

Feasibility Study
On
The Malolos - Clark Railway Project
(The North-South Commuter Railway Extension Project)
In
The Republic of the Philippines

Draft
Resettlement Action Plan
Malolos – Clark – CIA Section

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EXECUTIVE SUMMARY

The Government of the Philippines (the Government) is requesting the Asian Development Bank (ADB) and the Japan International Cooperation Agency (JICA) for assistance to help finance the Malolos-Clark Railway Project (MCRP). This Resettlement Action Plan (RAP) has been prepared to identify all impacts associated with land acquisition and clearance of right-of-way (ROW) for the project, assess the socio-economic context of affected people and present agreed measures to fully mitigate impacts within a time-bound plan. The project will construct a 53 kilometer (km) railway to complete the railway network connecting Metro Manila and the regional centers in Clark and the Clark International Airport (CIA). It will contribute to the sustainable development of Metro Manila and the fast growing urban areas in and near Clark, while also improving connectivity to international airports.

MCRP will provide a high standard suburban commuter rail service from Malolos to Clark with the line commencing at the City of Malolos, passing through the municipalities of Calumpit in the provinces of Bulacan, and Apalit, Minalin and Santo Tomas in the province of Pampanga, and cities of San Fernando, Mabalacat and Angeles until the alignment reaches inside the Clark International Airport Complex, all in the Province of Pampanga. The length of the MCRP will be comprise of 53 km long, including a 1.8 km spur line to the depot. This will comprise of 49.4 km of viaduct and 0.8 km on an embankment/at grade. There may also be a possible tunnel with a length of 2.8 km, and six stations, bridge crossings, construction yards and disposal areas, and one depot with an operations control centre.

Several railway projects are ongoing or are in the planning stage. The North-South Commuter Railway (NSCR; 38 km from Tutuban to Malolos) is currently at implementation stage. The proposed MCRP is to extend the NSCR to the north. The Blumentritt Extension Project will link the NSCR and MCRP to the Blumentritt Station in Santa Cruz, Manila City and will comprise of around 2.4 km elevated, double track alignment. The North-South Railway Project – South Line (Commuter) (NSRP-SC) Line will comprise of 55.6 km from Solis (a junction with NSCR near Tutuban) to Calamba. The three lines combined will create a north-south railway corridor in the Greater Capital Region.

Land acquisition and resettlement impacts. MCRP will utilize existing Philippine National Railway (PNR) ROW, as well as acquire additional parcels of land in areas where the width of the PNR ROW is less than 30 m, and at station locations, which will require 60 m width. Involuntary resettlement impacts will be a result of the acquisition of land for stations, depots and to widen the ROW, as well as displacement of informal settlers and other land users within the existing PNR ROW. Land will also be required for a new ROW for the spur line from Clark to CIA (approx. 11km). While MCRP will maximize use of the existing PNR alignment, some sections between Apalit and Angeles are expected to be realigned. Land acquisition for the realignment and new alignment sections is expected to be mostly farming land.

It is anticipated that the project will potentially result in the physical displacement of about 1,416 households (5,800 persons), 310 businesses, and 1,089 structures might be affected due to ROW clearance and land acquisition (Table 0-1 to Table 0-2). Of the 1,416 households, approximately 83% are informal settler households occupying the PNR ROW.

Table 0- 1 Summary of Potential Impact of MCRP

City / Municipality	Land Acquisition (in ha.)	No. of Affected Structures	No. of HHs	No. of PAPs
Malolos	48,000	11	6	33
Calumpit	61,000	319	328	1,318
Apalit	51,000	2	3	18
Minalin	30,000	0	0	0
Sto. Tomas	38,000	24	24	105
San Fernando	167,000	566	823	3,424
Angeles City	60,000	141	197	771
Mabalacat	0	26	35	131
TOTAL	455,000	1,089	1,416	5,800

Source: JICA Study Team

Based on the census survey, the total number of structures that will be affected by the project is 1,089. Of this number, 77.0 % are residential, 14.0 % are used as residential/commercial, while the rest are commercial, industrial, institutional and other associated structures. Among the structures that would be potentially affected by the project, nine are community owned. These include government, religious and cultural heritage structures.

There are 2,761 PAPs who earn incomes among those that will be physically displaced, although as the relocation of the resettlement sites are expected to be in-city, wage-based employees may be able to continue their employment. Of the total number of income earners, majority are wage-based employees (1,672) or engaged in household-based enterprises (742). Some have commercial businesses within the ROW (310) or farming/agricultural activities (37).

Table 0- 2 Number of Affected Livelihood

No	Livelihood / Resources	Number of Affected Persons	%
1	PAPs engaged in farming/agricultural activities	37	1.34%
2	Affected household-based enterprise	742	26.87%
3	Affected businesses within the ROW	310	11.23%
4	PAPs who are employed	1,672	60.56%
	Total	2,761	100.00%

Source: JICA Study Team

There is not expected to be any loss of land use in areas where indigenous peoples (IPs) reside, nor is it anticipated that land will need to be acquired in ancestral domain areas, but if this is not the case, the project will follow the procedures and principles set-out in the Resettlement and Indigenous Peoples Framework. The project nevertheless is seeking clearance from the National Commission for Indigenous Peoples (NCIP) for the proposed depot area, as it is in the vicinity of ancestral domain land as per the requirement of the Philippines Indigenous Peoples Rights Act.

The RAP has been prepared based on the feasibility study and will be updated when the detailed engineering design (DED) of the project is available. The DED and updated RAP may be prepared by section or area.

Social Safeguards Policy Principles for the Project. The policy framework follows ADB Safeguards Policy Statement (SPS) of 2009, JICA Guidelines (2010) and relevant Philippine laws and procedures. The Project shall uphold the involuntary resettlement policy principles for the Project as follows:

- Involuntary resettlement should be avoided where feasible;
- Where population displacement is unavoidable, it should be minimized by exploring all viable project options as agreed upon during community assemblies or other fora;
- People unavoidably displaced should be compensated and assisted so that their economic and social future would be as favorable as it would have been in the absence of the project;
- People affected by involuntary resettlement due to development initiatives should be fully informed and consulted and have agreed on resettlement and compensation options;
- Existing social and cultural institutions of PAPs and their hosts should be supported and used to the greatest extent possible, and PAPs should be integrated economically and socially into host communities;
- Lack of legal rights to the assets lost will not hinder PAPs from entitlement to such compensation or rehabilitation measures; particular attention should be paid to households headed by women and other vulnerable groups, such as indigenous peoples and appropriate assistance should be provided to help them restore their incomes and livelihoods;
- As far as possible, involuntary resettlement should be conceived and executed as a development activity as part of the project; and
- The full cost of resettlement and compensation should be included in the presentation of project costs and benefits.

Affected Persons and Eligibility. The cut-off-date of eligibility for the project was the starting date of the census and structure tagging for informal settlers and the issuance of the Notice of Taking by the DOTr for those with formal land claims to be completed after DED. Project affected persons (PAPs) are those who stand to lose, as a consequence of the project, all or part of their physical and non-physical assets, including homes, communities, productive lands, and resources such as forests, range lands, fishing areas, or important cultural sites, commercial properties, tenancy, income-earning opportunities, social and cultural networks and activities.

Socio-economic Assessment. A social assessment for resettlement was conducted in a gender-sensitive manner including a: (i) census survey, (ii) asset and land survey, and (iii) livelihood and living survey. The socio-economic survey was carried out to identify all PAPs and their affected assets (land, structures, improvements, and crops), as well as establish their current baseline social and economic conditions. The surveys found that the average household size across all locations has four people, with slightly more males and females. There were no households with members from Indigenous Peoples communities. A total of 664 households were identified as vulnerable and will most likely experience more difficulty if they are physically or economically displaced, and coping with transition at a relocation site, without appropriate support and assistance. There were also a greater proportion of males reported structure ownership than females. Almost half of the population have lived in the area of their current residence for more than 20 years. Almost 90% had heard of the project.

Consultation, Participation, and Disclosure. Meaningful consultation has been conducted to ensure issues, concerns, voices of affected households have been incorporated in the project preparation. Meetings with concerned local government units (LGUs) were conducted to disclose initial information about the project, prior to any RAP-related activities. Suggestions and inputs were welcomed while issues and concerns were solicited to inform basic design. Following this, three rounds of stakeholder consultation meetings were held with PAPs. The first meetings started with a disclosure of the project and description of the RAP study followed by an open forum. The second meetings presented the legal framework of the RAP and another open forum. The third round of meetings provided project updates and an explanation of the entitlement matrix. Focus group discussions (FGDs) were also held to substantiate the data gathered from the socio-economic surveys. FGDs were held with affected business sectors and vulnerable groups. The RAP includes a plan for future consultation activities during DED

and project implementation. The social safeguard documents shall also be accessible to the public through the JICA, ADB and DOTr websites.

Compensation and Entitlements. Compensation at replacement cost will be provided to all persons/households losing land and/or other assets due to land acquisition and ROW clearing for the project. As appropriate, compensation will be accompanied with assistances, as outlined in the entitlement matrix. DOTr will work closely with the LGUs and National Housing Agency and the Housing and Urban Development Coordinating Council in the implementation of the land acquisition and ROW clearing work, resettlement and the allocation of compensation and entitlements in accordance with the entitlement matrix.

Relocation Assistance. The entitlement matrix includes options for self-relocation and assisted relocation. The options for assisted relocation are dependent on the eligibility category of government housing programs, as well as financial capacity of the PAPs. Generally speaking, those with greater needs, such informal settlers who have low-incomes and are landless, will receive greater levels of assistance and subsidy. For informal settler families (ISFs), assisted relocation includes availing of government socialized housing programs or relocation packages from the National Housing Agency (NHA). PAPs that do not qualify for government socialized housing programs can avail of government economic and medium cost housing programs under the Home Development Fund otherwise known as Pag-IBIG Fund. PAPs will be supported in their relocation, whether they choose to self-relocate or assisted relocation, as detailed in the entitlement matrix. Others who may be ineligible for the government housing programs may be able to avail of public rental accommodation provided by the project, in conjunction with LGUs.

Livelihood Restoration Program. A Livelihood Restoration and Improvement Program will be implemented to restore or rehabilitate incomes and livelihoods, including short-term and long-term interventions that are gender sensitive and culturally appropriate. A preliminary assessment of impacts on affected households' livelihoods, their needs, as well as review of existing state programs in addressing the livelihood needs of these households within the project timeframe was carried out. Strategies for income and livelihood restoration shall be consistent with the requirements of ADB safeguard policies and JICA's guidelines and may include but not be limited to (i) support to access existing government programs and services, (ii) vocational training opportunities, (iii) employment information and referral, (iv) opportunities to avail of project employment through training prior to construction and preferential hiring, (v) financial management and entrepreneurial training, and (vi) targeted interventions for women and vulnerable persons. PAPs who lose 10% or more of their productive assets for the identified tranches will be entitled for livelihood/income restoration assistance. The strategy presented in this document will be updated and refined into a detailed livelihood restoration and improvement program during the DED phase. A multi-faceted approach will be adopted to assist PAPs in the restoration of their affected livelihoods.

Grievance Redress Mechanism. The Grievance Redress Mechanism (GRM) outlines the procedures in which grievances will be accepted, assessed and resolved, and includes four levels of grievance redress for complaints made concerning the project. The GRM has been developed in accordance with the ADB safeguard policies and JICA guidelines and aims to reduce impacts and risks of the project and promote mutually constructive and trust-based relationships with affected people.

Institutional Arrangements. The institutional arrangements for this project involve the DOTr being the executing and implementing agency. Other key institutional stakeholders include Philippines National Rail (PNR) and National Housing Authority (NHA) and LGUs. PNR will participate in project design, including mitigation measures and social actions plans. The MCRP Environment, Social and

Right of Way Project Management Office (ESR-PMO) under the DOTr's Office of the Undersecretary for Railways will be the responsible entity for the preparation and implementation of the resettlement action plan including ROW acquisition, relocation of PAPs, including ISFs and IP communities in compliance with policies outlined in this framework and national laws. It is organized with technical and administrative manpower to conduct a range of activities from impact assessment to payment of compensation, among others. NHA will be involved in resettlement of PAPs eligible for the socialized housing program and will be closely involved in resettlement action planning and livelihood restoration programs.

Implementation Schedule. The Project will be implemented over the period of 5 years. Following DED, the RAP will be updated and submitted to JICA and ADB for review and approval. The DED and updated RAP may be submitted by section or area. Construction will not commence until the updated/DED RAP is approved. The schedule provides details on the steps and process to update the RAP, land acquisition and resettlement, creation of implementing institutions, Livelihood Restoration and Improvement Program, and monitoring of the RAP implementation. The schedule will be revised during updating of the RAP.

Budget and Financing. The Resettlement Plan budget is estimated at PhP 7,720,560, 264. The budget covers costs associated with land and structure acquisition, resettlement assistance, development of relocation sites, compensation for crops and trees, and RAP implementation and monitoring (including administrative costs and a 10% contingency).

Monitoring. There will be two types of monitoring: internal and external monitoring. DOTr will establish semi-annual monitoring of the safeguards documents and submit a semiannual monitoring report to JICA and ADB. To ensure compliance, the services of an external monitoring agent will be procured by DOTr to provide an independent periodic review and assessment. Disclosure of semiannual monitoring reports will be made upon submission to JICA and ADB. Preparation of semiannual monitoring reports will be carried out for the duration of the project, and a project completion report will be submitted.

CHAPTER 1 PROJECT DESCRIPTION

1.1 Background

The Government of the Philippines (GoP) has requested Japan International Cooperation Agency (JICA) and Asian Development Bank (ADB) for assistance for the Malolos-Clark Railway Project (MCRP)¹. The Project will be conducted in two Phases. Phase 1 will cover the 53 km section between Malolos to CIA, including one depot site. Phase 2 will cover the 17.9 km section from Clark to NCC. This RAP will only cover the Phase 1 of the project.

The Phase 1 of the MCRP will construct a 53 km railway to complete the railway network connecting Metro Manila and the regional centers in Clark and the Clark International Airport (CIA). The project will contribute to the sustainable development of Metro Manila and the fast-growing urban areas in and near Clark, while also improving connectivity to international airports. This RAP will be updated based on the Detailed Engineering Design (DED). The DED RAP may be prepared by section or area.



Source: JICA Study Team

Figure 1-1 Location MAP of MCRP

1.2 Railway Sector in the Philippines

The population of Manila, the capital city of the Philippines increased by 1.5 times from 8.0 million in 1990 to 12.8 million in 2015. With a population density of 20,000 per km², Manila is home to about

¹ The Project name was modified to “The North – South Commuter Railway Extension Project”. However, in this report, the former project name will be used.

13% of the population of the Philippines and the main economic center accounting for 38% of the country's GDP.

Severe traffic congestion and environmental degradation characterize Metro Manila particularly at city centers where high density development continues. Urban sprawl has spilled over onto surrounding northern and southern provinces which are within daily commuting distance. With increasing vehicle ownership, congestion is expected to worsen, further increasing travel times of commuters.

In Metro Manila, currently three urban metro lines are in operation, namely, Light Rail Transit (LRT) Line 1, LRT Line 2, and Mass Rail Transit (MRT) Line 3. All of them are elevated railways, with a total length of 44 km, serving 350 million annual passengers in total (2016). In addition, the Philippine National Railways (PNR) operates a commuter railway from Tutuban to Alabang (28 km) and beyond, serving 21 million passengers a year (2016). Considering the population size and density of Metro Manila, the railway network is sparse. For the railway service to the north, the PNR ceased its operation of a long-haul line in the 1980's. The rails and infrastructure have been removed but right-of-way (ROW) has been retained, although encroached upon.

1.3 The GoP Development Plans on Railway Sector

The Philippine Development Plan (2017-2022), which is anchored on President Duterte's 10-point Socio-economic Agenda, serves as the blue print for the administration's vision of a more inclusive growth and a globally competitive economy. Among the reforms that will drive this agenda is the acceleration of infrastructure and the development of industries that aim to yield robust growth across the archipelago, create jobs, and uplift the lives of Filipinos. Infrastructure is among the top priorities of this administration and as a result public spending on infrastructure projects could reach PhP 8–9 trillion from 2017–2022.

The Build!Build!Build! Program is the administration's comprehensive infrastructure development program launched in April 2017. The program identified 70 infrastructure flagship projects or high impact projects. Among the 70, 19 projects are located in Metro Manila. Besides the flagship projects, four (4) projects were also listed as key projects.

The projects for Metro Manila are composed of an expressway, urban roads, railway, road-based public transport, and traffic management. Completion of most of the projects is within or by end of current administration, i.e. by 2022.

The Department of Transportation's (DOTr) thrust is to guide the development of new urban centers and to meet large residential demands. A commuter railway service to connect Metro Manila with its adjacent northern and southern suburban areas is deemed to be an important mass transit backbone for Metro Manila as well as for the growth corridor of the Greater Capital Region (GCR), comprising of Region III, NCR and Region IV-A.

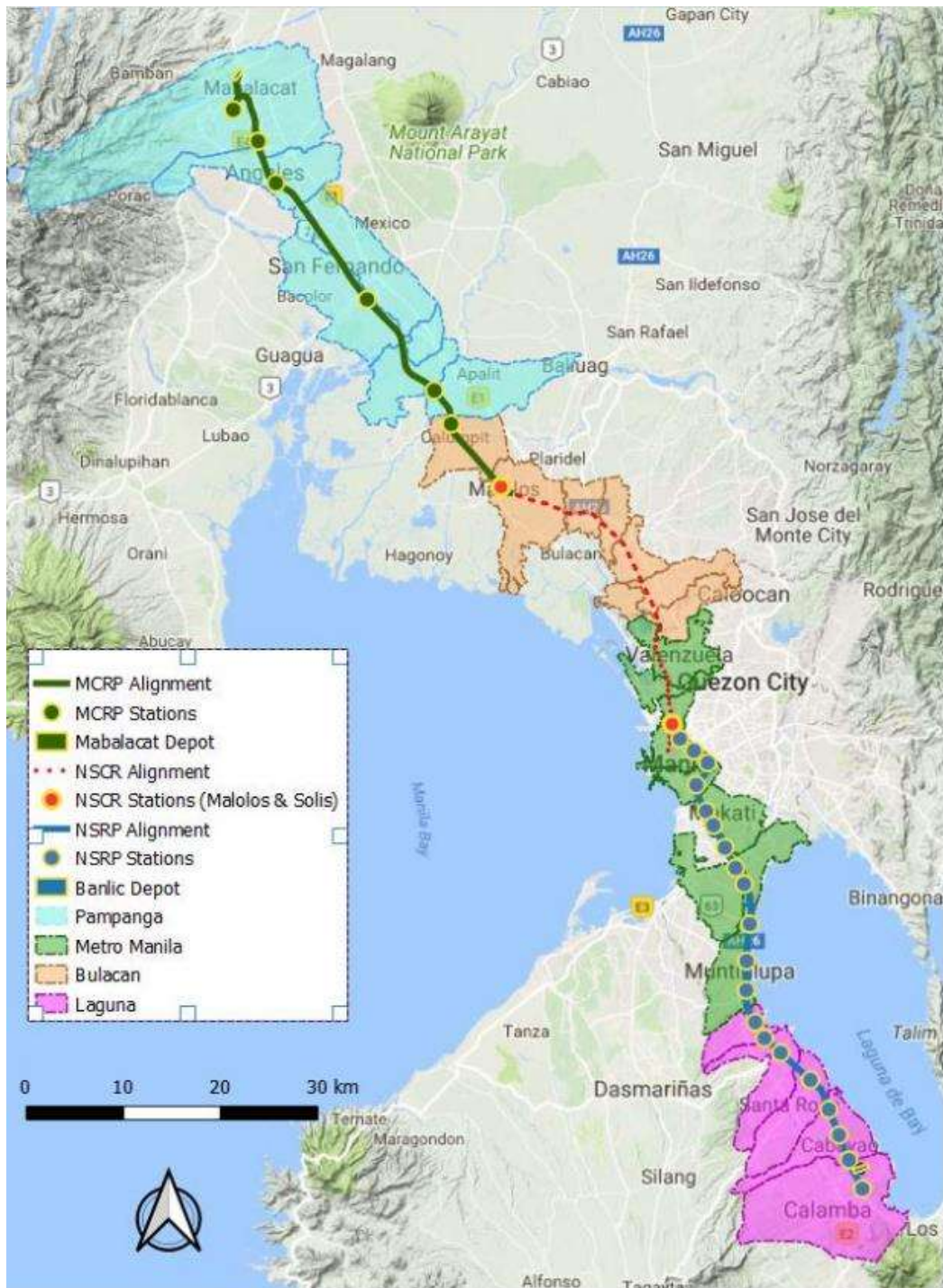
1.4 Assistance Policy of Government of Japan on Railway Sector in the Philippines

To meet the railway development needs in Metro Manila and GCR, several railway projects are ongoing or are in the planning stage. In 2015, JICA concluded a loan agreement with the GoP for the development of the North-South Commuter Railway (NSCR; 38km from Tutuban to Malolos) which is currently at implementation stage. The proposed MCRP is to extend the NSCR to the north and provide a 53 km new railway from Malolos to CIA.

The Blumentritt Extension will link the NSCR and MCRP to the Blumentritt Station in Santa Cruz, Manila City and will comprise of around 2.4 km elevated, double track alignment. Blumentritt Station

is a transfer station, where passengers can change trains and continue their journey with Light Rail Transit (LRT) Line 1. A separate RAP will be prepared for this Extension.

Another railway project is to expand the NSCR to the south: South Commuter Railway Project (55.6 km from Solis to Calamba including the Blumentritt Extension). These three lines combined will create a north-south railway corridor in GCR.



Source: JICA Study Team

Figure 1-2 The three connected railway lines (Green: MCR, Red: NSCR and Blue: NSRP)

1.5 Assistance Policy of ADB on Railway Sector in the Philippines

ADB has been a dedicated partner of the GoP in developing the infrastructure and social sector since the 1970s. Among the past projects of ADB is the rehabilitation of PNR's 474-kilometer Manila-Legazpi line.

In line with the administration's agenda, ADB has committed to support the GoP's flagship infrastructure program to help address persistent income and regional growth disparities. ADB's 2018-2020 program undertaking includes the MCRP and the NSRP-SC to help develop Metro Manila's connectivity to nearby provinces.

1.6 MCRP Project Objectives

The MCRP is one of the government's efforts to promote inclusive growth and improve the transport and logistics services to currently underserved areas in the country. Starting from the center of Metro Manila to the nearby areas in the North Luzon, the MCRP is expected to ease the traffic congestion on existing national and local roads along the railway's route while accelerating economic growth and expansion along the project's influence areas.

The MCRP will provide a high standard suburban commuter rail from Malolos to Clark with the line commencing at the city of Malolos, passing through the town of Calumpit in the province of Bulacan, the towns of Apalit, Minalin, and Santo Tomas, and cities of San Fernando and Angeles and Mabalacat until the alignment reaches inside the CIA Complex, all in the Province of Pampanga.

1.7 Scope of the Project

This report covers the Resettlement Action Plan (RAP) based on the Feasibility Study for the MCRP ROW from Malolos City in Bulacan Province to CIA in Pampanga Province. This report will be updated during DED phase, based on the finalized alignment.

1.8 Project Components

The MCRP will have the following components:

- Main Railway line
- Viaduct / bridges.
- Embankment
- At grade / underground
- Bridge crossings (rivers/highways)
- Tunnels
- Depot, Workshops and Operations Control Center (OCC)
- Stations (6) and related facilities
- Substations
- Maintenance base
- Maintenance Access Roads
- Construction Yards: Offices, Laboratory, Worker's quarter, warehouse, Fabrication Yard, Batching Plant, Segment Casting Yard
- Borrow Pit/Soil Disposal Areas

- Drainage

The rehabilitated line and stations will be a mix of viaduct/elevated stations, tunnels and embankment/underground level stations. Most of the alignment is planned as viaduct to minimize the requirements for level crossings. The likely locations of embankment lines are between San Fernando and Angeles.

1.8.1 Main Railway Line

The MCRP alignment is 53 km long from Malolos to CIA station, including a 1.8 km spur line to the Gil Puyat Avenue depot. The track will consist of PC (Sleeper) and Ballast (Crushed stone). The required ROW width of the railway track is set at 30 m all along the alignment.

The majority of the structures of the railway track and station are elevated. The elevated section (viaduct) is planned in urban areas for over 49.4 km., whereas grade/embankment section is planned for 0.8 km. There is a possible underground of 2.8 km from Clark Station to CIA.

Table 1-1 provides further details on the different sections of the main railway line in between stations.

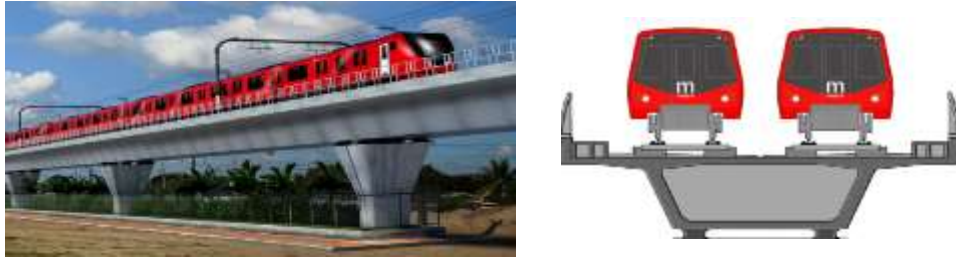
Table 1-1 Sections of the Main Railway Line in between Stations

Section	Description
Malolos to Calumpit	This section starts from the end of the elevated Malolos Station of NSCR. It is to be the double-track viaduct the entire length. In addition to 20m wide land for viaduct, a 10m construction space is needed at the west for the temporary road and the stock yard. There are residences between PNR ROW and MacArthur Highway running parallel on the east. On the west are also human habitations, while vacant area is dominant.
Calumpit to Apalit	This section features viaducts, with on-ground construction space to the west (as above). The alignment is in a rural area except for some residential complexes around Calumpit Station and Apalit River. The critical position is just after passing Apalit River, where MacArthur Highway which is on embankment structure is close to PNR ROW. To minimize the interference to the embankment, the alignment is shifted westward and passes outside PNR ROW.
Apalit to San Fernando	This section features viaducts, with on-ground construction space to the west (as above), while it moves to the east at the south of San Fernando Station. This section passes in a rural area and no substantial obstructive buildings except for the urban area beyond San Fernando Station. If the alignment passes inside PNR ROW, curved sections with the speed limit are required. To avoid the speed limit, larger radius is being considered in the curved alignment taking a shortcut inward across the existing PNR ROW, creating additional land acquisition requirements. In general, the construction space is to be at the west,
San Fernando to Angeles	This section is located in residential areas and passes some densely populated segments. The width of PNR ROW in this section is approximately 13m only, which requires additional land acquisition. Considering surroundings such as residence, the construction space is shifted to the west in the north of this section. The section also contains parts that are at embankment level.
Angeles to Clark	This section is located in dense residential areas, and the width of the existing PNR ROW is not enough. Additional land acquisition is required.
Clark to Clark International Airport	This section passes perimeter of the CIA re-development zone within the BCDA area, and leads to the airport terminal through the north of the runway. In order to secure height limitation in consideration of the civil aviation in CIA, the vertical alignment from Clark Station needs to be lowered thru the viaduct structure to at ground or half-underground at the edge of the runway. This part will be the single-layered semi-underground structure provided by the excavation or the cut and cover method. A tunnel under the airport development area will lead to the proposed underground station with the platform at the first floor of basement.

Figure 1-3 to Figure 1-4 show the cross section of a typical viaduct, embankment, and at grade respectively.

(1) Viaduct

PC segmental box girder have been planned with 40m span as the optimal span based on ground condition study. The policy of the optimal span will be considered according to the ground conditions and construction assumptions.



Source: JICA Study Team

Figure 1-3 PC segmental box girder

(2) Embankment

Embankment will be adopted where it would not result in the separation of the community, in the suburbs areas and farmlands.



Source: JICA Study Team

Figure 1-4 Cross-section of typical Embankment

(3) At Grade

At grade will be adopted where it would not have an impact in dividing the community. The at grade section will be planned in the suburban areas and farmlands where elevating the railway is not necessary for economic efficiency.

(4) Tunnel

To avoid interface with existing structures, a shield tunnel method will be applied to the underground section between Clark to CIA. Land above the tunnel is currently owned by a government-owned and controlled corporation, Bases Conversion and Development Authority (BCDA).

(5) Bridges

The MCRP crosses rivers and roads at nine different locations. The locations of the bridges are shown in Table 1-2. The bridges will be built within the 30m Project ROW.

Table 1-2 Locations of the alignment crossing rivers and infrastructures

No.	Location	Obstacle	Chainage
1	Angat River	River	40k 960
2	Pampanga River	River	43k 200
3	Sulipan Channel Flood way	River	45k 000
4	Malalam River	River	50k 720
5	Pambaling River	River	53k 320
6	Macarthur High Way (Manila North Road)	Road	60k 000
7	SAN MIGUEL Main Entry Road	Road	63k 000
8	Abacan River	River	76k 200
9	Subic Clark Tarlac Exp (Ramp)	Road	81k 300
10	Subic Clark Tarlac Exp	Road	81k 800
11	Clark Airport	Airport	82k 000 ~
12	Qintanguil River	River	82k 900
13	Dolores River (Depot Line)	River	Depot Line

Source: JICA Study Team



Source: JICA Study Team

Figure 1-5 Sample Design of Bridge Over Macarthur Highway

1.8.2 Stations

There are six stations proposed between Malolos and CIA: Calumpit, Apalit, San Fernando, Angeles, Clark, and CIA. Malolos station will be constructed as part of the NSCR Project. The width of the station location is 60 m, which is wider than the current PNR ROW. Land will need to be acquired for each of the stations. The length of the station will be approximately 250m each.

The stations will also adopt universal design which will incorporate the barrier-free guidelines of both Philippines and Japan for elderly, children, and persons with disabilities. The proposed measure is to provide elevator and escalators, in addition to stairs for vertical movement of passengers from streets to station platforms.

1.8.2.1 Station Locations

The station locations and the distance between the stations are described in Table 1-3.

Table 1-3 Station Location

Stations	Location	Distance to next station
Malolos (NSCR)	Malolos, Bulacan	
1 Calumpit	Calumpit, Bulacan	6.4 km
2 Apalit	Apalit, Pampanga	5.3 km
3 San Fernando	San Fernando, Pampanga	12.1 km

Stations		Location	Distance to next station
4	Angeles	Angeles, Pampanga	15.2 km
5	Clark	Mabalacat, Pampanga	4.8 km
6	CIA	Mabalacat, Pampanga	7.4 km

Source: JICA Study Team

(1) Calumpit Station

Calumpit Station is located about 1,500 m south from the old PNR station and it is island platform type with two platforms and four tracks. The proposed station is situated in Barangay Iba O Este. Among the adjacent Barangays are Barangays Balungao, Corazon, Poblacion, Sucol, Caniogan and Gatbuca. Essentially at the heart of the town's commercial epicenter, the station is proximate to key institutional, commercial, educational, religious establishments. The land needed for the station is both within the existing PNR ROW and on privately owned land.

While the old Calumpit Station of PNR is located in relatively large space available, it is surrounded by dense residential area and MacArthur Highway is close to the east. This environment makes the station plaza planning difficult. A vacant lot located at 450m far from the south of the old PNR station was initially considered as the new station location, but after further discussion with the LGU, the station was moved further south, closer to the Caniogan triangle. The current station location has the least human impact.



Source: JICA Study Team

Figure 1-6 Layout of Calumpit Station

(2) Apalit Station

The location of the new Apalit station is at the same place where the old PNR station is located at a certain distance from MacArthur Highway and is in an “unoccupied” area. Since the necessity for additional land is little or no need as PNR ROW and is large enough to host both a medium-sized commuter station and station plaza, so it can be installed in north and northeast side of the existing

station building and within the PNR ROW. The proposed station is located in Barangay San Vicente, a barangay with a primarily residential and agricultural characteristic. The proposed station is located a few hundred meters from the Apalit-Macabebe-Masantol Road which is a major thoroughfare connecting the three above stated municipalities. The surrounding areas include large rice fields and private subdivisions such as St. Dominic Village, Royal Family Homes, as well as the relocation housing for former informal settlers inhabiting the PNR ROW and resettled during Northrail project activities. The area is also characterized by patches of marshlands and swamps. The station location is roughly a kilometer westward from the main town center where the Apalit Public Market, provincial bus transport terminals, banking institutions, and religious establishments are located. The neighbouring towns of Macabebe and Masantol are also a short commute from the proposed station.

It is a facing platform type with two platforms and two tracks, as it does not need side tracks. There is crossing with a wide road at the north of the station.



Source: JICA Study Team

Figure 1-7 Layout of Apalit Station

(3) San Fernando Station

The proposed station is straddled within a highly built up area in Barangay Santo Nino essentially in the vicinity of the old PNR station that has been converted into a museum and historical center. The station is proximate to several notable establishments and institutions, such as a shopping centre, tourism sites and churches. It is important to note that the station location's immediate surroundings are mainly self-built residential areas with some small commercial establishments like water refilling stations, canteens, fastfood, drugstores, mini marts and small service providers.

San Fernando Station is an island platform type with two platforms and four tracks. This station is also located almost in the middle between Malolos and CIA. It has side tracks due to the long distance from Apalit Station as well as to Angeles Station. While not assuming turnback at this station in usual operation, a crossover in emergency is installed for a train to turn back. Despite its location in an urban area, additional land acquisition is not necessary with sufficient space owned by PNR. However, the area gets narrow in width towards north, where land acquisition is expected. To access the station, the existing road at the east can be utilized. Another existing road at the south of the station does not have enough width and may need consideration for future widening for access from the west.



Source: JICA Study Team

Figure 1-8 Layout of San Fernando Station

(4) Angeles Station

The proposed station location is straddled between Barangays Pulung Bulu and Tabun, both of which are moderate to heavily built up areas located across MacArthur Highway. It comprises of private residential subdivisions, small commercial establishments, medical facilities, educational institutions, and automotive care centers. It is also adjacent to the La Pieta memorial Park. Its adjacent Barangays are San Jose, Santo Rosario, Santo Domingo, Salapungan and Capaya. The proposed location is identified by the city government as one of the primary growth areas of the city.

Angeles is an island platform type with two platforms and four tracks. The location of the station is about 1500 m south from the old PNR Angeles station. The width of the existing PNR ROW is not sufficient. Access to major roads is another issue in this location. From the above difficulties, the location of new Angeles Station is proposed in less populated area with good access to MacArthur Highway.



Source: JICA Study Team

Figure 1-9 Layout of Angeles Station

(5) Clark Station

Clark Station is an island platform type with two platforms and four tracks. The location of the station is along the periphery of the CIA re-development zone in BCDA area. The proposed location is located in BCDA owned land and will not require any land acquisition.



Source: JICA Study Team

Figure 1-10 Layout of Clark Station

(6) Clark International Station

Clark International Airport Station is an island platform with two platforms and four tracks as the dead-end on the route. The location of the station generally follows the master plan of the airport, and it is in the midst between two airport terminals. The depot access track is provided at CIA Station and a train enters depot once turnback at this station. CIA Station is proposed as the semi-underground station with the first floor of basement.



Source: JICA Study Team

Figure 1-11 Layout of CIA Station

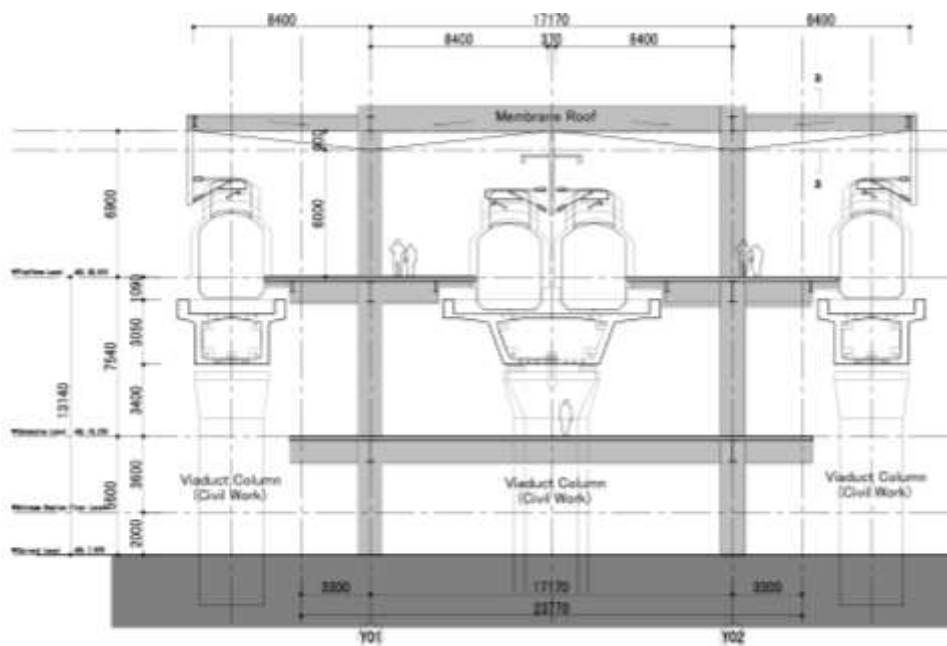
1.8.2.2 Station Type

Two types of platform, Island Type and Outboard Type are being considered, as described in Table 1-4. Islands consist of platforms that service trains on both sides, while outboard types service trains on one side. The typical cross-section of the alignment at station location are shown in Figure 1-12 and Figure 1-13. The sample design of stations is shown in Figure 1-14.

Table 1-4 Station Type

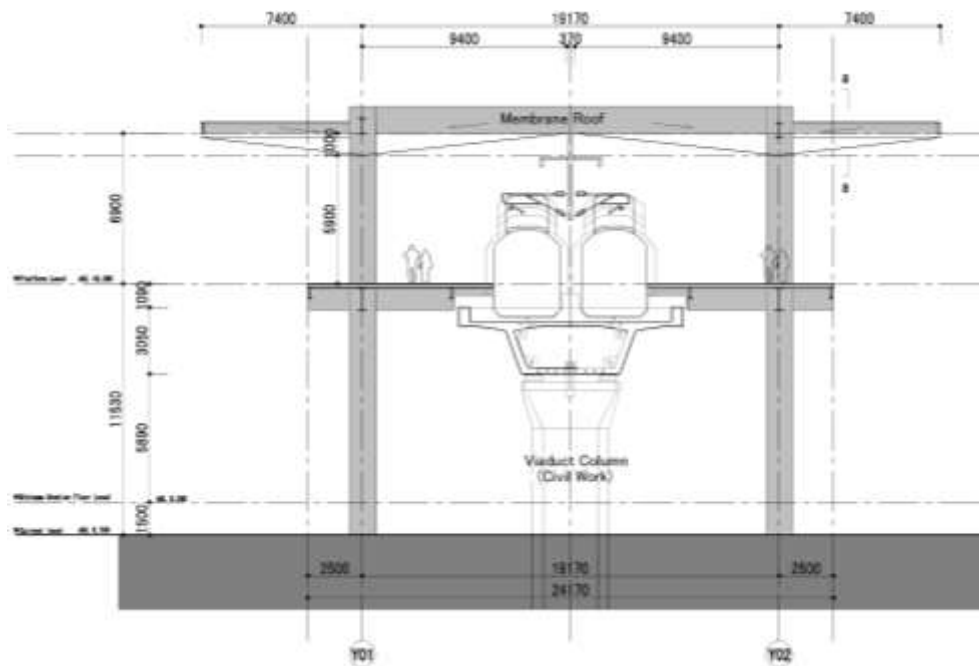
Station	Calumpit	Apalit	San Fernando	Angeles	Clark	CIA
Platform Type.	Island 3 storeys	Outboard 2 storeys	Island 3 storeys	Island 3 storeys	Island 3 storeys	Island (Under Ground)

Source: JICA Study Team



Source: JICA Study Team

Figure 1-12 Sample cross-section of the Alignment at Stations (Island- Type Platform)



Source: JICA Study Team

Figure 1-13 Sample cross-section of the Alignment at Stations (Outboard- Type Platform)

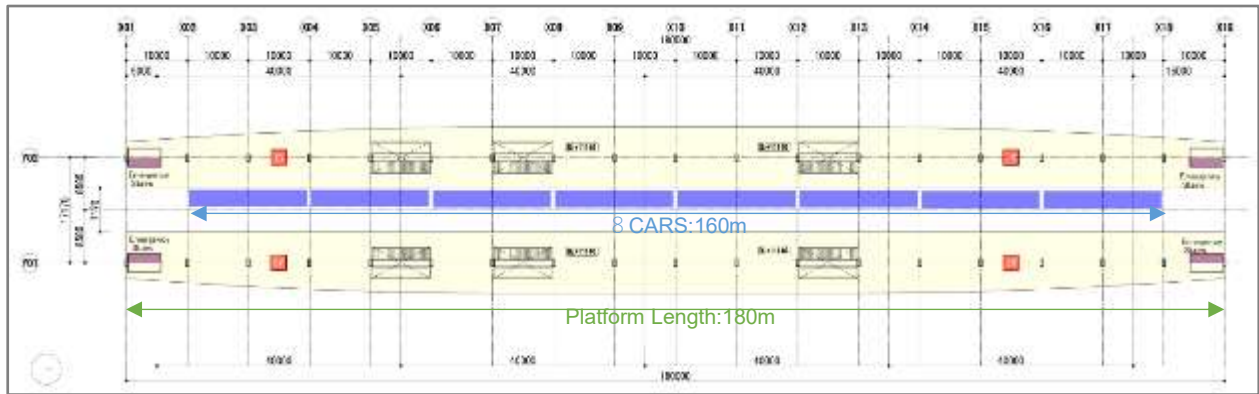


Source: JICA Study Team

Figure 1-14 Sample Design of the Station

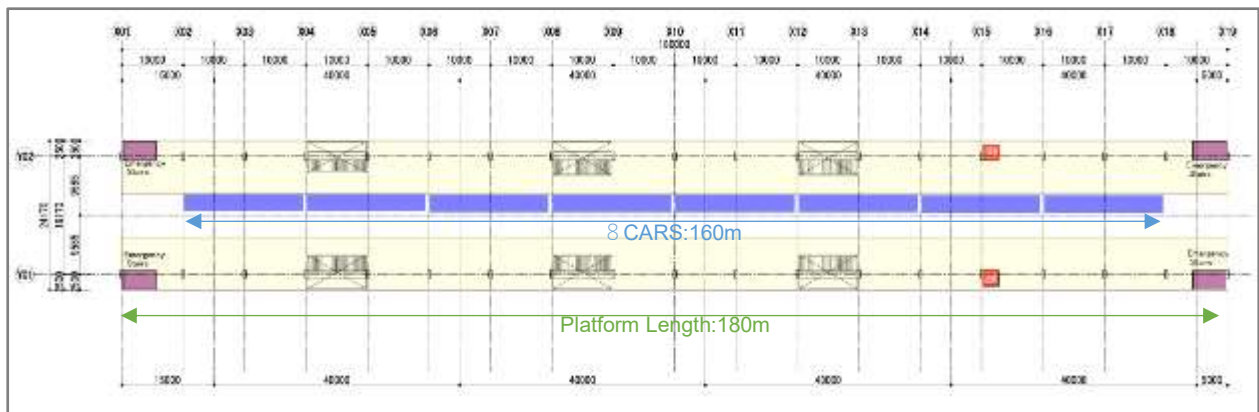
1.8.2.3 Required Dimension of the Station

The 180 m length of the platform is determined by the number of trains (8 car-train) plus an additional 10m of free space at both ends of the platform.



