mean Expenditure Levels for Sico and Baleta



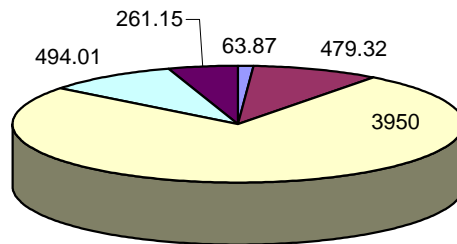
CR = Current Residence
PR = Previous Residence

Expenditures of Sico (PR)



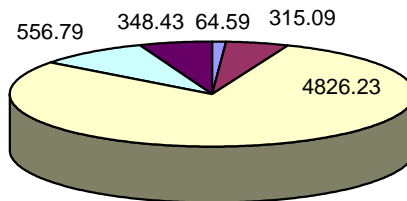
■ Clothing ■ Education □ Food □ Transportation ■ Others

Expenditures of Balete (CR)



■ Clothing ■ Education □ Food □ Transportation ■ Others

Expenditures of Balete (PR)



■ Clothing ■ Education □ Food □ Transportation ■ Others

CR = Current Residence
PR = Previous Residence

F.3 Perceptions Regarding Residents of Host Communities

Table 23 : Responses Regarding Cooperation Between Old and New Residents

Response	Respondents by Residence	
	Sico (%)	Balete (%)
With Cooperation	61%	49%
Without Cooperation	39%	51%
TOTAL	100%	100%

F.4 Lots, Housing Assistance & Rights

Table 24 : Percentage of Respondents Who Hold Lot Titles

Response	Respondents by Residence	
	Sico (%)	Balete (%)
Holds Lot Title	4%	13%
No Lot Title	96%	84%
No Answer / No Idea	0%	3%
TOTAL	100%	100%

Table 25 : Percentage of Respondents Who Perceived that Relocatees Had Moved Out

Response	Respondents by Residence	
	Sico (%)	Balete (%)
Had Moved Out	87%	91%
Had Not Moved Out	9%	9%
No Idea	4%	0%
TOTAL	100%	100%

Table 26 : Percentage of Respondents Who Perceived that Relocatees Had Sold their Rights

Response	Respondents by Residence	
	Sico (%)	Balete (%)
Sold Rights	78%	91%
Did Not Sell Rights	9%	6%
No Idea / No Answer	13%	3%
TOTAL	100%	100%

Table 27 : Selling Price Range for Lot / House Rights

Respondents by Residence	Range of Amounts
Sico	7,500.00 to 85,000.00
Balete	7,500.00 to 100,00.00

F.5 Relocation Experience

Table 28 : Percentage of Respondents Who Claim to Have Been Consulted Regarding Relocation Process

Response	Respondents by Residence	
	Sico (%)	Balete (%)
Was Consulted	65%	46%
Was Not Consulted	5%	26%
No Answer / No Idea	30%	29%
TOTAL	100%	101%

Table 29 : Percentage of Respondents Who Claim to Have Been Consulted Regarding Relocation Site

Response	Respondents by Residence	
	Sico (%)	Balete (%)
Was Consulted	87%	87%
Was Not Consulted	13%	9%
No Answer / No Idea	0%	4%
TOTAL	100%	100%

Table 30 : Percentage of Respondents Who Claim to Have Been Consulted Regarding Assistance Package

Response	Respondents by Residence	
	Sico (%)	Balete (%)
Was Consulted	74%	93%
Was Not Consulted	22%	1%
No Answer / No Idea	4%	6%
TOTAL	100%	100%

Table 31 : Percentage of Respondents Who Claim to Have Been Consulted Regarding Income Restoration Programs

Response	Respondents by Residence	
	Sico (%)	Balete (%)
Was Consulted	52%	33%
Was Not Consulted	48%	54%
No Answer / No Idea	0%	13%
TOTAL	100%	100%

Table 32 : Range of Amounts for Cash Compensation Received

Respondents by Residence	Range of Amounts
Sico	5,000.00 to 40,000.00
Balete	10,000.00 to 50,000.00

Table 33 : Percentage of Respondents Who Availed of the Core House Package

Response	Respondents by Residence	
	Sico (%)	Balete (%)
Availed	57%	13%
Did not Avail	30%	77%
No Answer / No Idea	13%	10%
TOTAL	100%	100%