Source: JICA Study Team

Figure 1-15 Platform Plan (Island Type)



Source: JICA Study Team

Figure 1-16 Platform Plan (Outboard Type)

1.8.3 Station Related Facilities

The planned station related facilities are described in Table 1-5. All facilities are designed to be within the station ROW.

Table 1-5 List of Planned Station Related Facilities

Station		Facility		Contents
1	Calumpit	A)	Extended road	Connection to Provincial Road (W=7m, L=200m)
		B)	Loading/Unloading space	Under the station (3000 m ²)
		C)	Greenery	Trees, Plants, Ground cover, etc.
2	Apalit	A)	Extended road	Rotary and connection to Apalit-Macabebe-Masantol road (W=10m, L=720m)
		B)	Pedestrian Roof	Along the Loading/Unloading space (W=5m, L=150m)
		C)	Loading/Unloading space	Along the station
		D)	Greenery	Trees, Plants, Ground cover, etc
3	San Fernando	A)	Extended road	Connection to Capitol Blvd (W=10m, L=600m)

Station		Facility		Contents
		C)	Loading/Unloading space	Along the viaduct
		E)	Greenery	Trees, Plants, Ground cover, etc.
4	Angeles	A)	Extended road	Connection to MacArthur Highway (W=7m, 500m)
		B)	Loading/Unloading space	Under the station (2000 m ²)
		C)	Greenery	Trees, Plants, Ground cover, etc.
5	Clark	A)	Extended road	Connection to Clark East Perimeter Road (W=7m, L=550m)
		B)	Loading/Unloading space	Under the station (3,500 m ²)
		C)	Parking	Under the viaduct (2,000 m ²)
		D)	Greenery	Trees, Plants, Ground cover, etc.
6	CIA	A)	Connecting Building	Above the station (2stories, 625 m ²) Connection to Pedestrian Bridge (W=4.5m, L25m) Elevator (3unit) Escalator (4unit)
		B)	Greenery	Trees, Plants, Ground cover, etc.

Source: JICA Study Team

1.8.4 Depot

The depot is planned to be constructed at the Gil Puyat Avenue Depot Site. The approximately 33 hectares lot area is located in Barangay San Joaquin and is currently owned by BCDA and managed by CIAC. There are no residential structures on the proposed depot site. Figure 1-17 shows the location of the depot and its current and future surrounding features.



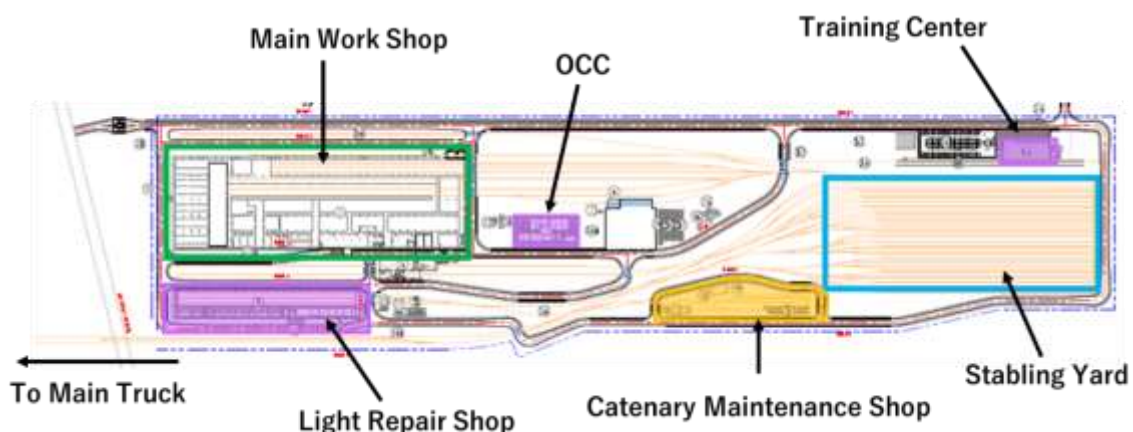
Source: JICA Study Team

Figure 1-17 Depot Location

On August 29, 2018, a Field Based Investigation (FBI) was undertaken by the National Commission for Indigenous Peoples (NCIP). No-overlap with the nearby Certificate of Ancestral Domain Title (CADT 025-A) was observed and confirmed by the FBI report for the whole project. A Certificate of No-Overlap (CNO) was issued in September and NCIP confirmed through a conform letter that the CNO covers the entire proposed Project area indicated in the Project Profile (Appendix 11).

The depot will serve as an area for stabling, maintenance, inspection, and train repair. Aside from these, the depot will function mainly as a central command office which conducts the operation control of the main line and the integrated management of electricity, facilities for the crew, and the maintenance base for track, power supply system, signaling, communication systems, and civil and architectural facilities. Figure 1-18 shows the planned layout of the depot site.

- Operation control center (OCC)
- Maintenance facilities and workshop buildings
- Access tracks
- Train storage tracks
- Workshop for heavy rolling stock maintenance
- Light repair shop
- Catenary and track maintenance shops
- Unscheduled repair shop
- Wheel re-profiling Shop
- Car washing track
- Test track
- Sub stations
- Training facilities including test training tracks
- Sewage treatment plant, storm water reservoir, emergency facility
- Access road inside depot, car parking, security houses, lights, fences etc.



Source: JICA Study Team

Figure 1-18 Layout of the Depot Facility

The main road to access the depot will be planned considering convenient accessibility for employees, visitors, transportation of equipment such as new train car, ballast, sleeper, rail etc. during the operation of the depot. Additionally, it is also crucial to secure convenient and efficient roads that will allow access during construction. Since the surrounding area of the Gil Puyat Avenue Depot is prone to flooding, it is important to provide two access points to the depot. From McArthur Highway, an existing dirt road along the west perimeter of the depot is proposed to be habilitated and turned into a permanent access road to the depot. However, the area is prone to flooding. In this regard, the road will be designed to prevent access disruptions. An additional access along Prince Balagtas Avenue is also proposed. Clark Development Corporation (CDC) has finished the detailed engineering design of a new road between Prince Balagtas Avenue and Gil Puyat Avenue Depot. This will be utilized as an access to the depot. Unlike the access road from MacArthur Highway, this area is not prone to flooding. There is no additional land acquisition required for access roads for the depot.


1.8.5 Temporary Construction Yards




The MCRP has four identified potential construction yards. However, the decision on the selection of construction yards will be made by the contractor, and leasing is the considered option. For any potential resettlement implications, the provisions included in the Entitlement Matrix will be applied.

The Construction yards will consist of the following facilities:

- Office (Contractor & Engineer), Laboratory
- Worker's Quarter
- Warehouse
- Rebar, Formwork Fabrication Yard
- Batching Plant
- Segment Casting Yard

Table 1-6 Proposed Temporary Construction Yards

No.	Area (m ²)	Station	Access	Current Status	Temporary Yard
CY-1	147,332 m ²	40+250	Manila North Road, Pulilan Regional Road Brgy. Calumpang, Longos, Iba Iba Este Calumpit, Bulacan	*The lot is adjacent to the proposed railway project. *The lot measures about 19 hectares that could accommodate all proposed casting yard structures. *Sell and lease agreement are approved by the owners.	

No.	Area (m ²)	Station	Access	Current Status	Temporary Yard
CY-2	53,912 m ² 48,817 m ² <u>35,381 m²</u> 138,110 m²	46+300	Apalit-Macabebe Masantol Road Apalit, Pampanga	*Owner already agree to JDT's request regarding lease proposal for her land. (lot nos. 1231,1232D,1232B *Lot no.1232A & 1232C for verification to Registry of Deeds regarding new ownership.	
CY-3	96,066 m ²	65+650	NLEX, Panipuan, Mexico San Fernando Pampanga	*Lot is sufficient to accumulate all proposed structure. *Lot owner provided JDT the lot technical description. *Lot owner agree with the proposed lease contract agreement for their lot.	
CY-4	52,351 m ² 139,337 m ² <u>94,630 m²</u> 286,318 m²	73+200	Manila North Road, Old PNR Railway Angeles City, Pampanga	*The owner agreed with the proposed leased agreement for their lot. *JDT explained that not all the 3 lots will be acquired. *JDT is still waiting for the re-survey of the lot as promised by the owner to reflect all existing structures. lease	

Source: JICA Study Team

1.8.6 Borrow Pit / Soil Disposal Area




1.8.6.1 Borrow Pit


A survey for possible borrow pits are now on-going. There are several river sand pits along the Sacobia River. Waste soil other than river sand contains gravel, and can be used as embankment material for temporary roads etc.

1.8.6.2 Soil Disposal Area

Areas designated by LGUs will be used as soil disposal areas.

Table 1-7 Proposed Disposal Area (Top of Photos facing North)

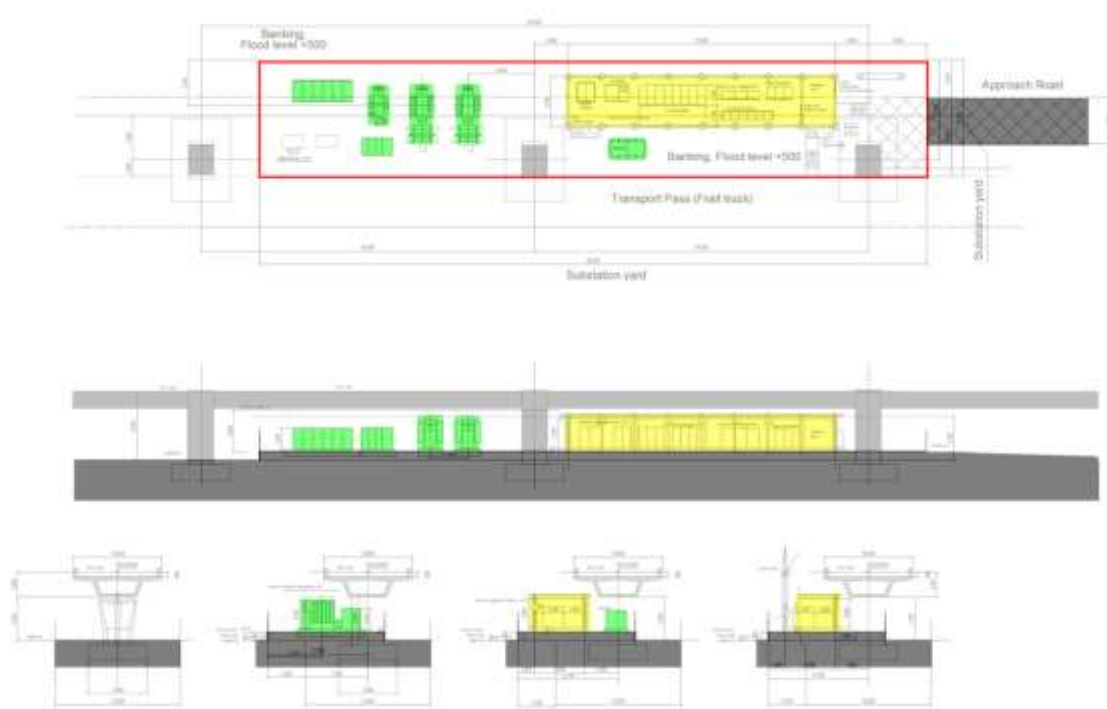
No .	Station/ Location	Area (ha)	Province / Municipality	Aerial Photograph
1.	Near Tabang, Malolos Interchange	7.00	Bulacan / Tabang, Guiguinto PEO-HACC	
2.	KM 35+200	12.00	Bulacan / Bulihan, Malolos PGB-PEZA	
3.	KM 54+900	3.00	Pampanga / Mesalipit, Sto. Tomas	

No .	Station/ Location	Area (ha)	Province / Municipality	Aerial Photograph
4.	CSEZ- Subzone D,	100.0 0	Sitio Kalangitan, Capas,Tarlac	

Source: JICA Study Team

1.8.7 Substations

The locations and plans for the substations will be undertaken in consultation with local electric companies during the DED stage. The substations will be designed to be located under the viaduct and within the 30m ROW. Figure 1-19 shows the typical plan of the substation components.



Source: JICA Study Team




Figure 1-19 Typical Plan of Substation Components




1.8.8 Access Roads during Construction




Equipment and materials will be delivered to the site using public roads. Common equipment / materials will be transported to the site during daytime, while oversized equipment / materials will be delivered outside the regulated time or after obtaining permits from authorities concerned. Once the equipment /




materials are delivered to the site, temporary access roads will be used to move them. However, where temporary access roads are not provided due to a river or road crossing, equipment and materials will be transported using only public roads. Some widening of the corners might be necessary, which will be determined during DED. For the usage of Public Road, please refer to the Environmental Management Plan (EMP) of the Environmental Impact Statement (EIS) Report. The identified access roads are described in Table 1-8.

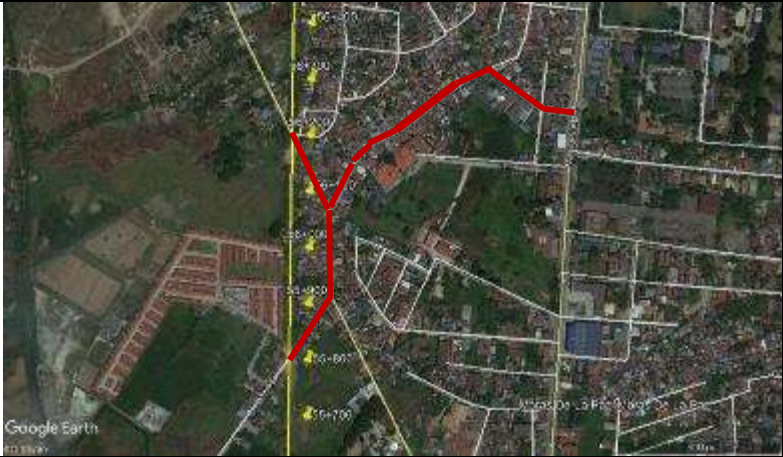
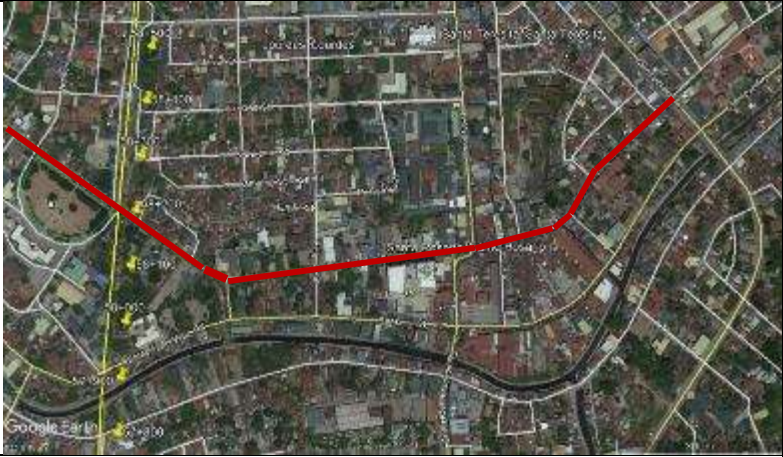

Table 1-8 Proposed Access Roads (Public Roads)




Width (m)	Access Road/ Connection Road	Aerial Photograph	Land requirements
14.00	Manila North Road Sampaguita Street, Bulihan, Malolos Heights Subd. Malolos, Bulacan 40m West of Manila North Road		Existing road. Details to be confirmed
5.00	Manila North Road Provincial Road, Longos, Carmen V. Luna Street Hangga Street Malolos, Bulacan 38 m West of Manila North Road		Existing road. Details to be confirmed
6.00	Manila North Road Provincial Road Calumpit, Bulacan 54 m West of Manila North Road		Existing road. Details to be confirmed




Width (m)	Access Road/ Connection Road	Aerial Photograph	Land requirements
5.00	Manila North Road Provincial Road, Gugo Iba Este, Calumpit, Bulacan 38m West of Manila North Road Provincial Road 32m West of Manila North Road		Existing road. Details to be confirmed
5.00	NLEX, Pulilan Calumpit Road Gugo Iba Este Road, Gugo, Calumpit, Bulacan 36m West of Manila North Road.		Existing road. Details to be confirmed
7.00	Manila North Road Gugo, Iba Este Calumpit, Bulacan Provincial Road 45m West of Manila North Road		Existing road. Details to be confirmed




Width (m)	Access Road/ Connection Road	Aerial Photograph	Land requirements
6.00	Manila North Road Provincial Road Gatbuca Calumpit, Bulacan 36m West of Manila North Road		Existing road. Details to be confirmed
7.00	Manila North Road Provincial Road Capalangan, Calumpit, Bulacan 110m West of Manila North Road		Existing road. Details to be confirmed
6.00	Macabebe Calumpit Apalit Road Provincial Road Sulipan, Apalit, Pampanga 50m West of Manila North Road		Existing road. Details to be confirmed




Width (m)	Access Road/ Connection Road	Aerial Photograph	Land requirements
8.00	Manila North Road Apalit, Mcabebe, Masantol Road San Vicente Apalit, Pampanga 1200m West of Manila North Road		Existing road. Details to be confirmed
8.00	NLEX, Manila North Road Sta Maria Road San Simon, Pampanga 4020m West of Manila North Road		Existing road. Details to be confirmed
6.70 7.00	Manila North Road San Vicente Alba Road, Municipal Road Moraz Dela Paz, Pampanga 500m West of Manila North Road		Existing road. Details to be confirmed

Width (m)	Access Road/ Connection Road	Aerial Photograph	Land requirements
6.00	Manila North Road Balut Street, San Pedro Road Moraz Dela Paz, Pampanga 950m West of Manila North Road		Existing road. Details to be confirmed
6	NLEX, MNR J. Abad Santos Ave., Capitol Road V. Tiomico Street Sto Rosario, Pampanga 1160m West of Manila North Road		Existing road. Details to be confirmed
13.40	NLEX, MNR, Jose Abad Santos Avenue Dolores, San Fernando Pampanga 373m West of Manila North Road		Existing road. Details to be confirmed

Width (m)	Access Road/ Connection Road	Aerial Photograph	Land requirements
24	Manila North Road Lazatin Blvd. Quebiawan, San Fernando Pampanga		Existing road. Details to be confirmed
10.5	Manila North Road Brgy. San Agustin Road San Fernando Pampanga 120m East of Manila North Road		Existing road. Details to be confirmed
6.70	Manila North Road Brgy. Del Rosario Access Road San Fernando Pampanga 727m East of Manila North Road		Existing road. Details to be confirmed

Width (m)	Access Road/ Connection Road	Aerial Photograph	Land requirements
21.00	Manila North Road Brgy. Del Rosario Road, Malpitic, San Fernando Pampanga 740m East of Manila North Road		Existing road. Details to be confirmed
9.00	Manila North Road Maligaya – Tagumpay Street, Sindalan, San Fernando Pampanga 1380m East of Manila North Road		Existing road. Details to be confirmed
7.00	Manila North Road Baliti Road Panipuan, San Fernando Pampanga 1100m East of Manila North Road		Existing road. Details to be confirmed

Width (m)	Access Road/ Connection Road	Aerial Photograph	Land requirements
7.00	NLEX - Angeles Exit Pandan Road Pulung Bulo, San Fernando, Pampanga		Existing road. Details to be confirmed
7.00	NLEX Pandan Road, Santo Entiero Street Pulung Bulo, Angeles, Pampanga 3.30km West of Manila North Road		Existing road. Details to be confirmed
7.00 Average	NLEX , Pandan Road, Magalang Ave. Manila North Road P De Guzman Street 3.50km West of Manila North Road		Existing road. Details to be confirmed

Width (m)	Access Road/ Connection Road	Aerial Photograph	Land requirements
7.50	Manila North Road Arayat Road Virgen Dela Dios, Angeles, Pampanga 530m West of Manila North Road		Existing road. Details to be confirmed
6.00	Manila North Road, Salome Street, Malabanas Street Angeles, Pampanga 736m West of Manila North Road		Existing road. Details to be confirmed
14.00	NLEX, Aniceto Gueco Street Manuel A. Roxas Highway Angeles City, Angeles, Pampanga 4 km West of Manila North Road		Existing road. Details to be confirmed




Source: JICA Study Team

1.8.9 Maintenance Base

The Maintenance bases will be used as a place to stop maintenance vehicles in order to reduce the travel time from the depots. These facilities will be built within the Project ROW or existing government owned land as much as possible. The locations are currently being studied and will be finalized during DED. If additional land acquisition and/or resettlement should be necessary, these additional land acquisitions and/or resettlement will follow the principles of the RAP.

The list of the proposed Maintenance Base locations and their indicative size are summarized in Table 1-9.

Table 1-9 Proposed Maintenance Base Location

Proposed Location	Required Size	Aerial Photograph	Land Requirement
1.2 km South of Angeles station	250 m × 5 m		To be confirmed during DED
2.7 km South of Calumpit Station	550 m × 10 m		To be confirmed during DED
4.0 km North of San Fernando Station	250 m × 5 m		To be confirmed during DED

Source: JICA Study Team

CHAPTER 2 NECESSITY OF LAND ACQUISITION & RESETTLEMENT

Implementation of the MCRP will necessitate utilization of existing PNR Right-of-Way (ROW), as well as acquisition of additional parcels of land in areas where width of ROW is less than 30m, and at station locations, which will require 60m. The existing ROW have typical widths ranging from 20-30m.

Alternative alignments and design options are being studied by the engineering team to come up with the option with the most economical yet least displacement of communities. However, as can be expected in highly populated and developed areas, displacement of PAPs can hardly be avoided. Given the existing conditions, resettlement impacts are expected to be high, mostly associated with clearance of informal settlers from the existing PNR ROW and land acquisition for widened alignment sections and station locations.

Succeeding subsections below discuss the (i) different alternatives being considered as well as the (ii) projected impact on land acquisition and resettlement in the given study area.

2.1 Comparison on Alternatives

2.1.1 Without Project Option

Access from the suburbs to Metro Manila using public transportation is not sufficient to meet demand. Road capacity is creating a bottleneck preventing further development in the northern and southern outskirts. The northern part of the Metro Manila up to CIA has no operating railway, and residential areas are expanding without sufficient public transportation. Urgent measures are needed to ensure public transportation linking the northern part to Metro Manila. Without a railway, sustainable growth of local industry will be hampered, traffic congestion will continue to waste the time of commuters and the environment of the area will deteriorate further by the traffic congestion and air pollution. The without project option has little merit.

2.1.2 ROW Alternative Option

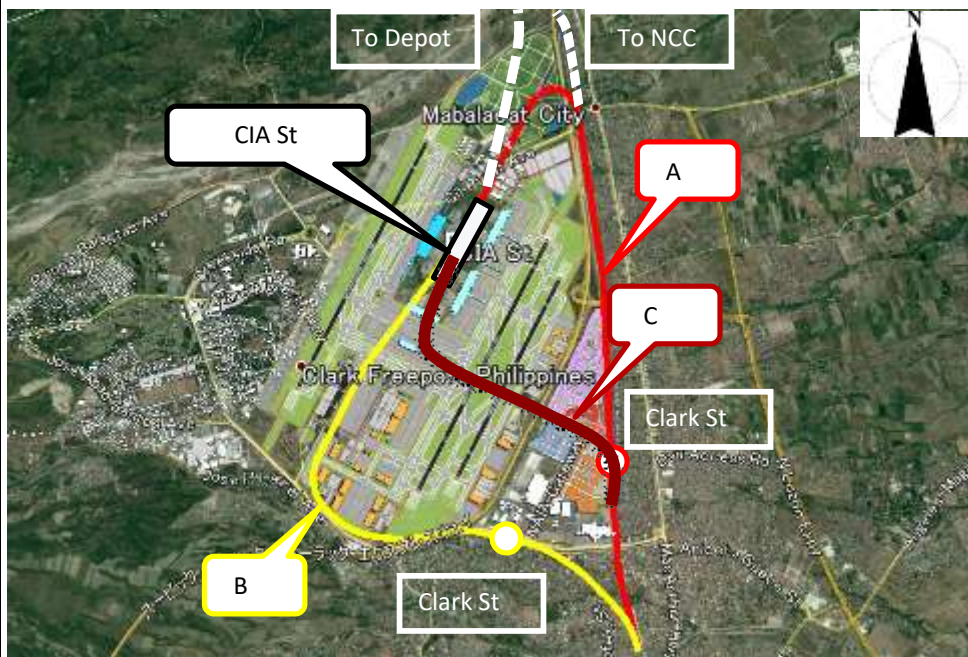
2.1.2.1 Alternative Option

The alternative ROW of MCRP which links the northern part of the Metro Manila from Malolos to CIA will use the existing railway and public ROW as much as possible in order to minimize land acquisition and involuntary resettlement. However, as CIA is a new station, the alternative option is passing outside of the existing ROW.

2.1.2.2 Clark to CIA Section

For the segment between Clark and CIA, three alternatives were compared including Option A (Viaduct Option) which follow PNR ROW turning left to CIA station after passing the airport, Option B (Underground Option①) which locates Clark Station to the south of the airport and connects to CIA, and Option C (Underground Option②) which follows Option A, but run through the runway to reach to CIA station. After a series of discussion, Option A is selected as a preferred option.

Table 2-1 Comparison of ROW Alternative for Clark-CIA connecting routes

	Option A (Viaduct+Underground Option)	Option B (Underground Option①)	Option C (Underground Option②)
Alternative options			
Social Environment			
Land Acquisition	B:Land acquisition (10.6ha) needed more than Option C but less than Option B	C:Land acquisition (11.2ha) needed the Most	A:Land acquisition (8.0ha) needed the least
Affected Households	B:Few	C:Many	A:Very limited
Historical/cultural Heritage	A:No historical/cultural heritage along the alignment	A:No historical/cultural heritage along the alignment	A:No historical/cultural heritage along the alignment
Natural Environment			
Protected Area	A:No Protected Area along the alignment	A:No Protected Area along the alignment	A:No Protected Area along the alignment
Biodiversity (Wetland)	A:No vegetation or wetland along the route	A:There is a partial vegetation within CIA, but this area will be passed by shield, so there will be no impact	A:No vegetation or wetland along the route
Others			
Construction Difficulty	A: Viaduct construction is not difficult. Underground Structure of short length is the “Cut and Cover” construction method is not difficult.	C:High technology is needed as it is necessary to protect the highway at the south of the airport while making the railway pass	C:Very complicated technology is needed as it is a shield construction under the currently used runway
Construction Period	A: The segment is the longest with 10.9 km, but it is constructed with 8.0 km viaducts and the 2.9 km cut and cover underground structure and the construction period is the shortest.	B:The total length is 9.6 km, but as it passes through the south of the airport, it cannot be constructed by viaduct and construction period will be long	C:The total length is the shortest with 7.5 km, but the tunnel length is the longest with 2.8 km and construction period will be long
Construction Cost	A:Most economical	C:Same as Option C	C:Expensive because of tunnel construction

	Option A (Viaduct+Underground Option)	Option B (Underground Option①)	Option C (Underground Option②)
Evaluation	A: Passengers going to CIA from NCC will need to transfer at Clark Station. After discussion with DOTr, although it is not as convenient, this Option was chosen because of technical and financial consideration.	C:The construction cost is expensive as a part of the route has to go underground in order to avoid visual interference for the takeoff/landing of airplanes, and there are fewer merits compared to Option A so it is not chosen.	C:This option is not chosen as the route inside the airport is to be underground, and there are fewer merits compared to Option A for construction period and construction cost

Note: **A:** Excellent, **B:** Good, **C:** Poor

Source: JICA Study Team

2.1.3 Structure Alternative Option

2.1.3.1 Alternative Option

For railway structures, alternative options for the below three types were considered:

1. Elevated structure (Viaduct)
2. Underground structure
3. Embankment structure

2.1.3.2 Result of Alternative Comparison

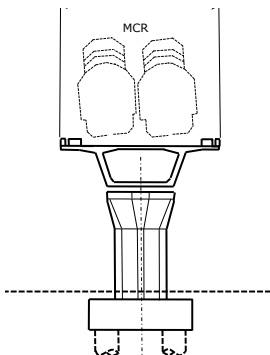
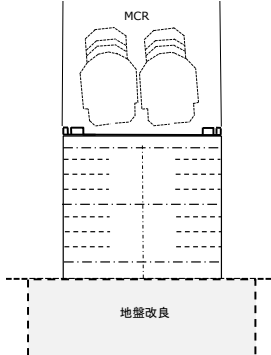
The result of comparison the above-mentioned alternatives are shown in Table 2-2.

At the section where there is crossing with arterial roads or flood prone areas, viaduct is recommended. While the Underground structure has less impact on environment and social consideration and has few obstacles that cannot be avoided if using the existing PNR ROW, it will not be preferred option due to lengthy construction period and high cost.

(1) Malolos – Clark section

Malolos- Clark section will pass through residential areas which requires many road crossings with arterial roads. There are also flood prone areas. Table 2-2 shows the comparison of viaduct option and embankment option.

Table 2-2 Comparison of MCRP Structural Type (Malolos-Clark)

	Elevated Structure Option	Embankment Structure Option
Appearance		
Social Environment		
Land Acquisition	A:The necessary ROW is the narrowest	B: Wider ROW is necessary than elevated structure for the amelioration of the soil
Affected Households	B:Resettlement of PAPs within the ROW is necessary	B: Resettlement of PAPs within the ROW is necessary

	Elevated Structure Option	Embankment Structure Option
ROW	A:The necessary ROW between stations is 30m, and 60m at station	A: The necessary ROW between stations is 30m, and 60m at station
Dividing of local community	B:minor impact of community division	C: significant impact of community division
Natural Environment		
Protected Area	B:Less impact than embankment option is expected	C:Significant impact is expected
Biodiversity	B:Less impact than embankment option is expected	C:Significant impact is expected
Flooding Risks	A:As it is an elevated structure, the tracks will not be submerged in case of flooding	C:As the embankment will act as a dam, additional drainage will be necessary to minimize flooding
Pollution Prevention		
Noise	B: Noise will be generated along the railway, but the impact can be mitigated by installing the noise barrier.	B:Noise will be generated along the railway, but the impact can be mitigated by installing the noise barrier
Air Pollution	B:The operation of construction machinery and vehicles during construction is expected to generate air pollution	B:There will be many vehicles loading embankment material during construction and air pollution is expected
Water Pollution	A:Limited impact	A:Limited impact
Ground Subsidence	A:No ground subsidence	C:There is risk of land subsidence in case of soft ground
Engineering		
Construction Difficulty	A:Not difficult	A:Not difficult
Construction Period	B:Long	B:Long as soil improvement is necessary
Construction Cost	A:Lower cost than underground	A:Same as elevated structure as soil improvement is necessary
Operation /Maintenance	A:Maintenance and cost is less than embankment structure	C:Maintenance and cost is the lowest, but in case of ground subsidence or condition change, reparation is very difficult
Disaster Prevention	B:Relatively safe	A:Relatively safe and measures are easy compared to Option A.
Earthquake	A: Seismic design is applied	A:Seismic design is applied
View from the Windows	A:Good	A:Good
Landscape views towards	B:Being elevated structure makes more open than embankment structure, but the design needs to consider intergration to the surrounding landscape	C:embankment make feels more obstructed than elevated structure, the design needs to consider intergration to the surrounding landscape
Physical Conditions	B:Minor impact to the road	C:Minor impact to the road
Evaluation	【Malolos-Clark】 A Less dividing of local community, biodiversity and flooding risks are less. Impact on landscape and existing roads is smaller than embankments and it is the most suitable structure	【Malolos-Clark】 B It has advantages over viaducts on disaster prevention, but the impacts on community dividing, biodiversity, flooding risks, landscape and existing roads are greater and there are fewer merits compared to elevated structure


Note: **A:** Excellent, **B:** Good, **C:** Poor

Source: JICA Study Team

2.1.4 Depot Site Alternative Options

For depot site, three options were compared. Due to the Ancestral Domain (AD) located at the Northrail Depot site, it is very difficult to secure land with sufficient area to accommodate the depot. In accordance with NCIP AO No. 3, Series of 2012, a field based investigation was undertaken for the whole project on August 29, 2018 and no overlap was found with the Ancestral Domain.

Table 2-3 Alternative Comparison for MCRP Depot Site

	Option 1 Northrail Depot Site	Option 2 Around NCC Food Terminal	Option 3 Gil Puyat Avenue Depot Site
Location			
Social Environment			
Land use	A: Approximately 48 ha land proposed by DOTr	A: Large area sufficient for the purpose is available	A: Approximately 33 ha proposed by DOTr
Land Acquisition	A: No Land Acquisition required	A :No Land Acquisition required	B: No Land Acquisition is required, however there is one leaseholder contracted with CIAC.
Resettlement	C: Resettlement of approximately 120 ISFs	C: Potential loss of Farmer's Income	B: Potential loss of Leaseholder's Income
Natural Environment			
Protected Area	A: No encroachment to the protected area	A: No encroachment to the protected area	A: No encroachment to the protected area
Land Alteration	B: Loss of field and vegetation (approx. 48 ha)	C: Loss of agricultural land (approx. 42 ha)	B: Loss of field and vegetation (approx. 33 ha)
Pollution			
Noise and Vibrations	C: Potential risk of noise and vibration impact on residential area	B: Little impact of noise and vibration <i>as there</i> is no residential area nearby	B: Little impact of noise and vibration as there is no residential area nearby
Water	B: Risk of water pollution of Sacobia river due to mud water discharged during construction	A: There is no risk of water pollution.	B: Risk of water pollution of Dolores river due to mud water discharged during construction
Engineering			
Construction Difficulty	A: Not difficult	B: More difficult	A: Not difficult
Construction Period	B: Long	C: Longer	B: Long
Construction Cost	A: Short railroad siding, favorable cost wise	C: Long railroad siding, not favorable cost wise	A: Short railroad siding, favorable cost wise
Operation	A: Near CIA, convenient for commuting	C: Far from CIA and less convenient for commuting	A: Near CIA, convenient for commuting

	Option 1 Northrail Depot Site	Option 2 Around NCC Food Terminal	Option 3 Gil Puyat Avenue Depot Site
	B: Only trains operated to CIA Station can easily be forwarded to the depot.	C: Time consuming to forward trains to the depot.	B: Only trains operated to CIA Station can easily be forwarded to the depot.
Access	B: Limited in land condition and difficult to provide access for northbound line	A: Flexible in land condition possible to provide access to both northbound and southbound line	B: Limited in land condition and difficult to provide access for northbound line
Evaluation	B: As there is no need of land acquisition and the site is outside the Ancestral Domain, however significant resettlement is required.	C: There are no residential affected by noise and vibrations, and the site is outside the Ancestral Domain. However, because of new land acquisition, cost and less convenience, the total evaluation is low.	A: There is no residential affected by noise and vibrations, and the site is outside the Ancestral Domain. In addition, this is not flood prone area. However, road diversion is required.

Note: **A:** Excellent, **B:** Good, **C:** Poor

Source: JICA Study Team

2.1.5 Station Site Alternative Option

Some alternative options were studied for station location for Calumpit and Angeles. For the other stations, the old PNR station location was chosen, as explained in Chapter 1.

(1) Location of Calumpit Station

Three options were studied for Calumpit station, the Old PNR Calumpit Station location, a site near the Town Hall, and the current proposed location near Caniogan triangle, based on the LGU's request. The LGU has plan to develop the Caniogan triangle. The current proposed station location has less PAHs than the former considered station near the Town Hall, reducing the number of affected households from 80 to 35.

Table 2-4 Selection of Calumpit Station Location

	Old PNR Calumpit Station		Option near the Town Hall		LGU proposed location	
Vicinity	In a heavily built up area	C	In light to medium built-up area, close to Town Hall	A	LGU proposed site, in a light to medium built area	A
Necessity for Additional Land	Necessary	C	Necessary (80 PAHs)	C	Necessary (35 PAHs)	B
Access to Arterial Road	Direct Access to Mac Arthur Highway	A	Direct Access to Mac Arthur Highway	A	Direct Access to Mac Arthur Highway	A
Vicinity Obstacle	Most structures inside the PNR ROW	B	Most structures inside the PNR ROW	B	Most structures inside the PNR ROW	B
Overall Result		B		B		A

Note: **A:** Excellent, **B:** Good, **C:** Poor

Source: JICA Study Team



Figure 2-1 Location of Calumpit Station

(2) Location of Angeles Station

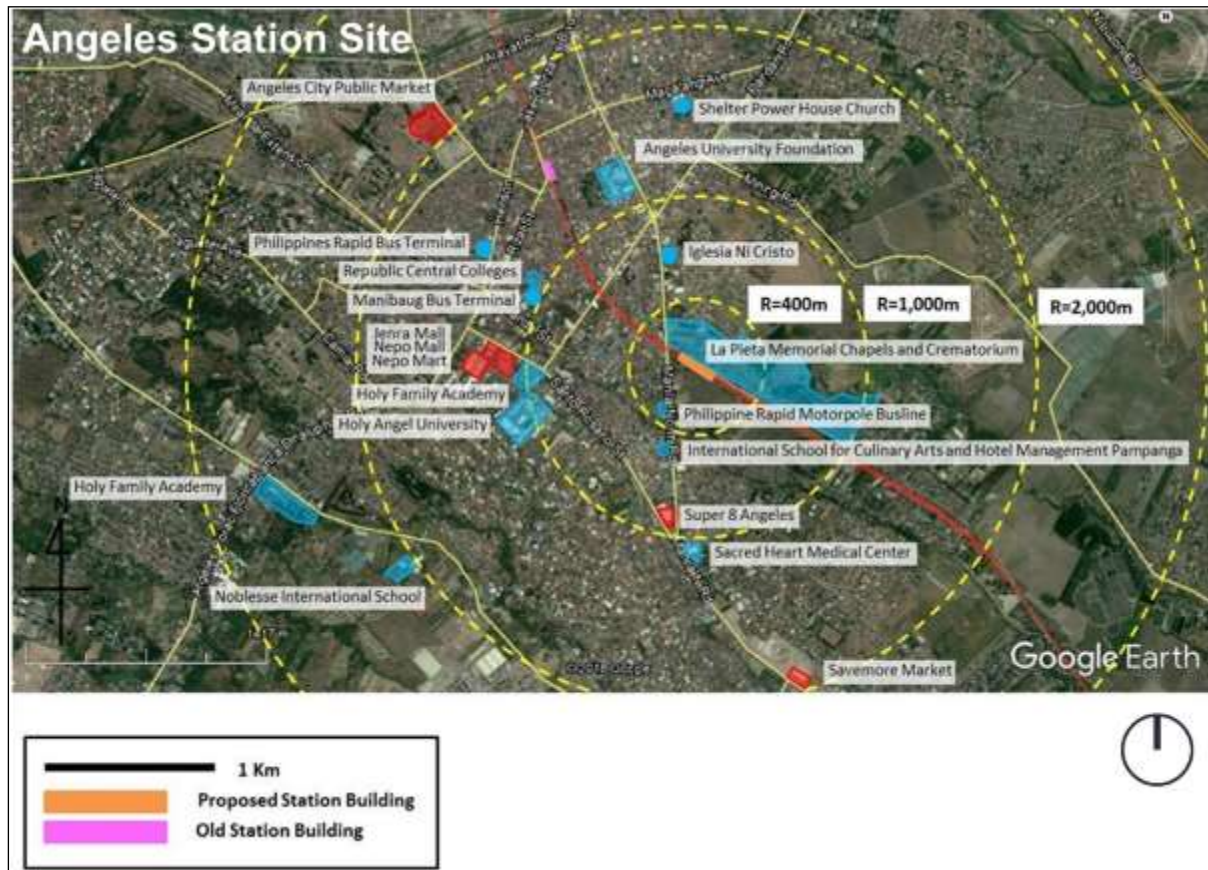
The proposed location of the station is about 1500 m south from the old PNR station. As the old PNR station is in a heavily built-up area, moving the station to the south will reduce the number of affected PAHs.

Table 2-5 Selection of Angeles Station Location

	Proposed Angeles Station		Old PNR Angeles Station	
Vicinity	In a light to medium built-up area	A	In light to medium built-up area, close to Town Hall	C
Necessity for Additional Land	Necessary	B	Necessary	B
Access to Arterial Road	Direct Access to Mac Arthur Highway	A	Direct Access to Mac Arthur Highway (via Henson Road)	C
Vicinity Obstacle	Few Obstacles	A	All structures inside the PNR ROW	C
Distance Between Station	There is a reasonable distance between Clark and San Fernando	A	The distance to Clark Station is short	C
Overall Result		A		C

Note: **A:** Excellent, **B:** Good, **C:** Poor

Source: JICA Study Team



Source: JICA Study Team

Figure 2-2 Location of Angeles Station

2.2 Overview of Necessity for Land Acquisition and Resettlement

Although the Project will utilize existing PNR ROW, initial assessment suggests that resettlement impacts are expected to include land acquisition for the ROW widening as well as displacement of informal settlers and other land users within the ROW. Based on the socio-economic survey conducted for all project-affected persons (PAPs), the concentration of PAPs are found in San Fernando in Pampanga with 823 households (664 of which are informal settlers), Calumpit, Bulacan with 328 (286 of which are informal settlers), and Angeles, Pampanga with 197 (176 of which are informal settlers). As of the writing of this report, new land acquisition required for the greenfield section from Clark to the CIA has not been included in the census.

The PNR ROW for an alignment from Malolos to Clark was supposed to have been acquired with a width of 20-30m along with areas of land for PNR stations. Some sections between Apalit and Angeles, and some of the new stations may be built at locations outside or PNR ROW. In addition, there is the potential need to widen the existing PNR ROW in some sections if the existing width is insufficient for technical requirements. A ROW with a width of 30m is necessary to allow enough space for foundation works, girder erection, and track works. It would also mean less time in moving equipment and materials and consequently save time on construction.

Table 2-6 shows the land acquisition requirement for the project as well as the number of potentially affected structures and households. Since the exact PNR ROW relocation survey is ongoing, it is assumed that the width of the PNR ROW varies from 20 to 30m depending on locations. This will entail acquisition of 45.5 hectares of ROW.

Table 2-6 Summary of Potential Impact of MCRP

City / Municipality	Land Acquisition (in ha.)	No. of Affected Structures	No. of HHs	No. of PAPs
Malolos	48,000	11	6	33
Calumpit	61,000	319	328	1,318
Apalit	51,000	2	3	18
Minalin	30,000	0	0	0
Sto. Tomas	38,000	24	24	105
San Fernando	167,000	566	823	3,424
Angeles City	60,000	141	197	771
Mabalacat	0	26	35	131
TOTAL	455,000	1,089	1,416	5,800

Source: JICA Study Team

2.2.1 Structures affected by the New Stations

Figure 2-3 to Figure 2-7 show the Project ROW at the station locations, 60m wide ROW as of the conduct of this study, and the affected structures. Clark station will not affect any structure, as it is located within the airport.

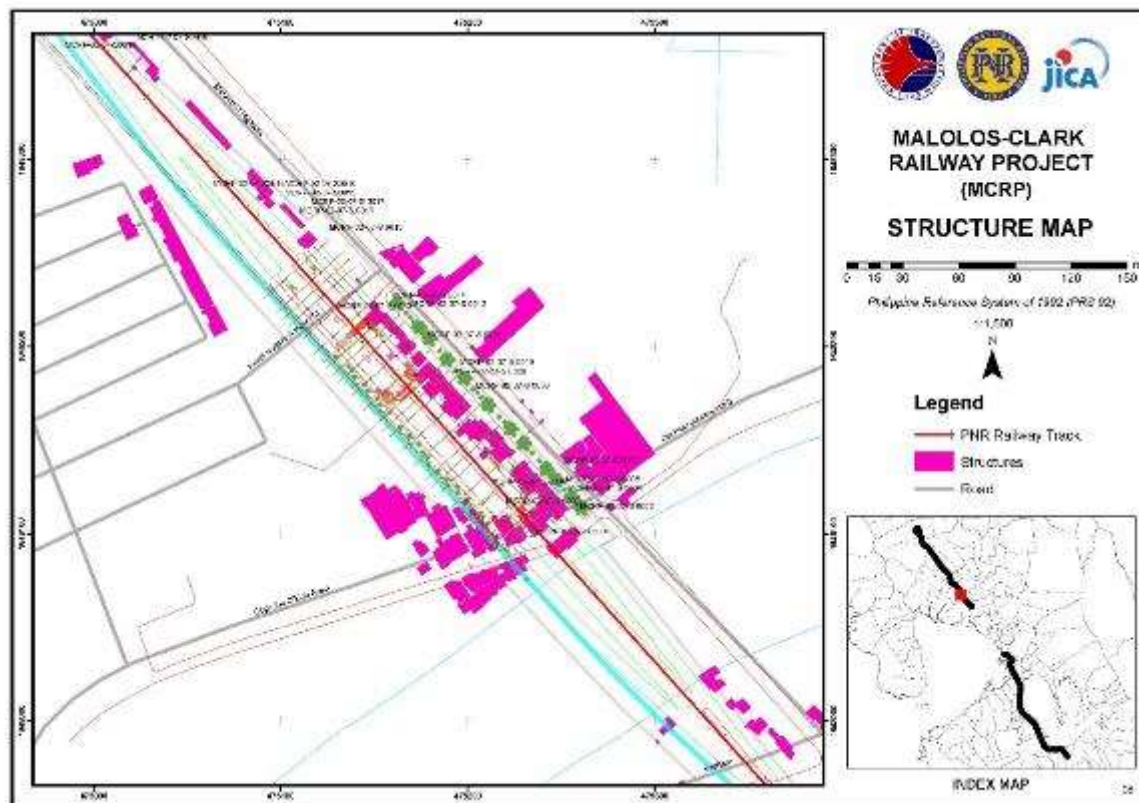


Figure 2-3 Project ROW and affected structures at Calumpit Station



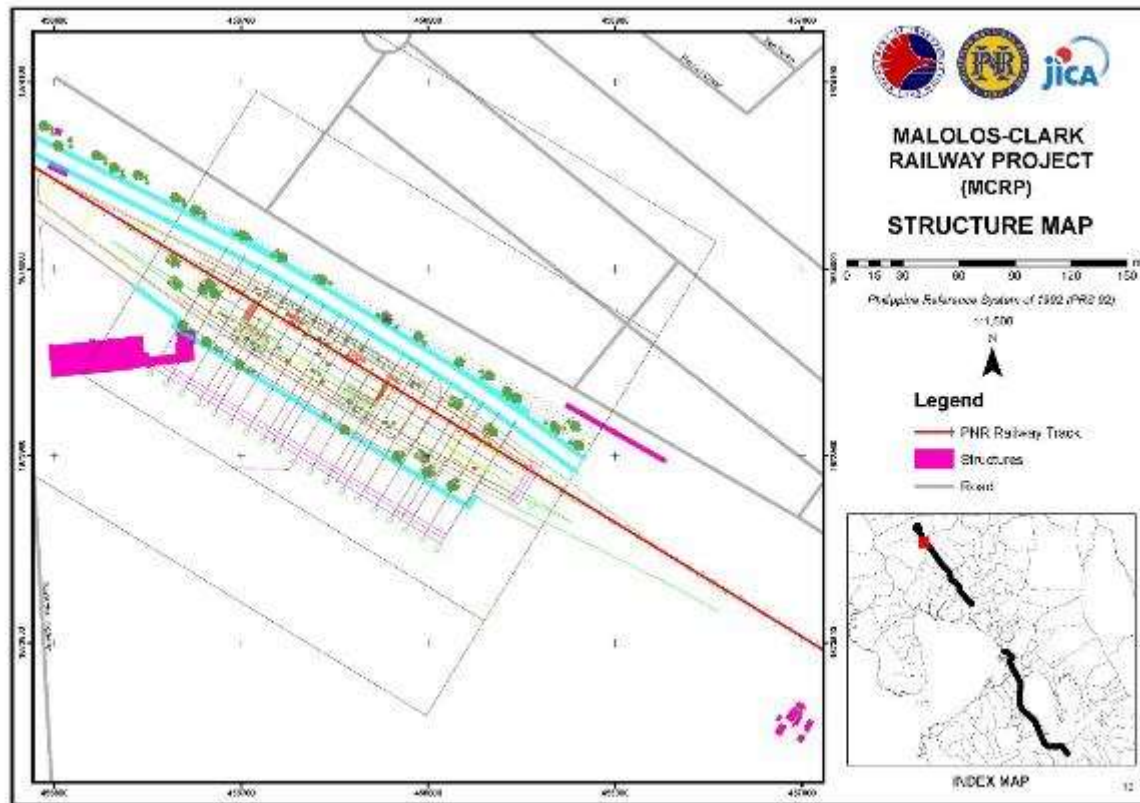


Figure 2-6 Project ROW and affected structures at Angeles Station

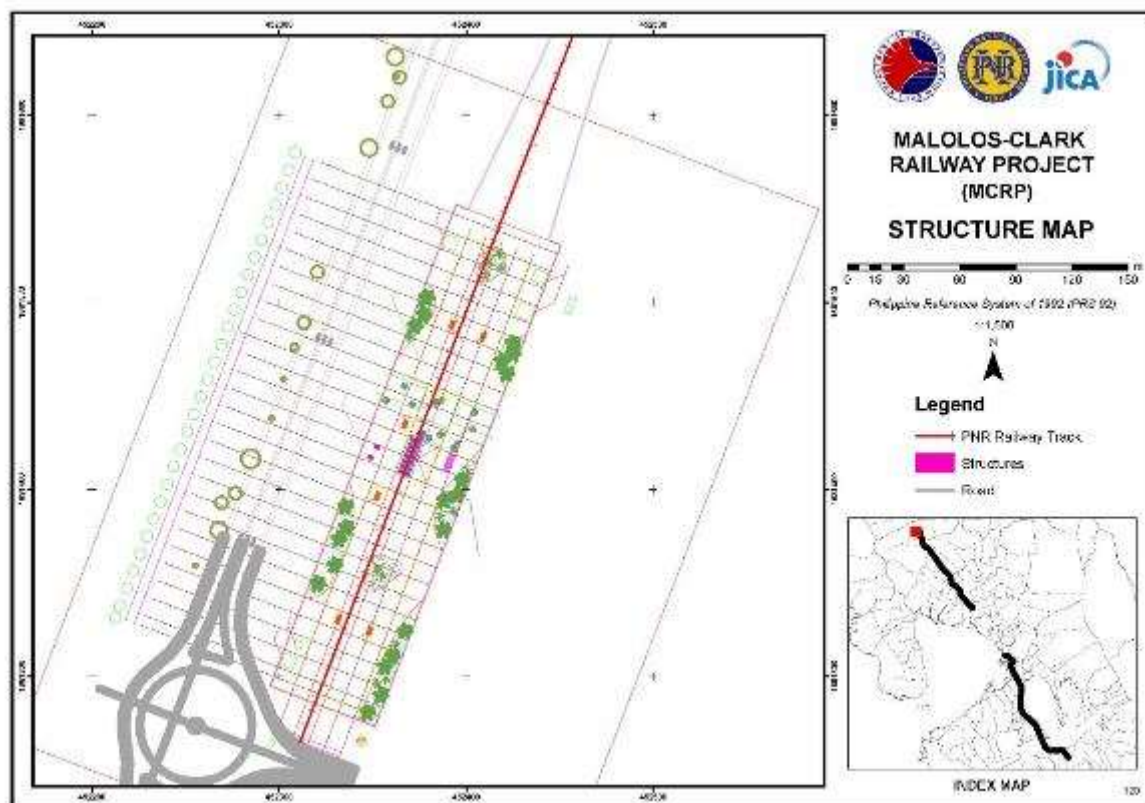


Figure 2-7 Project ROW and affected structures at Clark Station

2.2.2 Type of Structures Affected by the Project

Based on the survey, the total number of structures that will be affected by the project is 1,089. Of this number, 71.00 % are residential, .09 % are used as residential/commercial, while the rest are used as commercial (18.27%), industrial (8.91%), industrial/residential (0.28%), institutional (0.18%), residential/institutional (0.18%) and others (0.09%) which are used as associated structures.

Table 2-7 Loss of Structures in the Project

No	Type of	No. of Structures	%
1	Residential	784	71.99%
2	Commercial	199	18.27%
3	Commercial/Residential	1	0.09%
4	Industrial	97	8.91%
5	Industrial/Residential	3	0.28%
6	Institutional	2	0.18%
7	Institutional/Residential	2	0.18%
8	Others	1	0.09%
	Total	1,089	100.00%

Source: JICA Study Team

2.2.3 Type of Construction of Affected Structures

The number of structures identified in this section are only those which were identified and valued during the Replacement Cost Survey which also includes associated structures such as sheds, toilets, garage, pigpens, among others. Majority of these structures are mostly made of concrete (58.88%) and semi-concrete (18.34%) while reinforced concrete structures comprise 5.86%. Fourteen percent of the structures are made of light materials while some are made of salvaged materials (0.42%). There are 13 greenhouse structures made of steel frames while there are 12 other structures which are made of other materials.

Table 2-8 Type of Construction of Affected Structure

No	Construction Type	No. of Structures	%
1	Reinforced Concrete	70	5.86%
2	Concrete	703	58.88%
3	Semi-Concrete	219	18.34%
4	Light Materials	172	14.41%
5	Salvaged Materials	5	0.42%
6	Steel Frame	13	1.09%
7	Others	12	1.01%
	Total	1,194	100.00%

Source: JICA Study Team

2.2.4 Impact to Livelihood and Human Resources in the Project Area

Involuntary resettlement would entail economic displacement of 2,761 PAPs. Of these number, majority are gainfully employed (1,672) or engaged in household-based enterprises (742). Some have commercial businesses within the ROW (310) or farming/agricultural activities (37).

Table 2-9 Number of Affected Livelihood

No	Livelihood / Resources	Number of Affected Persons	%
1	PAPs engaged in farming/agricultural activities	37	1.34%
2	Affected household-based enterprise	742	26.87%
3	Affected businesses within the ROW	310	11.23%
4	PAPs who are employed	1,672	60.56%
	Total	2,761	100.00%

Source: JICA Study Team

2.2.5 Loss of Community Property Resources

Among the structures that would be potentially affected by the project, nine of which are community owned. These include government structures (5), religious structure (2), and cultural heritage (2).

Table 2-10 Type of Affected Community Property Resources

	Type of Structure	No. of Structure	%
1	Religious Structure (temple, church, chapel)	2	18.18%
2	Government Structure (school, health, govt. office)	5	45.45%
3	Cultural and heritage (old PNR structures, etc.)	2	18.18%
4	Community space (public parks, etc.)	2	18.18%
	Total	11	100.00%

Source: JICA Study Team

CHAPTER 3 SOCIO-ECONOMIC CHARACTERISTICS OF THE AFFECTED FAMILIES

3.1 Socio-Economic Surveys

Briefly described in this chapter is the socio-economic survey process and outcomes carried out for the MCRP involving three main components namely the: (i) Census survey, (ii) Asset and land survey, (iii) Livelihood & living survey. Generally, the socio-economic survey was carried out to identify all PAPs and their affected assets (land, structures, improvements, and crops), as well as establish their current baseline social and economic conditions. Additionally, the survey also includes question seeking to establish PAP's project awareness, perceptions, issues and concerns, suggested livelihood rehabilitation measures, along with current access uses of the railway. The information/data gathered from the census and survey are essential inputs to the development of a robust RAP.

The socio-economic survey covered all communities located within the final route of the MCRP and the required ROW of the railway, stations (entrances/exits, vent shaft/ventilation system). Specifically, it covered the cities in Bulacan Province namely, Malolos and Calumpit, as well as cities/municipalities in Pampanga Province which are, Santo Tomas, San Fernando, Angeles, Apalit, and Mabalacat. The locations were confirmed using KML files prepared by the JICA Study Team (JST). Identification of affected areas was made using available software such as Google Earth, Maps.ME, and Open Street Maps (OSM). With the help of the respective Local Government Units (LGUs), lots, and structures that will be potentially impacted.

3.1.1 The Main Purpose of the Socio-Economic Survey

- To determine the number of persons and households (including landowners, tenants, business owners, employees and informal settlers) and those more vulnerable among them that will be affected by the project;
- To determine the profile of the PAPs including their socio-demographic profile, livelihood sources, economic status and/or living standards, and their access to basic services and facilities which are essential to meeting compensation and resettlement assistance requirements.
- To gauge PAPs' perceptions about the project, anticipated project benefits, concerns, issues, recommendations for addressing these issues, and suggested livelihood rehabilitation measures;
- To quantify all affected assets (land, structures, improvements, crops, etc.) within the project area as input to establishing full and fair compensation; and,
- To provide a baseline for measuring the impact and social performance of the project.

3.1.2 Survey Methodology

The census survey draws upon the tagged structures located within the project area. Tagging of affected structures was essential to ensure that only those who occupy, utilize, and own the affected structures, including the lands where they stand within the project area were included in the census and survey.

The census and survey forms used covered the three components mentioned above. There were three types of forms to respond to three main categories of respondents namely, household, business owners and land owner/claimants. The land owner/claimant form intends to capture pertinent details from land owner/claimants who do not reside nor engage in any business on any tagged structure on site. In short, this are land owner/ claimants whose only asset that will be impacted is land. Using these forms, interviews and inventories were administered on all PAPs and their assets (land, structures,

improvements, crops, and trees) respectively. (Refer to **Appendix 1** for a copy of the census survey questionnaires.)

The Household Survey form intends to capture household level data of all affected families living within the 30-m ROW (15 meters to the left and 15 meters to the right of the assumed centerline as instructed by DOTr). This form captures data on household members, tenurial status of the family, monthly income and expenditure, educational level, health condition, vulnerabilities, decision making patterns, living condition and project awareness. These data can be disaggregated by gender, age and tenurial status to some extent.

The Business/Institution form intends to capture information on the potentially affected businesses including, but not limited to type and size of business, gross and net monthly income, tenure of occupancy, employee information, project awareness and livelihood rehabilitation measures.

Prior to the census and survey, community meetings were conducted to explain the project details and the RAP development activities including the census and survey process among others. Interviews and inventories were administered by trained enumerators with verbal consent from the owners and manifested further through their signatures in the survey forms.

The survey took about two and a half months to complete (March, July-August, September 2018). Absence of structure owners on site at the time of structure tagging and survey has caused minor delays with several interview call backs. A number of private structure owners (about 22) refused to be interviewed insisting that only informal settlers will be impacted by the project despite attempts to explain the process.

3.1.3 Cut-off Date

The start of the socio-economic survey also signaled the cut-off date for compensation eligibility. This means that those who move into the project area as well as build structures after the cut-off date will no longer be eligible for compensation.

The indicative dates for the conduct of the socio-economic survey were announced to PAPs through the conduct of the first stakeholder consultation meeting. For each city/municipality, dates were assigned to prevent the influx of non-residents who might take advantage of project entitlements. (Refer to Appendix 4 for the cut-off dates per city/municipality.)

3.2 Census Survey

Based on the census and survey, the project will potentially result to the physical displacement of about 1,416 households (5,800 persons), 310 businesses, and 1,089 structures with consequent economic displacement impacts further described in the following section. Additionally, there are also 71 potentially affected land owners/claimants that were surveyed and who have no affected structure within the MCRP ROW.

Table 3-1 Magnitude of Project Impact

Category	no.
Project Affected Structure (PAS)	1,089
Project Affected Persons (PAPs)	5,800
Project Affected Households (PAHs)	1,416
Project Affected Businesses	310
Project Affected Land Owners	71

3.2.1 Profile of Affected Households

Households occupying structures categorized as residential or residential/commercial purposes were surveyed to establish their number, profiles and socio-economic conditions which are vital inputs to this plan. Household, for the purpose of this plan, is defined as “...one or more people who live in the same dwelling and also share meals or living accommodation and may consist of a single family or some other grouping of people. A single dwelling will be considered to contain multiple households if either meals or living space are not shared”.

The survey revealed a total of 1,416 potentially affected households in the project area. Of this number, more than half of the surveyed households (58.12%) are in San Fernando, 23.16% are in Calumpit, 13.91% are in Angeles, 2.47% are in Mabalacat, 1.69% are in Sto. Tomas, 0.42% are in Malolos, and 0.21% in Apalit. Informal settler families comprised the majority of the affected households in the ROW (82.84%), while the formal settlers account for 17.16%.

Table 3-2 Number of Project Affected Households

City/Municipality	Formal Settler Families/ Households	Informal Settler Families/Households (ISFs)	Total No of Affected Households	%
Malolos	3	3	6	0.42
Calumpit	42	286	328	23.16
Apalit	1	2	3	0.21
Sto. Tomas	11	13	24	1.69
San Fernando	159	664	823	58.12
Angeles	21	176	197	13.91
Mabalacat	6	29	35	2.47
Total	243	1,173	1,416	100.00
%	17.16	82.84	100.00	

3.2.2 Household Size

The average household size across all locations is four people. Malolos and Apalit have the highest average household size with six household members while the rest of the locations have an average number of four members. Mabalacat has the least household size with an average of three members.

Notably, most of those who have more than 10 household members are located in San Fernando (9). There are, two respondents who did not indicate household size.

Table 3-3 Household Size

City/Municipality	1-2	2-4	5-6	7-8	9-10	10 <	NR	Total	Ave.
Malolos	0	3	1	1	1	0	0	6	6
Calumpit	72	134	87	26	8	1	0	328	4
Apalit	0	0	2	1	0	0	0	3	6
Sto. Tomas	5	11	4	1	2	1	0	24	4
San Fernando	167	337	219	68	21	9	2	823	4
Angeles	51	77	51	13	3	2	0	197	4
Mabalacat	10	12	11	1	1	0	0	35	4
Total	305	574	375	111	36	13	2	1,416	4
%	21.54	40.54	26.48	7.84	2.54	0.92	0.14	100.0	

When disaggregated, there is slightly more male household members (50.67%) than females (49.33%). The pattern can be observed across all locations, except in Sto. Tomas where there is slightly more females (52.38%) than males (47.62%).

Table 3-4 Household Members by Gender

City/Municipality	Male		Female		Total	
	no.	%	no.	%	no.	%
Malolos	17	51.52	16	48.48	33	100.00
Calumpit	666	50.53	652	49.47	1,318	100.00
Apalit	12	66.67	6	33.33	18	100.00
Sto Tomas	50	47.62	55	52.38	105	100.00
San Fernando	1,734	50.64	1,690	49.36	3,424	100.00
Angeles	388	50.32	383	49.68	771	100.00
Mabalacat	72	54.96	59	45.04	131	100.00
Total	2,939	50.67	2861	49.33	5,800	100.00

3.2.3 Educational Attainment of Household Members

A total of 5,144 household members were recorded to have formal schooling that ranges from pre-school, elementary, high school, college, vocational/technical, and advanced degrees. At the time of the survey, most had partly completed or are completing high school level education (21.17%), or are high school graduates (19.79%). More than a quarter of the household members are either in elementary level (17.55%) or have graduated elementary level (7.60%). There are 11.76% of the household members in college while 13.49% have earned college degrees. There are 32 individuals who have advance degrees. Also, there are 4.20% who have taken up vocational/technical courses. Another 3.81% are either still in pre-school or have only attained pre-school level education. This information also provides an indication of the number of potentially affected household members who are still in school and needs to be able to do so after relocation.

When gender disaggregated, there is an equal number of males and females with formal schooling. However, there are more females with advanced degrees (19) than males (13) and more female college graduates (381) than males (313). Females who are either partly completed or completing college level (307) also outnumbered the males (298). Female high school graduates (514) are also higher than males (504). There are slightly more males who have not yet finished high school (545) than their female counterparts (544). The number of males who have taken vocational/technical courses (122) is higher than that of females (94). In terms of elementary education, there is slightly more males (206) than females (185) who are elementary graduates while more males (464) haven't completed elementary education yet compared to females (439). Further, 107 males and 89 females are still in pre-school.

While there are a number of gender disparities observed, including slightly higher completion rates and higher education levels for females, but the gaps are minor and do not indicate a preference for one gender to be supported in their education more than the other gender.

The data indicate vast pool of human resources which can be harnessed to meet manpower requirements during project construction and operation as well as with the livelihood restoration and improvement program.

Table 3-5 Educational Achievement of Household Members

City/ Municipality	A	B	C	D	E	F	G	H	I	Total
Education, FEMALE										
Malolos	1	3	0	2	4	0	2	2	0	14

City/ Municipality	A	B	C	D	E	F	G	H	I	Total
Calumpit	21	91	35	112	102	38	78	119	0	596
Apalit	0	1	1	1	0	0	0	1	0	4
Sto. Tomas	0	6	3	11	17	1	2	11	0	51
San Fernando	55	259	112	317	305	44	183	211	16	1,502
Angeles	7	68	27	86	79	7	40	37	3	354
Mabalacat	5	11	7	15	7	4	2	0	0	51
Sub Total, Female	89	439	185	544	514	94	307	381	19	2,572
%	3.46	17.07	7.19	21.15	19.98	3.65	11.94	14.81	0.74	100.00
Education, MALE										
Malolos	2	1	1	6	2	2	1	1	0	16
Calumpit	24	101	42	121	108	46	70	95	0	607
Apalit	1	4	0	1	0	0	1	0	0	7
Sto. Tomas	2	9	3	5	15	1	4	4	0	43
San Fernando	64	264	122	317	302	57	176	186	12	1,500
Angeles	13	76	25	80	64	13	42	26	1	340
Mabalacat	1	9	13	15	13	3	4	1	0	59
Sub Total, Male	107	464	206	545	504	122	298	313	13	2,572
%	4.16	18.04	8.01	21.19	19.60	4.74	11.59	12.17	0.51	100.00
Total	196	903	391	1,089	1,018	216	605	694	32	5,144
%	3.81	17.55	7.60	21.17	19.79	4.20	11.76	13.49	0.62	100.00
A – Preschool; B – Elementary Level; C – Elementary Graduate; D – High School Level; E – High School Graduate; F – Vocational/Technical; G – College Level; H – College Graduate; I – Advance Degree										

3.2.4 Ethnicity

Among the ethnicities of the household members include Tagalog (39.42%), Ilocano (1.48%) Bicolano (2.14%), Cebuano (1.24%), Aklanon (0.14%) and Muslims (0.34%). The rest (55.4%) are composed of other ethnolinguistic groups such as Pampangueno, Bulakenyo, and Korean among others. There is no member of the Indigenous Groups in the household members surveyed.

Table 3-6 Ethnolinguistic Group of PAPs

Ethnolinguistic Groups	Males		Females		Total	
	no.	%	no.	%	no.	%
Tagalog	1,163	51.10	1,113	48.90	2,276	39.24
Ilocano	47	54.65	39	45.35	86	1.48
Bicolano	66	53.23	58	46.77	124	2.14
Cebuano	33	45.83	39	54.17	72	1.24
Aklanon	3	37.50	5	62.50	8	0.14
Muslim	14	70.00	6	30.00	20	0.34
Indigenous People	0	0.00	0	0.00	0	0.00
Others	1,612	50.17	1,601	49.83	3,213	55.40
No Response	1	100.00	0	0.00	1	0.02
Total	2,939	50.67	2,861	49.33	5,800	100.00

3.2.5 Vulnerability

Vulnerable households, as defined in this RAP, refer to those underprivileged households whose income fall below the national poverty line, households headed by single women and the elderly, and members who are PWD. Vulnerable persons will most likely experience more difficulty when physically or

economically displaced and coping with transition at a relocation site without appropriate support and assistance.

A total of 664 households were identified as vulnerable. Majority of these are babies/toddler (62.65%) followed by the elderly (24.40 %) and pregnant women (2.86%) while 10.2% have illnesses or physical or mental disabilities.

Table 3-7 Vulnerabilities among PAHs

Vulnerabilities	Male		Female		Total	
	no.	%	no.	%	no.	%
Baby/Toddler	228	54.81	188	45.19	416	62.65
Pregnant	0	0.00	19	100.00	19	2.86
Elderly	66	40.74	96	59.26	162	24.40
Mental Disorder	6	50.00	6	50.00	12	1.81
Needs Assistance in Walking/ Cannot Walk	12	54.55	10	45.45	22	3.31
Seriously Ill	1	14.29	6	85.71	7	1.05
Blind	1	25.00	3	75.00	4	0.60
Mute/Deaf	1	33.33	2	66.67	3	0.45
Other illnesses and disabilities	10	52.63	9	47.37	19	2.86
Total	325	48.95	339	51.05	664	100.00

Relocation can bring about difficulties that could affect the households' ability to care for, feed, and keep their kids healthy, particularly babies/toddlers. Program/s aimed to address such challenges like screening for malnutrition, provision of health supplements, child feeding, etc., will be important. Relocating can also be very stressful for pregnant women whose ability to move and help out during the move may be limited. On the other hand, care of elderly household members and those with physical and/or mental disabilities will be extra challenging for the affected households. This group needs special targeted assistance through the following means:

- Priority in physical mobilization and transfer to relocation site
- Assisted transit to relocation site
- Case workers assigned to assist transition process and monitor conditions
- Other assistance required and determined by case workers

Single parent household heads and households living below the poverty threshold will require appropriate support during relocation and priority access to livelihood opportunities to enhance their productive capacities and help increase their income earning potentials.

3.2.6 Profile of Household Heads

A household head is defined as the person who is the sole or main income provider and decision maker in the household. Female-headed households are usually headed by widows or unmarried, divorced or separated women.

Out of the 1,416 households surveyed, a significant majority are male-headed households (75.64%) while 24.36% are female-headed households. This significantly high percentage of male-headed households is consistent across six locations, specifically San Fernando, Malolos, Calumpit, Apalit, Angeles, and Mabalacat.

Table 3-8 Gender Distribution of Household Heads

City/Municipality	Female		Male		Total	
	No.	%	No.	%	No.	%
Malolos	1	16.67	5	83.33	6	100.00
Calumpit	91	27.13	237	72.87	328	100.00
Apalit	0	0.00	3	100.00	3	100.00
Sto. Tomas	13	54.17	11	45.83	24	100.00
San Fernando	220	22.36	603	77.64	823	100.00
Angeles	59	28.93	138	71.07	197	100.00
Mabalacat	1	2.86	34	97.14	35	100.00
Total	385	24.36	1,031	75.64	1,416	100.00

Table 3-9 shows the age distribution of household head. Majority of the household heads are spread across the age brackets of 21-30 (19.99%), 31-40 (24.51%), 41-50 (20.97%) and 51-60 (17.94%) years old. A few household heads are quite young at 20 years old and below (1.48%) while 14.97 % are already above 60 years old. There are two household heads who preferred not to divulge their age. The average age of household heads regardless of age across all locations is 43 years old for males and 45 for females. Calumpit has the highest average age of household heads at 49 for both males and females while the lowest average age is 39 for males and 31 for females, both in Mababacat.

Table 3-10 shows households marital status. Most of the household heads are separated from their spouses (24.51%). Some 20.97% are widow/er while 19.99% are married and 17.94% are in a live-in set-up. Only a small percentage of the household heads are single (1.48%).

Table 3-9 Age Distribution of Household Heads

City/ Municipality	20 YO and Below			21-30 YO			31-40 YO			41-50 YO			51-60 YO			Above 60 YO			NR			Total			Ave. Age	
	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	Total	M	F
Malolos	0	0	0	0	0	0	3	0	3	0	0	0	2	1	3	0	0	0	0	0	0	5	1	6	43	60
Calumpit	3	0	3	37	12	49	48	17	65	48	12	60	61	22	83	40	28	68	0	0	0	237	91	328	49	49
Apalit	0	0	0	1	0	1	1	0	1	0	0	0	1	0	1	0	0	0	0	0	0	3	0	3	40	0
Sto Tomas	0	0	0	3	4	7	1	4	5	3	3	6	3	2	5	1	0	1	0	0	0	11	13	24	45	37
San Fernando	13	3	16	120	53	173	164	59	223	139	34	173	88	37	125	78	33	111	1	1	2	603	220	823	42	43
Angeles	1	1	2	30	14	44	34	8	42	30	15	45	23	10	33	20	11	31	0	0	0	138	59	197	46	47
Mabalacat	0	0	0	9	0	9	7	1	8	13	0	13	4	0	4	1	0	1	0	0	0	34	1	35	39	31
Total	17	4	21	200	83	283	258	89	347	233	64	297	182	72	254	140	72	212	1	1	2	1,031	385	1,416	43	45
%	1.65	1.04	1.48	19.40	21.56	19.99	25.02	23.12	24.51	22.60	16.62	20.97	17.65	18.70	17.94	13.58	18.70	14.97	0.10	0.26	0.14	100.00	100.00	100.00		

Note: M: Male, F: Female, ST: Sub Total

Table 3-10 Civil Status of Household Heads

City/ Municipality	Single			Married			Separated			Widow/er			Live-In			Others			No Response			Total		
	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	Total
Malolos	0	0	0	0	0	0	3	0	3	0	0	0	2	1	3	0	0	0	0	0	0	5	1	6
Calumpit	3	0	3	37	12	49	48	17	65	48	12	60	61	22	83	40	28	68	0	0	0	237	91	328
Apalit	0	0	0	1	0	1	1	0	1	0	0	0	1	0	1	0	0	0	0	0	0	3	0	3
Sto Tomas	0	0	0	3	4	7	1	4	5	3	3	6	3	2	5	1	0	1	0	0	0	11	13	24
San Fernando	13	3	16	120	53	173	164	59	223	139	34	173	88	37	125	78	33	111	1	1	2	603	220	823
Angeles	1	1	2	30	14	44	34	8	42	30	15	45	23	10	33	20	11	31	0	0	0	138	59	197
Mabalacat	0	0	0	9	0	9	7	1	8	13	0	13	4	0	4	1	0	1	0	0	0	34	1	35
Total	17	4	21	200	83	283	258	89	347	233	64	297	182	72	254	140	72	212	1	1	2	1,031	385	1,416
%	1.65	1.04	1.48	19.40	21.56	19.99	25.02	23.12	24.51	22.60	16.62	20.97	17.65	18.70	17.94	13.58	18.70	14.97	0.10	0.26	0.14	100.00	100.00	100.00

Note: M: Male, F: Female, ST: Sub Total

3.3 Assets and Land Survey

Assets can be classified as either fixed or movable. Fixed assets refer to structures and perennial crops which are attached to the ground while movable assets are those that PAPs can still bring with them when relocated. The asset survey focused on fixed structures and crops since these will be impacted by the project. Asset and land surveys involved gathering information on their type of use, size, and ownership status. Structure materials were also determined while crop type, age and count were also recorded.

While it was the intention of the detailed census and survey to cover all affected assets, there were land owner/claimants and occupants who refused to take part in the survey.

3.3.1 Affected Structures

(1) Number of Affected Structures

A total of 1,089 occupied structures were tagged and recorded in the survey area. The bulk of the structures can be found in San Fernando (51.97%), Calumpit (29.29%), and Angeles (12.95 %). Only a few structures will be affected in Mabalacat (2.39%), Sto. Tomas (2.20%), Malolos (1.01%), and only two structures in Apalit (0.18%).

It can be noted from the table below that the number of families are more than the number of affected structures (e.g. Calumpit, Apalit, San Fernando, Angeles, and Mabalacat). This is due to the presence of multiple families/households in one structure, either as sharers or renters.

Table 3-11 Number of Affected Occupied Structures and Survey Respondents

City/ Municipality	No. of Occupied Structures		No. of Surveyed Persons		
	No.	%	Formal Settler Families/ Households	Informal Settler Families/Households (ISFs)	Total
Malolos	11	1.01	3	3	6
Calumpit	319	29.29	42	286	328
Apalit	2	0.18	1	2	3
Sto. Tomas	24	2.20	11	13	24
San Fernando	566	51.97	159	664	823
Angeles	141	12.95	21	176	197
Mabalacat	26	2.39	6	29	35
Total	1,089	100.00	243	1,173	1,416

(2) Structures Use

Residential houses account for majority of the affected structures (71.99%). Some are used solely for business purposes, either as commercial (18.27%) or industrial (8.91%) while the rest are used both as commercial/residential (0.09%), industrial/residential (0.28%) or residential/institutional (0.18%).

Table 3-12 Number of Structures, by Type of Use

City/ Municipality	Total No. of Structures		Structure Usage							
	No.	%	Residential	Commercial	Commercial-Residential	Industrial	Industrial-Residential	Institutional	Residential/Institutional	Others
Malolos	11	1.01	2	4	0	5	0	0	0	0
Calumpit	319	29.29	169	85	0	62	1	0	1	1
Apalit	2	0.18	1	1	0	0	0	0	0	0
Sto. Tomas	24	2.20	23	0	0	0	1	0	0	0
San Fernando	566	51.97	489	57	1	17	1	0	1	0
Angeles	141	12.95	75	51	0	13	0	2	0	0
Mabalacat	26	2.39	25	1	0	0	0	0	0	0
Total	1,089	100.00	784	199	1	97	3	2	2	1
%		100.00	71.99	18.27	0.09	8.91	0.28	0.18	0.18	0.09

(3) Structure Ownership

Among households and business respondents, more than half (57.94%) claimed to own the structures they occupy while five respondents did not provide any answer.

Table 3-13 Ownership of Structures among Households and Business

City/ Municipality	Yes		No		N/R		Total	
	No.	%	No.	%	No.	%	No.	%
Malolos	11	61.11	7	38.89	0	0.00	18	100.00
Calumpit	323	65.38	171	34.62	0	0.00	494	100.00
Apalit	2	66.67	1	33.33	0	0.00	3	100.00
Sto. Tomas	11	44.00	14	56.00	0	0.00	25	100.00
San Fernando	524	59.48	352	39.95	5	0.57	881	100.00
Angeles	99	36.94	169	63.06	0	0.00	268	100.00
Mabalacat	30	81.08	7	18.92	0	0.00	37	100.00
Total	1,000	57.94	721	41.77	5	0.29	1,726	100.00

Among households, majority of the males (72.17%) claimed to own the structure they occupy while female owners comprise 27.83%.

Table 3-14 Gender Disaggregation on Structure Ownership among Households

City / Municipality	Male		Female		Total	
	No.	%	No.	%	No.	%
Malolos	3	0.51%	1	0.44%	4	0.49%
Calumpit	164	27.61%	71	31.00%	235	28.55%
Apalit	2	0.34%	0	0.00%	2	0.24%
Sto. Tomas	4	0.67%	7	3.06%	11	1.34%
San Fernando	343	57.74%	129	56.33%	472	57.35%
Angeles	50	8.42%	21	9.17%	71	8.63%
Mabalacat	28	4.71%	0	0.00%	28	3.40%

City / Municipality	Male		Female		Total	
	No.	%	No.	%	No.	%
Total	594	72.17%	229	27.83%	823	100.00%

(4) Occupancy Arrangement

Of those who didn't own the structure they occupy, these are classified as either rent-free occupants (45.91%) or tenant/renter/lessee (45.35%) while the rest are caretakers (2.50%), and sharers (2.08%). There are six households who occupy structures without permission from the owners while 24 respondents did not divulge the information.

Table 3-15 Occupancy Arrangements among Non-Structure Owners

City/ Municipality	Occupancy Arrangement						Total	
	Tenant/ Renter/ Lessees	Rent Free Occupa nt	Caretak er	Sharer	Occupied Without Permissi on	NR	No.	%
Malolos	7	0	0	0	0	0	7	0.97
Calumpit	118	45	0	1	1	5	170	23.58
Apalit	1	0	0	0	0	0	1	0.14
Sto. Tomas	3	4	2	0	0	5	14	1.94
San Fernando	134	191	11	7	3	7	353	48.96
Angeles	61	88	4	7	2	7	169	23.44
Mabalacat	3	3	1	0	0	0	7	0.97
Total	327	331	18	15	6	24	721	100.00
%	45.35	45.91	2.50	2.08	0.83	3.33	100.00	

(5) Monthly Rent

Survey records show that the average monthly rental fees as indicated by tenant/renter/lessee respondents of residential structures across all areas is PhP1,420. Sto. Tomas had the lowest average monthly rental rate with PhP222 while the highest is recorded at PhP2,987 in Calumpit.