Table 34 : Mode of Payment for Cash Compensation

Response	Respondents by Residence	
	Sico	Balete
Cash	39%	36%
Check	57%	62%
Both	4%	1%
Neither	0%	1%
TOTAL	100%	100%

Table 35 : Percentage of Respondents Who Availed of the Home Lot Package

Response	Respondents by Residence	
	Sico (%)	Balete (%)
Availed	65%	63%
Did not Avail	22%	27%
No Answer / No Idea	13%	10%
TOTAL	100%	100%

Table 36 : Percentage of Respondents who are Satisfied with the Relocation Sites

Response	Respondents by Residence	
	Sico (%)	Balete (%)
Satisfied	65%	74%
Not Satisfied	30%	23%
No Answer / No Idea	5%	3%
TOTAL	100%	100%

CR = Current Residence
PR = Previous Residence

Appendix G

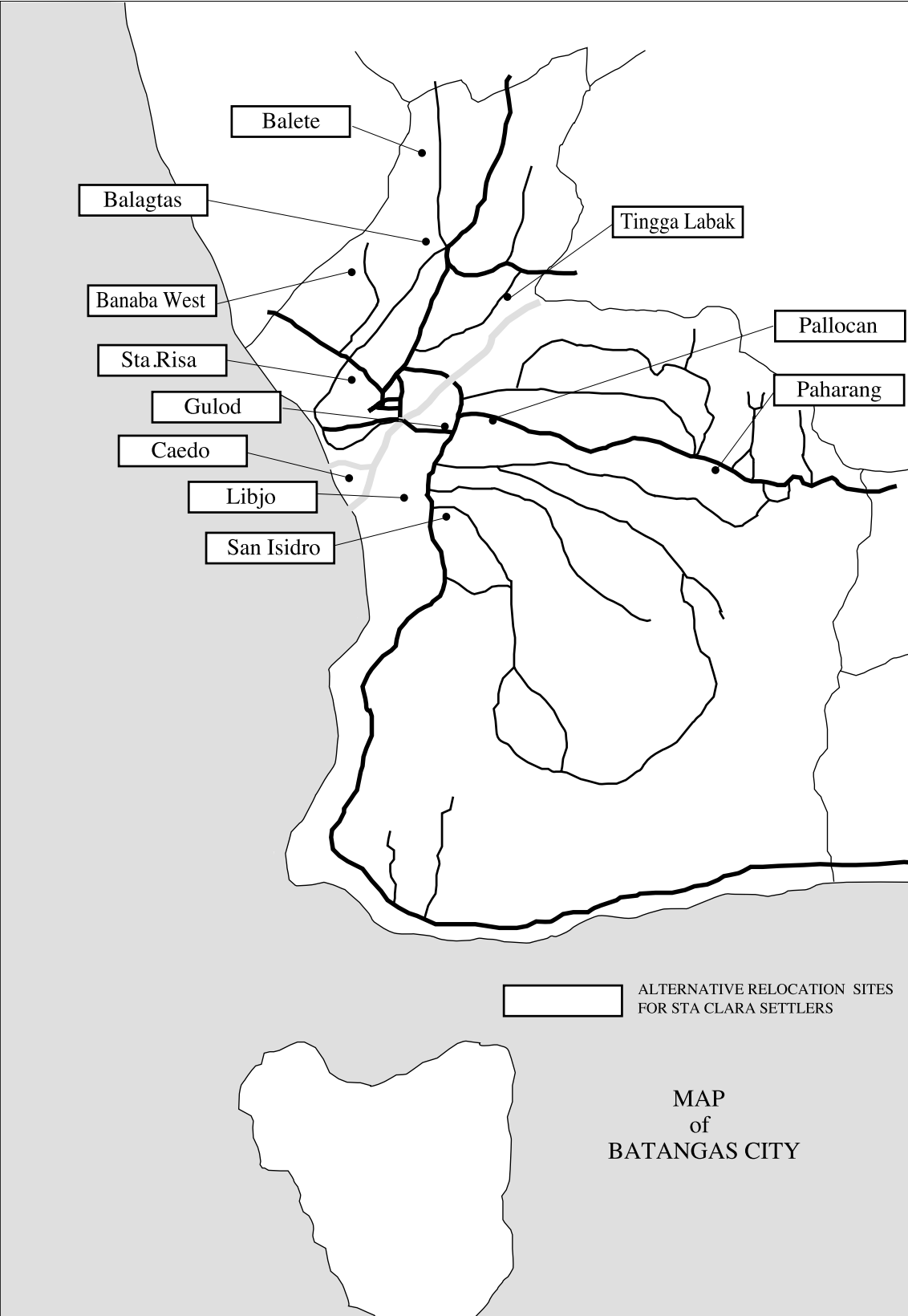
Map1 . A Map Showing the Presence of Illegal Settlements in Batangas City