For business structures, the average rental rates across all areas is PhP1,872. San Fernando had the lowest average monthly rental at PhP1,833 while the highest is in Calumpit at PhP4,658.

Table 3-16 Average Monthly Rental Rates

City/ Municipality	Monthly Rate (PhP)	
	Residential	Business
Malolos	2,583	2,556
Calumpit	2,987	4,658
Apalit	250	0
Sto. Tomas	222	0
San Fernando	2,190	1,833
Angeles	1,340	4,057
Mabalacat	367	0
Average	1,420	1,872

3.3.2 Affected Land

(1) Land Ownership

Land ownership can be a form of economic security among affected households, business owners, and land owner/claimants. Of the 1,792 survey respondents, majority (79.30%) do not own the land they are occupying while about 20.42% claimed to own the land they occupy/use. There are five respondents who didn't answer the question.

Table 3-17 Ownership of Lands

City/Municipality	Do you own the land you occupy/ claim?			Total	
	Yes	No	N/R	Number	%
Malolos	5	13	0	18	1.00
Calumpit	60	438	2	500	27.90
Apalit	1	2	0	3	0.17
Sto. Tomas	23	14	0	37	2.06
San Fernando	217	692	1	910	50.78
Angeles	54	231	2	287	16.02
Mabalacat	6	31	0	37	2.06
Total	366	1,421	5	1,792	100.00
%	20.42	79.30	0.28	100.00	

Among households, 17.58% claimed to own the land that they are using/occupying. Moreover, there are more males (13.42%) who claim ownership of the lands compared to females (4.17%).

Table 3-18 Ownership of Lands among Households

City/Municipality	Yes		No		N/R		Total	
	Male	Female	Male	Female	Male	Female	No.	%
Malolos	3	0	2	1	0	0	6	0.42
Calumpit	35	7	202	84	0	0	328	23.16
Apalit	1	0	2	0	0	0	3	0.21
Sto. Tomas	4	7	7	6	0	0	24	1.69
San Fernando	123	36	479	184	1	0	823	58.12
Angeles	12	9	124	50	2	0	197	13.91
Mabalacat	12	0	22	1	0	0	35	2.47
Sub Total	190	59	838	326	3	0	1,416	100.00
%	13.42	4.17	59.18	23.02	0.21	0.00	100.00	
Total	249		1164		3		1,416	
%	17.58		82.20		0.22		100.00	

(2) Proof of Land Ownership

Of those who claimed ownership of land, 67.86% claimed to have proof of ownership while only 2.08% have none.

Table 3-19 Proof of Land Ownership

City/ Municipality	Yes		No		N/R		Total	%
	No.	%	No.	%	No.	%		
Malolos	2	40.00	0	0.00	3	60.00	5	0.95
Calumpit	45	61.64	7	9.59	21	28.77	73	13.80
Apalit	1	100.00	0	0.00	0	0.00	1	0.19

City/ Municipality	Yes		No		N/R		Total	%
	No.	%	No.	%	No.	%		
Sto. Tomas	24	92.31	1	3.85	1	3.85	26	4.91
San Fernando	231	63.46	1	0.27	132	36.26	364	68.81
Angeles	51	94.44	2	3.70	1	1.85	54	10.21
Mabalacat	5	83.33	0	0.00	1	16.67	6	1.13
Total	359	67.86	11	2.08	159	30.06	529	100.00
%	67.86		2.08		30.06		100.00	

While most respondents may have claimed that they have proof of ownership of lands they occupy/claim, it is necessary to know what proof they have to support such claims. From Table 3-20 below, it can be gleaned that almost half (48.36%) have Original Certificate of Title or Transfer Certificate Title (OCT/TCT), while the rest have either Real Estate Tax Certificates (25.12%), Deed/Mortgage documents (6.10%), Deed of Donation (4.23%), Deed of Sale (3.76%), or Contracts (0.7%).

Table 3-20 Types of Proof of Ownership

City/ Municipality	A	B	C	D	E	F	G	N/R	Total
Malolos	1	1	0	0	0	2	0	3	7
Calumpit	17	21	9	1	5	14	0	13	80
Apalit	1	0	0	0	0	0	0	0	1
Sto. Tomas	19	3	0	0	3	0	0	2	27
San Fernando	150	71	17	2	4	0	0	31	275
Angeles	51	12	0	0	2	2	0	2	69
Mabalacat	18	11	0	0	6	0	0	1	36
Total	206	107	26	3	18	16	0	50	426
%	48.36	25.12	6.10	0.70	4.23	3.76	0.00	11.74	100.0%

Note: A – OCT/TCT , B - Real Estate Tax, C - Deed/Mortgage, D - Contract, E – Deed of Donation, F – Deed of Sale, G- TCT in Process, NR – No Response

3.4 Livelihood and Living Survey

This section provides details necessary to understand the affected households' livelihoods and living situation which would be helpful in resettlement planning and in designing livelihood program interventions.

3.4.1 Household Income

3.4.1.1 Primary Source of Income

The survey also sought information on the households' primary sources of income categorized either as land-based, wage-based, enterprise-based, and remittance-based. Land-based sources are those income generating activities largely dependent on the productive potential of land, such as crop production, fish or aquaculture, livestock raising/production, etc. Wage-based incomes are cash payments paid to individuals in return for services rendered while enterprise-based sources are those income-earning activities that the household or household members engage into that is not land-based nor wage-based. Remittance-based sources are those incomes sent to the household or household member/s from another location as a means to support household needs or expenses.

A total of 2,446 household members are primarily contributing to the household income. Given that there are 1,416 households surveyed, the average income earners per household is about 1.7. Primary sources of income are predominantly wage-based accounting for 66.31% of household members employed in various occupations such as office staff, public official, driver, house helper, construction or industry worker, sales worker etc. Some are engaged in enterprise-based livelihoods (26.37%) such as sari-sari store, vending, food/catering, hair/nail/beauty salon, tailoring/dressmaking, construction, transportation (i.e. tricycle, jeepney), handicrafts making among others. About 3.35% of the household members derive their income from remittances, while about 1% have land-based income sources, particularly crops, livestock and fish production.

Table 3-21 Primary Source of Household Income

City/ Municipality	Land Based	Wage Based	Enterprise Based	Remittance Based	Others	Total
Malolos	0	3	5	1	0	9
Calumpit	24	345	184	30	20	603
Apalit	0	1	3	0	1	5
Sto. Tomas	2	30	14	0	1	47
San Fernando	5	953	343	43	31	1,375
Angeles	0	248	88	8	13	357
Mabalacat	0	42	8	0	0	50
Total	31	1,622	645	82	66	2,446
%	1.27	66.31	26.37	3.35	2.70	100.00

(1) Land Based-Livelihoods

Households who are engaged in land-based occupations are mostly into crop production (38.71%) and other forms of income (45.16%) such as aquaculture. Males are mostly involved in crop production (29.03%) as compared to females (9.68%) while females are mostly involved in other forms of land-based income source (29.03%) as compared to males (16.13%).

Table 3-22 Types of Primary Land-Based Income Source

City/ Municipality	Crop Production		Others		No Response		Total	
	M	F	M	F	M	F	no.	%
Malolos	0	0	0	0	0	0	0	0.00
Calumpit	8	3	4	5	2	2	24	77.42
Apalit	0	0	0	0	0	0	0	0.00
Sto. Tomas	0	0	2	0	0	0	2	6.45
San Fernando	1	0	3	0	1	0	5	16.13
Angeles	0	0	0	0	0	0	0	0.00
Mabalacat	0	0	0	0	0	0	0	0.00
Sub Total	9	3	9	5	3	2	31	100.00
%	29.03	9.68	29.03	16.13	9.68	6.45	100.00	
Total	12		14		5		31	
%	38.71		45.16		16.13		100.00	

(2) Enterprise-Based Livelihoods

Table 3-23 below presents the different types of enterprise-based livelihood that the household members are engaged in.

Table 3-23 Types of Primary Enterprise-Based Income Source

City/ Municipality	Sari-Sari Store	Food/ Catering	Hair/ Nails/ Beauty Salon	Tailoring/ Dress- making	Transportation	Construction	Vulcanizing Shop	Vending	Others	Total
Malolos	1	0	0	0	0	0	0	1	1	3
Calumpit	37	29	5	6	11	4	4	24	62	182
Apalit	0	0	0	0	1	0	0	2	0	3
Sto. Tomas	2	0	0	0	0	0	0	0	12	14
San Fernando	67	35	7	3	65	2	4	35	68	286
Angeles	22	9	6	1	7	0	1	12	30	88
Mabalacat	2	0	1	0	2	0	0	2	1	8
Total	131	73	19	10	86	6	9	76	174	584
%	22.43	12.50	3.25	1.71	14.73	1.03	1.54	13.01	29.79	100.00

Table 3-24 shows Primary Enterprise-Based Occupation by gender. When gender-disaggregated, sari-sari store (general merchandise) is the enterprise that most of the women (97) are involved in while men are mostly involved in transport services (83). There are also more females (50) involved in food/catering business than males (23). There are also females involved in male-dominated industries such as construction, transport, and vulcanizing while there are males involved in female-dominated industries such as beauty salon.

(3) Wage- Based Livelihoods

Table 3-25 shows among those engaged in wage-based occupation, there are more males than females in traditionally male-dominated occupations such as drivers and construction workers. There are also more males than females who are employed in industries and sales whereas there are more females than males employed as office workers or house help. There are almost equal number of males and females who are working as public officials.

Table 3-24 Types of Primary Enterprise-Based Occupation Disaggregated by Gender

City/ Municipality	Sari-sari Store			Food/Catering			Hair/Nails/ Beauty Salon			Tailoring/ Dress-making			Transport			Construction			Vulcanizing Shop			Vending			Others			Total		
	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST
Malolos	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	1	1	1	2	3
Calumpit	10	27	37	9	20	29	1	4	5	2	4	6	10	1	11	2	2	4	3	1	4	11	13	24	38	24	62	86	96	182
Apalit	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	1	1	2	0	0	0	2	1	3
Sto. Tomas	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	5	12	7	7	14
San Fernando	18	49	67	9	26	35	4	3	7	0	3	3	63	2	65	2	0	2	4	0	4	22	13	35	38	30	68	160	126	286
Mabalacat	6	16	22	5	4	9	3	3	6	1	0	1	7	0	7	0	0	0	1	0	1	6	6	12	18	12	30	47	41	88
Angeles	0	2	2	0	0	0	1	0	1	0	0	0	2	0	2	0	0	0	0	0	0	1	1	2	1	0	1	5	3	8
Total	34	97	131	23	50	73	9	10	19	3	7	10	83	3	86	4	2	6	8	1	9	42	34	76	102	72	174	308	276	584
%	11.04	35.14	22.43	7.47	18.12	12.50	2.92	3.62	3.25	0.97	2.54	1.71	26.95	1.09	14.73	1.30	0.72	1.03	2.60	0.36	1.54	13.64	12.32	13.01	33.12	26.09	29.79	100.00	100.00	100.00

Table 3-25 Types of Primary Wage-Based Income Source

City/ Municipality	Office Work			Public Official			Sales			Driver			House help			Construction Worker		
	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST
Malolos	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Calumpit	24	26	50	6	0	6	11	10	21	21	0	21	7	19	26	30	2	32
Apalit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
Sto. Tomas	0	5	5	1	0	1	0	2	2	5	0	5	0	1	1	2	0	2
San Fernando	65	68	133	4	9	13	65	41	106	93	5	98	6	48	54	82	1	83
Angeles	12	14	26	2	3	5	14	22	36	20	1	21	3	10	13	20	1	21
Mabalacat	0	1	1	0	0	0	0	0	0	3	0	3	0	4	4	9	0	9
Total	101	116	217	13	12	25	90	75	165	142	6	148	16	82	98	144	4	148
%	9.66	20.14	13.38	1.24	2.08	1.54	8.60	13.02	10.17	13.58	1.04	9.12	1.53	14.24	6.04	13.77	0.69	9.12

City/ Municipality	Industry Worker			Others			N/R			Total		
	M	F	ST	M	F	ST	M	F	ST	M	F	ST
Malolos	0	0	0	1	0	1	0	0	0	1	2	3
Calumpit	23	10	33	82	50	132	14	10	24	218	127	345
Apalit	0	0	0	0	0	0	0	0	0	1	0	1
Sto. Tomas	2	0	2	5	5	10	2	0	2	17	13	30
San Fernando	89	28	117	208	107	315	21	13	34	633	320	953
Angeles	12	8	20	56	40	96	5	5	10	144	104	248
Mabalacat	2	1	3	15	3	18	3	1	4	32	10	42
Total	128	47	175	367	205	572	45	29	74	1,046	576	1,622
%	12.24	8.16	10.79	35.09	35.59	35.27	4.30	5.03	4.56	100.00	100.00	100.00

In terms of status, half (49.8%) of the wage-based earners are employed either as contractual/temporary/casual/seasonal/intermittent workers while 47% are permanent/regular. When gender disaggregated, there are more females (48.6%) who have permanent/regular employment compared to males (46.1%) while more males (51.0%) are employed as contractual as compared to females (47.7%).

Table 3-26 Status of Employment

City/Municipality	Permanent/Regular			Contractual/Temporary/Casual/Seasonal/Intermittent			Others			N/R			Total		
	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	Total
Malolos	0	2	2	1	0	1	0	0	0	0	0	0	1	2	3
Calumpit	103	71	174	111	53	164	2	0	2	2	3	5	218	127	345
Apalit	1	0	1	0	0	0	0	0	0	0	0	0	1	0	1
Sto. Tomas	9	6	15	6	5	11	0	2	2	2	0	2	17	13	30
San Fernando	282	145	427	335	165	500	3	2	5	13	8	21	633	320	953
Angeles	79	53	132	59	46	105	2	0	2	4	5	9	144	104	248
Mabalacat	8	3	11	21	6	27	0	0	0	3	1	4	32	10	42
Total	482	280	762	533	275	808	7	4	11	24	17	41	1,046	576	1,622
%	46.08	48.61	46.98	50.96	47.74	49.82	0.67	0.69	0.68	2.29	2.95	2.53	100.00	100.00	100.00

(4) Location of Primary Source of Income

In terms of location, most of the primary sources of household income are located outside of the barangays where the respondents currently reside in, either near the barangay (23.82%) or in other cities/municipalities (24.36%). About 20.09% of household income are sourced within the neighborhood/barangay, while some 19.06% are within their residences. About 5.63% of the households derive their primary income overseas. About 6.09% do not have a definite area for conducting their livelihoods which is most common among those engaged in vending business.

Table 3-27 Location of Primary Source of Income

City/Municipality	Own Residence/House	Within Neighborhood/Brgy	Near Barangay	Other City/Municipality	Overseas	No Definite Area	Others	Total
Malolos	6	0	0	1	2	0	0	9
Calumpit	177	106	71	152	35	52	7	600
Apalit	0	1	2	1	0	1	0	5
Sto. Tomas	0	18	9	16	1	0	0	44
San Fernando	208	287	406	274	89	77	12	1,353
Angeles	65	59	78	129	9	11	2	353
Mabalacat	4	14	9	15	0	6	2	50
Total	460	485	575	588	136	147	23	2,414
%	19.06	20.09	23.82	24.36	5.63	6.09	0.95	100.00

3.4.1.2 Secondary Source of Income

(1) Land-Based Livelihoods

Some of the households have secondary sources of income which may come from the spouse and/or other members of the family to augment the household budget. For some households, secondary sources of income help in situations when there are issues with the primary income source. More than half of the secondary sources of income of respondents are enterprise-based (50.79%). Wage-based sources come second with 26.18%, remittance-based sources comprise 5.76%, while 3.14% derive their secondary income from land-based sources. Those categorized as other sources of income include direct selling, landscaping, videoke rental and some backyard livestock raising.

Table 3-28 Secondary Sources of Household Income

City/Municipality	Land-Based	Wage-Based	Enterprise-Based	Remittance-Based	Others	Total
Malolos	0	1	0	0	0	1
Calumpit	3	6	35	6	8	58
Apalit	0	0	1	0	0	1
Sto. Tomas	0	1	1	1	1	4
San Fernando	1	27	48	2	5	83
Angeles	0	15	11	1	2	29
Mabalacat	2	0	1	1	0	4
Total	6	50	97	11	16	180
%	3.14	26.18	50.79	5.76	8.38	100.00

Only males (6) are involved in land-based secondary income sources. Most males (36) are employed in wage-based occupation as compared to females (14). The same can be observed when it comes to enterprise-based sources where there are more males (55) than females (42).

Table 3-29 Secondary Sources of Household Income Disaggregated by Gender

City/Municipality	Land-Based			Wage-Based			Enterprise Based			Total		
	M	F	ST	M	F	ST	M	F	ST	M	F	ST
Malolos	0	0	0	0	1	1	0	0	0	0	1	1
Calumpit	3	0	3	4	2	6	16	19	35	23	21	44
Apalit	0	0	0	0	0	0	1	0	1	1	0	1
Sto. Tomas	0	0	0	0	1	1	0	1	1	0	2	2
San Fernando	1	0	1	22	5	27	30	18	48	53	23	76
Angeles	0	0	0	10	5	15	8	3	11	18	8	26
Mabalacat	2	0	2	0	0	0	0	1	1	2	1	3
Total	6	0	6	36	14	50	55	42	97	97	56	153
%	6.19	0.00	3.92	37.11	25.00	32.68	56.70	75.00	63.40	100.00	100.00	100.00

(2) Enterprise-Based Livelihoods

The table below specifies the types of secondary enterprise-based sources of income for the households.

Table 3-30 Types of Secondary Enterprise-Based Income Source

City/ Municipality	Sari-Sari Store	Food/ Catering	Hair/Nails/ Beauty Salon	Tailoring/ Dress- making	Transportation	Construction	Vulcanizing Shop	Vending	Others	Total
Malolos	0	0	0	0	0	0	0	0	0	0
Calumpit	5	3	0	0	5	0	0	3	12	28
Apalit	0	0	0	0	0	0	0	1	0	1
Sto. Tomas	1	0	0	0	0	0	0	0	0	1
San Fernando	7	2	1	0	12	0	0	5	20	47
Angeles	2	1	0	0	1	1	0	0	6	11
Mabalacat	0	0	1	0	0	0	0	0	0	1
Total	15	6	2	0	18	1	0	9	38	89
%	16.85	6.74	2.25	0.00	20.22	1.12	0.00	10.11	42.70	100.00

In terms of gender disaggregation as shown in Table 3-31, there are more females than males who are engaged in sari-sari store, food catering, and beauty salon business. In contrast, there are more males than females in male dominated industries such as transport and construction.

(3) Wage-Based Livelihoods

The Table 3-32 indicates the types of wage-based secondary occupation of households disaggregated by gender. There are more males than females employed as office workers, public officials, drivers, and construction workers whereas more females are in sales and as house help.

As shown in Table 3-33, majority of those having secondary wage-based occupation are employed as contractual/temporary/casual/seasonal/intermittent. Only a few have permanent/regular employment. In terms of gender disaggregation, more males are employed both as permanent/regular or contractual s compared to females.

Table 3-31 Types of Secondary Household Enterprise Disaggregated by Gender

City/ Municipality	Sari-sari Store			Food/Catering			Hair/Nails/Beauty Salon			Transport			Construction			Vending			Others			NR			TOTAL		
	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST
Malolos	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Calumpit	2	3	5	0	3	3	0	0	0	5	0	5	0	0	0	1	2	3	8	4	12	0	7	7	16	19	35
Apalit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	1	0	1
Sto. Tomas	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
San Fernando	0	7	7	1	1	2	0	1	1	11	1	12	0	0	0	3	2	5	15	5	20	0	1	1	30	18	48
Mabalacat	2	0	2	0	1	1	0	0	0	1	0	1	1	0	1	0	0	0	4	1	5	0	1	1	8	3	11
Angeles	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	4	11	15	1	5	6	0	2	2	17	1	18	1	0	1	5	4	9	27	10	37	0	9	9	55	42	97
%	7.27	26.19	15.46	1.82	11.90	6.19	0.00	4.76	2.06	30.91	2.38	18.56	1.82	0.00	1.03	9.09	9.52	9.28	49.09	23.81	38.14	0.00	21.43	9.28	100.00	100.00	100.00

Table 3-32 Types of Wage-Based Secondary Occupation

City/ Municipality	Office Work			Public Official			Sales			Driver			House help			Construction Worker			Others			N/R			Total		
	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST
Malolos	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Calumpit	0	0	0	1	0	1	0	0	0	1	0	1	0	0	0	0	0	0	2	2	4	0	0	0	4	2	6
Apalit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sto. Tomas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	1	1
San Fernando	4	2	6	5	0	5	0	1	1	3	0	3	1	1	2	0	0	0	9	1	10	0	0	0	23	7	30
Angeles	0	0	0	0	0	0	0	0	0	0	0	0	1	2	3	4	0	4	5	2	7	0	1	1	12	8	20
Mabalacat	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	4	2	6	6	1	7	0	1	1	4	0	4	2	3	5	4	0	4	16	6	22	0	1	1	39	19	58
%	10.26	10.53	10.34	15.38	5.26	12.07	0.00	5.26	1.72	10.26	0.00	6.90	5.13	15.79	8.62	10.26	0.00	6.90	41.03	31.58	37.93	0.00	5.26	1.72	100.00	100.00	100.00

Table 3-33 Status of Employment for Secondary Wage-based Occupation

City/Municipality	Permanent/			Contractual/			Others			N/R			Total		
	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST
Malolos	0	0	0	0	1	1	0	0	0	0	0	0	0	1	1
Calumpit	1	1	2	3	1	4	0	0	0	0	0	0	4	2	6
Apalit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sto. Tomas	0	0	0	0	1	1	0	0	0	0	0	0	0	1	1
San Fernando	5	2	7	12	2	14	0	0	0	5	1	6	22	5	27
Angeles	1	0	1	8	4	12	0	0	0	1	1	2	10	5	15
Mabalacat	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	7	3	10	23	9	32	0	0	0	6	2	8	36	14	50
%	19.44	21.43	20.00	63.89	64.29	64.00	0.00	0.00	0.00	16.67	14.29	16.00	100.00	100.00	100.00

Roughly one-third of the secondary sources of household income are either carried out within the PAPs' own residence/house (33.53%) or within neighborhood or barangay (34.13%). Eleven percent conduct their secondary livelihoods in nearby barangays and 7.78% in other Cities/Municipalities. There are 9 or 5.39% whose secondary livelihood is remittance-based while 7.78% have no definite location for their livelihood (i.e. vending).

Table 3-34 Location of Secondary Sources of Income

City/ Municipality	Own Residence/ House	Within Neighborhood/ Brgy	Near Barangay	Other City/ Municipality	Overseas	No Definite Area	Others	Total
Malolos	0	1	0	0	0	0	0	1
Calumpit	21	16	0	3	4	4	0	48
Apalit	0	0	1	0	0	0	0	1
Sto. Tomas	1	1	1	0	0	1	0	4
San Fernando	27	31	9	3	2	7	2	81
Angeles	6	6	8	5	3	0	0	28
Mabalacat	1	2	0	0	0	1	0	4
Total	56	57	19	11	9	13	2	167
%	33.53	34.13	11.38	6.59	5.39	7.78	1.20	100.00

3.4.1.3 Monthly Household Income

Based on the calculated poverty threshold, a household of five members¹ should have an income of at least Php9,500 per month in order to meet the basic food and other non-food requirements. The table below shows the income brackets of affected households. About a quarter of the households (23.93%) have estimated incomes that fall either within or below the Php9,999 brackets.

This particular group is more likely to be vulnerable to physical and economic displacements caused by the project and will require more attention during resettlement.

More than half of the households (52.19%) have average monthly incomes between Php10,000-Php29,999 bracket and about 21.04% have incomes of Php30,000 and above.

Table 3-35 Monthly Household Income (All Sources)

Income Bracket	Total	%
Php 0-999	3	0.21
Php 999-1,999	7	0.49
Php 2,000-Php3,999	30	2.12
Php4,000- Php5,999	52	3.67
Php 6,000-Php7,999	97	6.85
Php8,000-Php 9,999	150	10.59
Php 10,000-Php11,999	133	9.39
Php12,000-Php 15,999	240	16.95
Php 16,000-Php 19,999	140	9.89

¹ Although the total average household size based on the survey is four, a five-member household was used as reference for transitional support as there is a municipality (i.e. Apalit) with an average household size of six.

Income Bracket	Total	%
Php 20,000-Php24,999	138	9.75
Php25,000-Php29,999	88	6.21
Php30,000 -Php 49,999	184	12.99
Php50,000-& Above	114	8.05
No answer	40	2.82
Total	1,416	100.00

Based on the survey results, households with multiple livelihood activities or with more household members involved in productive endeavors tend to have higher monthly household incomes compared to those with one livelihood activity or lesser number of household members contributing.

3.4.1.4 Monthly Expenditures

For most households, the bulk of the budget is spent on food (19.12%). The rest of the expenses are divided among education, rent, utilities, communication, transportation, medicine, recreation, and taxes as reflected on the table below.

Table 3-36 Monthly Household Expenditures

Average Monthly Expense	No. of Resp. Reporting	Monthly Average Expense	%
Rent (Land)	28	3,178	7.74
Rent (House/Room)	456	2,424	5.91
Tax	188	2,032	4.95
Food	2,451	7,846	19.12
Light	2,242	1,334	3.25
Water	2,023	506	1.23
Education	1,169	3,172	7.73
Communications (Telephone, CP, etc.)	1,881	622	1.52
Transportation	1,620	1,605	3.91
Recreation	599	1,954	4.76
Gas/groceries/medicine, etc.	2,749	8,648	21.07
Average, Total Expense		41,038	100.00

3.4.1.5 Membership in Financial Institutions

Financial institutions play a role in providing a lifeline to people in times of need. These may come in the form of housing, auto, or financial loans, among others.

Table 3-37 shows the list of financial institutions where the surveyed households have memberships. Multiple responses were generated as there are respondents who have memberships in more than one institution as these are basic requirements, especially to those who are employed. Among the responses that came out were mostly government financial institutions such as the Social Security System (SSS), Government Services Insurance System (GSIS), PhilHealth, and Home Development Mortgage Fund (Pag-IBIG Fund) and none from other private institutional sources. In terms of gender, there are more males (1,023) with access to financial institutions as compared to females (431). In Malolos, not a single female has access to any financial institutions.

Table 3-37 Membership in Financial Institutions

City/ Municipality	HDMF/ Pag-ibig Fund			GSIS			SSS			Philhealth			Cooperative			Others			Total		
	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST	M	F	ST
Malolos	3	0	3	0	0	0	4	0	4	1	0	1	0	0	0	0	0	0	8	0	8
Calumpit	50	19	69	9	3	12	111	40	151	84	20	104	2	1	3	1	0	1	257	83	340
Apalit	2	0	2	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	3	0	3
Sto Tomas	1	5	6	1	0	1	1	9	10	0	0	0	0	0	0	0	0	0	3	14	17
San Fernando	120	45	165	24	5	29	251	104	355	220	97	317	0	2	2	2	1	3	617	254	871
Angeles	30	19	49	0	3	3	53	32	85	29	18	47	0	0	0	0	0	0	112	72	184
Mabalacat	9	4	13	0	0	0	12	4	16	2	0	2	0	0	0	0	0	0	23	8	31
Total	215	92	307	34	11	45	433	189	622	336	135	471	2	3	5	3	1	4	1023	431	1454
%	21.02	21.35	21.11	3.32	2.55	3.09	42.33	43.85	42.78	32.84	31.32	32.39	0.20	0.70	0.34	0.29	0.23	0.28	100.00	100.00	100.00

3.4.2 Basic Household Amenities

Some basic social amenities contribute to the health and well-being of residents and communities, in general. Access to safe drinking water and sanitation including electricity is essential for human health, quality of life and dignity. It has multiplier effects on socio-economic indicators such as poverty, health, and productivity.

(1) Access to Water

There are various sources of water for the affected households, in some cases, multiple sources were noted from a single household. There are households who sourced water from the well for household uses (e.g. cleaning, washing clothes, etc.) while buying water from commercial sources for drinking and cooking. This is true for those who have no piped connections or no source of potable water.

More than half of the households (53.9%) have piped water connection while 19.3% share connection with their neighbors. Eight percent of the households get their water from deep well while about 4% buy from commercial water vendors. Other water sources cited include shared with parents/relatives.

Table 3-38 Access to Water

City/ Municipality	Piped Connection	Shared with Neighbor (Community Faucet)	Deep well	Shallow Well	Buy from Water Vendors	Others	N/R	Total
Malolos	4	1	0	0	0	0	1	6
Calumpit	206	68	21	0	10	24	4	333
Apalit	1	1	0	0	1	0	0	3
Sto. Tomas	24	0	0	0	0	0	0	24
San Fernando	432	136	97	0	45	145	7	862
Angeles	110	70	0	0	0	16	0	196
Mabalacat	11	6	5	1	1	8	4	36
Total	788	282	123	1	57	193	16	1,460
%	53.97	19.32	8.42	0.07	3.90	13.22	1.10	100.00

(2) Access to Sanitation

About 86% of households reported having or using water-sealed toilets in their homes. Some are using communal/barangay toilets (5.79%) while others (5.65%) share with their neighbors or relatives. About 1.8% of the households said that they have no access to toilet at all while 3 households resort to open pit.

Table 3-39 Access to Sanitation Facilities

City/ Municipality	Own Water Sealed Toilets	Open Pit	Communal/ Barangay Toilet	No Toilet	Others	NR	Total
Malolos	6	0	0	0	0	0	6
Calumpit	296	0	11	6	14	1	328
Apalit	2	1	0	0	0	0	3

City/ Municipality	Own Water Sealed Toilets	Open Pit	Communal/ Barangay Toilet	No Toilet	Others	NR	Total
Sto. Tomas	24	0	0	0	0	0	24
San Fernando	704	1	55	10	48	6	824
Angeles	155	1	14	7	16	4	197
Mabalacat	25	0	2	3	2	3	35
Total	1,212	3	82	26	80	14	1,417
%	85.53	0.21	5.79	1.83	5.65	0.99	100.00

(3) Access to Electricity

Majority of the households (61.30%) have their own electric meter for power connection while more than a third (34.89%) share connection with their neighbors or relatives. About two percent of the households have no connection at all. A small percentage of the respondents (0.71%) uses either gas/kerosene, rechargeable battery, solar power, or oil for their lighting needs. No response was generated from 13 households.

Table 3-40 Access to Electricity

City/ Municipality	Own Electric Meter for Power Connection	Shared Connection	No Connection	Others	N/R	Total
Malolos	5	1	0	0	0	6
Calumpit	218	98	8	4	0	328
Apalit	1	1	1	0	0	3
Sto. Tomas	23	1	0	0	0	24
San Fernando	517	281	14	2	9	823
Angeles	90	105	0	1	1	197
Mabalacat	14	7	8	3	3	35
Total	868	494	31	10	13	1,416
%	61.30	34.89	2.19	0.71	0.92	100.00

(4) Cooking Facilities

Majority of households surveyed (80.63%) use gas for cooking. This is the case for all locations. Others use wood (7.35%), charcoal (6.11%), and kerosene (1.12%). Three percent of the households use electric cookers, especially those in San Fernando, Calumpit, and Angeles. There were 14 households who indicated “others” specifying that they just buy or share food with their parents or relatives, while 18 did not specify any.

Table 3-41 Cooking Facilities among Project Affected Households

City/ Municipality	Gas	Kerosene	Charcoal	Wood	Electricity	Others	N/R	Total
Malolos	6	0	0	0	0	0	0	6
Calumpit	297	3	8	27	4	0	3	342
Apalit	2	0	0	1	0	0	0	3
Sto. Tomas	20	1	4	2	0	1	0	28

City/ Municipality	Gas	Kerosene	Charcoal	Wood	Electricity	Others	N/R	Total
San Fernando	709	13	62	70	33	10	8	905
Angeles	173	0	16	5	4	3	2	203
Mabalacat	21	0	3	7	0	0	5	36
Total	1,228	17	93	112	41	14	18	1,523
%	80.63	1.12	6.11	7.35	2.69	0.92	1.18	100.00

3.4.3 Residency in the Area

(1) Years Residency in the Area

Survey results indicate that almost half of the households (48.59%) have been in the area for more than 20 years. Those who have been there for 1-5 years account for 21.75% while about 12.64% have been there for 6-10 years. Some 7.56% have been residents in the area for 11-15 years while others have been there for 16-20 years (5.93%). Those who have lived in the area for a year or less account for 3.39.

Table 3-42 Number of Years in Current Location

City/ Municipality	< 1 yr.	1 - 5 yr.	6 - 10 yr.	11 - 15 yr.	16 - 20 yr.	20 + yr.	N/R	Total
Malolos	0	4	1	0	0	0	1	6
Calumpit	3	57	44	12	13	199	0	328
Apalit	0	1	1	0	1	0	0	3
Sto. Tomas	13	5	0	0	0	6	0	24
San Fernando	26	203	112	71	58	352	1	823
Angeles	4	23	15	18	9	128	0	197
Mabalacat	2	15	6	6	3	3	0	35
Total	48	308	179	107	84	688	2	1,416
%	3.39	21.75	12.64	7.56	5.93	48.59	0.14	100.00

(2) Type of Residence

A residential structure is considered a *primary residence* if the occupant considers it as a permanent living accommodation and *secondary residence* if the occupant has a primary residence elsewhere.

In most cases, secondary residences serve as temporary accommodations for individuals or households who want to be near schools or workplaces during weekdays or for an extended period with the intention to return to their primary residence during weekends, school/work holidays/vacations and or during school breaks.

Majority of the households (95.62%) consider the houses they occupy as their primary residence while only 3% consider it as their secondary residences. Those who did not provide information or didn't fall under the classification were mostly tenants/renters/lessee who are temporarily staying in the area. This information indicates that majority will require support in terms of finding alternative primary accommodations once land acquisition commences. Those with primary residence elsewhere may not have similar needs but will need support to address the economic impact resulting from having to move away from their livelihoods and/or schools thus adding pressure on their household income.

Table 3-43 Type of Residence

City/ Municipal ity	Primary Residence		Secondary Residence		No Response		N/A		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Malolos	5	83.33	0	0.00	1	16.67	0	0.00	6	100.00
Calumpit	303	92.38	17	5.18	4	1.22	4	1.22	328	100.00
Apalit	3	100.00	0	0.00	0	0.00	0	0.00	3	100.00
Sto. Tomas	22	91.67	2	8.33	0	0.00	0	0.00	24	100.00
San Fernando	804	97.69	19	2.31	0	0.00	0	0.00	823	100.00
Angeles	186	94.42	6	3.05	5	2.54	0	0.00	197	100.00
Mabalacat	31	88.57	4	11.43	0	0.00	0	0.00	35	100.00
Total	1,354	95.62	48	3.39	10	0.71	4	0.28	1,416	100.00

(3) Place of Previous Residence

Prior to residing in their current locations, almost half of the household respondents (46.47%) lived in the same barangay, 21.12% lived in another barangay but within the same city/municipality, 9.89% lived outside of Metro Manila, and 3.74% lived outside of their current city/municipality but within Metro Manila. Meanwhile, 12.36% indicated that the question was not applicable to them because they haven't lived anywhere other than their current address while 6.43% respondents did not provide any answer.

Table 3-44 Place of Previous Residence

City/ Municipality	Place of Previous Residence						Total
	Same Barangay	In City	Metro Manila	Outside Metro Manila	Not Applicable	No Response	
Malolos	3	2	0	1	0	0	6
Calumpit	91	75	25	45	76	16	328
Apalit	1	1	1	0	0	0	3
Sto. Tomas	6	16	0	0	0	2	24
San Fernando	456	160	24	66	68	49	823
Angeles	85	34	2	23	31	22	197
Mabalacat	16	11	1	5	0	2	35
Total	658	299	53	140	175	91	1,416
%	46.47	21.12	3.74	9.89	12.36	6.43	100.00

(4) Reason for Establishing Residence in Present Location

Multiple responses were generated from respondents when asked about the reasons for choosing to reside in their present location. The leading reason was being near to church (37.77%). Closely following behind is proximity to workplace (36.42%). About 8.60 % of the respondents consider presence of family ties in the area as their reason for choosing the location while% said it is both family ties and being near school. Among the other reasons cited were proximity to livelihood and family ties (2.95%), family ties and marriage (4.82%), and marriage (1.97%). The social and economic reasons provided are likely to be relevant to PAPs' relocation site preferences.

Table 3-45 Reasons for Establishing Residence in the Current Location

City/ Municipality	A	B	C	D	E	F	G	Total
Malolos	5	0	1	5	0	1	0	12
Calumpit	184	48	10	190	23	46	8	509
Apalit	1	1	0	2	0	0	0	4
Sto. Tomas	7	3	6	7	3	6	0	32
San Fernando	478	113	37	505	66	89	28	1,316
Angeles	76	28	10	121	11	18	1	265
Mabalacat	28	1	3	20	1	2	2	57
Total	703	166	57	729	93	144	38	1,930
%	36.42	8.60	2.95	37.77	4.82	7.46	1.97	100.00
Note: A - Proximity to workplace, B - Family ties, C - Proximity to livelihood & family ties, D - Near Church, E - Family ties & got married, F - Family ties & near school, G - Got married								

(5) Previous Relocations

In the past, the government has carried out relocation of communities living in the PNR Right-of-Way due to safety concerns. However, reports of the previous relocatees coming back to the site were received and as such, the survey included questions to verify these reports. It was found out that there are 65 households who admitted to having returned to the site after being relocated. These households are from Calumpit (10), Sto. Tomas (3), San Fernando (39), Angeles (12), and Mabalacat (1).

Table 3-46 Number of Previously Relocated Households

City/ Municipality	Yes		No		NR		Total	
	No.	%	No.	%	No.	%	No.	%
Malolos	0	0.00	6	100.00	0	0.00	6	100.00
Calumpit	10	3.05	318	96.95	0	0.00%	328	100.00
Apalit	0	0.00	3	100.00	0	0.00	3	100.00
Sto. Tomas	3	12.50	20	83.33	1	4.17	24	100.00
San Fernando	39	4.74	783	95.14	1	0.12	823	100.00
Angeles	12	6.09	185	93.91	0	0.00	197	100.00
Mabalacat	1	2.86	33	94.29	1	2.86	35	100.00
Total	65	4.59	1,348	95.20	3	0.21	1,416	100.00

(6) Reasons for Returning to Current Location

Multiple responses were gathered from respondents as to the reasons for returning to their current location. The main reason cited by most of the returnees is that there was no work or livelihood opportunities available at the relocation site. Others stated that there was no access to public transportation, no near educational facilities, no access to/provision of utilities (i.e. electricity and water), and no available healthcare facilities while the rest mentioned that not enough houses were available at the relocation site, they got married and decided to build their own home, the relocation house is very small, the site is flood- prone, houses were not finished, and that the place is disorganized. The reasons cited by the returnees should be noted and considered in resettlement planning, design, and implementation to avoid encountering the same problems.

Table 3-47 Reasons for Returning to Current Location

City/ Municipality	No work/ livelihood opportunities	No access to Public Transportation	No access to/ provision of utilities	No available healthcare facilities	No near educational facilities	Others	Total
Malolos	0	0	0	0	0	0	0
Calumpit	4	1	4	1	0	5	15
Apalit	0	0	0	0	0	0	0
Sto. Tomas	0	0	0	0	0	0	0
San Fernando	24	9	0	1	5	15	54
Angeles	9	2	1	1	0	3	16
Mabalacat	1	0	0	0	0	0	1
Total	38	12	5	3	5	23	86
%	44.19	13.95	5.81	3.49	5.81	26.74	100.00

(7) PAPs who previously Avail of Government Housing Program

When asked further if they have availed of previous government housing programs (i.e. NHA and Pabahay ni Noli de Castro), majority (90.48%) said that they have availed of such programs. Those who have not availed of the programs (3.17%) cited that they were either not qualified, no one assessed them, or that somebody else used their names. It should also be noted that some of those who have previously availed of the housing program in Bondocville Subdivision in Sto. Tomas will again be affected by the project.

Table 3-48 Number of Households Who Have Avail of Government Housing Programs

City/ Municipality	Yes		No		No Response		Total	
	No.	%	No.	%	No.	%	No.	%
Malolos	0	0.00	0	0.00	0	0.00	0	0.00
Calumpit	9	100.00	0	0.00	0	0.00	9	100.00
Apalit	0	0.00	0	0.00	0	0.00	0	0.00
Sto. Tomas	2	66.67	0	0.00	1	33.33	3	100.00
San Fernando	37	94.87	2	5.13	0	0.00	39	100.00
Angeles	8	72.73	0	0.00	3	27.27	11	100.00
Mabalacat	1	100.00	0	0.00	0	0.00	1	100.00
Total	57	90.48	2	3.17	4	6.35	63	100.00

(8) Relocation Preferences

To aid in resettlement planning, the survey also gathered the households' preferred relocation sites. Multiple responses were also provided by the respondents as to their preference. Majority of the households (66.88%) expressed their desire to be relocated in the same barangay, while 30.44% preferred within the same city/municipality. A small percentage preferred to move outside Metro Manila (1.94%) while others preferred within Metro Manila (0.75%).

Table 3-49 Household Relocation Preferences

City/ Municipality	Same Barangay	In City/ Municipality	Metro Manila	Outside of Metro Manila	Total
Malolos	44	21	1	3	69
Calumpit	175	67	3	8	253
Apalit	1	1	0	1	3
Sto. Tomas	109	49	1	2	161
San Fernando	500	176	1	11	688
Angeles	76	103	4	1	184
Mabalacat	165	70	2	5	242
Total	1,070	487	12	31	1,600
%	66.88	30.44	0.75	1.94	100.00

Multiple responses were also gathered on respondents' considerations. Among the key considerations for these preferences are to be near work//livelihood opportunities (25.61%), near school (17.15%), near market/malls (14.71%), access to public transportation (11.38%), be near hospitals or health facilities (9.41%), access to basic utilities (i.e. electricity and water) (9.41%), near church (6.06%), and near recreational facilities (3.08%). Other reasons cited are having a safe, quiet and peaceful place to live in, near main roads, flood-free, with decent housing that has roof where we can already live in, clean surroundings, near our current livelihoods, with sufficient lands to have bigger lot spaces, among others.

Table 3-50 Considerations for Relocation Preference among Households

City/ Municipality	Near work/ livelihood opportunities	Near Schools	Near market/ malls	Near Church	Near recreational activities	Near hospitals/ health facilities	Access to basic utilities	Access to public transportation	Others	Total
Malolos	50	25	24	15	10	20	33	20	9	206
Calumpit	185	132	98	61	49	74	105	99	22	825
Apalit	3	1	0	0	0	0	0	0	1	5
Sto. Tomas	111	89	71	24	4	29	33	50	20	431
San Fernando	506	309	253	89	43	180	134	183	61	1,758
Angeles	114	84	106	34	13	59	37	72	16	535
Mabalacat	185	133	111	50	20	62	75	89	21	746
Total	1,154	773	663	273	139	424	417	513	150	4,506
%	25.61	17.15	14.71	6.06	3.08	9.41	9.25	11.38	3.33	100.00

3.4.4 Profile of Affected Businesses within the ROW

This section describes the profile of the various businesses that will be potentially affected by the project. A total of 310 businesses were tagged and interviewed to seek information on business ownership, type of operations, employment, and incomes among others. Majority of the affected businesses are concentrated in Calumpit (167) while the rest are in Angeles (71), San Fernando (58), Malolos (12), Mabalaacat (2), and Sto. Tomas (1). No business will be potentially affected in Apalit.

(1) Type of Business Ownership

Majority of potentially affected businesses are owned under single proprietorship (96.45%) and only two businesses are under a partnership. There are seven businesses owned by a corporation and two businesses whose ownership type was specified under “Others” specifically, a Jeepney Drivers and Operators Association and a Public School.

Table 3-51 Type of Business Ownership

City/ Municipality	Single Proprietorship				Partnership				Corporation				Cooperative				Others				Total			
	M	F	N/R	ST	M	F	N/R	ST	M	F	N/R	ST	M	F	N/R	ST	M	F	N/R	ST	M	F	N/R	Total
Malolos	7	4	0	11	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	7	4	1	12
Calumpit	76	85	0	161	0	2	0	2	0	0	2	2	0	0	0	0	0	0	1	1	76	87	3	166
Apalit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sto Tomas	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
San Fernando	25	30	0	55	0	0	0	0	2	0	0	2	0	0	0	0	0	0	1	1	27	30	1	58
Angeles	33	35	1	69	0	0	0	0	2	0	0	2	0	0	0	0	0	0	0	0	35	35	1	71
Mabalacat	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	2
Total	141	157	1	299	0	2	0	2	4	0	3	7	0	0	0	0	0	0	2	2	145	159	6	310
%	97.24	98.74	16.67	96.45	0.00	1.26	0.00	0.65	2.76	0.00	50.00	2.26	0.00	0.00	0.00	0.00	0.00	0.00	33.33	0.65	100.00	100.00	100.00	100.00

(2) Type of Business Operation

Table 3-52 below provides information on the type of business operation among potentially affected businesses. Most of the businesses (39.68%) are related to trading/retailing. Other potentially affected business operations are realty/space rentals (5.48%), restaurants (11.29%), personal services (10.00%), home/small-scale industries (8.06%), manufacturing (4.19%), service contracting (3.23%), and transport (0.97%). Other categories include computer rental, water refilling, among others.

Table 3-52 Type of Business Operation

City/ Municipality	Trading/ Retailing	Manufacturing	Restaurant	Personal Services	Transport	Home/ Small- scale industry	Service Contracting	Realty/ Space Rentals	Others	N/R	Total
Malolos	5	2	0	1	0	0	1	2	1	0	12
Calumpit	74	4	23	21	3	10	7	4	7	13	166
Apalit	0	0	0	0	0	0	0	0	0	0	0
Sto. Tomas	0	1	0	0	0	0	0	0	0	0	1
San Fernando	16	5	2	2	0	2	1	10	4	16	56
Angeles	28	1	10	7	0	13	1	1	2	8	71
Mabalacat	0	0	0	0	0	0	0	0	2	0	4
Total	123	13	35	31	3	25	10	17	16	37	310
%	39.68	4.19	11.29	10.00	0.97	8.06	3.23	5.48	5.16	11.94	100.00

Table 3-53 Type of Business Operation by Gender

Type of Business Operation	Male		Female		NA		Total	
	No.	%	No.	%	No.	%	No.	%
Trading/Retailing	42	34.15	79	64.23	2	1.63	123	100.00
Manufacturing	11	84.62	1	7.69	1	7.69	13	100.00
Restaurant	15	42.86	20	57.14	0	0.00	35	100.00
Personal Services	21	67.74	10	32.26	0	0.00	31	100.00
Transport	0	0.00	1	33.33	2	66.67	3	100.00
Home/Small Scale	14	56.00	11	44.00	0	0.00	25	100.00
Service Contracting	10	100.00	0	0.00	0	0.00	10	100.00
Realty/Space Rental	9	52.94	8	47.06	0	0.00	17	100.00
Others	10	62.50	5	31.25	1	6.25	16	100.00
No Response	13	35.14	24	64.86	0	0.00	37	100.00
Total	145	46.77	159	51.29%	6	1.93	310	100.00

(3) Length of Business Operation

In terms of length, 35.48% of the businesses have been in operation for 1-5 years. Others indicated 6-10 years in operation (23.55%), 16-20 years (9.68%), and 11-15 years (7.74%). Notably, there are 37 businesses which have been operating for more than 20 years while 34 businesses are operating for a year or less. Two establishments did not indicate the length of their operation.

Table 3-54 Number of Years of Business Operation

City/ Municipality	< 1 year	1-5 yr.	6-10 yr.	11-15 yr.	16-20 yr.	20+ yr.	N/R	Total
Malolos	2	6	3	1	0	0	0	12
Calumpit	16	57	43	15	18	17	0	166
Apalit	0	0	0	0	0	0	0	0
Sto. Tomas	0	0	0	0	1	0	0	1
San Fernando	4	19	13	2	6	13	1	58
Angeles	12	28	12	6	5	7	1	71
Mabalacat	0	0	2	0	0	0	0	2
Total	34	110	73	24	30	37	2	310
%	10.97	35.48	23.55	7.74	9.68	11.94	0.65	100.00

(4) Number of Employees

Employees, as defined in this RAP, are those who are employed in a commercial or industrial establishments which would be displaced by the project and lose their job due to closure of business or laying off as a result of minimized operation.

A total of 1,269 employees were reported by business establishments. Of these number, majority belong to the rank and file (88.73%), 7.57% are among mid-level management, while about 3.70% belong to senior level management. The greatest number of potentially affected employees are in Calumpit (735), followed by San Fernando (300), Angeles (131), Mabalaacat (38), Malolos (25), and Sto. Tomas (20).

Table 3-55 Number of Employees

City/ Municipality	No of Employees				No. of Business Establishments Disclosing
	Rank and File	Mid-Level Management	Senior Management	Total	
Malolos	25	0	0	25	9
Calumpit	676	50	9	735	138
Apalit	0	0	0	0	0
Sto. Tomas	20	0	0	20	1
San Fernando	237	33	30	300	58
Angeles	114	9	8	131	71
Mabalacat	54	4	0	58	2
Total	1126	96	47	1269	279
%	88.73	7.57	3.70	100.00	

(5) Employee Salary

Based on the information provided by 126 businesses, the total average monthly salary of all employees is pegged at PhP49,550. For rank and file, the average monthly salary is PhP21,337, while for mid-level employees is PhP17,230 and PhP20,152 for senior management.

Table 3-56 Average Monthly Employee Salary

City/ Municipality	Average Income (Monthly)			Total Average Income (Monthly)	No. of Businesses Disclosing
	Rank and File	Mid-Level Management	Senior Management		
Malolos	5,436	1,458	1,250	8,145	10

City/ Municipality	Average Income (Monthly)			Total Average Income (Monthly)	No. of Businesses Disclosing
	Rank and File	Mid-Level Management	Senior Management		
Calumpit	33,098	39,740	29,000	96,338	59
Apait	0	0	0	0	0
Sto. Tomas	8,200	0	0	8,200	1
San Fernando	19,857	7,975	14,125	33,124	24
Angeles	23,967	26,500	20,111	70,578	26
Mabalacat	37,461	10,478	36,276	80,913	6
Average	21,337	17,230	20,152	49,550	126

(6) Business Permits/License

Majority of the business establishments (67.10%) surveyed claimed that they have a license to operate and are registered with either the Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI), and/or their respective LGUs. The remaining 29.03% do not have any license or registration while 3.87% did not provide any information.

Table 3-57 Business License/Permit

City/ Municipality	With license/registered (license/business registration DTI/SEC)	Without License	No Response	Total
Malolos	11	1	0	12
Calumpit	126	39	1	166
Apalit	0	0	0	0
Sto. Tomas	1	0	0	1
San Fernando	32	25	1	58
Angeles	36	25	10	71
Mabalacat	2	0	0	2
Total	208	90	12	310
%	67.10	29.03	3.87	100.00

(7) Gross Monthly Income as Declared by Business Owners

The estimated average monthly income declared by business establishments is PhP69,301. This is based on varying incomes ranging from less than PhP10,000 to more than PhP500,000. Businesses in Malabalacat have the highest average declared monthly income at PhP150,000, followed by Sto. Tomas with PhP87,500. While Angeles had the lowest declared average monthly income at PhP30,929, there are two establishments in the city which earn more than PhP500,000 a month.

Table 3-58 Gross Monthly Income of Potentially Affected Businesses

City/ Municipal ity	Below 10,000	10,000 to 20,000	21,000 to 40,000	41,000 to 50,000	50,001 to 60,000	60,001 to 100,000	100,001 to 500,000	Above 500,000	N/R	Total	Average Monthly Income
Malolos	0	1	2	0	0	1	2	0	6	12	59,833
Calumpit	25	31	20	15	7	23	21	2	22	166	50,008
Apalit	0	0	0	0	0	0	0	0	0	0	0
Sto. Tomas	0	0	0	0	0	0	1	0	0	1	87,500
San Fernando	20	8	6	4	2	5	5	0	8	58	37,534
Angeles	14	20	11	6	2	10	5	2	1	71	30,929
Mabalacat	0	0	0	0	0	0	2	0	0	2	150,000
Total	59	60	39	25	11	39	36	4	37	310	69,301
%	19.03	19.35	12.58	8.06	3.55	12.58	11.61	1.29	11.94	100.00	

(8) Total of Gross Monthly Income

Based on the declared gross estimates among 273 business establishments, the sum of gross monthly income is Php 11,278,977.00.

Table 3-59 Monthly Income of Business/Commercial Institutions

City/ Municipality	No. of Business Establishments Disclosing	Sum of Monthly Income
Malolos	6	718,000
Calumpit	144	5,332,400
Apalit	0	0
Sto. Tomas	1	80,000
San Fernando	50	1,745,627
Angeles	70	3,102,950
Mabalacat	2	300,000
Total	273	11,278,977

3.5 Project Awareness and Perception Survey

Project awareness was high among potentially affected persons. However, perceptions of the project were influenced by the level of impact of the project on their lives. For the PAPs, it was hard for them to see the benefits the project if they will be displaced, lose their houses and other valuable assets, and their source of livelihood/businesses where they have invested their time, effort and resources into for many years. Perceptions also vary across different categories of PAPs which are discussed in this section.

3.5.1 Project Awareness

Among potentially affected households, majority (89.34%) have heard of the project while 9.82% have not. Twelve respondents did not provide any answer.

Table 3-60 Project Awareness among Affected Households

City/ Municipality	Have you heard of Malolos-Clark Railway Project?							
	Yes	%	No	%	N/R	%	Total	%
Malolos	5	83.33	1	16.67	0	0.00	6	100.00
Calumpit	316	96.34	12	3.66	0	0.00	328	100.00
Apalit	1	33.33	2	66.67	0	0.00	3	100.00
Sto. Tomas	23	95.83	1	4.17	0	0.00	24	100.00
San Fernando	743	90.28	70	8.51	10	1.22	823	100.00
Angeles	159	80.71	36	18.27	2	1.02	197	100.00
Mabalacat	18	51.43	17	48.57	0	0.00	35	100.00
Total	1265	89.34	139	9.82	12	0.85	1416	100.00

Similarly, majority of the business respondents (90.32%) also indicated that they have heard about the project while 8.71% have not. No response was given from three business respondents.

Table 3-61 Project Awareness among Affected Businesses

City/Municipality	Have You Heard About the MCRP?						
	Yes	%	No	%	NR	%	Total
Malolos	11	91.7	0	0.00	1	0.08	12
Calumpit	149	90.85	13	0.08	2	0.01	164
Apalit	0	0.00	0	0.00	0	0.00	0
Sto. Tomas	1	100.00	0	0.00	0	0.00	1
San Fernando	57	95.00	3	0.05	0	0.00	60
Angeles	60	84.51	11	0.15	0	0.00	71
Mabalacat	2	100.00	0	0.00	0	0.00	2
Total	280		27		3		310
%	90.32		8.71		0.97		100.00

The same is the case for majority of the land owner/claimants (88.89%) who are aware of the MCRP while 11.11% are not aware.

Table 3-62 Project Awareness among Land Owners/Claimants

City/ Municipality	Have you heard about the North-South Railway Project?							
	Yes	%	No	%	N/R	%	Total	%
Malolos	0	0.00	0	0.00	0	0.00	0	0.00
Calumpit	8	100.00	0	0.00	0	0.00	8	100.00
Apalit	0	0.00	0	0.00	0	0.00	0	0.00
Sto. Tomas	6	85.71	1	14.29	0	0.00	7	100.00
San Fernando	21	91.30	2	8.70	0	0.00	23	100.00
Angeles	13	81.25	3	18.75	0	0.00	16	100.00
Mabalacat	0	0.00	0	0.00	0	0.00	0	0.00
Total	48	88.89	6	11.11	0	0.00	54	100.00

3.5.1.1 Perceived Project Benefits

Multiple responses were generated from the potentially affected households regarding their perceived benefits from the project. Among the perceived benefits stated were the following: will reduce traffic congestion (39.25%); will improve comfort and convenience of passengers (37.57%); will improve access to work places (8.63%); will improve access to social amenities and facilities (4.19%); and will increase the value of commercial and residential properties (1.56%). About 2.28% of the households provided other reasons such as improved standards of living for Filipinos, safer transportation system, and reduced transport cost while about seven percent (6.53%) did not mention any benefit.

Table 3-63 Perceived Project Benefits among Affected Households

City/ Municipality	A	B	C	D	E	Others	N/R	Total
Malolos	1	1	0	0	0	1	3	6
Calumpit	159	154	26	46	7	8	41	441
Apalit	1	1	0	0	0	0	1	3
Sto. Tomas	5	12	2	6	1	4	7	37
San Fernando	489	458	42	91	18	25	57	1,180
Angeles	0	0	0	0	0	0	0	0
Mabalacat	0	1	0	1	0	0	0	2
Total	655	627	70	144	26	38	109	1669
%	39.25	37.57	4.19	8.63	1.56	2.28	6.53	100.00
Note: A – Will reduce traffic jam in Metro Manila, B - Will improve comfort and convenience to passengers and car owners. C - Project will improve access to social amenities and facilities such as schools, hotels, recreational facilities and hospitals., D - Will improve access to working place/office, E - Value of commercial and residential properties will be increased, NR – No Response								

Table 3-64 shows that business respondents were mostly positive about the project bringing about benefits both to the business and the greater community. More than one-third of the respondents (38.10%) indicate that the project will improve comfort and convenience to passengers and car owners. Other stated benefits include: will reduce traffic problem (32.58%); will improve access to work place/office (10.78%), will open up more work and business opportunities (7.02%); will increase the value of commercial and residential properties (4.51%); and will improve access to social amenities and facilities such as school, hotels, recreational facilities and hospitals (5.26%). Other benefits identified were improved roads, affordable and faster transportation, less air and noise pollution, among others.

Table 3-64 Perceived Project Benefits among Affected Businesses

City/ Municipality	A	B	C	D	E	F	Others	Total
Malolos	4	4	0	1	0	1	1	11
Calumpit	72	87	16	23	9	9	0	216
Apalit	0	0	0	0	0	0	0	0
Sto. Tomas	1	1	0	0	0	0	0	2
San Fernando	28	32	2	15	4	10	2	93
Angeles	25	28	3	4	5	8	2	75
Mabalacat	0	0	0	0	0	0	2	2
Total	130	152	21	43	18	28	7	399
%	32.58	38.10	5.26	10.78	4.51	7.02	1.75	100.00
Note: A – Will reduce traffic problems, B - Will improve comfort and convenience to passengers and car owners. C - Project will improve access to social amenities and facilities such as schools, hotels, recreational facilities and hospitals., D - Will improve access to working place/office, E - Value of commercial and residential properties will be increased,								

City/ Municipality	A	B	C	D	E	F	Others	Total
F- Will open up opportunities for work and business, NR – No Response								

Among land owners/claimants, 37.84% cited that the project will improve the comfort and convenience of passengers and car owners while 25.68% said that it will reduce traffic in Metro Manila. Others cited the following benefits: will improve access to work places (8.11%); will open up opportunities for work and business (5.41%); and will increase the value of commercial and residential properties (2.70%). Other benefits cited include work opportunities. Fifteen percent of the business owners did not provide any answer.

Table 3-65 Perceived Project Benefits among Land Owners/Claimants

City/ Municipality	A	B	C	D	E	F	Others	N/R	Total
Malolos	0	0	0	0	0	0	0	0	0
Calumpit	3	3	1	2	1	1	0	2	13
Apalit	0	0	0	0	0	0	0	0	0
Sto. Tomas	1	4	1	2	0	0	2	0	10
San Fernando	11	16	0	2	0	1	0	7	37
Angeles	4	5	0	0	1	2	0	2	14
Mabalacat	0	0	0	0	0	0	0	0	0
Total	19	28	2	6	2	4	2	11	74
%	25.68	37.84	2.70	8.11	2.70	5.41	2.70	14.86	100.00
Note: A – Will reduce traffic problems, B - Will improve comfort and convenience to passengers and car owners. C - Project will improve access to social amenities and facilities such as schools, hotels, recreational facilities and hospitals., D - Will improve access to working place/office, E - Value of commercial and residential properties will be increased, F- Will open up opportunities for work and business, NR – No Response									

3.5.1.2 Issues and Concerns

Majority of the affected households (71.37%) are concerned that their houses will be demolished or that they will be relocated to another area, 3.11% are concerned that their shops will be relocated or that their businesses will be negatively affected (6.86%). There also households who are concerned that the living environment in the area will be affected because of noise or vibration (5.27%). A small percentage of the households (1.27%) mentioned that the value of residential properties will decrease while another 7.56% did not mention any issue/concern.

Table 3-66 Issues and Concerns among Affected Households

City/ Municipality	A	B	C	D	E	Others	N/R	Total
Malolos	5	1	0	0	0	0	1	7
Calumpit	280	26	29	7	6	10	23	381
Apalit	1	0	0	0	0	0	1	2
Sto. Tomas	11	0	0	3	0	5	0	19
San Fernando	665	17	52	58	13	38	69	912
Angeles	140	5	26	15	0	14	20	220
Mabalacat	22	0	1	0	1	5	5	34
Total	1,124	49	108	83	20	72	119	1,575
%	71.37	3.11	6.86	5.27	1.27	4.57	7.56	100.00
A- My house will be demolished/we will be relocated to another area, B- My shop will be relocated, C- My business will								

City/ Municipality	A	B	C	D	E	Others	N/R	Total
be negatively affected, D-Living environment in the area will get worse because of noise and vibration, E. Value of commercial and residential properties will be decreased.								

The main concern of more than half of the business owners (50.84%) is that their business structures will be demolished while some (41.01%) are worried that their businesses will be negatively affected. A small percentage of the respondents are concerned about the following: employees will be temporarily/permanently displaced (2.40%); and that the value of commercial properties will decrease (1.44%).

Table 3-67 Issues and Concerns among Affected Businesses

City/ Municipality	A	B	C	D	Others	N/R	Total
Malolos	11	5	0	1	2	0	19
Calumpit	116	78	3	4	2	6	209
Apalit	0	0	0	0	0	0	0
Sto. Tomas	1	0	0	0	1	0	2
San Fernando	50	35	1	4	2	0	92
Angeles	34	51	2	1	3	2	93
Mabalacat	0	2	0	0	0	0	2
Total	212	171	6	10	10	8	417
%	50.84	41.01	1.44	2.40	2.40	1.92	100.00
A- Business structure will be demolished, B- Business will be negatively affected, C- Value of commercial properties will be decreased, D-Employees will be temporarily/permanently displaced							

Foremost among the concerns among landowners/claimants is that they may not get a fair market price for their land (48.78%), and that they may not be able to buy land with the same quality and location for the price that they will be paid (19.51%), or payment will be delayed, knowing government procedures (14.63%).

Table 3-68 Issues and Concerns among Land Owners/Claimants

City/ Municipality	A	B	C	D	Total
Malolos	0	0	0	0	0
Calumpit	2	0	1	3	6
Apalit	0	0	0	0	0
Sto. Tomas	1	1	1	2	5
San Fernando	17	5	6	2	30
Angeles	13	5	5	1	24
Mabalacat	0	0	0	0	0
Total	20	6	8	7	41
%	48.78	14.63	19.51	17.07	100.00
A-May not get the fair market price of the land, B- Payment may be delayed, knowing government procedures, C-Only asset I have, may not be able to buy the same quality and location at the price paid					

3.5.1.3 Recommendations to Address Issues and Concerns

As part of the survey, respondents were asked of their thoughts on how they think the issues and concerns they have raised can be addressed. Below are the recommendations/suggestions generated from the respondents.

Table 3-69 Recommendations of PAPs to Address Issues and Concerns

Issues/Concerns	Households	Business	Land Owners/Claimants
Project Design	Reduce the required area so that they will be spared		Provide alternative access for those who will still have remaining properties that will be cut -off by the project
Compensation	Compensation for affected assets	<ul style="list-style-type: none"> • Compensation for affected assets (business and structure) • Cash compensation should be given directly to the rightful recipient 	<ul style="list-style-type: none"> • Appropriate (just and fair) cash compensation for the affected land • Timely payment of affected lands • Replacement land
Financial Assistance	Financial assistance to go back to the province	Financial assistance to help re-establish business	
Livelihood	Extend livelihood assistance		
Relocation Site	<ul style="list-style-type: none"> • Be properly relocated in an area near current residence/ workplace/livelihoods • Near basic social services (schools, market, hospitals, etc.) • Relocation site where they can live permanently • Must be safe and free from hazards • Within the same barangay/city • Keep the same neighborhood at relocation site 	Relocation near populated area/business centers	
Relocation House/Structure	<ul style="list-style-type: none"> • Provision of affordable replacement housing • Provision of power and water supply at the relocation site 	<ul style="list-style-type: none"> • Provision of relocation structure • Replacement house for the affected rental apartment 	

3.5.1.4 Preference for Livelihood Restoration and Improvement Measures

Affected household and business respondents indicated various types of livelihood assistance in the event that they lose their livelihoods, jobs or businesses as a result of the project.

Among potentially affected households, most of the respondents state their preference for business capital/funds to re-start the same business (40.32%). Other assistance identified were job/employment within the current sector and within the same barangay (20.57%), vocational training/other livelihood skills (7.70%), job/employment with the same occupation in the same city (7.07%), any job/employment near the relocation site (7.57%), job/employment within the current sector near the relocation site (5.62%), any job/employment within the same barangay (5.43%), business capital/funds to set-up a new business (3.03%), and any job/employment in the same city (2.71%).

Table 3-70 Types of Livelihood Assistance Proposed by Affected Households

City/ Municipality	A	B	C	D	E	F	G	H	I	Total
Malolos	1	1	1	0	0	0	3	0	1	7
Calumpit	55	18	21	13	11	10	203	6	21	358
Apalit	0	0	1	0	0	0	1	0	0	2
Sto. Tomas	1	3	0	0	2	0	5	0	12	23
San Fernando	206	45	39	83	89	24	322	39	78	925
Angeles	52	16	25	21	7	6	87	1	9	224
Mabalacat	11	3	2	3	3	3	18	2	1	46
Total	326	86	89	120	112	43	639	48	122	1,585
%	20.57	5.43	5.62	7.57	7.07	2.71	40.32	3.03	7.70	100.00
Note: A- Job/Employment within the current sector and within the same Barangay, B- Any job/employment within the same Barangay, C- Job/Employment within the current sector near the relocation site, D-Any job/employment near the relocation site, E-Job/Employment with the same occupation in the same city, F- Any Job/Employment in the same city, G- Business capital/funds to re-start the same business, H- Business capital/funds to set-up new business, I- Vocational training/other livelihood skills										

For potentially affected businesses, roughly a third of respondents suggested that having a business capital would enable them to re-establish their business (37.67%) or set-up a new business (29.09%). Other responses were job/employment/business within the current sector and within the same barangay (13.02%), any jobs/employment within the same barangay (4.16%), any job/employment near the potential relocation site (3.32%), vocational training/other livelihood skills (2.49%), and job/employment with the same occupation in the same city (2.77%). There were 27 or 7.48% who indicated “other” types of livelihood assistance.

Table 3-71 Types of Livelihood Assistance Proposed by Affected Businesses

City/ Municipality	A	B	C	D	E	F	G	Others	Total
Malolos	2	1	1	1	4	3	0	2	14
Calumpit	19	8	5	5	67	58	6	11	179
Apalit	0	0	0	0	0	0	0	0	0
Sto. Tomas	0	0	0	0	0	0	0	1	1
San Fernando	13	4	3	3	29	20	1	7	80
Angeles	13	2	3	1	36	24	2	4	85
Mabalacat	0	0	0	0	0	0	0	2	2
Total	47	15	12	10	136	105	9	27	361
%	13.02	4.16	3.32	2.77	37.67	29.09	2.49	7.48	100.00
Note: A-Job/Employment/Business within the current sector and within the same barangay; B-Any job/employment within the same barangay; C-Any job/employment near the potential relocation site; D-Job/Employment with the same occupation in the same city E-Business capital/funds to re-start the same business; F-Business/capital/funds to set-up new business; G. Vocational training/other livelihood skills;									

3.5.1.5 Railway Access

In order to understand what access opportunities the current railway provides the resident communities, respondents were asked a number of questions. As reflected in Table 3-72, the survey feedback confirms that majority of the households (62.99%) use the railway as a means of access for various purposes.

Table 3-72 Households Passing Through Railway Tracks

City/ Municipality	Yes		No		NR		Total	
	No.	%	No.	%	No.	%	No.	%
Malolos	4	66.67	2	33.33	0	0.00	6	100.00
Calumpit	248	75.61	77	23.48	3	0.91	328	100.00
Apalit	3	100.00	0	0.00	0	0.00	3	100.00
Sto. Tomas	2	8.33	21	87.50	1	4.17	24	100.00
San Fernando	477	57.96	339	41.19	7	0.85	823	100.00
Angeles	149	75.63	48	24.37	0	0.00	197	100.00
Mabalacat	9	25.71	25	71.43	1	2.86	35	100.00
Total	892	62.99	512	36.16	12	0.85	1,416	100.00

Multiple responses were generated from households as to their reasons for crossing the railtracks. For most of them, the railway provides them access to their work/livelihood. Others cited access to basic social services such as markets/stores, to school, barangay hall, church; recreational facilities, as well as access to visit friends/relatives, or to attend community activities. Other reasons for railway access include to plant and harvest vegetables/crops, deliver mineral water, to raise livestock (e.g. pigs), among others. Relative to this, the community also expressed during the FGDs that access provided by the railways has saved them time and money as most of their destinations are within walking distance from their residences.

Table 3-73 Reasons for Crossing Railway Tracks

City/ Municipality	Go to work	Go to school	Buy HH goods	Go to Church	Go to Brgy Hall	Go to Health Facilities	Attend Community Activities	Go to Recreation Facility	Visit Friends/ Relatives	Others	Total
Malolos	2	4	3	2	2	2	1	1	2	0	19
Calumpit	180	99	157	102	64	85	57	51	53	8	856
Apalit	2	1	0	0	1	1	0	0	1	0	6
Sto. Tomas	2	1	1	1	1	1	1	0	1	0	9
San Fernando	333	197	277	93	63	29	20	24	58	15	1,109
Angeles	74	54	120	44	48	42	20	31	38	4	475
Mabalacat	7	4	4	0	0	0	1	0	1	0	17
Total	593	356	558	242	179	160	99	107	153	27	2,474
%	23.97	14.39	22.55	9.78	7.24	6.47	4.00	4.32	6.18	1.09	100.00

CHAPTER 4 LEGAL FRAMEWORK

4.1 Policies and Guidelines Applied to the Project

In this project, the land acquisition and resettlement policies, especially the compensation and entitlements, will need to comply with Philippine laws, rules and regulations, as well as internationally accepted standards as set forth in the JICA guidelines (2010) and ADB SPS (2009). JICA conforms with and adopts the World Bank’s Safeguards Policies¹ as the benchmark of internationally accepted standards of international finance organizations.

The following paragraphs initially summarize the pertinent Philippine laws, rules and regulations, as well as JICA and ADB guidelines on involuntary resettlement and indigenous peoples. The last portion of this chapter compares JICA/ADB guidelines and policies with those of the Philippines and where policy differences and/or gaps have been identified, recommended measures to harmonize these gaps are outlined. In case of discrepancies between the Philippines laws, regulations, and procedures, ADB’s and JICA’s policies and requirements, the stringent policies and requirements will prevail. The principles and objectives of the policies of ADB and JICA are very similar with respect to social safeguards. The requirements of both, ADB and JICA are applied to the project, however where there are discrepancies, the stringent policies will also prevail. The outcomes of the analysis of policies in this chapter informs the discussion in Chapter 5, which outlines the project-specific policies to be followed in the implementation of the RAP, as approved by DOTr, JICA and ADB.

4.2 Philippine Legal Framework

The policy framework within which the RAP shall be implemented is derived from the Philippine Constitution, pertinent laws and applicable executive, administrative and department orders. Below is a summary of these laws and policies, in order to provide background information for the gap analysis.

4.2.1 Philippine Constitution 1987

The pertinent constitutional provisions on involuntary resettlement are as follows:

- Article III, Bill of Rights, Section 1: “No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.”
- Article III, Bill of Rights Section 9: “Private property shall not be taken for public use without just compensation”.
- Article XIII, Urban Land Reform and Housing, Section 10: “Urban or rural poor dwellers shall not be evicted nor their dwelling demolished, except in accordance with law and in a just and humane manner. No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated.”

4.2.2 Republic Act 10752 (The Right-of-Way Act)

This law, enacted in March 7, 2016, repeals Republic Act (R.A.) No. 8974 (An Act to Facilitate the Acquisition of Right-of-Way, Site or Location for National Government Infrastructure Projects and other purposes). Both laws (R.A. 8974 and R.A. 10752) are based on the premise that private property shall not be taken for public use without just compensation (Article III, Section 9 of the 1987 Constitution). R.A. 10752 was enacted to further strengthen the said constitutional provision and ensure that property owners and project-affected properties in areas where national government infrastructure

¹ The World Bank will apply a new set of environment and social policies called the Environmental and Social Framework from 2018.

projects would be given just compensation. Implementing Rules and Regulations (IRR) of R.A. 10752 was promulgated in May 25, 2016 to carry out the provisions of the said Act. R.A. 10752 and IRR 10752 are found in APPENDIX 5 and 6 respectively.

Main provisions in R.A. 10752 sought to expedite the implementation of infrastructure projects while ensuring that just and equitable compensation be provided to the project-affected persons. The pertinent revisions in R.A. 10752 include: (1) expansion in scope of national government projects, (2) refining the modes of acquisition, (3) compensation based on replacement cost for land, structures and improvements, (4) changes in guidelines for expropriation proceedings, (5) payment terms, and (6) appropriation.

(1) Expansion in Scope of National Government Projects

Under Section 3 of R.A. 10752, National Government Projects pertain to:

“... all national government infrastructure, engineering works and service contracts, including projects undertaken by government-owned and controlled corporations, all projects covered by Republic Act No. 6957, as amended by Republic Act No. 7718, otherwise known as the Build-Operate-and-Transfer Law, and other related and necessary activities, such as site acquisition, supply and/or installation of equipment and materials, implementation, construction, completion, operation, maintenance, improvement, repair, and rehabilitation, regardless of the source of funding.”

Subject to the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, LGUs may also adopt the provisions of this Act for use in the acquisition of right-of-way for local government infrastructure projects.

(2) Refining the Modes of Acquisition

Under Section 4 of R.A. 10752, the government may acquire real property for the ROW through the following modes: donation, negotiated sale, expropriation, or any other mode of acquisition as provided by law (e.g., exchange or barter, easement of ROW, acquisition of properties under Commonwealth Act (C.A.) No. 141).

The following provisions of Section 4 are noteworthy:

- i. If the landowner is not the original patent holder and any previous acquisition of said land is not through a gratuitous title (i.e. inheritance, donation or negotiation), then the government will follow the other modes of acquisition (in order) as enumerated above;
- ii. If the landowner is the original patent holder or acquisition of the land from the original patent holder is through a gratuitous title (i.e. by donation, inheritance, conveyance to kin without corresponding compensation), then they will be subject to the provisions of CA 141 or Presidential Decree (P.D.) No. 635. Under these statutes, landowner is not qualified to compensation for land within the lien, but is qualified for compensation of structures and other improvements within the lien at replacement cost, plus financial assistance as provided for in E.O. 1035. Under C.A. No. 141 a ROW strip not exceeding 20m in width within the land acquired under the law, or 60m (under P.D. No. 635) is reserved for public use. P.D. No. 1381 further allowed the utilization of the reserved ROW for temporary buildings for Resident/Project Engineers needed in the prosecution of an infrastructure project.
- iii. The IA may utilize donation or similar mode of acquisition if the landowner is a government owned or government-controlled corporation.

(3) Compensation for Land, Structures and Improvements, Crops and Trees

1) Current Market Value of Land

Section 5(a)(1) of R.A. 10752 provides that the valuation of land under negotiated sale would be based on the current market value of the land. Section 7 of the same Act enumerates the standards for the assessment of the value of land to wit:

- i. The classification and use for which the property is suited;
- ii. The development cost for improving the land;
- iii. The value declared by owners;
- iv. The current selling price of similar lands in the vicinity;
- v. The reasonable disturbance compensation for the removal and demolition of certain improvements on the land and for the value of improvements thereon;
- vi. The size, shape or location, tax declaration and zonal valuation of the land;
- vii. The price of the land as manifested in the ocular findings, oral as well as documentary evidence presented; and
- viii. Such facts and events as to enable the affected property owners to have sufficient funds to acquire similarly situated lands of approximate areas as those required from them by the government, and thereby rehabilitate themselves as early as possible.

2) Replacement Cost of Structures and Improvements

Section 5(a)(2) states that the Implementing Agency (IA) may offer to acquire, through negotiated sale, the compensation price equivalent to the replacement cost of structures and improvements.

Under Section 6.6 of IRR of R.A. 10752, the replacement cost of structure or improvements affected by the ROW shall be based on the current market prices of materials, equipment, labor, contractors profit and overhead, and all other attendant costs associated with the acquisition and installation of a similar asset in place of the affected asset. In addition,

- i. If the affected structure has been damaged, then the replacement cost should be the pre-damaged condition of that structure;
- ii. The replacement cost of the structure may vary from the market value of the existing structure, since the structure that would actually replace it may have a different cost at current market prices; and
- iii. The replacement structure has to perform the same functions and meet the performance specifications as the original structure.

3) Current Market Value of Crops and Trees

Section 5(a)(3) states that the IA may offer to acquire, through negotiated sale the compensation price equivalent to the current market value of crops and trees.

(4) Compensation for Structures and Improvement of Owners Who Have No Legally Recognized Right to the Land

Section 5(b) of R.A. 10752, states that for owners of structures and improvements with no legally recognized rights to the land, payment of the replacement cost of structures and improvements shall apply as long as they meet all of the following conditions:

- Are Filipino citizens;
- Do not own any real property or other housing facility in any urban or rural area; and

- Are not professional squatters or members of a squatting syndicate as defined in the Urban Development and Housing Act of 1992.

Although the IRR of R.A. 10752 provides a fourth condition, “Must not occupy an existing government ROW”, this is not included in the Act and as such, may be legally questioned in court, to the detriment of the IA, which in this case, is the DOTr.

(5) Changes in Guidelines for Expropriation Proceedings

Under Section 6 of R.A. 10752 and Section 7 of IRR of R.A. 10752, for expropriation cases, the IA is mandated to deposit to the court the following upon filing of the expropriation complaint:

- i. 100% of the Bureau of Internal Revenue (BIR) zonal value of the land,
- ii. Replacement cost of structures and improvements, as determined by the IA, a GFI with adequate experience in property appraisal or an Independent Property Appraiser (IPA), and
- iii. Current market value of crops and trees within the property (as determined by the GFI or IPA).

In cases wherein the completion of the government infrastructure project is of utmost urgency and importance, R.A. 10752 allows for the expeditious processing for areas where there is no zonal classification or where the zonal valuation has been enforced for more than three years. In such cases, the IA shall use the BIR zonal value and land classification of similar lands in the adjacent vicinity as basis for valuation.

The law obliges the court to determine the just compensation to be paid to the owner within 60 days from the date of the filing of the expropriation case. The difference between the deposited payment and just compensation adjudged by the court has to be paid by the agency when the court’s decision becomes final and executory.

(6) Payment of Taxes

If requested by the property owner, the IA shall remit to the concerned LGU any unpaid real property tax, provided that its amount is not more than the value offered of the subject property. Said remittance shall be deducted from the total negotiated price.

Under negotiated sale, the IA shall pay for the account of the seller, the capital gains tax, as well as the documentary stamp tax, transfer tax, and registration fees. The property owner will pay any unpaid real property tax.

Under expropriation proceedings, the IA shall pay the documentary stamp tax, transfer tax, and registration fees, while the owner will pay the capital gains tax and any unpaid real property tax.

(7) Payment Terms

Based on Section 5(f) of R.A. 10752, the IA shall pay the property owner upon execution of the Deed of Sale:

- 50% of the negotiated price of the affected land (exclusive of unpaid taxes remitted to the LGU), and
- 70% of the negotiated price of the affected structures, improvements, crops and trees (exclusive of unpaid taxes remitted to the LGU) upon execution of the deed of sale.

As stipulated in Section 5(g) of the same Act, the remaining payment for the affected property shall be as follows:

For land, the remaining 50% of the negotiated price of the affected land shall be paid, exclusive of unpaid taxes remitted to concerned LGU (if any):

- At the time of transfer of title in the name of the Republic of the Philippines, in cases where the land is wholly affected; or
- At the time of the annotation of a deed of sale on the title, in cases where the land is partially affected

For affected structures, improvements, crops and trees, the remaining 30% shall be compensated, exclusive of unpaid taxes remitted to concerned LGU (if any), if the land is already completely cleared of such structures, improvements, crops and trees.

(8) Easement Agreement

Section 10 of R.A. 10752 states that if a portion of lot needed for the ROW is minimal – that the cost for surveying or segregating the portion from the main lot would be greater than the value of the lot needed – then the IA may, if the property owner agrees, resort to the mode of Easement of ROW provided under the Civil Code.

A ROW easement agreement shall be executed between the property owner and the IA – with the former granting the latter the right to use the affected portion of the lot as ROW, and the owner retaining ownership of the land.

Under such cases, the IA shall pay the owner the following:

- Value for the portion of the lot based on the existing zonal value declared by BIR, and
- Value of the structures and improvements on land based on replacement cost.

The IA shall be responsible for the registration of the ROW easement agreements with the Register of Deeds within 10 days from the date of execution, with the Registry of Deeds required to annotate on the Titles the agreements within seven days from receipt of the registration.