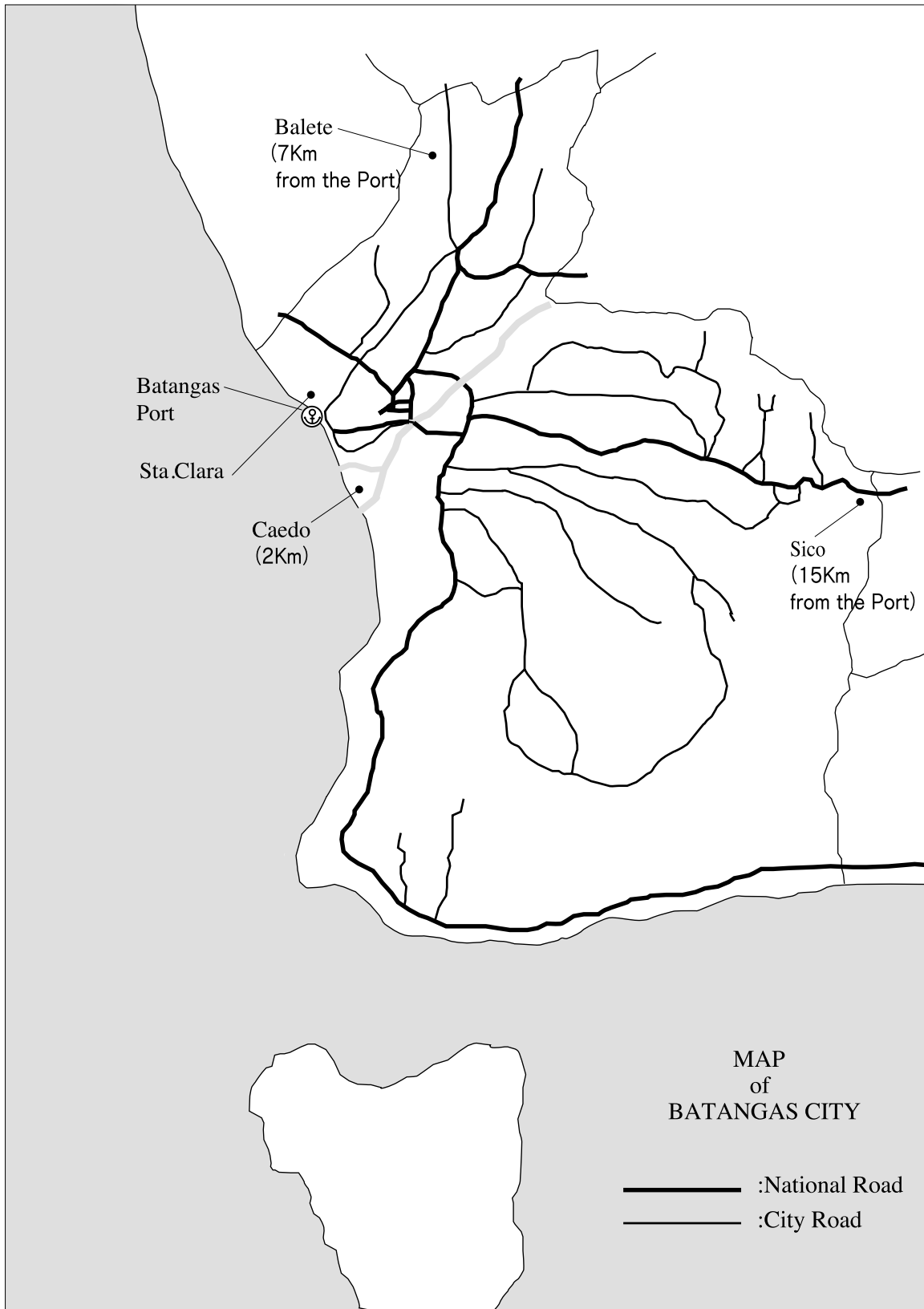
■ - Illegal Settlements

source: Office of the Mayor, Batangas City-Philippines

Map 2. A Map Showing the Sites Considered for the Relocation Site



Map3 . A Map Showing the New Relocation Site(Balete and Sico) with Respect to the Old Site(Sta.Clara)