(9) Government Appropriation

Section 10 of R.A. 10752, stipulates that the government shall provide adequate appropriations that will allow implementing agencies to acquire required Right-of-Way for the national government infrastructure projects in advance of the project implementation. This includes the following:

- Cost for parcellary surveys and appraisal of project-affected properties;
- Compensation for project-affected land, structures and improvements, crops and trees;
- Cost of development and implementation of resettlement projects including planning, social preparation, and other activities under the resettlement action plan; and
- Related expenses of the IA, including capital gains tax in the case of negotiated sale, documentary stamp tax, transfer tax, and registration fees for the transfer of titles, and other relevant administrative expenses for right-of-way management.

Section 15c of the IRR of R.A. 10752 provides a more detailed description of the third bullet. It states that where necessary, cost of implementation of resettlement projects may include **land development and housing construction, provision of basic services and community facilities** in accordance with HUDCC design standards and costings, **livelihood restoration and improvement**², and **other activities under the resettlement action plan (RAP)** in coordination with concerned government agencies.

² As of now no standard for livelihood restoration and improvement

4.2.3 Republic Act No. 7279 (Urban Development and Housing Act of 1992)

The law stipulates that it is the policy of the state, in coordination with the private sector, to uplift the conditions of the underprivileged and homeless citizens in urban areas and in resettlement areas by making available decent housing at affordable cost, basic services, and employment opportunities. Socialized housing, or housing programs and projects covering houses or home lots for the homeless and underprivileged, shall be provided by LGUs or the NHA in cooperation with the private developers and concerned agencies with the basic services and facilities.

Section 5 of R.A. 7279, and Sections 3.1, and 6.6 of its Annex (Guidelines for the Inventory and Identification of Lands and Sites for Socialized Housing) states that lands or portions thereof, set aside for government offices, facilities, and other installations, whether owned by the National Government, its agencies and instrumentalities, including government-owned or controlled corporations, or by the LGUs, but which have not been used for the purpose for which they have been reserved or set aside for the past 10 years from the effectivity of the Act (i.e., as of 2002) shall be covered by the Act. As such, these areas, when identified as suitable for socialized housing, shall immediately be transferred to the NHA, subject to the approval of the President of the Philippines, or by the LGU concerned, as the case may be, for proper disposition with the Act.

Section 6.3 of the Act's Annex sets the following criteria to be used for evaluating the suitability of sites for socialized housing:

- i. To the extent feasible, socialized housing and resettlement projects shall be located in new areas where employment opportunities are available;
- ii. Priority shall be given to areas where basic services and facilities are already existing or where they can be introduced within a very short time;
- iii. Transportation costs to workplaces and other services should be affordable considering that the target beneficiaries are the homeless and underprivileged;
- iv. The site shall not require excessive levelling, cutting, and filling. Sites requiring excessive engineering works shall be avoided. Likewise, sites on steep slopes and/or weak soil foundation shall not be considered;
- v. Environmentally critical areas like those that are flood prone or earthquake zones or areas near rivers and canals shall be avoided;
- vi. Compatibility with existing zoning;
- vii. Financial feasibility and viability where land valuation offer is low; and
- viii. Tenurial status must be ascertained.

Section 8 of the Act and its Annex A mandated all LGUs in coordination with the NHA, Housing and Land Use Regulatory Board (HLURB), National Mapping and Resource Information Authority (NAMRIA), and the DENR Land Management Bureau (LMB) to identify lands for socialized housing and resettlement areas for the immediate and future needs of the underprivileged and homeless in the urban areas.

Under Section 10, land acquisition may be acquired through the following modes: community mortgage, land swapping, land assembly or consolidation, donation, joint-venture agreements, negotiation, or expropriation – which should be resorted to only when other options have been exhausted.

Under Section 16, the following are eligible beneficiaries for socialized housing:

- i. Must be a Filipino citizen,

- ii. Must be underprivileged and homeless (i.e. those whose total household income is below the poverty threshold as defined by NEDA)
- iii. Must not own any real property whether in urban or rural areas, and
- iv. Must not be a professional squatter or member of any squatting syndicate.

In the same Act, Professional Squatter and Squatting Syndicate are defined as follows:

Professional Squatter – refers to individuals or groups who occupy lands without the express consent of the landowner and who have sufficient income for legitimate housing. The term shall also apply to persons who have previously been awarded home lots or housing units by the Government but who sold, leased or transferred the same to settle illegally in the same place or in another urban area and non-bona fide occupants and intruders or lands reserved for socialized housing. The term shall not apply to individuals or groups who simply rent land and housing from professional squatters or squatting syndicate.

Squatting Syndicate - refers to groups of persons engaged in the business of squatter housing for profit or gain.

Section 28 of the Act stipulates that eviction or demolition as a practice shall be discouraged; however, it may be allowed under the following conditions:

- i. When persons or entities occupy danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and other public places such as sidewalks, roads, parks, and playgrounds;
- ii. When government infrastructure projects with available funding are about to be implemented; or
- iii. When there is a court order for eviction and demolition.

In the execution of the above Section 28, the following shall be mandatory:

- i. Notice upon the affected persons or entities at least 30 days prior to date of eviction and demolition;
- ii. Adequate consultations on the matter of resettlement with the duly designated representatives of the families to be resettled and the affected communities in the areas where they are to be relocated;
- iii. Presence of Local Government Officials or their representatives during eviction or demolitions;
- iv. Proper identification of all persons taking part in the demolition;
- v. Execution of eviction or demolition only during regular office hours from Mondays to Fridays and during good weather, unless the affected families consent otherwise;
- vi. No use of heavy equipment for demolition except for structures that are permanent and other of concrete materials;
- vii. Proper uniforms for members of the Philippine National Police who shall occupy the first line of law enforcement and observe proper disturbance control procedures; and
- viii. Adequate relocation, whether temporary or permanent; provided however, that in cases of eviction and demolition pursuant to a court order involving underprivileged and homeless citizens, relocation shall be undertaken by the LGU concerned and the NHA with assistance of other government agencies within 45 days from service of notice of final judgement by the court, after which period the said order shall be executed; provided further that should relocation not be possible within the said period, financial assistance in the amount equivalent to the prevailing minimum daily wage multiplied by 60 days shall be extended to the affected families by the LGU concerned.

(1) The Community Mortgage Program (CMP)

Section 31 of the Act stipulates the implementation of the Community Mortgage Program (CMP). CMP, a socialized housing program of the government, seeks to improve the living conditions of underprivileged and homeless citizens by providing affordable financing to help them secure tenure on the land they occupy. Through the National Home Mortgage Finance Corporation (NHMFC), now the Socialized Housing Finance Corporation (SHFC), legally organized organizations are provided assistance from community mobilizers, processing of required documents to providing loans for lot acquisition, site development and house construction.

Section 33 stipulates that beneficiaries of the Program shall be responsible for:

- Their organization into associations to manage their subdivisions or places of residence,
- To secure housing loans under existing Community Mortgage Program, and
- Such other projects that are beneficial to them.

Executive Order No. 272 (E.O.272), Series of 2004 created the **Social Housing Finance Corporation (SHFC)** and directed the transfer of the Community Mortgage Program (CMP), Abot Kaya Pabahay Fund (AKPF) Program, and other social housing powers and functions of the National Home Mortgage Finance Corporation (NHMFC) to the SHFC. Under this E.O., SHFC shall be the lead government agency to undertake socialized housing programs that will cater to the formal and informal sectors in the low-income bracket and shall take charge of developing and administering socialized housing program schemes, particularly the CMP and the AKPF Program (amortization support program and development financing program).

Further, where beneficiaries fail to form an association by and among themselves, SHFC shall initiate the organization of the same in coordination with the Presidential Commission for the Urban Poor (PCUP) and the local government units concerned. No person who is not a bona fide resident of the area shall be a member or officer of such association.

Section 32 of R.A. 7279 states that CMP beneficiaries shall not be evicted nor dispossessed of their lands or improvements unless they have incurred non-payment of amortizations for three (3) months.

4.2.4 Republic Act No. 7160 (Local Government Code of 1991)

This Code establishes the system and defines powers of provincial, city, municipal and barangay governments in the Philippines. Relevant sections include:

Section 2(c) stipulates the policy of the State to require all national agencies and offices to conduct periodic consultations with appropriate local government units, non-governmental and people's organizations, and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions.

Section 17(b) states that LGUs shall exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities. Provincial LGUs are mandated to provide such basic services and facilities except for housing projects funded by the Social Security System (SSS), Government Service Insurance System (GSIS), and the Home Development Mutual Fund (HDMF).

Section 17(c) provides that public works and infrastructure projects and other facilities funded by the national government under the annual General Appropriations Act, other special laws, pertinent executive orders, and those wholly or partially funded from foreign sources, are not covered under Section (b), as described above, except in those cases where the LGU concerned is duly designated as the implementing agency for such projects, facilities, programs, and services.

Under **Section 19**, an LGU, through its chief executive and acting pursuant to an ordinance, may exercise the power of eminent domain for public use, or purpose, or welfare for the benefit of the poor and the landless upon payment of just compensation, pursuant to the provisions of the Constitution and pertinent laws. Provided, however, that the power of eminent domain may not be exercised unless a valid and definite offer has been previously made to the owner, and such offer was not accepted.

Further, the LGU may immediately take possession of the property upon the filing of the expropriation proceedings and upon making a deposit with the proper court of at least fifteen percent (15%) of the fair market value of the property based on the current tax declaration of the property to be expropriated: Provided, finally, that, the amount to be paid for the expropriated property shall be determined by the proper court, based on the fair market value at the time of the taking of the property.

Under **Section 20(a)** of the same Act, a city or municipality may, through an ordinance passed by the Sanggunian after conducting public hearings for the purpose, authorize the **reclassification of agricultural lands** and provide for the manner of their utilization or disposition in the following cases:

- When the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture, or
- Where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the Sanggunian concerned.

Provided, that such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance:

- i. For highly urbanized and independent component cities, fifteen percent (15%);
- ii. For component cities and first to third class municipalities, ten percent (10%); and
- iii. For fourth to sixth class municipalities, five percent (5%): Provided, further, that agricultural lands distributed to agrarian reform beneficiaries pursuant to Republic Act Numbered Sixty-six hundred fifty-seven (R.A. No. 6657), otherwise known as "The Comprehensive Agrarian Reform Law", shall not be affected by the said reclassification and the conversion of such lands into other purposes and shall be governed by Section 65 of said Act.

Based on **Section 20(c)** the LGUs shall, in conformity with existing laws, continue to prepare their respective comprehensive land use plans enacted through zoning ordinances which shall be the primary and dominant bases for the future use of land resources. The requirements for food production, human settlements, and industrial expansion shall be taken into consideration in the preparation of such plans.

Section 27 provides that no project or program shall be implemented by government authorities unless the consultations mentioned in Sections 2 (c) above are complied with, and prior approval of the Sanggunian concerned is obtained; Provided, that occupants in areas where such projects are to be implemented shall not be evicted unless appropriate relocation sites have been provided, in accordance with the provisions of the Constitution.

4.2.5 Republic Act 386 (Civil Code of the Philippines)

Title VII of the Civil Code of the Philippines (heretofore shall be referred to as "Civil Code") provides various definitions as well as methods for acquiring and extinguishing easements of servitudes. **Article 613** defines an easement or servitude as an encumbrance imposed upon an immovable for the benefit of another immovable belonging to a different owner. Further the section states that the immovable in favor of which the easement is established is called the dominant estate, and that, which is subject thereto the servient estate. Other important sections of Title VII that are relevant to this legal framework are enumerated below:

Chapter 1 – Easements in General, Sections 1-4

- **Article 615** – Continuous easements are those the use of which is or may be incessant, without the intervention of any act of man.
- **Article 617** – Easements are inseparable from the estate to which they actively or passively belong.
- **Article 618** - Easements are indivisible. If the servient estate is divided between two or more persons, the easement is not modified, and each of them must bear it on the part which corresponds to him.
- **Article 625** - Upon the establishment of an easement, all the rights necessary for its use are considered granted.
- **Article 626** - The owner of the dominant estate cannot use the easement except for the benefit of the immovable originally contemplated. Neither can the owner exercise the easement in any other manner than that previously established.
- **Article 629** - The owner of the servient estate cannot impair, in any manner whatsoever, the use of the servitude.
- **Article 630** - The owner of the servient estate retains the ownership of the portion on which the easement is established, and may use the same in such a manner as not to affect the exercise of the easement.
- **Article 631(5)** – Easements are extinguished by the renunciation of the owner of the dominant estate.

Chapter 2 – Legal Easements, Sections 1 and 3

- **Article 634** - Easements imposed by law have for their object either public use or the interest of private person.
- **Article 635** - All matters concerning easements established for public or communal use shall be governed by the special laws and regulations relating thereto.
- **Article 649** - Should the easement be established in such a manner that its use may be continuous for all the needs of the dominant estate, establishing a permanent passage, the indemnity shall consist of the value of the land occupied and the amount of the damage caused to the servient estate.
- **Article 654** - If the right of way is permanent, the necessary repairs shall be made by the owner of the dominant estate. A proportionate share of taxes shall be reimbursed by said owner to the proprietor of the servient estate.

4.2.6 Republic Act No. 8371 (Indigenous Peoples Rights Act of 1997)

The Act defines the identity and entitlements of indigenous peoples, as also their rights and remedies available under national law to protect their interests. IPRA was a landmark law, not only for recognition of the rights of IPs in the Philippines but also as a milestone in recognition of the rights of IPs globally. Involuntary resettlement triggers may occur within ancestral domains. The IPRA sets conditions, requirements, and safeguards for plans, programs, and projects affecting IP communities. The important provisions of IPRA are:

- Right to the indigenous communities' ancestral domains (Chapter III, Section 11);
- Right to informed and intelligent participation in the formulation and implementation of any project, government or private, that will impact upon their ancestral domains (Chapter III, Section 7b);

Section 59 of the IPRA, entitled, “Certification Precondition” states that all departments and other governmental agencies are strictly enjoined from issuing, renewing, or granting any concession, license or lease, or entering into any production-sharing agreement, without prior certification from the NCIP that the area affected does not overlap with any ancestral domain. Such certification shall only be issued after a Field-Based Investigation (FBI) is conducted by the Ancestral Domains Office (ADO) of the area concerned. If the area does overlap with an ancestral domain, the NCIP Administrative Order (AO) No. 3, Series of 2012, the Revised Guidelines on Free and Prior Informed Consent (FPIC) and Related Processes are required to be followed.

4.2.7 Republic Act No. 9679 (Home Development Mutual Fund Law of 2009)

The Home Development Mutual Fund (HDMF) is also known as Pag-IBIG (Pagtutulungan sa Kinabukasan:Ikaw, Bangko, Gobyerno) Fund. The Pag-IBIG Fund is a mutual provident savings system which is primarily intended for shelter financing among its members. Section 10 states that the Fund shall be private in character, owned wholly by the members, administered in trust and applied exclusively for their benefit. Section 6 of the Act provides that membership in the Fund shall be mandatory upon all employees covered by the Social Security System (SSS) and the Government Service Insurance System (GSIS), and their respective employers. However, coverage of employees whose monthly compensation is less than four thousand pesos (P4,000.00) is on a voluntary basis.

Section 13 (d) and (e) mandates Pag-IBIG Fund to invest not less than 70% of its investible funds to housing, and to acquire, utilize, or dispose of, in any manner recognized by law, real or personal properties to carry out the purpose of the Act, respectively.

4.2.8 Republic Act No. 6389 (Agricultural Land Reform Code of 1971)

This Act concerns agrarian reforms in the Philippines and aims to establish cooperative organisations and increase agricultural productivity and farm income through a system of production, processing, marketing, distribution, credit and services (sect. 2). Under **Section 7**, agricultural lessees are entitled to receive disturbance compensation equivalent to five times the average gross harvests on his/her landholding during the last five preceding calendar years.

4.2.9 Commonwealth Act 141 Section 112 or Public Land Act

The Act prescribes a 20 strip of land reserved by the government for public use, with damages being paid for improvements only. Presidential Decree 635 amended Section 112 of C.A. 141 by increasing the width of the reserved strip of twenty (20) meters to sixty (60) meters. Under Section 7 of IRR for R.A. 10752, it states that if the government decides to exercise its right to use the ROW strip reserved for public use within the land acquired under C.A. No. 141, the owner is required to execute a quit claim. Only improvements will be compensated.

4.2.10 Republic Act No. 6685 (December 1988)

An act requiring private contractors to whom national, provincial, city and municipal public works projects have been awarded under contract to hire at least fifty percent of the unskilled and at least thirty percent of the skilled labor requirements to be taken from the available *bona fide* residents in the province, city or municipality in which the projects are to be undertaken, and penalizing those who fail to do so. Under Section 1 of RA 6685, national and local public works projects funded by either the national government or local government, including foreign-assisted projects must hire at least 50% of the unskilled and 30% of the skilled labor requirements from bona fide and actual residents in the province, city and municipality who are ready, willing and able, as determined by the governor, city mayor, or municipal mayor concerned. In areas where the number of available resources is less than the required percentages provided in this Act, said requirements shall be based on the maximum number of

locally available labor resources which fact shall be certified by the municipal, city, provincial or district engineer as sufficient compliance with the labor requirements under this Act.

4.2.11 Republic Act No. 9994 (February 2010)

An act granting additional benefits and privileges to senior citizens, and to maximize the contribution of senior citizens to nation building, and for other purposes. Section 3 of RA 9994 defines Senior Citizens or the elderly as any resident citizen of the Philippines at least sixty (60) years old. Section 5 of the same act provides the establishment of special housing needs of senior citizens in its national shelter program.

4.2.12 Republic Act No. 7277 (March 1992)

R.A. 7277, also known as the Magna Carta for Disabled Persons, grants the rights and privileges for disabled persons to ensure their rehabilitation, self-development and self-reliance. Section 4 of the Act provides the following definitions:

- Disabled persons are those suffering from restriction of different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner of within the range considered normal for a human being; and
- Marginalized disabled persons refer to disabled persons who lack access to rehabilitative services and opportunities to be able to participate fully in socio-economic activities and who have no means of livelihood or whose incomes fall below poverty threshold,

4.2.13 Batas Pambansa (BP) 220 (June 1982)

An act authorizing the ministry of human settlements to establish and promulgate different levels of standards and technical requirements for economic and socialized housing projects in urban and rural areas. Section 1 of Batas Pambansa (BP) 220 declared a policy of the Government to promote and encourage the development of economic and socialized housing projects for the average and low-income earners in urban and rural areas.

Section 2 of the Act defines economic and socialized housing units as those which is thirty percent (30%) of the gross family income as determined by the National Economic and Development Authority from time to time.

4.2.14 Philippine Laws and Plans promoting Gender Equality and the Empowerment of Women and Children

The Philippine government has been as signatory to various international instruments promoting gender equality and women's empowerment. These instruments include among others the United Nations Convention on the Elimination of all forms of Discrimination against Women (CEDAW), the United Nations Convention on the Rights of the Child (CRC), the Beijing Platform on the Fourth World Conference on Women, and the Sustainable Development Goals (SDG) 2030.

In demonstration of its compliance to its international obligations, the Philippines enacted laws promoting the rights of women and children, to *wit*:

(1) Republic Act 7192: Women in Development and Nation Building Act

RA 7192 aims to promote the integration of women as full and equal partners with men in development and nation building by granting women, regardless of their marital status, full legal capacity to act and enter into contracts.

Section 2 provides that to ensure that the rights of women shall be equal to that of men, it should guarantee the following: (1) that as substantial portion of official development assistance funds received from foreign governments and multilateral agencies and organizations shall be set aside and utilized by

the agencies concerned to support programs and activities for women; (2) that all government departments shall ensure that women benefit equally and participate directly in the development programs and projects, specifically those funded under official foreign development assistance; and (3) All government departments and agencies shall review and revise all their regulations, circulars, issuances and procedures to remove gender bias therein.

Section 5 guarantees that women of legal age, regardless of civil status, shall have the capacity to borrow and obtain loans and execute security and credit arrangement under the same conditions as men, and shall have equal access to all government and private sector programs granting agricultural credit, loans and non-material resources and shall enjoy equal treatment in land resettlement programs.

(2) Republic Act 9710: Magna Carta of Women

RA 9710 is the Philippine’s landmark legislation on gender equality. It is considered as the comprehensive women’s human rights on women as it embodies all the rights guaranteed by international and local laws to promote, protect, uphold and fulfill women’s human rights.

Section 4(d) defines the marginalized sectors as referring to the basic, disadvantaged, or vulnerable persons or groups who are mostly living in poverty and have little or no access to land and other resources, basic social and economic services such as health care, education, water and sanitation, employment and livelihood opportunities, housing, social security, physical infrastructure, and the justice system.

Section 19 guarantees the same rights for both spouses or common law spouses in respect of the ownership to properties and resources, whether titled or not, acquisition, management, administration, enjoyment, and disposition of property.

Section 21 ensures the development of housing programs for women that are localized, simple, accessible, with potable water, and electricity, secure, with viable employment opportunities and affordable amortization, and guarantees the consultation and involvement of women in community planning and development, especially in matters pertaining to land use, zoning and relocation. To implement this provision, the HUDCC, Key Shelter Agencies and LGUs shall: (1) Ensure that female-headed households are not discriminated in the provision of relocation or resettlement sites and that access to basic services, facilities, employment, and livelihood opportunities are responsive to the needs of women. In cases of demolition and eviction, the HUDCC, Presidential Commission for the Urban Poor (PCUP), and LGUs or other bodies with similar functions in the local level, shall ensure the safe transfer of women and children to resettlement and relocation sites; (2) Provide basic social services in resettlement communities in accordance with existing laws; (3) Formulate policies and programs to ensure that housing programs and services are provided for women belonging to the marginalized sectors; (4) Ensure that forms and documents are gender-responsive especially those involved in transactions of (a) married couples, (b) person in unions without marriage, and (c) single individuals; and (5) Monitor and evaluate gender design features in housing and urban development and all other kinds of infrastructure plans and strategies to ensure that all housing projects are able to secure the privacy and safety of women and children.

Section 22 provides for the duty of the State to progressively realize and ensure decent work standards for women that involve the creation of jobs of acceptable quality, and guarantee opportunities for work that are productive and fairly remunerative as family living wage, security in the workplace, and social protection for families, better prospects for personal development and social integration for all men and women.

Section 23 guarantees the rights of women to equal access to formal sources of credit, capital and technology through: (1) simplified insurance instrument through contract standardization; (2) lowered transaction costs; (3) affordable and transparent benefits and payments, and flexible payment schedules; and (4) promotion of organized groups for easy access to credit and capital.

Section 37 of the Implementing Rules and Regulations (IRR) provides for the strategies in mainstreaming genders concerns in the planning, budgeting, monitoring and evaluation of programs and projects. These strategies include among others, the following: (1) Allocation and utilization at least 5% of the government agencies, including LGUs, budget to implement gender-responsive programs and projects; (2) Ensuring that 5-30% of funds received from foreign governments and multilateral agencies are in support of gender-responsive programs and projects; (3) Creation and maintenance of Sex-Disaggregated Data (SDD) as basis for gender analysis and gender-responsive planning and budgeting; (4) Integration of gender in National and Local Plans; and (5) Mainstreaming gender in the Program/project Monitoring Framework and System.

(3) Philippine Plan for Gender Responsive Development (PPGD) 1995-2025

The PPGD lays out development goals and strategies that will make gender equity innate in public programs and policies. This 30-year perspective plan ensures that women-friendly policies can take root and flourish despite the barriers posed by traditional attitudes and stereotyping.

Goal No. 1 of the PPGD promotes the increased economic empowerment of women through implementation of the following strategies: (1) Enhancement of sustainable access to capital, market, information, technology, and technical assistance; (2) Enhancement of employment and livelihood skills of women, particularly in high-value-adding industries and agricultural activities; (3) Establishment of an enabling environment that will ensure the effective implementation of policies for the protection of women workers; (4) Increase in women's awareness of their economic rights and opportunities; and (5) Strengthening of women's representation in economic decision-making bodies.

(4) Women's Empowerment Development and Gender Equality (WEDGE) Plan 2013-2016

The WEDGE Plan is the 2nd Framework Plan for Women and the second time-slice plan of the Philippine Plan for Gender Responsive Development (PPGD) 1995-2025. It embodies the strategic goals areas for gender mainstreaming in government programs and projects. These strategic goals include among others, ensuring that gender concerns of women in the areas of economic empowerment and social development rights are addressed.

In the **area of women's economic empowerment**, the Plan guarantees that there will be an improved participation and lower vulnerabilities of women in formal labor as a result of programs and projects of national government agencies and their partners, and that vulnerabilities of workers in the informal sector, and those engaged in SMEs are addressed by programs and projects of national government agencies, that would eventually lead to a positive economic effects on the lives of women workers, business owners and entrepreneurs.

On the other hand, in the **area of women social development rights**, the Plan ensures that policies, programs, and projects implemented by key shelter agencies, LGUs and their partners shall lead to improved access and ownership rights of women from low-income and informal settler communities to safe, decent and affordable housing.

4.2.15 Executive/Administrative/ Department Orders

(1) Executive Order (EO) No. 1035, Series of 1985

E.O. No. 1035 provides the procedures and guidelines for the expeditious acquisition by the government of private real properties or rights thereon for infrastructure and other government development projects.

- Financial assistance to displaced tenants/farmers, equivalent to the average annual gross harvest for the last three (3) years and not less than PhP 15,000 per ha.
- Provision of financial assistance for the portion subject to the reservation under Section 112 of C.A. 141 on land acquired under CA 141 (for original patent holders only). Under CA No. 141 a ROW strip not exceeding 20 meters in width within the land acquired under the law, or 60 meters (under PD No. 635) is reserved for public use. This shall be over and above the compensation for affected portions of structure and improvements therein.

(2) Executive Order No. 48, Series of 2001

This E.O. declared non-core properties of PNR (i.e. those outside the boundaries of railroad tracks and not utilized for railroad purposes) as socialized housing sites and provided for the disposition of the same to bonafide occupants, through the Housing and Urban Development Coordinating Council (HUDCC).

(3) Executive Order 152, Series of 2002

Designating the presidential commission for the urban poor (PCUP) as the sole clearing house for the conduct of demolition and eviction activities involving the homeless and underprivileged citizens and establishing for the purpose a mechanism to ensure strict compliance with the requirements of just and humane demolition and eviction under the urban development and housing act of 1992, and for other purposes. Specifically, PCUP is mandated to:

- Monitor all evictions and demolitions, whether extra-judicial or court-ordered, involving homeless and underprivileged citizens;
- Require the concerned departments and agencies, including concerned local government units (LGUs), proposing to undertake demolition and eviction activities to secure first from either the PCUP Central Office (in the case of national projects) or from the PCUP Regional Office (in the case of regional or local projects) the checklist, guidelines and compliance certificates on demolition and eviction prior to the actual implementation thereof and thereafter, submit to the PCUP the completed checklist, attested to under oath by the proponent and indicating that:
 - Adequate consultations with the affected families have already been undertaken;
 - Adequate resettlement site and relocation facilities are available; and
 - The provisions of Section 3, paragraph 1 of the Implementing Rules and Regulations of Section 28 of R.A. 7279 (Pre-Relocation) have been complied with.
- Based on the completed checklist, and subject to further verification, issue demolition and eviction compliance certificates to proposed demolitions and evictions involving the homeless and underprivileged citizens;
- Investigate motu proprio or upon complaint by any party, any violation of the provisions of Section 28 of R.A. 7279 or its implementing rules and regulations;
- File motu proprio or by way of assistance to any aggrieved party, the appropriate criminal, civil or administrative case against any person or persons found to have violated the provisions of Section 28 of R.A. 7279 or its implementing rules and regulations;

- Recommend to the President appropriate measures for the implementation and enforcement of Section 28 of RA No. 7279 and its implementing rules and regulations, including possible administrative sanctions against national or local government officials who have violated the said law, rules and regulations;
- Request any government agency for assistance and necessary information in the discharge of their respective functions under this Order;
- Publicize matters covered by its investigation of violations of the provisions of Section 28 of R.A. 7279 or its implementing rules and regulations, when circumstances so warrant and with due prudence: Provided, however, that the PCUP shall, under the rules and regulations it shall hereafter promulgate, determine what cases may not be made public: Provided, further, that any publicity issued by the PCUP shall be balanced, fair and true;
- Administer oaths, issue subpoena and subpoena duces tecum, and take the testimonies of witnesses in the course of its investigation;
- Adopt its own operational guidelines and rules of procedures, as well as rules and regulations not otherwise inconsistent with existing laws, rules and regulations, to effectively carry out its mandate; and
- Perform such other function as may hereafter be provided by law or executive issuance.

(4) Executive Order No. 272, Series of 2004

E.O. 272 created the Social Housing Finance Corporation (SHFC) and assigned SHFC as the lead government agency for undertaking socialized housing programs that will cater to the formal and informal sectors in the low-income bracket and shall take charge of developing and administering social housing program schemes, particularly the CMP and the Abot-Kaya Pabahay Fund (AKPF) Program (amortization support program and development financing program).

(5) Executive Order 708 Series of 2008

Amending Executive Order 152 Series of 2002 and devolving the function of the PCUP as the clearing house for the conduct of demolition and eviction activities involving the homeless and underprivileged citizens to the respective local government units (LGUs) having territorial jurisdiction over the proposed demolition and eviction activities of government agencies.

In relation to this, the LGUs were also ordered to create the Local Housing Board (LHB) or any similar body through an appropriate ordinance before conducting the clearing house functions granted to them in the E.O. PCUP shall continue with its monitoring and reporting functions including subsections 4-11 of Section 1 and Section 9 of the E.O. 152.

(6) Executive Order 69 Series of 2012

The EO provides for the transfer of PCUP to the Office of the President (OP) to effectively coordinate, formulate and evaluate policies and programs concerning the urban poor. The E.O. also provides the following functions and power to PCUP:

- Conduct of social preparation activities related to asset reform, human development, and basic social services, employment and livelihood, and other programs of the government for the urban poor;
- Representation in HUDCC, Key Shelter Agencies (KSAs) and in Local Housing Boards (LHB).

(7) DOTr Department Order No. 2013-05

The Department Order specifies the composition of the Technical Working Committee for the Acquisition of Sites/Rights-Of-Way for the department's Infrastructure Projects. It states that no infrastructure project shall be bid out and/or shall commence unless the acquisition of site and/or ROW of lots affected by the project are determined/settled as certified by the Committee.

Under the Guidelines on ROW Acquisition, properties may be acquired through the following modes: donation, quit claim, exchange or barter, negotiated sale or purchase, expropriation or other modes as authorized by law. The Guidelines specify that an ocular of the property to be acquired must be conducted. In addition, lot owners, lot numbers, areas and technical descriptions should be compared against the parcellary map. Proper coordination with LGUs and project-affected persons are likewise required. As part of the guidelines, donation would be explored as the first option. Should the owner disagree, GFIs and/or private appraisers would be requested to conduct the appraisal. More importantly, matters pertaining to relocation shall be coordinated with the pertinent government agencies.

(8) HLURB Memorandum Circular No. 13, Series of 2017

The Housing and Land Use Regulatory Board (HLURB) Memo sets the price ceiling for Economic Housing at above PhP450,000 to PhP1,700,000 while a Medium-Cost Housing is above PhP1,700,000 to PhP4,000,000.

4.2.16 DOTr Right-of-Way and Site Acquisition Manual (ROWSAM)

The DOTr as an IA is mandated by RA 10752, through Section 18 of its IRR to produce an agency manual of procedures for ROW acquisition (ROWA). On 13 March 2018, DOTr issued Department Order No. 2018-005 prescribing the use of the DOTr Right-of-Way and Site Acquisition (ROWSA) Manual. The ROWSAM was developed to provide clear and specific operational guidelines on ROW acquisition. It aims to guide DOTr staff on the legal processes and procedures necessary to acquire and clear private and public land required for the construction and operation of public transport infrastructure regardless of the funding source(s). As stated in Section 1.1.3 of the ROWSAM, heretofore also referred to as the "Manual" it is consistent with the requirements and provisions of RA 10752 and its IRR. Further, it outlines the land acquisition requirements necessary for planning, developing, and implementing the acquisition of the land necessary for the development, construction and operation of transportation projects.

Under the legal framework of the Manual, references to Supreme Court decisions and RA 10752 were made to establish DOTr's authority, as IA for transportation projects, to exercise the power of eminent domain or the compulsory sale of private property to the State, through expropriation proceedings.

The Manual also made mention of the importance of due diligence and DOTr's "***Core Values of the Department***" (as presented below) that must be applied in every step of the ROW acquisition process.

Core Values of the DOTr

We value integrity and honesty. We practice what we say, formulate policies, programs and projects and properly use resources attuned with the DOTr Mission and Vision.

We are competent. We constantly search for and apply new ideas, technologies and practice to improve the delivery of services to our stakeholders.

We do right things at the right time with the right attitude and behavior.

We provide our stakeholders and the general public access to relevant information.

We value and treat our stakeholders with utmost respect and care.

We, the members of the DOTr family, work as a team to attain common goals and objectives.

We commit everything to God for the continuous advancement of this Department and the nation as a whole.

Section 3.2 of the ROWSAM enumerates the IA's (DOTr) processes that are mandated by law, from feasibility assessment to detailed engineering design as follows:

- Consult with all tiers of governmental responsibility in the affected area;
- Conduct public information programs in each and every affected neighborhood;
- Conduct extensive consultation with all affected interests and stakeholders;
- Complete an Environmental Impact Assessment; and
- Construct a ROW and Site Acquisition Action Plan consisting of:
 - Land Acquisition Plan
 - Resettlement Action Plan
 - Parcellary Survey
 - Entitlement Matrix

A brief description of the purpose and provisions of the relevant components of the ROWSA Action Plan is presented below.

1) Section 3.3.2 Land Acquisition Plan (LAP)

This is a document with an associated database that provides a structure for identifying every interest in the **required land** which must be addressed to allow complete operational integrity of the required national transport infrastructure into the name of the Republic. The LAP is mainly **confined to the owners and formally recognized occupants** of the site, whereas the RAP assesses the interests of informal settlers.

This section also mentions that “the ROW Act (R.A. 10752) references only the “property owner” as the entity being compensated. Occupants who reside or draw income from businesses conducted on the site may be displaced by the acquisition and not be eligible for formal compensation directly from the IA (Note: underscore not in original document). They are however able to seek redress from the Property Owner who has been put into the position where their formal arrangement has been compromised. The owner will onforward compensation from the IA to those other interests who may be eligible for compensation on the property.”

Further, “Occupants who reside or draw income from businesses conducted on the site may be displaced by the acquisition and not be eligible for formal compensation from the IA. They are able to seek redress from the landowner who has been put into the position where their formal arrangement has been compromised. The owner will onforward compensation from the IA to those other interests who may be eligible for compensation on the property.”

In preparing the LAP, a census will be carried out over the entire project affected area based on a specific “cut-off-date” (Notified during the Public Information Process). All land, structures and improvements, crops and trees are “tagged” for identification and assessment of value. The property, as it stood on the proclaimed day, is inspected and detailed measurements and records are taken along with photographic evidence and identification of all inhabitants and occupiers. Status, construction, condition, and such elements are noted and assessed against the likely magnitude of impact arising from the project.

2) Section 3.3.3 Resettlement Action Plan

In accordance with the ROWSAM, the RAP is a document with an associated database that provides a structure for identifying every **informal settler** interest in the required land which must be addressed to allow complete operational integrity of the required national transport infrastructure into the name of the Republic. Contrary to the LAP, the RAP mentions considerations of compensation for loss of assets of project-affected-persons (PAPs) that were determined to be residing in, carrying on business, cultivating land, or having rights over resources within the ROWSA acquisition area at the proclaimed cut-off date.

3) Section 3.3.4 Parcellary Survey

This involves the determination of the land requirements by formal survey by a qualified, professional geodetic engineer and production of a Parcellary Survey Report containing plans, maps, real property technical descriptors (including identification of ownership and affected parties) with all of the information required for registration of the ROW property into the ownership of the Republic and with any balance (unrequired) land retained in the ownership of the dispossessed owner. This section also states that not all of the processes included in this process of Parcellary Survey require the professional input from the retained geodetic engineer. Instead, other activities such as title searches, collation of survey plans aerial imagery and cadastral mapping, census and tagging requirements arising from the proclamation of the cut-off- date, and negotiation with managing holders of existing public land were cited as such.

4) Section 3.3.5 Entitlement Matrix

The Entitlement Matrix is a project-wide tabulation of every interest, compensable or relocatable that has legitimate entitlement arising from the acquisition process. It is both a budgetary and an acquisition tool. It also provides as clear as possible indications of the cost of acquisition of the required land and settlement of all legislated responsibilities to the point where a fully-costed recommendation to proceed to acquisition can be made. It was described in the Manual as a collation of the LAP, RAP, and Parcellary Survey.

5) Section 4.2.1 Steps Necessary to Acquire Lands through Negotiated Sale

Under this section the owner is formally notified of the intent of the IA (DOTr) to acquire their property, through negotiated sale, to give effect to a national government infrastructure project by sending the “**Notice of Taking and Final Offer with Return Slip**”. The owner is given thirty (30) days to consider, thoroughly review and evaluate the offer, including the opportunity to obtain professional advice or assistance. This is designed to eliminate any appearance of coercion and must be respected by the IA (DOTr).

In the Manual it is deemed that the 30-day notice provides a chance for the owner to present material they believe is relevant to determining the property’s value, and to suggest modifications to the proposed terms and conditions of the purchase. Further it is also an opportunity to advise and seek discussion on any liabilities and responsibilities arising from the process. If there is a refusal of the offer, or failure by the owner to respond to the offer and/or to submit the required documents as proof of ownership, within the prescribed period of thirty (30) days, the IA shall immediately notify the owner that the IA shall initiate Expropriation proceedings.

4.2.17 DPWH Right-of-Way Acquisition Manual (DRAM)

For this project, the DOTr will be adopting DPWH’s ROW Acquisition Manual (DRAM) as a general guide in the proper implementation of the improved right-of-way process. It was developed in compliance with Section 18 of the Implementing Rules and Regulations (RR), of R.A. 10752, which

prescribes that, *to provide clear, specific, and operational guidelines for the efficient acquisition of ROW for its infrastructure projects, each IA (i.e., Implementing Agency) shall prepare and implement its own “Manual of Procedures for ROW Acquisition.”* The DRAM covers the entire ROW acquisition process – including the following:

1. Project Feasibility Study with Environmental Impact Assessment;
2. Preparation of Preliminary ROW Action Plan (RAP) with property appraisal;
3. Provision of appropriations in the General Appropriations Act (GAA);
4. Detailed Engineering Design (DED) including Parcellary Surveys and preparation of Final RAP;
5. RAP Validation;
6. Actual ROW Acquisition through Donation, Negotiation, Expropriation, and Other Modes;
7. Payments to property owners;
8. Transfer of Title to the Republic of the Philippines;
9. Clearance of ROW, and
10. Management of ROW.

The DRAM is also intended to be a reference for property owners and other Project-Affected Persons (PAPs) on the requirements and procedures to be followed to facilitate ROW acquisition, while ensuring that they obtain due process and fair compensation. It will also guide other concerned government entities – including the Office of the Solicitor General (OSG), the Bureau of Internal Revenue (BIR), the housing agencies, the Department of Environment and Natural Resources (DENR), local government units (LGUs), and the courts, among others – as well as Official Development Assistance (ODA) Agencies, on the ROW aspects that entail their active participation. Finally, it shall also serve as guide for the Government Financial Institutions (GFIs) and Independent Property Appraisers (IPAs) in determining the appropriate price offers to property owners affected by ROW acquisition.

The DRAM consists of the Main Volume and the Appendices Volume. In the Main Volume the Manual presents and discusses the Workflow Chart, Objective, Lead Persons, Support Entities, Overview, and Procedures. The Appendices Volume provide the pertinent laws, rules and regulations, Department Orders, and template forms, agreements, and reports.

Section 2.1.2 of the DRAM presents the overall new ROW acquisition process. Provisions that are pertinent to the Project are as follows:

1. The process shall be applicable to both foreign-assisted and locally funded infrastructure projects.
2. The principles and general rules shall apply to all scopes of work of the project – whether the project involves entirely new construction or expansion/improvement of existing infrastructure.
3. The implementing office shall ensure that adequate funds for ROW costs are provided in project budgets which are included in the infrastructure program within the budget ceilings. The appropriations shall preferably be made at least one year ahead of actual construction works.
4. A Pre-Feasibility Study (PFS) or Feasibility Study (FS) shall generally be conducted for each project to define, among other things, the ROW requirements. The level of detail for these studies will vary, depending on the type, size, and complexity of the project.

5. The implementing office shall formulate a ROW Action Plan (RAP) based on the PFS/FS. The RAP shall contain the description and extent of the lands, structures/improvements, and crops/trees to be acquired as ROW, the estimated costs and compensation due to the property owners and Project-Affected Persons (PAPs), the budget for all ROW costs including provision for inflation and contingencies, and the schedule of implementation and annual funding requirements.
6. If ROW costs differ from the approved ROW budget after the Detailed Engineering Design (DED) has been finalized, a budget adjustment shall be made.
7. The implementing office shall secure an ECC or Certificate of Non-Coverage (CNC), as applicable, before undertaking the DED. For projects costing over PhP 500 million, the ECC shall be secured before approval of the project by the National Economic and Development Authority (NEDA)/Investment Coordination Committee (ICC).
8. Parcellary Surveys shall be conducted for all projects in accordance with DO 187, series 2002, as amended. Parcellary Surveys, as well as the RAP preparation, shall be undertaken at least one year ahead of the scheduled construction works.
9. The determination of PAPs and affected improvements shall be based on the cut-off date, which is the start of the census of PAPs and tagging for improvements.
10. Negotiated sale for the acquisition of the property shall be pursued based on the provisions of R.A. 10752 and its IRR as prescribed in the DRAM. Hence, the first and final price offer shall be the sum of:
 - a. the current market value of the land,
 - b. the replacement cost for structures and improvements, and
 - c. the current market value of the crops and trees.
11. To determine the appropriate price offer for negotiated sale, the implementing office may engage a GFI or IPA as provided in the DRAM.
12. If, within 30 days, the owner does not accept the price offer under negotiated sale, the implementing office may initiate expropriation proceedings with the appropriate court.
13. It is the responsibility of the implementing office to obtain and validate all necessary documents for ROW claims.
14. Prior to payment, ROW claims shall be screened, fully verified and validated, and the supporting documents authenticated in accordance with the checklist in the DRAM.
15. Valid claims for all lands, structures and other improvements shall be paid in full in accordance with government rules and regulations. For negotiated sale, the implementing office shall remit to the BIR the Capital Gains Tax (CGT), for the account of the owner, to be deducted from the Total Price or compensation indicated in the DAS. The implementing office shall remit to the LGU concerned any unpaid Real Property Taxes of the owner, to be deducted from the consideration or Total Price in the DAS. The implementing office shall pay the Documentary Stamp Tax (DST) to the BIR, the Transfer Tax to the Provincial/City Treasurer, and the Registration Fees to the Register of Deeds, to be funded from appropriate funds of the implementing office outside the said compensation or Total Price in the DAS.
16. The financial office shall monitor the releases and disbursement of ROW funds made by the implementing office.
17. In general, before the implementing office issues the Notice of Award for the construction contract, the implementing office must obtain at least a Permit to Enter (PTE) the ROW from the owner, or a notarized DAS or Deed of Donation executed in favor of the government, or a Writ of Possession (WOP) from the concerned court, as the case may be.

In case of a large multi-year project, the Notice of Award may be immediately issued to cover the entire project, but the Notice to Proceed (NTP) may be issued by segment according to the phased implementation of the project with corresponding phased delivery of the required ROW. In such a case, the general practice is that each ROW phase should provide a land area free from obstructions with at least a PTE to enable the contractor to do at least six months of continuous construction.

18. The implementing office shall properly file all documents pertaining to the acquisition of ROW and shall effect the transfer of titles or other tenurial instruments in the name of the Republic of the Philippines within three months from the perfection of the DAS, or in the case of expropriation, from the date of full payment.
19. All utilities must be fully cleared from the ROW before the issuance of the Notice of Award for the construction contract. If a utility company does not comply with the implementing office's notification to relocate the utility within the specified time, the implementing office shall clear the utility and bill the utility company accordingly. The relocation of electric cooperative lines, however, shall be governed by the Joint Circular of the Department of Energy (DOE) – DPWH dated July 2017.
20. The implementing office shall prepare the final as-built ROW Plans upon completion of the project, for submission to the Undersecretary concerned.

Section 2.4 Preparation of RAP

This procedure is one of the main features of the improved ROW Process which would help ensure that ROW costs are included in project budgets. This is carried out by formulating a RAP during the project Pre-Feasibility Study or Feasibility Study. The RAP shall contain, among other things the following:

1. description of the lands, structures/improvements, and crops/trees to be acquired as ROW;
2. profile of Project Affected Persons (PAPs);
3. pricing of property based on BIR zonal values, tax declarations, and recent sales;
4. possible adverse impacts of project and mitigation measures;
5. cost estimates for acquiring land and improvements needed as ROW and for relocation of informal settlers;
6. recommended compensation and entitlement package for owners and PAPs; and
7. RAP implementation schedule.

Section 2.3 Parcellary Survey

The Parcellary Survey should be done as part of the DED and its outputs shall serve as the technical basis for defining the lots to be acquired for the ROW of a project. Parcellary Survey may be undertaken directly by the concerned implementing office or by consultants if the implementing office has limited capability or available personnel to do the job. In either case, the preparation of parcellary plans is started once the ROW plans for the proposed project are completed as part of the DED.

Adequate funds should be provided for the conduct of the Parcellary Survey out of the applicable ROW appropriations. As mentioned in the DRAM, such ROW appropriations should preferably be provided separate from, and at least one year ahead of, the civil works appropriations to avoid delays in project implementation. This will enable the IO to undertake the Parcellary Survey one year or more in advance of the scheduled construction works.

Section 2.19 Expropriation Proceedings

This section describes the conditions under which expropriation proceedings can be exercised by the implementing office. Please refer to provisions below:

1. **Rule 67, of the Rules of Court** provides that The right of eminent domain shall be exercised by the filing of a verified complaint which shall state with certainty the **right and purpose of expropriation**, describe the real or personal property sought to be expropriated, and join as defendants all persons owning or claiming to own, or occupying, any part thereof or interest therein, showing, so far as practicable, the separate interest of each defendant. If the title to any property sought to be expropriated appears to be in the Republic of the Philippines, although occupied by private individuals, or if the title is otherwise obscure or doubtful so that the plaintiff cannot with accuracy or certainty specify who are the real Owners, averment to that effect shall be made in the complaint.
2. The power of eminent domain can only be exercised for public use and with just compensation. Taking an individual's private property is a deprivation which can only be justified by a higher good—which is public use - and can only be counterbalanced by just compensation. Without these safeguards, the taking of property would not only be unlawful, immoral, and null and void, but would also constitute a gross and condemnable transgression of an individual's basic right to property as well.
3. Other principles in expropriation include the following:
 - a. *whatever is beneficially employed for the community.*
 - b. *the full and fair equivalent of the property taken from its Owner by the expropriator, and (that) the gauge for computation is not the taker's gain but the Owner's loss.*
4. Expropriation should be the last resort in acquiring infrastructure ROW. In accordance with R.A. 10752-IRR Section 7, the IO may resort to the mode of expropriation to acquire real property for the ROW for a national government infrastructure in any of the following cases:
 - a. If negotiated sale fails, i.e., if, within thirty (30) days after receiving the price offer from the IO, the property Owner:
 - b. refuses or fails to accept the price offer for negotiated sale; or,
 - c. fails and/or refuses to submit the documents necessary for payment under the negotiated sale; or,
 - d. When negotiation is not feasible, including cases where, after due diligence, the Owner of the property cannot be found *or* the Owner is unknown *or*: the Owner is deceased and the estate has not been settled *or* there are conflicting claims over the Ownership of the property and improvements and/or structures thereon.
5. The IO, through the OSG, shall initiate the expropriation proceedings by filing a verified complaint before the proper Court.
6. The IO shall immediately deposit to the Court in favor of the Owner, the sum of: the value of the land based on the current relevant BIR zonal valuation, the replacement cost at current market value of the structures and improvements, and the current market value of crops and trees.
7. Upon compliance with the deposit, the Court is expected to immediately issue an order to take possession of the property - through a Writ of Possession (WOP) - to the IO which shall start implementation of the project.

In the DRAM, it is deemed that the 30-day notice provides a chance for the owner to present material they believe is relevant to determining the property's value, and to suggest modifications to the proposed terms and conditions of the purchase. Further it is also an opportunity to advise and seek

discussion on any liabilities and responsibilities arising from the process. If there is a refusal of the offer, or failure by the owner to respond to the offer and/or to submit the required documents as proof of ownership, within the prescribed period of thirty (30) days, the IA shall immediately notify the owner that the IA shall initiate Expropriation proceedings.

4.2.18 Land Acquisition, Resettlement, Rehabilitation and Indigenous Peoples' Policy (LARRIPP), 2007

Policy and guidelines of DPWH on resettlement are expressed in the Infrastructure Right of Way (IROW) Procedural Manual (April, 2003) and the Land Acquisition, Resettlement, Rehabilitation and Indigenous People's Policy (LARRIPP) (3rd edition in April, 2007).

The LARRIPP indicates that social impacts of infrastructure projects should be avoided, minimized and/or mitigated. PAPs should be provided with sufficient compensation in order to ensure that their standard of living prior to the project should be maintained or improved. Project stakeholders should also be consulted regarding the project's design, implementation and operation.

4.2.19 NHA Memorandum Circular No. 2427 Series of 2012

NHA Memorandum Circular No. 2427 s. 2012 as enabler and facilitator in the housing delivery process under R.A. 7279, NHA issued the Revised Guidelines for the Implementation of the Resettlement Assistance Program for Local Government Units designed to enhance the capabilities of LGUs outside Metro Manila to provide housing for informal settlers requiring relocation and resettlement. Target beneficiaries include families displaced or to be displaced from sites earmarked for government infrastructure projects. As partners of the program, NHA will (i) provide technical assistance to LGUs in preparing project plans and formulating policies and guidelines in implementing resettlement projects and (ii) contribute funds (in the form of grants) for the development of resettlement sites. The LGUs on the other hand shall (i) contribute land for the project and (ii) be the lead project implementer with overall responsibility for the operation and management of the resettlement project to include preparation of overall project plans, site development and housing plans, beneficiary selection, relocation of families and estate management.

4.2.20 NHA Memorandum Circular No. 015, Series of 2015

This Memorandum Circular provides the guidelines for site selection, site suitability, and site planning in the implementation of various housing development programs and projects of the National Housing Authority. It also entails the selection and planning of sites for housing with the objective of rationalizing the land use of NHA housing projects considering the many environmental and social issues on housing development vis-à-vis the existing government rules and regulations.

4.2.21 NHA Memorandum Circular No. 014, Series of 2018

NHA Memorandum Circular No. 014, S.2018 entitled, "Revised Guidelines for the Financing of the Acquisition of Developed Lots and Completed Housing Units in Permanent Housing Sites Through the Community Based Initiative Approach (CBIA)" seek to provide improvements on the Community Initiative Approach (CIAP) per NHA Board Resolution Nos. 6081 and 6155 dated May 13, 2016 and March 01, 2017, respectively. The latest issuance includes enhanced participation of Community Associations (CA) in identified aspects of the relocation and resettlement program and project implementation process, as well as strengthening of controls in the site evaluation, evaluation of landowners/developers/contractors, review and approval of project proposals, and project implementation.

4.3 JICA Policies on Involuntary Resettlement

Based on Section 2.6, of JICA Guidelines (2010), “projects must comply with the laws, ordinances, and standards related to environmental and social considerations established by the governments that have jurisdiction over project sites (including both national and local governments). They must also conform to the environmental and social consideration policies and plans of the governments that have such jurisdiction”.

The key principles of JICA policy on involuntary resettlement described in the guidelines is summarized below:

1. Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives.
2. When population displacement is unavoidable, effective measures to minimize the impact and to compensate for losses should be taken.
3. People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.
4. Compensation must be based on the full replacement cost.
5. Compensation and other kinds of assistance must be provided prior to displacement.
6. For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public.
7. In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance. When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people.
8. Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans.
9. Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.
10. Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socio-economic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers and others who wish to take advance of such benefits.
11. Eligibility of benefits include:
 - PAPs who have formal legal rights to land (including customary and traditional land rights recognized under law);
 - PAPs who do not have formal legal rights to land at the time of census but have a claim to such land or assets; and
 - PAPs who have no recognizable legal right to the land they are occupying.
12. Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.
13. Provide support for the transition period (between displacement and livelihood restoration).

14. Particular attention must be paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities, etc.
15. For projects that entail land acquisition or involuntary resettlement of fewer than 200 people, abbreviated resettlement plan is to be prepared.

4.4 ADB Policy on Involuntary Resettlement

The objectives of the ADB SPS (2009) are to avoid involuntary resettlement whenever possible; to minimize involuntary resettlement by exploring project and design alternatives; and to enhance, or at least restore, the livelihoods of all displaced and vulnerable persons in real terms relative to pre-project levels, and to improve the standards of living of the displaced poor and other vulnerable groups. The involuntary resettlement safeguard covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary land acquisition, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary. ADB-supported projects are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating). The level of detail and comprehensiveness of the resettlement plan are commensurate with the significance of the potential impacts and risks.

ADB's policy on Involuntary Resettlement (SPS 2009) is briefly described below:

1. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
2. Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
3. Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
4. Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.

5. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
6. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
7. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of nonland assets.
8. Prepare a resettlement action plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
9. Disclose a draft resettlement action plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
10. Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
11. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
12. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

An important aspect of ADB's involuntary resettlement safeguard requirement is compensation at replacement cost comprising the following elements: (i) fair current market value at the time of compensation; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. In the calculation, structures are required to be compensated at replacement costs without depreciation of structures. Qualified and experienced experts shall undertake the valuation of acquired assets.

Persons or households without formal legal rights nor recognized or recognizable claims to the acquired land are still entitled to be compensated for their loss of assets other than land, such as dwellings or other improvements on the land at full replacement cost, provided that they have occupied/used the land or structures in the affected land prior to a declared cut-off date.

ADB's indigenous people's safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of indigenous peoples or affects the territories or natural or cultural resources that indigenous peoples own, use, occupy, or claim as their ancestral domain. If ancestral domain land will be required for the rail ROW for the project, appropriate IP safeguard instrument will be prepared.

Other ADB policies relevant to resettlement action planning and implementation include the Policy on Gender and Development that adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring participation of women and that their needs are explicitly addressed in the decision-making process for development activities. For projects that have the potential to have

substantial gender impacts, a gender plan is prepared to identify strategies to address gender concerns and the involvement of women in the design, implementation and monitoring of the project.

The ADB Public Communications Policy seeks to encourage the participation and understanding of people and other stakeholders affected by ADB-assisted activities. Information dissemination on ADB-funded projects should start early in the project preparation phase and continue throughout all stages of project development, in order to facilitate dialogue with affected persons and other stakeholders.

4.5 Resettlement Policy Comparison

Below is a table comparing Philippine’s legal framework with JICA/ADB Guidelines on involuntary resettlement. Some policy gaps have been identified. Gap filling measures have been identified and are presented in Table 4-1.

Table 4-1 Gap Analysis and Harmonized Involuntary Resettlement Policy

	Issue	ADB/JICA	Laws of the Philippines	Gap	Gap Filling Measure
1	Compensation for non-land assets for those without recognized legal rights to affected land.	PAPs who have neither formal legal rights nor recognizable claims to affected land they occupy are to be compensated for the loss of assets other than land, and for other improvements to the land, at full replacement cost, provided they occupied the project area prior to the project cut-off date.	<p>PAPs without legal entitlement to affected land will be eligible for compensation for structures and improvements with following criteria:</p> <ul style="list-style-type: none"> a. Must be a Filipino citizen; b. Must not own any real property or any other housing facility, whether in an urban or rural area; c. Must not be a professional squatter or a member of a squatting syndicate, as defined in R.A No. 7279, otherwise known as the "Urban Development and housing Act of 1992"; <p>(Section 5(b) of R.A. 10752)³ "Squatting syndicates" as defined in section 3 of R.A. 7279⁴ will not be eligible for compensation or assistance.</p> <p>Under Section 15 of IRR of R.A. 10752, the government shall provide adequate appropriations including the cost of development and implementation of resettlement projects, including planning, social preparation, provision of basic services, community facilities,</p>	PAPs without legal rights to affected land are potentially ineligible for compensation for non-land losses if they are classified as professional squatters or members of squatting syndicates.	<p>PAPs who do not have legally recognized right to the affected land but who occupy the project affected area prior to the cut-off date are eligible for compensation for affected non-land assets and improvements, other than land, at full replacement cost.</p> <p>This includes those that do not meet the criteria within the Laws of the Philippines, with the exception of "Squatting syndicates" as defined in section 3 of R.A. 7279 and who are certified by HUDCC and or other Government Agency (PNR, LGU among others) as such will not be eligible for compensation.</p> <p>Presence in the project affected area at cut-off date to be validated through census and validated by the respective Local Housing Office (LHO) or the Local Inter-Agency Committee (LIAC), in the absence of the former.</p> <p>All aspects of the RAP will be covered by adequate government appropriations.</p>

³ Section 6.6 of IRR of R.A. 10752 includes additional criterion that PAPs must not occupy an existing government ROW. However, this criterion is not supported in R.A. 10752 itself.

⁴ "Squatting syndicates" refers to groups of persons engaged in the business of squatter housing for profit or gain

	Issue	ADB/JICA	Laws of the Philippines	Gap	Gap Filling Measure
			livelihood restoration and improvement and other activities in the resettlement action plan.		
2	Eligibility for resettlement assistance	Physically displaced persons will be provided with relocation assistance, transitional support and development assistance. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards and provide them with appropriate income sources and legal and affordable access to adequate housing.	Socialized Housing: Under Section 16 of R.A. 7279, informal settlers: To qualify for the socialized housing program, a beneficiary: a. Must be a Filipino citizen; b. Must be an underprivileged and homeless citizen c. Must not own any real property whether in the urban or rural areas; and d. Must not be a professional squatter or a member of squatting syndicates.	Restrictions on eligibility for resettlement assistance for those who do not meet the criteria for the socialized housing or have real property elsewhere.	All relocating PAPs will be eligible for self-relocation assistance or assisted resettlement, with the exception of “Squatting syndicates” as defined in section 3 of R.A. 7279 and who are certified by HUDCC as such will not be eligible for resettlement assistance. Members of squatting syndicates who do not actually occupy project-affected structures and are residing elsewhere will not be physically displaced and as such will not be eligible for relocation assistance and transitional support. The Entitlement Matrix outlines the specifics of the support provided for the self-relocation assistance and resettlement assistance options.
3	Payment of capital gains tax on land acquired through expropriation.	The rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs. The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any.	R.A. 10752 requires for the property owner to pay the capital gains tax in expropriation proceedings in order to incentivize and promote negotiated sale. Under negotiated sale, the IA shall pay for the account of the seller, the capital gains tax, as well as the documentary stamp tax, transfer tax, and registration fees. The property owner will pay any unpaid real property tax. Under expropriation proceedings, the IA shall pay the documentary stamp tax, transfer tax, and	Payment of capital gains tax by PAP if land is expropriated is inconsistent with principle of replacement cost.	Payment of CGT will be paid by the IA after the ruling by the court in expropriation cases when a PAP is unable to accept the negotiated sale as they lack the paperwork and are required to undergo Extra Judicial Settlement before being recognized as the property owner (for example, in deceased estates that have not been settled). Prompt and complete disclosure of the advantages of Negotiated Sale over Expropriation Proceedings (As provided for by R.A. 10752) shall be made during conduct of the 2 nd Stakeholder Consultation Meeting (SCM) to wit: <u>Negotiated Sale Advantages:</u>

	Issue	ADB/JICA	Laws of the Philippines	Gap	Gap Filling Measure
			registration fees, while the owner will pay the capital gains tax and any unpaid real property tax.		<p>(i) Outright offer for land price will be based on fair market value (ii) Payment of CGT shouldered by Implementing Agency (DOTr) (iii) Shorter process (2-6 months if all required documents are complete)</p> <p><u>Expropriation Proceeding Disadvantages:</u> (i) Initial payment for land based on BIR zonal value and owner needs to present documentary evidence during court hearings to prove that value should be higher (ii) Owner needs to hire lawyer (iii) Longer process (may take a year to several years before decision of court for payment of just compensation in favor of the owner becomes final and executory) and orders DOTr to pay the owner the difference. PAPs may still revert from expropriation to negotiation at any point in time before the last day of filing for Motion of the expropriation case. In case the Expropriation Case has been filed in Court: The plaintiff (DOTr) can withdraw the case any time before the filing of the answer by the defendant (PAPs) (Section 1(h) Rule 16 of the 1997 Rules of Court on Civil Procedures) If the answer has been filed there has to be a joint filing by DOTr and owner to withdraw the case (Section 2, Rule 17 of the 1997 Rules of Court on Civil Procedures) In both cases, the acquisition mode would revert back to Negotiated Sale, which will</p>

	Issue	ADB/JICA	Laws of the Philippines	Gap	Gap Filling Measure
					entitle the owner to payment at current market value for land (as indicated in DOTr's letter offer), free of taxes, including CGT, and registration fees in accordance with Section 5(c) R.A. 10752, replacement cost for structures and improvements, and market value for crops and trees under Section 5(a) R.A. 10752.
4	Scope of application of the RAP	Scope to cover direct impacts of land acquisition and restricted land use for the project, including any land acquired for development of resettlement sites specifically for the project. Involuntary land acquisition for resettlement sites to be avoided, where possible.	Unless specifically included in the RAP, Government policies and standards only would be applied.	Potential gap with respect to application of policies and entitlements under RAP to those who are affected by land acquisition to develop resettlement sites for the project.	Any land acquired for resettlement site development specifically for the needs of the project will be included in the scope of RAPs, and will follow the project-specific policies as outlined in the RAP. DOTr will oblige any agency responsible for land acquisition for resettlement sites, such as NHA, to apply the same standards and entitlements as set out in the policy framework.
5	Payment of compensation and assistance prior to displacement	All compensation and assistance should be provided prior to displacement.	Under R.A. 10752, in the mode of negotiated sale, PAPs will be paid in two installments for their affected properties. The balance in compensation for the land will only be paid after the deed of sale has been completed. The balance of payment for improvements will be paid to the PAPs only after the acquired lands have been cleared of all improvements (i.e., structures, trees, and crops). In the mode of expropriation, an initial compensation at an amount computed at 100% of lot price based on latest Bureau of Internal	Gaps on timing for payment, and for expropriation cases, the need to provide proof of ownership to the courts prior to payment.	The APs will not be displaced until after they have been paid in full the compensation and applicable allowances due to them. For negotiated sale the following arrangements will be applied: For structures: DOTr to pay 100% prior to being displaced. Payment of compensation for structures and improvements may be held in abeyance for participants of socialized housing program or used as an advance payment on their amortizations at the PAPs request until the relocation site and socialized housing accommodation becomes available. For land: For Full/Severe impacts - 1st

	Issue	ADB/JICA	Laws of the Philippines	Gap	Gap Filling Measure
			Revenue (BIR) zonal value for land, replacement cost for structures and improvements, and market value for crops and trees in the form of a check will be deposited to the court in favor of the owner upon filing of expropriation case by DOTr. The Court will immediately issue an order to take possession of the property and start implementation of the project (Section 6(a) R.A. 10752). While the court adjudicates the compensation to be paid, the PAPs may, at any time request the court to release such deposit upon presentation of proof of ownership (Section 6(a) R.A. 10752).		<p>installment of 50% by DOTr remaining 50% is paid to PAPs when land is officially transferred; for partial/ marginal land taking, remaining 50% is paid to PAPs upon annotation of the Title on sale of portion of land; but no displacement nor civil works to commence until such transfer is effective and balance paid.</p> <p>In negotiated sale cases where PAPs are willing to sell their property but will take more than 30 days to submit required documents, DOTr shall provide necessary assistance to the extent possible, to help PAPs to secure the paperwork.</p> <p>In cases wherein PAPs need to undergo Extra Judicial Settlement (EJS)⁵ for the paperwork, the DOTr shall assist them through the Help Desk so that they can complete title segregation prior to issuance of offer to buy (OTB)⁶, and thus can be eligible for negotiated sale.</p> <p>In cases wherein the PAPs with EJS case is assisted but could not be finished prior to issuance of OTB, expropriation case shall be filed while the EJS is still being processed. The PAPs can, at any time, request the court to release the initial payment deposited to the Court upon submittal of proof of ownership. The PAP will have the choice of accepting the check</p>

⁵ In cases when the original owner, whose name is on the title, has already died and did not leave any last testament as to who will inherit his property, the heirs have to undergo extra judicial settlement (EJS) so that the original title can be subdivided among them. Otherwise the agency tasked to acquire ROW cannot compensate them.

⁶ This can be achieved through early issuance of the Notice of Taking to property owners.

	Issue	ADB/JICA	Laws of the Philippines	Gap	Gap Filling Measure
					for BIR Zonal value for the land and replacement value for structures and improvements, and market value for crops and trees and await the courts findings, or once the EJS is completed, a joint motion in the court for a compromised judgement can be filed and the acquisition goes back to negotiated sale. In such cases, the DOTR shall pay to the PAPs the difference between the initial payment released by the court and the market value indicated in the OTB.
6	Severity of Impact on productive resources after which rehabilitation assistance is required.	Loss of 10% or more of productive or income sources (e.g. farmland, business/ shop) is entitled to livelihood restoration assistance	For agricultural tenants and sharecroppers: Financial assistance equivalent to the average gross harvest for the last three (3) years and not less than P15,000 per hectare (EO 1035). For agricultural lessees: Entitled to disturbance compensation equivalent to five times the average gross harvests on his/her landholding during the last five preceding calendar years (R.A. 6389)	Gap with respect to threshold and requirement for livelihood restoration assistance for all cases experiencing loss of productive resources.	Participation in the Livelihood Restoration and Improvement Program for those whose productive resources are permanently affected by 10% or more.
7	Severity of loss of property after which the entire property will be acquired.	If the residual portion is 20% or less ⁷ or if the residual portion is no longer viable for use according to original	No specific law prescribes acquisition of remaining unviable portion of the acquired property. ⁸	No current Government policy on this issue.	If the residual portion is 20% or less or if the residual portion is no longer viable for use according to original purpose, the entire property will be acquired taking also the

⁷ Based on the World Bank Involuntary Resettlement Sourcebook which, JICA applies in its policy, provides that if more than 80% of holdings is acquired, or if residual holdings no longer economically viable, owner shall have the option to sell the residual land

⁸ The DPWH Land Acquisition Resettlement Rehabilitation and Indigenous Peoples Policy (LARRIPP) 3rd Ed. Series Of 2007 provides that if portion of the property to be affected is more than 20% of the total land area or even less than 20% if the remaining portion is no longer economically viable or it will no longer function as intended. The owner of this property (land or structures, etc.) shall be entitled to full compensation in accordance to RA 8974. The DPWH LARRIPP 2007 is dated, being based on RA 8974, which has been superseded by R.A. 10752.

	Issue	ADB/JICA	Laws of the Philippines	Gap	Gap Filling Measure
		purpose, the entire property will be acquired.			wishes of the PAP into consideration.
8	Income restoration and livelihood improvement	The borrower/client will include detailed measures for income restoration and livelihood improvement of displaced persons in the resettlement plan. Income sources and livelihoods affected by project activities will be restored to pre-project levels, and the borrower/client will make every attempt to improve the incomes of displaced persons so that they can benefit from the project. For vulnerable persons and households affected, the resettlement plan will include measures to provide extra assistance so that they can improve their incomes in comparison with pre-project levels. The resettlement plan will specify the income and livelihoods restoration strategy, the institutional arrangements, the monitoring and reporting framework, the budget, and the time-bound implementation schedule.	Requirements for supplementary assistance or training to certain categories of PAPs. However, the requirements do not have specific objectives to restore income earning capacity and are limited in scope and application. Nonetheless, IRR of R.A. 10752 states that government appropriations should be available to implement the cost of development and implementation of resettlement projects, and may include livelihood restoration and improvement activities.	ADB/JICA guidelines are more specific regarding objectives of restoring income earning capacity and include those whose income generation resources are severely affected.	Income restoration and livelihood improvement measures need to be designed in consultation with PAPs and be adequately resourced to restore income earning capacity of all PAPs whose livelihoods are affected and improve income earning capacity of vulnerable PAPs. The effectiveness of the income restoration and livelihood improvement activities will be monitored and reviewed.
9	Transitional assistance and compensation for lost income.	In the case of physically displaced persons, provide transitional support and development assistance, such as land development, credit facilities, training, or	Section 10(c) of R.A. 10752 provides that the cost of development and implementation of resettlement projects covered by the Act, including planning, social preparation, and other	Although there are no specific laws and guidelines which mention the transition period, entitlements relating to this may be lumped under	Transitional support during the period while PAPs are resettling and re-establishing their livelihoods will be provided aimed at stabilizing their living standards. Cash compensation to cover income losses

	Issue	ADB/JICA	Laws of the Philippines	Gap	Gap Filling Measure
		<p>employment opportunities; and opportunities to derive appropriate development benefits from the project.</p> <p>In cases where land acquisition affects commercial structures, affected business owners are entitled to (i) the costs of reestablishing commercial activities elsewhere; (ii) the net income lost during the transition period; and (iii) the costs of transferring and reinstalling plant, machinery, or other equipment.</p>	<p>activities under the resettlement action plan shall be provided adequate appropriation to cover the funds needed for such.</p> <p>Section 15 of the IRR of R.A. 10752 further states that when necessary the development cost described above may include land development and housing construction, provision of basic services and community facilities, livelihood restoration and improvement and other activities under the resettlement action plan in coordination with concerned government agencies.</p> <p>Executive Order No. 1035 provides for (1) financial assistance to displaced tenants, cultural minorities and settlers equivalent to the average annual gross harvest for the last 3 years and not less than P15,000 per hectare, and (2) disturbance compensation to agricultural lessees equivalent to 5 times the average gross harvest during the last 5 years.</p> <p>Section 7 of RA 6389 provides for disturbance compensation for agricultural lessees equivalent to 5 times the average gross harvest in the last 5 years.</p> <p>For PAPs whose structures are</p>	<p><i>“livelihood restoration and improvement and other activities under the resettlement action plan”</i> as provided by the latest ROW law and its IRR.</p> <p>In the Philippine laws, there is no provision for compensation for loss of income for medium to large businesses.</p>	<p>during transition period corresponding to stoppage of business/commercial activities, but not exceeding six-month period For PAPs who are owners of medium to large commercial establishments built inside own affected property:</p> <ul style="list-style-type: none"> • Acquire the property but allow the owner of the structure and business use of the land for a defined period to give the owner time to transfer, subject to agreement on a case to case basis; • Cash compensation to cover transactional (e.g., permitting) cost of reestablishing the business; and • Assistance in securing soft loan to enable self-rehabilitation for those restarting business elsewhere. <p>PAPs who are owners of commercial establishments and are leasing space from property owners</p> <ul style="list-style-type: none"> • For those who will continue with their commercial activities elsewhere, rental subsidy for three (3) months based on prevailing average monthly rental for a similar structure of equal type and dimension to the property being leased. Not applicable to lease contracts that will expire within three (3) months at the time of taking; • Cash compensation to cover transactional (e.g., permitting) cost of reestablishing the business elsewhere; <p>PAPs who are owners of micro and small businesses with or without permits from the LGU concerned:</p>

	Issue	ADB/JICA	Laws of the Philippines	Gap	Gap Filling Measure
			severely affected and business/income will be affected, the DPWH LARRIP (2003) provides for rehabilitation assistance with an amount not more than P15,000 (based on the tax record for the business activities)		<ul style="list-style-type: none"> • Cash compensation to cover income losses during transition period corresponding to stoppage of business activities, but not exceeding six-month period; • Cash compensation to cover transactional (e.g., permitting) cost of reestablishing the industry elsewhere; • Assistance in securing soft loan to enable self-rehabilitation for those restarting business elsewhere. • Participation in the Livelihood Restoration and Improvement Program • For PAPs who are leasing space from property owners who can continue with their micro-small business activities elsewhere, rental subsidy for three (3) months based on prevailing average monthly rental for a similar structure of equal type and dimension to the property being leased. <p>PAPs who are employed in displaced commercial or industrial establishment losing job due to closure of business or laying off as a result of minimized operation.</p>
10	Disclosure of the RAP	JICA Policy is to make the RAP accessible to the Public through its website before Loan Agreement	The NEDA ICC does not require the RAP to be made available to public.	Accessibility of the RAP to stakeholders.	<p>The RAP shall be prepared and accessible to the public through the JICA, ADB and DOTr websites.</p> <p>Salient information from the RAP will be disclosed to PAPs prior to and following finalization during stakeholder consultation meetings.</p>
11	Grievance redress mechanism	Appropriate and accessible grievance mechanisms must	Republic Act 9285 (Alternative Dispute Resolution (ADR) Act of	ADR system is promoted by RA 9285 but it does not	An effective and accessible grievance redress mechanism will be established for

	Issue	ADB/JICA	Laws of the Philippines	Gap	Gap Filling Measure
		be established for the affected people and their communities.	2004) was meant to promote alternative mechanisms to resolve disputes outside of judicial litigation, and to provide the means for using ADR as an effective tool. ADR system adopts such measures as mediation, conciliation, arbitration, or any combination of it to achieve speedy and efficient means of resolving cases pending before all courts.	stipulate the grievance redress mechanism. There are no specific laws that stipulate the grievance redress mechanisms in the Philippines. ⁹	the project to resolve disputes outside the judicial system. Prior to start of right-of-way acquisition ¹⁰ (ROWA), DOTr will establish a help desk at each city/ municipality to address the concerns of PAPs pertaining to RAP and ROWA. Each help desk must be established immediately before the sending of the Notice of Taking to PAPs by DOTr. A database of PAPs' concerns, actions taken, referrals made, and resolution status of said concerns shall be developed and maintained by DOTr. Once the ROWA commences, GRM is triggered and the help desk, in coordination with the RIMT shall serve as recipient and database manager of grievances filed.
12	Census, inventory of losses and establishment of cut-off date for eligibility to entitlements.	Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census, asset inventory, and socioeconomic survey). The borrower/client will establish a cut-off date for eligibility. Information regarding the cutoff date will be documented and disseminated throughout the project area.	Requirement under R.A. 7279 and its IRR for LGUs to conduct inventory of their ISFs. The conduct of survey and tagging are established practice by the Urban Poor Affairs Office (UPAO). Section 4 of the IRR for Registration of Socialized Housing Beneficiaries states that the city/municipal government shall be primarily responsible for carrying out the registration of underprivileged and homeless families within their respective jurisdictions.	No specific requirement for cut-off date.	A census and socioeconomic survey is conducted for the affected areas to prepare the RAP. For informal settlers, the cut-off date is set on the beginning date of the census and tagging. The cut-off date is publically disclosed during the 1 st stakeholder consultation meeting in the project affected areas. Date of Notice of Taking will be the cut-off date for formal property owners.
13	External monitoring	For projects with significant	Not required	Requirement for external	The IA will engage qualified experts to

⁹ In terms of guidelines, Section 3.4 Tracking and Monitoring Implementation of Grievance procedures of the DPWH LAPRAP Tracking Manual of 2003 may be used as reference.

¹⁰ Onset is marked by the sending of the Notice of Taking by DOTr.

	Issue	ADB/JICA	Laws of the Philippines	Gap	Gap Filling Measure
		involuntary resettlement impacts, the borrower/client will retain qualified and experienced experts to conduct external monitoring.		monitoring of projects with significant impacts.	conduct external monitoring of implementation of the RAP.
14	Voluntary land donation	Voluntary donation will be an act of informed consent and APs/IPs will not be forced to donate land or other assets with coercion or under duress.	Voluntary land donations are permitted.	Voluntary land donations are a mode of land acquisition for the project.	Voluntary donation will be an act of informed consent and APs/IPs will not be forced to donate land or other assets with coercion or under duress. Any voluntary donation will follow international best practices and be confirmed through written records and verified by an independent third party.

CHAPTER 5 PROJECT RESETTLEMENT POLICY

5.1 Fundamental Project Policy

The Government of the Philippines will adopt a Project Resettlement Policy (the Project Policy) for MCRP that is consistent with national laws and regulations and international standards on involuntary resettlement, and fill in policy gaps identified in the previous chapter. This is to ensure that PAPs are able to rehabilitate themselves to at least their pre-project condition, at the earliest possible time. The Project Policy will follow the provisions and entitlements laid out in this RAP.

This section discusses the principles of said Project Policy and the entitlements of PAPs based on the type and degree of their losses. The MCRP Project Policy is presented below:

1. Land acquisition and involuntary resettlement will be avoided where feasible or minimized, by identifying possible alternative project designs that have the least adverse impact on the communities in the project area.
2. Where displacement of households is unavoidable, all eligible PAPs losing assets, livelihood, or resources will be fully compensated and assisted so that they can improve, or at least restore, their pre-project standards of living.
3. Where displacement of business enterprises is unavoidable, all PAPs losing livelihoods will be fully assisted so that they can improve, or at least restore, their former economic conditions.
4. Rehabilitation assistance will be provided to any PAPs, that is, any person or household or business which on account of land acquisition for the project would have their:
 - (a) Standard of living adversely affected;
 - (b) Right, title or interest in any structure, interest in, right to use, any land (including premises, agricultural and grazing land, commercial properties, tenancy, or right in annual or perennial crops and trees or any other fixed or moveable assets, acquired or possessed, temporarily or permanently);
 - (c) Income earning opportunities business, occupation, work or place of residence or habitat adversely affected temporarily or permanently; and
 - (d) Social and cultural activities and relationships affected or any other losses that may be identified during the process of resettlement planning.
5. All affected people shall be eligible for compensation and rehabilitation assistance, irrespective of tenure status, social or economic standing and any such factors that may discriminate against achievement of the objectives outlined above. Lack of legal rights to the assets lost or adversely affected, nor tenure status and social or economic status, will not bar the PAPs from entitlements to such compensation and rehabilitation measures or resettlement objectives, unless proven disqualified under Philippine law, JICA Guidelines (2010) and ADB SPS (2009).
6. All PAPs residing, working, doing business and/or cultivating land within the project impacted areas as of the cut-off date shall be entitled to compensation for their lost assets at replacement cost as well as restoration of incomes and businesses, and will be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.
7. PAPs partially affected by land acquisition will not be left with residual portions that would not be viable for continued use for the original purpose. PAPs whose land is partially acquired will have the option for the entire lot to be acquired if the residual portion is not viable. For partially affected structures, if the remaining portion is not technically viable for continued use, the entire structure will be compensated.
8. People temporarily affected shall be considered PAPs. Contractors shall secure the necessary ECCs for temporary facilities such as workers camps, construction yards, warehouses for

materials, stockpiling areas etc. from the appropriate DENR-EMB offices where they are located. Where these facilities are located in public or private lands, the Contractor shall enter into Lease Agreements and should there be a need for temporary displacement or compensation for affected structures and improvements, the Contractor shall comply with the provisions of R.A. 10752, the Environment Management Plan and this RAP.

9. Where a host community is affected by the development of a resettlement site in that community, the host community shall be consulted on resettlement planning and decision-making. All attempts shall be made to minimize the adverse impacts of resettlement upon host communities.
10. The plans for resettlement and relocations will be designed in accordance with the Project Policy.
11. The RAP as approved by JICA and ADB will be disclosed by DOTr to the public through the following means: posting of approved RAP on DOTr and ADB websites and distribution to concerned LGUs.
12. Payment for land and/or non-land assets will be based on the principle of full replacement cost¹.
13. Compensation for PAPs dependent on agricultural activities will be land-based wherever possible. Land-based strategies may include provision of replacement land, ensuring greater security of tenure, and upgrading livelihoods of people without legal titles. If replacement land is not available, other strategies may be built around opportunities for re-training, skills development, wage employment, or self-employment, including access to credit. Cash compensation alone will be avoided as an option if possible, as this may not address losses that are not easily quantified, such as access to services and traditional rights, and may eventually lead to those populations being worse off than without the project.
14. Transitional assistance will be provided, in addition to compensation to assist PAPs to restore livelihood and standards of living. Such support could take the form of short-term jobs, subsistence support, and transitional allowance.
15. The resettlement plan must consider the needs of those most vulnerable to the adverse impacts of resettlement (including the poor, those without legal title to land, ethnic minorities, women, children, elderly, and disabled) and ensure they are considered in resettlement planning and mitigation measures identified. Assistance should be provided to help them improve their socio-economic status.
16. PAPs will be involved in the process of developing and implementing resettlement plans.
17. PAPs and their communities will be consulted about the project, the rights and options available to them, and proposed mitigation measures for adverse effects, and to the extent possible be involved in the decisions making concerning their resettlement.
18. Adequate budgetary support will be fully committed and made available to cover the costs of land acquisition (including compensation, other entitlements and income restoration measures) within the agreed implementation period. The funds for all resettlement activities will come from the Philippine government.
19. Displacement must not take place before provision of compensation and other assistance required for relocation. Sufficient social infrastructure and basic services must be provided in the resettlement site prior to relocation. Livelihood restoration measures must also be in place but not necessarily completed prior to construction activities, as these may be on-going activities.
20. Arrangements required for the implementation of the RAP will be in place prior to the commencement of implementation of RAP; this will include the provision of adequate human

¹ The cost of replacing lost assets and incomes, including cost of transactions.

resources for supervision, consultation, and monitoring of land acquisition and rehabilitation activities.

21. Appropriate reporting (including auditing and redress functions) monitoring and evaluation mechanism, shall be in place as part of the resettlement management system. An external monitoring agent or group will be hired by the project and will evaluate the resettlement process and final outcome. Such groups may include qualified resettlement experts, NGOs, research institutions or universities.

5.2 Indigenous Peoples

Project policies on Indigenous Peoples/Indigenous Cultural Communities will be developed if the project will directly or indirectly affect the dignity, human rights, livelihood systems, or culture of indigenous peoples or affects the territories or natural or cultural resources that indigenous peoples own, use, occupy, or claim as their ancestral domain.