Appendix H

Questionnaire Used For Balete and Sico

Socio-Economic Survey of Relocatees
Urban and Community Studies Program
Ateneo de Manila University

Introduction. We are conducting interviews in Balete and Sico to find out the socio-economic conditions of the people who were relocated from Sta. Clara. Thank you very much for the time that you are giving us and your patience with us!

Date of Interview _____ Name of Interviewer _____

Respondent's Name _____ Sex _____ Age _____

Education _____ Occupation _____

Current Address _____

Former Address _____

Date moved into the community _____

Please identify: _____ Structure Owner _____ Sharer/Renter

Physical/Socio-economic Characteristics of Place/People

How would you describe the geographical and socio-economic characteristics of this place compared to your previous residence? (Try to establish the timing of changes: before relocation, right after the relocation, two years after (1996) and now.)

	Current Residence	Previous Residence
Physical		
Economic		
Employment		
Unemployment		

Your description of your employment situation, can this also be said of other residents who moved from Sta. Clara?

_____ Yes _____ No

Why? _____

How about the oldtime residents here, how would you compare them to those who were relocated here?

How about the socio-eco. characteristics of oldtimers?

Basic Services (Water, Electricity, Health, Education): If you were to compare the basic services here and in Sta. Clara, how would you rate them? Adequate? Inadequate? Why? To what extent, is this due to the relocation?

	Current Residence	Previous Residence
Water If different, why?		
Electricity If different, why?		
Health Services If different, why?		
Education Services If different, why?		
Transportation If different, why?		
Livelihood If different, why?		
Jobs If different, why?		

Are you aware of income restoration programs here? ___ Yes ___ No

If yes, what were these? _____

If no, why not? _____

	Current Residence	Previous Residence
Living Standards If different, why?		
Infrastructure If different, why?		
Mutual Cooperation System If different, why?		
Income Level		

Income source (monthly)	How much?	Sources	How much?

If different income levels, why? _____

	Current Residence	Previous Residence
Income sources		
Any difference?		
Why?		
Expenditure (monthly)		

Major Expenditure Items	Expenditure	
	Current Residence	Previous Residence
Food		
Transportation		
Education (school fees)		
Clothing		
Others		
Total		

If different expenditures, why? _____

Are the services and infrastructure properly maintained? Why? Why not?

Please describe the relations of the relocatees with the old residents of the community? _____

Is there cooperation between them? Or are there problems between them? Why/? Why not?

On the whole, given the benefits (lot/housing) and services that the relocatees have obtained, some have still registered some complaints? Why? What are the reasons? _____

Do you have a title to your home lot? ____ Yes ____ No

Why? _____

Have some of the relocatees moved out? ____ Yes ____ No

Why? _____

Did they sell out their rights? _____ Yes _____ No

How much did they sell their rights? _____

May we recall some of the events in Sta. Clara prior to your relocation here?

Were you consulted regarding the relocation process? ___Yes ___No Regarding:

Relocation site _____ Yes _____ No

Assistance package _____ Yes ___ No

Income restoration program ___Yes___No

How? Please describe the process. _____

Why do you think despite the consultation, the demolition still occurred?

Who were the people strongly opposed to the relocation? Why?

Why did the number of people who were supposed to be relocated change considerably (e.g., 700 in one survey then to 1,200 in the next survey)?

There were about 200 HHs/families who voluntarily relocated (did not wait for their structures to be demolished). Who were they?

Why did they voluntarily relocate? _____

How different were they form those who resisted the relocation? _____

Let us talk about the cash compensation that relocatees received. How much cash did you receive?

Disturbance fee _____

Housing assistance _____

Core house _____

Food assistance _____

Home lot _____

How was it delivered to you? _____

From whom did you receive it? _____

Was it in cash? Yes ____ No ____

If in check, who encashed it? _____

Overall, are you satisfactorily established in this place? Why? _____



バタンガス港
(拡張され、構内での駐車が可能に)



移転地バレテ



移転地シコ