DOTr will initially investigate the presence of Indigenous Peoples and/or existence of ancestral domain in the project areas and, if required, will seek prior certification from the NCIP that the area affected does not overlap with any ancestral domain. Such certification shall only be issued after a Field-Based Investigation (FBI) is conducted by the NCIP Ancestral Domains Office (ADO) of the area concerned. If the area does overlap with an ancestral domain, the NCIP Administrative Order (AO) No. 3, Series of 2012, the Revised Guidelines on Free and Prior Informed Consent (FPIC) and Related Processes are required to be followed. Considerations to minimize impacts on IPs/ICCs commences with screening through the NCIP. If the NCIP finds that the affected area overlaps with ancestral domain, an Indigenous Peoples Development Plan (IPDP) will be required to be prepared. The IPDP will include Project Policies on Indigenous Peoples/Indigenous Cultural Communities, mechanisms for meaningful consultations, social impact assessment with guidance from experts, and appropriate grievance redress procedures.

5.3 Cut-Off Date of Eligibility

The cut-off date of eligibility pertains to the date during which PAPs are considered as eligible for compensation and other forms of assistance. Cut-off date was declared for informal settlers only². No cut-off date was declared with regards to formal settlers (i.e., property owners) as this shall be reckoned from the issuance of the Notice of Taking by the DOTr in accordance with law (Section 11 of R.A. 10752 and Section 16 of its Implementing Rules and Regulations or IRR). Based on these statutes, any new structure or improvement to an existing one on the land covered by the Right of-Way Acquisition shall not be compensated after issuance of the Notice of Taking. Even though formal settlers' cut off date is at the time of notice of taking, they will be included in all consultations to ensure they are aware of project.

The indicative dates for the conduct of the census survey were announced to PAPS through the conduct of the first stakeholder consultation meeting. For each city/municipality, dates were assigned to discourage the influx of ineligible non-residents who might wish to take advantage of Project entitlements. The cut-off dates for the Project are indicated in Appendix 4.

5.4 Principle of Replacement Cost

All land and non-land assets owned by households/businesses who meet the cut-off date will be compensated based on the principle of replacement cost. Replacement cost is the amount calculated before displacement which is needed to replace the affected asset without depreciation and without

² Informal settling is an unlawful act after 1992 in accordance with Section 30 of R.A. 7279

deduction for taxes and/or costs of transaction. The result of the Replacement Cost Survey is detailed in the separate Volume 4.

5.4.1 Affected Lands

For affected land, it is the current market value, free of tax, as determined by (a) government financial institution (GFI) with adequate experience in property appraisal to be selected by the IA through a competitive process; or an independent property appraiser (IPA) accredited by: (1) the Bangko Sentral ng Pilipinas (BSP) or (2) a professional association of appraisers recognized by BSP (Section 6.2 IRR, R.A. 10752).

The DOTr may use the appraisal reports of the GFI or IPA as one of the basis of its price offer for negotiated sale, consistent with the standards for assessment under Section 7 of R.A. 10752 and Section 12 of its IRR, to wit:

1. The classification and use for which the property is suited based on, among other things, the latest approved land use plan and/or zoning ordinance, if any, of the city or municipality concerned;
2. The development cost for improving the land based on, among other things, the records and estimates of the City or Municipal Assessor concerned, GFI or IPA for similar or comparable lands;
3. The value declared by the owners based on the value shown in the owners' latest Tax Declaration Certificates or Sworn Statements;
4. The current selling price of similar lands in the vicinity based on, among other things, the latest records on Deeds of Sale for similar lands in the office of the Register of Deeds concerned;
5. The reasonable disturbance compensation for the removal and/or demolition of certain improvements on the land and for the value of improvements thereon considering, among other things, the replacement cost of improvements at current market prices as provided in Section 6.6 of this IRR;
6. The size, shape or location, tax declaration and zonal valuation of the land based on, among other things, the latest records on Deeds of Sale in the Register of Deeds, tax declaration by the City or Municipal Assessor, zonal valuation of the BIR for comparable properties;
7. The price of the land as manifested in the ocular findings, oral as well as documentary evidence presented; and
8. Such facts and events so as to enable the affected property owners to have sufficient funds to acquire similarly situated lands of approximate areas as those required from them by the government, and thereby rehabilitate themselves as early as possible.

In all cases, the increase in the value of the affected property brought about by the government project itself shall not be considered in the determination of the price offer.

5.4.2 Affected Structures and Improvements, Crops and Trees

For affected structures and improvements, compensation shall be in terms of replacement cost, as provided in Section 5(a)(2) of RA 10752, computed based on Section 6.6 of its IRR. That is, based on the current market prices of materials, equipment's, labor, contractors' profit and overhead, permitting costs, reinstallation of utilities and all other attendant costs associated with the acquisition and installation of a similar asset in place of the affected asset. Further, if the affected structure has been damaged, the replacement cost shall be based on the pre-damaged condition of that structure. The replacement structure must perform the same functions and meet the performance specifications as the original structure.

For partially affected main structures, where the remaining portion is viable for continued use after repairs, the replacement cost shall include the costs of repair.

Crops and trees shall also be compensated based on its current market value as provided in Section 5 (3) of RA 10752. The value of productive trees will take in to consideration the age and productive value of the tree.

5.5 Eligibility and Project Impacts

Eligibility defines the PAPs who are covered by compensation and other entitlements/resettlement assistance. The project-related land acquisition will result in the physical displacement of people as well as their economic displacement, whether these are based on legitimate or informal occupation of lands including those who have no land title or tax declaration or other acceptable proof of ownership and informal sector families.

5.5.1 Criteria for Eligibility

A PAP is defined as any person or persons, household, firm, private or public institution who, as a result of land acquisition for the project or restricted land use due to project, lose/s their rights, title or interest in all or any part of the structure, land (whether residential, agricultural, commercial, industrial or institutional), annual or perennial crops and trees, or any other fixed or movable asset acquired or possessed, in full or in part, permanently or temporarily, and who might suffer income or business loss³ as a consequence thereof. The eligibility of PAPs is based on the Project's legal framework and the Project Resettlement Policy⁴.

As provided in the chapter on legal framework, RA 10752 cites two (2) main modes of Right-of-Way acquisition, namely: (1) negotiated sale and (2) expropriation. In the entitlement matrix presented in Chapter 6, negotiated sale shall be the first option and expropriation as the last resort (i.e. in case negotiated sale fails, or in other cases stated in Section 6(b) of the same Act).

Eligible PAPs may fall under the following categories:

(1) Land owners and land users

1) Land owners (residential, mixed use ⁵ , agricultural, commercial, industrial and institutional)

1. Those who have full title (such as Original Certificate of Title (OCT) or Transfer Certificate of Title (TCT));
2. Those who are not original patent holders of lands granted under Commonwealth Act (CA) 141 and whose ownership of the land is not acquired through a gratuitous title (e.g. donation, succession);
3. Those who are original patent holders of lands granted through CA 141 and the land has not been subjected to previous government exercise of its lien;
4. Those who were former ISFs but now hold a title of land through government socialized housing programs;
5. Those who can present the following:
 - Tax Declaration showing his and his predecessors' open and continuous possession of the property for at least 30 years;
 - A certification from the DENR that the land is alienable and disposable, or

³ Section 3, World Bank OP 4.12 – Involuntary Resettlement

⁴ In terms of informal settler families, the final list of beneficiaries for relocation would be determined by NHA, and concurred by the LIAC during implementation stage.

⁵ Mixed use: in the case of NSRP, this pertains to structures mainly used for residential but some part used for commercial, industrial and institutional.

- Other documents that may show proof of ownership.
- 6. Those who are holders of Emancipation patent (EP) or Certificate of Land Ownership Award (CLOA) granted under the respective comprehensive agrarian reform statutes.
- 7. Those who were former ISFs but now hold title/s of land through government socialized housing programs.
- 8. Government agencies and local government units who are owners of affected public land.

2) Land Users with legalized claims over the land

Those who were former ISFs and Community Mortgaged Program (CMP) beneficiaries whose titles are still under the name of the organization.

(2) Structure Owners (residential, mixed use, agricultural, commercial, industrial and institutional) and owners of non-land-assets and improvements

1. Those who own land as described above and also own structures, non-land assets and/or improvements in said land;
2. Those who own the structures, non-land assets and improvements but do not own the land where the structure is located and are not low income households or homeless. (e.g. they are not poor or vulnerable or they own real property elsewhere);
3. Those who own structures, non-land assets and improvements but do not own the land where the structure is located in, and are low-income households and homeless;
4. Those who own structures, non-land assets and improvements but do not own the land where the structure is located in, and who have previously availed of government socialized housing program (returnees); and
5. Those who own structures, non-land assets and improvements who were former ISFs but now hold title of land through government socialized housing programs;
6. Those who own structures, non-land assets and improvements who were former ISFs and CMP/NHA beneficiaries whose titles are still under the name of the organization;
7. Government agencies and local government units who are owners of affected public structures, non-land assets and improvements on public or private land.

(3) Renters/lessees of land and/or structures

1. Residential/commercial/institutional/mixed use renters who are not low-income
 - Renters of land and/or structures must possess lease/rental agreement to be classified as such.
2. Agricultural lessees
 - Renters of agricultural land who may not possess lease/rental agreement may present a sworn affidavit by a third person who may have witnessed the verbal agreement between the land owner and the lessee.

(4) Informal Settler Families (ISFs)

1. Informal Settlers are individuals or groups/households who have no recognizable title or other acceptable proof of ownership of public or private lands that they are occupying. Occupation of lots may either be with or without permission of the lot owner.
2. ISFs who are homeless and underprivileged as defined in Urban Development and Housing Act of 1992 (R.A. 7279) are eligible to become beneficiaries of government socialized housing programs if they satisfy the rest of the criteria set in the same Act (Please refer to Section 4.2.3). Renters and sharers within the informal settlement structures are also eligible to avail of said housing programs if they satisfy such criteria.

3. To be able to avail of relocation entitlement under this project, eligible ISFs must be the actual occupants of structures and in the master list of PAPs who were present in the area as of the cut-off date (i.e., first day of conduct of census tagging).

(5) Business Enterprises

Business enterprises are commercial establishments that are operating as of the time of survey. These are classified in terms of scale of operations (i.e., asset size and number of employees) into micro, small, medium, and large.

1. *Microbusinesses* - Micro businesses pertain to small shops who sell their goods in small spaces, such as *sari-sari stores*, food stalls, repair shops (car repair, appliance repair, cellphone repair, etc.), dress shops, tailor shops, beauty parlors, vulcanizing shops, and the likes. These are typically operated within their dwelling place, or ancillary to their dwelling place. These include shops that may or may not have permits to operate from concerned LGUs.
2. Vendors with no stalls/ Ambulant Vendors/ Itinerant Vendors
3. Those who own small, medium and large business establishments (including apartments for rent except those operated by squatting syndicates), including those who own the land and those who are leasing space from property owners. It pertains to any business activity or enterprise engaged in commercial, industry, agribusiness and/or services, whether single proprietorship, cooperative, partnership or corporation whose total assets, inclusive of those arising from loans but exclusive of the land on which the particular business entity's office, plant and equipment are situated. Table 5-1 shows the classification of affected business enterprises.

Table 5-1 Categories of Business Activity

Enterprise	Asset Size	Number of Employees
Micro	Up to Php 3,000,000	1-9 employees
Small	Php 3,000,001 – Php 15,000,000	10-99 employees
Medium	Php 15,000,001 – Php 100,000,000	100-199 employees
Large	Above Php 100,000,000	Over 200 employees

Source: Department of Trade and industry *<http://server2.dti.gov.ph/dti/index.Php?p=532>, As defined under Small and Medium Enterprise Development (SMED) Council Resolution No. 01 Series of 2003 dated 16 January 2003

(6) Employees of Commercial and Industrial Establishments

Workers are regular, contracted or casual employees of affected commercial (including small shops, micro, small and medium to large business, vendors and commercial stall tenants) or industrial establishments, whose incomes will be affected, or may even lose jobs once said establishments are displaced.

PAPs who are displaced from their homes and are required to permanently relocate to a place that makes their former wage based employment inaccessible and as a result need to find new employment or source of livelihood. PAPs who permanently relocate to a place that makes it more expensive to commute to their place of work and they retain their employment.

(7) Agricultural tenants, sharecroppers, landowners and lessees

Those who are engaged in farming and are considered to be agricultural tenants, sharecroppers, landowners or lessees.

(8) Vulnerable Groups

Vulnerable groups in this RAP consist of the poor, the elderly, single parents households, and persons who need special assistance.

1. Poor - The Philippine Statistics Authority (PSA, 2015) defines the poor according to the poverty threshold, or the total family income needed to meet the family's basic food and non-food needs. As of 2015, the annual per capita poverty threshold is set at PhP 25,007 for NCR, and PhP 21,770 for Laguna Province. Based on this definition, households with five family members whose annual combined household income is lower than PhP 125,035 for NCR and PhP 108,850 for Laguna Province are considered poor.
2. Elderly - Under the expanded Senior Citizens Act of 2010 (Republic Act No. 9994), any resident of the Philippines who is at least 60 years old is considered as elderly or senior citizens.
3. Solo parent: A solo parent is someone who falls under any of the following categories, as indicated in R.A.8972:
 - A woman who gives birth as a result of rape and other crimes against chastity even without a final conviction of the offender: *Provided*, that the mother keeps and raises the child;
 - Parent left solo or alone with the responsibility of parenthood due to death of spouse;
 - Parent left solo or alone with the responsibility of parenthood while the spouse is detained or is serving sentence for a criminal conviction for at least one year;
 - Parent left solo or alone with the responsibility of parenthood due to physical and/or mental incapacity of spouse as certified by a public medical practitioner;
 - Parent left solo or alone with the responsibility of parenthood due to legal separation or *de facto* separation from spouse for at least one year, as long as he/she is entrusted with the custody of the children;
 - Parent left solo or alone with the responsibility of parenthood due to declaration of nullity or annulment of marriage as decreed by a court or by a church as long as he/she is entrusted with the custody of the children;
 - Parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least one year;
 - Unmarried mother/father who has preferred to keep and rear her/his child/children instead of having others care for them or give them up to a welfare institution;
 - Any other person who solely provides parental care and support to a child or children;
 - Any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance or prolonged absence of the parents or solo parent.
4. Persons with disabilities (PWDs) - Disabled persons, according to the Magna Carta for Disabled Persons (Republic Act 7277), pertains to a PAP who suffers from restriction of different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being.

5.5.2 Severity of Project Impacts

Compensation and assistance provided to PAPs will take in to consideration the severity of impact caused.

If the residual portion of affected land is 20% or less or if the residual portion is no longer viable for use according to original purpose, the entire property will be acquired taking also the wishes of the PAP in to consideration.

If the PAP's productive resources (e.g. farming land, business) are permanently affected by 10% or more, the PAP will be provided with supplementary support for livelihood and income restoration in addition to compensation for lost assets and income, and transitional assistance.

5.6 Principles of Compensation

Compensation at replacement cost will be provided to all persons/households losing land and/or other assets due to land acquisition for the project. As appropriate, compensation will be accompanied with assistances, as outlined in the entitlement matrix.

The process of compulsory acquisition as prescribed by Philippine law can involve various modes, including: (i) negotiated sale, (ii) expropriation, (iii) donation, (iv) acquisition of properties under Commonwealth Act (C.A.) No. 141, (v) exchange or barter, (vi) easement of right-of-way, (vii) acquisition of subsurface right-of-way and (viii) other modes authorized by law. There is a difference in implementation of the entitlements and payment arrangements between modes. There are also differences whether the acquisition is partial or in full.

5.6.1 Negotiated Sale

Negotiated sale is the first step within the Philippines law for the government to compulsorily acquire property (with the exception of cases of land donation). Under ‘negotiated sale’, the implementing agency (DOTr) will make a first and final offer of compensation for the loss of land, crops and trees (if any) based on current market value, and full replacement cost for structures and improvements, free from taxes, including capital gains tax, documentary stamp tax, transfer tax and registration fees, except Real Property Tax (RPT) arrears (calculated according to the requirements in Section 5.3.1). Property owner/s are given 30 days from receipt of the written offer to decide whether or not to accept it. Upon refusal or failure to accept the offer, and/or refusal to submit the documents necessary for payments, the implementing agency shall initiate expropriation proceedings.

The appropriate price offer for structures, improvements and other affected assets is based on the price to replace the existing structure or asset with a similar asset at current market prices including estimated direct costs (such as current market cost for materials and labor, and equipment expenses), and estimated indirect costs (such as overhead expenses, contingencies and miscellaneous, contractor’s profit margin and Value Added Tax (VAT) component). If the affected structure has been damaged, then the replacement cost should be based on the pre-damaged condition of that structure. The replacement structure has to perform the same functions and meet the performance specifications as the original structure.

5.6.2 Expropriation

If the property owner/s declines the first and final offer or does not accept it, or accepts it but fails to submit the necessary documents in the 30-day time period, the mode of acquisition becomes expropriation. The implementing agency will file a verified complaint before the proper court and immediately deposit to the court in favor of the owner (i) the value of the land based on the zonal valuation of the BIR, (ii) the replacement cost at current market value for structures, improvements and assets, (iii) current market value of crops and trees. Upon compliance, the court will immediately issue an order to take possession of the property by the implementing agency. The court will release the said amount to the owner upon presentation of sufficient proof of ownership. Should the decision become final and executory, the court shall order DOTr to pay the differences, if any, between initial compensation and just compensation as determined by the Commissioners assigned by said court. DOTr will also pay the necessary documentary stamp tax and registration fees.

Early issuance of the Notice of Taking will be undertaken by DOTr to help PAPs to have enough time to complete/progress Extra Judicial Settlement (EJS) processes on deceased estates or conflicting land claims, prior to issuance of the Letter Offer to Buy, which only gives PAPs 30 days to accept offer, after which expropriation proceedings can commence.

Where PAPs are willing to accept the first and final offer but it will take more than 30 days to submit required documents (for example in the case of a deceased estate, conflicting land claims), DOTr shall:

1. Prior to the Issuance of the Offer to Buy (OTB) and commencement of the 30-day period, DOTr will set up a Help Desk at each project city/municipality to provide information to PAPs concerning the documents required to make them eligible for negotiated sale (and to avoid unnecessary expropriation proceedings due to failure to submit required documents);
2. Through the Help Desk, provide assistance to PAPs whose lands will be subjected to EJS; and
3. If EJS cases could not be finished prior to issuance of OTB, expropriation case will be filed while the EJS is still being processed. Once the EJS is completed, the joint motion in the court for a compromised judgement can be filed and the acquisition can go back to negotiated sale.

5.6.3 Donation

Given the characteristics of the project, land acquisition by donation is not considered an option, with the exception of government to government negotiated donation arrangements. In the unlikely situation that the mode of acquisition preferred by the property owner/s is by donation and all other modes of acquisition have been explored, the DOTr will provide all necessary precautions to ensure that the preference has not been made under duress, that the donation of land is an act of informed consent and that the land owner/s have not been forced or coerced. Any voluntary donation will follow international best practices and be confirmed through written records and verified by an independent third party.

5.6.4 Acquisition of Properties Under Commonwealth Act (C.A.) No. 141

PAPs who are original patent holders of lands granted under C.A. 141 and whose land has not been subjected to previous government exercise of its lien shall not receive compensation for land specified within the Government lien (i.e. 20m or 60m strip of land) but shall be provided with: (i) Cash compensation for structure, improvements, crops and trees, computed at full replacement cost, and (ii) Financial assistance, particularly to displaced tenants/occupants of agricultural lands, cultural minorities and settlers who are duly accredited by the Ministry of Agrarian Reform/Bureau of Forest Development/Office of Muslim Affairs and Cultural Communities in accordance to Section 18 of E.O. No. 1035, s. 1985. For example, if the affected land was granted through C.A. 141 prior to 1975 and the land to be acquired for the right of way was a strip of land up to 20m then the PAP would not be entitled to compensation for the land. If, however, the land to be acquired from the same land was wider than 20m (say 50m) then the PAP would be entitled to compensation for any area over the 20m width (in this case 30m) provided other required conditions are met. For land granted through C.A. 141 from 1975, then the any land acquired up to a width of 60m would not be compensated and same principle would apply as to the 20m example.

If the original patent granted under C.A. 141 has been subject to Government exercise or lien, it cannot be subject to lien a subsequent time.

5.6.5 Exchange, Barter and Land for Land

If feasible, land for land can be provided, principally for agricultural land in terms of a new parcel of land of equivalent productivity and equivalent market value or price. The exchange shall be done on a “value-for-value” basis. The implementing agency will be subject to applicable capital gains taxes (CGT) and documentary stamp tax (DST). The land for land option will be considered on a case by case basis considering the potential complexities in transferring titles, in order to ensure that there is not a lengthy amount of time between acquisitions of land and providing the new parcel of land to the PAP.

5.6.6 Easement of Right of Way

If the portion of a lot needed for the ROW is minimal, such that the expenses for surveying or segregating that portion from the main lot would be very much more than the value of the part of the lot needed, the implementing agency may, if the property owner agrees, resort to the mode of Easement of ROW. Under this mode, an agreement shall be executed by the property owner and the implementing agency whereby the property owner will grant the right to use the affected portion but the owner retains ownerships of that portion. The implementing agency will pay the owner for that portion of the lot based on existing zonal valuation declared by the BIR. In addition, the IA shall compensate the property owner the replacement cost of any improvements and structures on the land affected by the ROW.

5.6.7 Acquisition of Subsurface Right of Way

If the project involves underground works within a depth of 50 m from the surface, the implementing agency can negotiate with the property owner a perpetual easement of ROW for the subterranean portions of the property and offer to acquire from the property owner the affected portion of the land, including affected structures, improvements, crops and trees. The subsurface easement price shall be 20% of the market price of the land.

5.6.8 Families/PAPs Residing in Affected Structures

All relocating PAPs will be eligible for self-relocation assistance or assisted resettlement. The Entitlement Matrix outlines the specifics of the support provided for the self-relocation assistance and resettlement assistance options.

“Squatting syndicates” as defined in section 3 of R.A. 7279 and who are certified by HUDCC as such will not be eligible for resettlement assistance. Members of squatting syndicates who do not actually occupy project-affected structures and are residing elsewhere will not be physically displaced and as such will not be eligible for relocation assistance and transitional support. However as provided in the same section, individuals or groups who simply rent land and housing from professional squatters or squatting syndicates are not classified as same, and as such would still be eligible to government socialized housing program.

5.6.9 Informal Settlers

PAPs who own the structures but do not own the land are entitled to cash compensation for the entire or affected portion of the structure or improvement without depreciation, upon presentation of proof of ownership (e.g., certification from the concerned barangay in accordance with the IRR for R.A. 10752). If homeless and underprivileged, or those with a low income⁶, PAPs will have the option to avail of resettlement assistance to socialized housing with secure tenure and the option to keep salvaged materials from demolished structures without deduction from compensation. Renters and sharers within the informal settlement structures are also eligible to avail of socialized housing programs if they satisfy such criteria. To be able to avail of relocation entitlement under this Project, eligible ISFs must be the actual occupants of structures and in the master list of PAPs who were present in the area as of the cut-off date (i.e., first day of conduct of census tagging).

For PAPs who occupy temporary dwellings at the conduct of the census tagging are entitled to avail of resettlement assistance to socialized housing provided that they present a Certification from their respective Barangay Captains and Head of LGU’s Urban Poor Affairs Office stating that they are bona fide residents and have occupied the project affected-area prior to the applicable cut-off date.

⁶ Low income group is defined as those whose monthly household incomes fall below PhP40,000.

PAPs that do not meet the socialized housing program eligibility criteria may have the option to avail of affordable public rental housing accommodation through partnership with KSA and LGUs. If completion of the socialized housing or public rental housing options will not be ready in time, temporary accommodation or a rental allowance will be provided.

5.6.10 Temporary Impacts to Property

Property owners who will incur temporary impacts during construction (for use as access road, for soil dumping, borrow sites and contractor's camps, etc.) and who have legal rights to the land shall be entitled to the following from the construction Contractor: (i) Lease amount equivalent to prevailing rental rates in the location of the property, (ii) Compensation for affected non-land assets based on replacement cost, and (iii) Restoration of land to pre-construction state.

5.6.11 Partial Acquisition

Cash compensation for the portion of land, structure or asset/improvement at full replacement cost. DOTr will pay 100% of the compensation upon annotation of the title indicating portion of the government lien and before construction can begin. If the portion of the lot to be acquired is minimal, such that expenses for surveying or segregating that portion from the main lot would be more than the value of the part of the lot needed, DOTr may, if the property owner agrees, resort to the mode of easement of ROW provided under Title VII, Chapters 1 and 2 Civil Code of the Philippines. If the remaining portion of the land is not viable for continued use for the original purpose or if more than 80% of the entire land is to be acquired, the entire plot will be acquired subject to agreement from the PAP. DOTr is to pay 100% of compensation prior to relocation/construction can begin.

5.6.12 Rehabilitation Assistance

PAPs whose present means of livelihood is no longer viable and will have to engage in a new income activity are qualified to transitional support and livelihood and income restoration assistance. Business enterprises will be entitled to compensation for income losses during the transition period. Vendors with no stalls and those who are ambulant/hawkers will be provided assistance to identify and transport to an alternative site. Commuting allowance will be available for PAPs who permanently relocate to a place that makes it more expensive to commute to their place of work. PAPs who are agricultural tenants and sharecroppers will be entitled to financial assistance equivalent to the average gross harvest for the last three years and not less than P 15,000 per hectare (E.O. 1035) and other transitional support. PAPs who are landowners or lessee who are directly engaged in farming will be entitled to a disturbance compensation equivalent to five times the average gross harvest for the last five years on the principal and secondary crops of the area acquired (as adopted from R.A.6389) and other transitional support.

5.6.13 Trees, Crops and Aquaculture

Cash compensation at market value will be provided. Determination of replacement cost of trees will take into account age and productivity of the tree. Compensation rates will be determined by the replacement cost study and informed by values prescribed by the Department of Agriculture (Fruit trees) or Department of Environment and Natural Resources (for timber trees).

5.6.14 Salvage Materials and Demolition

PAPs will be allowed to self-demolish their structures to enable them to preserve materials. In such cases, PAPs shall be entitled to keep salvageable materials without deduction from compensation. If structures are partially dismantled by PAPs, the remaining will be dismantled by the DOTr's contractor at no cost to the PAP.

5.6.15 Special Assistance for Vulnerable Groups

PAPs who belong to any of the following vulnerable groups: (i) Poor based on poverty threshold; (ii) Elderly; (iii) Persons with Disabilities (PWDs); and (iv) Female-headed households are expected to face greater challenges in re-establishing their living standards. Vulnerable groups shall be provided with additional transitional support and rehabilitation assistance. For families with persons needing special assistance and/or medical care, respective LGUs will provide nurses or social workers to help them before and during the resettlement activities.

5.6.16 Unanticipated impacts

Entitlements for eligible affected persons due to unanticipated involuntary resettlement impacts will be prepared in accordance with the ADB SPS (2009), JICA Guidelines (2010) and applicable national laws and regulations, including those outlined in this RAP.

CHAPTER 6 COMPENSATION AND ENTITLEMENT

6.1 Eligibility Policy and Entitlement Matrix

Compensation and assistance are designed to enhance or at least restore the livelihoods of all displaced persons in real terms relative to pre-project levels and to improve the standards of living of the displaced poor and other vulnerable groups. DOTr will offer to the property owner concerned, as compensation price, the sum of:

- (a) the current market value of land;
- (b) the replacement cost¹ of structures and improvements and
- (c) the current market value of crops and trees.

To determine the appropriate price offer for the acquisition of ROW through negotiated sale, DOTr will engage the services of a government financial institution (GFI) with adequate experience in property appraisal or an independent property appraiser (IPA) accredited by: (i) the Bangko Sentral ng Pilipinas (DSP) or (ii) a professional association of appraisers recognized by BSP.

Compensation at replacement cost will be provided to all persons/households losing income and land and other assets due to land acquisition for the project. As appropriate, compensation will be accompanied with assistances, as outlined in the entitlement matrix.

The DOTr, in cooperation with NHA (for assisted resettlement), will work closely with the respective local government units (LGU) such as the Local Housing Office (LHO) or City Urban Development and Housing Office (CUDHO) and the Urban Poor Affairs Office (UPAO) in relocating the informal settlers. For the “self-relocation option” DOTr will enter into an agreement with the Home Development Mutual Fund also known as Pag-IBIG so that available housing programs can be made accessible to eligible PAPs through their respective LGUs.

The project entitlements developed and presented in the entitlement matrix below correspond to the impacts that follow JICA Guidelines (2010) and ADB SPS (2009) requirements as well as the country’s laws and regulations, as described in the previous sections. It should be noted that these entitlements may be enhanced or otherwise modified, as necessary, following the conduct of DMS and consultation with PAPs to ensure that adverse impacts are mitigated, if not improved.

The issue of compensation at replacement cost, as discussed in the previous section, is specifically important in the context of compensation provided under the national laws and regulations. ADB and JICA requires that compensation be paid at replacement cost, or the value of replacing the acquired property with another of the same or similar qualities.

PAPs’ eligibility for compensation and entitlements are in accordance with the policy and legal framework for land acquisition and project resettlement policy as defined in Chapters 4 and 5, respectively. Identification of PAPs’ eligibility is carried out in accordance with the census tagging and socio-economic surveys.

For areas requiring land acquisition, negotiated sale will be the preferred mode of acquisition. Compensation for structures and improvements will be based on full replacement cost as laid out in Section 5.1.

¹ Replacement cost refers to the cost necessary to replace the affected structure or improvement with a similar asset based on current market prices

6.2 Eligibility Criteria

PAPs are eligible for compensation of their affected assets in accordance to Section 5 of R.A. 10752. As described in Chapter 4, there are two main modes of acquisition prescribed by law namely, (i) Negotiated Sale and (ii) Expropriation.

(1) Negotiated Sale

Under negotiated sale, the following eligibility criteria will be observed:

1. PAPs *who* meet the following criteria will be entitled to cash compensation for the loss of land, crops and trees (if any) based on current market value, and full replacement cost for structures and improvements, free from taxes, including capital gains tax, documentary stamp tax, transfer tax and registration fees, except real property tax² (RPT) arrears and estate tax in case of Extra-Judicial Settlement (EJS);
 - PAPs who have full title, such as Original Certificate of Title (OCT) or Transfer Certificate of Title (TCT) or Emancipation Patents (EP) or Certificate of Land Ownership Award (CLOA)
 - PAPs who are not original patent holders of lands granted under CA 141 and where any previous acquisition is not through a gratuitous title (e.g., donation, succession)
 - PAPs who can present (i) a Tax Declaration showing his/ her and his/her predecessors' open and continuous possession of the property for at least 30 years, (ii) a certification from the DENR that the land is alienable and disposable, or (iii) other documents that may show proof of ownership;
 - PAPs who are holders of (i) Emancipation Patent (EP) granted under Presidential Decree No. 27 or (ii) CLOA granted under the Comprehensive Agrarian Reform Act (R.A. 6657)
 - PAPs who were former ISFs but who now hold a title of land as beneficiaries of government socialized housing programs³. In addition, they will be eligible to become beneficiary of other CMP programs in accordance with the Social Housing Finance Corporation (SHFC) Board Resolution No. 528 and Corporate Circular 16-047 Series of 2016⁴.

If losing 10% or more of agricultural land, PAPs are entitled to participate in the Livelihood Restoration and Improvement Program.

2. *PAPs who are original patent holders of lands granted under CA 141* and whose land has not been subjected to previous government exercise⁵ of its lien will not receive compensation for land but will be provided with:
 - Cash compensation for structure, improvements, crops and trees, computed at full replacement cost;

² Real property taxes, as mandated by law are taxes on real properties, paid on an annual basis to respective local government units.

³ For Community Mortgage Program (CMP) beneficiaries whose titles are still under the name of the organization, the IA will coordinate with the Socialized Housing Finance Corporation (SHFC)/National Housing Authority (NHA) to determine the compensation. PAPs can request an advance by DOTr for the remainder of the loan as long as it is lower than the market value of the land in order to pay off the remaining loan

⁴ These provides that the principle of double availment will not apply to CMP beneficiaries who are affected by government infrastructure project. Double availment is when certain informal settler families have previously availed of other government housing programs (Section 6.2 of Corporate Circular 11-017 provides for the qualification of members of the Community Associations, including "that he/she has not been a recipient of any CMP loan or other government housing program).

⁵ In excess of government lien as specified above, other entitlements for PAPs who have full title would be followed.

- No compensation for land up to 20 meters width if patent was granted prior to 1975, and up to 60 meters width for patents granted thereafter. In excess of government lien, follow other entitlements for PAPs who have full title or if feasible, land for land will be provided in terms of a new parcel of land of equivalent productivity, at a location acceptable to PAP;
 - For PAPs directly engaged in farming, a disturbance compensation equivalent to five times the average gross harvest for the last five years on the principal and secondary crops of the area acquired (as adopted from RA 6389);
 - If losing 10% or more of agricultural land, PAPs are entitled to participate in the Livelihood Restoration and Improvement Program; and
 - Financial assistance, particularly to displaced tenants/occupants of agricultural lands, cultural minorities and settlers who are duly accredited by the Ministry of Agrarian Reform/Bureau of Forest Development/Office of Muslim Affairs and Cultural Communities in accordance with Section 18 of EO No. 1035, s. 1985.
3. PAPs who own the structures but do not own the land are entitled to the following:
- Cash compensation⁶ for the entire or, affected portion of the structure or improvement without depreciation, upon presentation of proof of ownership (e.g., certification from the concerned barangay in accordance with the IRR for R.A. 10752);
 - If low income and homeless, option to avail of tenured land, or socialized housing package either through the LGUs or CMP through the NHA; and
 - Have the option to keep salvaged materials from demolished structures without deduction from compensation due him.
4. *PAPs who will incur temporary impacts during construction* (for use as access road, for soil dumping, borrow sites and contractor's camps, etc.) and who have legal rights to the land will be entitled to the following from the construction Contractor:
- Lease amount equivalent to prevailing rental rates in the location of the property
 - Compensation for affected non-land assets based on replacement cost and
 - Restoration of land to pre-construction state

(2) Expropriation Proceedings

In the event that the PAP refuses or fails to accept the compensation in the negotiated sale, or fails or refuses to submit the documents necessary for payment, DOTr will initiate expropriation proceedings.

For expropriation cases, a check will be deposited to the court upon the filing of complaint by the DOTr through the Office of the Solicitor General (OSG). For land, the amount of compensation will be computed based on the latest BIR Zonal value. For structures and improvements, basis of computation will be in terms of full replacement cost as defined in R.A. 10752 and its IRR. Crops and trees will be compensated based on its current market value.

The Court will immediately issue an order to take possession of the property and start implementation of the project as provided in Section 6(a) of R.A. 10752. While the court adjudicates the compensation to be paid, the PAPs may, at any time request the court to release such deposit upon presentation of proof of ownership (Section 6(a) R.A. 10752).

⁶ For informal settlers who are underprivileged and homeless as previously defined, payment of compensation for structures and improvements may be held in abeyance until the relocation site becomes available so that PAPs would still have enough money to live on during the first few months at the relocation site.

After the case has been heard by the court, the court will order DOTr to pay the difference, if any, between the initial compensation and the just compensation as determined by the Commissioners assigned by said court. DOTr will also pay the necessary documentary stamp tax and registration fees

Based on Rule 16 Section 1(h) of the 1997 Rules of Court on Civil Procedures, the plaintiff (DOTr) can withdraw the case any time before the filing of the answer by the defendant (PAPs). If the answer has been filed there has to be a joint filing by DOTr and the owner to withdraw the case (Section 2, Rule 17 of the 1997 Rules of Court on Civil Procedures).

In both cases, the acquisition mode would revert back to Negotiated Sale, which will entitle the owner to payment at current market value for land (as indicated in DOTr's letter offer), free of taxes, including CGT, and registration fees, replacement cost for structures and improvements, and market value for crops and trees.

If no motion to dismiss as above described is filed, expropriation proceeding will continue. Once the court decision becomes final and executory acquisition mode (expropriation) cannot revert back to any other mode.

Where the PAP agreed to the negotiated sale, but was unable to gain the necessary documents to show proof of ownership, DOTr may pursue a joint motion in the court for a compromised judgement reflecting the agreed amount – on a case-by-case basis and in good faith. DOTr will provide assistance to PAPs whose lands will be subjected to Extra Judicial Settlement (EJS). This will be done through the Help Desk that will be established at each LGU prior to the issuance of the Notice of Taking (NoT). Early issuance of the NoT is highly recommended for PAPs to have enough time to complete/progress EJS process prior to issuance of the Letter Offer to Buy, which only gives them 30 days to accept offer, after which expropriation proceedings can commence.

6.3 Other Types of Assistance/Entitlements

(1) Resettlement Options

In general, PAPs, whether formal, or informal/renting but not underprivileged (e.g. they are not poor or vulnerable or they own real property elsewhere, as defined under R.A. 7279), who are using affected structures as dwellings will have the option to choose between self-relocation assistance or assisted resettlement. This also includes those who have previously availed of government socialized housing program and had sold or rented out their socialized housing units.

1. PAPs who are not low income and homeless, including legal PAPs, may choose from the following options:

Option 1: Self-Relocation Assistance

- Rental subsidy equivalent to five months of rental payment for temporary dwelling;
- Cash compensation to cover the cost of reconnecting the facilities such as water and power (not applicable to renters);
- Transportation to be provided inclusive of transportation of materials; and
- Food allowance of PhP 150 per person relocated or a food parcel of equal or greater amount (as determined by DOTr).

Option 2: Assisted Resettlement

- Option to avail of government economic and medium cost housing program under the Home Development Mutual Fund otherwise known as Pag-IBIG Fund. The Pag-IBIG housing loan may be used to finance any one or a combination of the following:

- Purchase of a fully-developed residential lot or adjoining residential lots not exceeding 1,000 m²;
 - Purchase of a residential house and lot, townhouse or condominium unit;
 - Construction or completion of a residential unit on a residential lot owned by the member;
 - Home Improvement;
 - Refinancing of an existing housing loan
- Cash compensation to cover the cost of reconnecting utilities such as water and power;
 - Transportation to new dwelling inclusive of transportation of materials; and
 - Food allowance of Php 150 per person relocated or a food parcel of equal or greater amount (as determined by DOTr).
2. PAPs who are renting, leasing or sharing the structure, and do not have a low-income.

Option 1: Self-Relocation Assistance

- Rental subsidy equivalent to 5 months of rental payment for an alternative dwelling;
- Cash compensation to cover the cost of reconnecting utilities such as water and power;
- Transportation to new dwelling inclusive of transportation of materials; and
- Food allowance of Php 150 per person relocated or a food parcel of equal or greater amount (as determined by DOTr).

Option 2: Assisted Resettlement

- Option to avail of government economic and medium cost housing program under the Home Development Mutual Fund otherwise known as Pag-IBIG Fund (as detailed above).
- Cash compensation to cover the cost of reconnecting utilities such as water and power;
- Transportation to new dwelling inclusive of transportation of materials; and
- Food allowance of PhP 150 per person relocated or a food parcel of equal or greater amount (as determined by DOTr).

3. PAPs who are renting, leasing or sharing the structure, and do not have a low-income, and PAPs who own structures and were former ISFs but now hold title of land through government socialized housing programs.

Option 1: Self-Relocation Assistance

- If PAP opts to move to an existing property (verified by the receiving LGU), transportation to be provided (e.g. bus tickets) inclusive of transportation of belongings;
- Cash compensation to cover the cost of reconnecting utilities such as water and power;
- Food allowance of PhP 150 per person relocated or a food parcel of equal or greater amount (as determined by DOTr).

Option 2: Assisted Resettlement

- Option to avail of government socialized housing program of a partner government key shelter agency (KSA) (if qualified);

- Cash compensation to cover the cost of reconnecting utilities such as water and power (if not provided by KSA/LGU);
 - Transportation to new dwelling inclusive of transportation of materials; and
 - Food allowance of PhP 150 per person relocated or a food parcel of equal or greater amount (as determined by DOTr).
4. PAPs who own structures but do not own the land where the structure is located, and who have previously availed of government socialized housing program (returnees) and are deemed ineligible by the key shelter agency (KSA) to participate in the socialized housing program.

Option 1: Self-Relocation Assistance

- If PAP opts to move to an existing property (verified by the receiving LGU), transportation to be provided (e.g. bus tickets) inclusive of transportation of belongings;
- Cash compensation to cover the cost of reconnecting utilities such as water and power; and
- Food allowance of PhP 150p per person relocated or a food parcel of equal or greater amount (as determined by DOTr).

Option 2: Assisted Resettlement

- Option to avail of affordable public rental housing accommodation by DOTr in partnership with KSA or LGUs;
- Cash compensation to cover the cost of reconnecting utilities such as water and power (if not provided by KSA/LGU);
- Transportation to new dwelling inclusive of transportation of materials; and
- Food allowance of PhP 150 per person relocated or a food parcel of equal or greater amount (as determined by DOTr).

5. PAPs who are renting, leasing or sharing the structure, and have a low-income.

Option 1: Self-Relocation Assistance

- Rental subsidy equivalent to 5 months of rental payment for an alternative dwelling;
- Cash compensation to cover the cost of reconnecting utilities such as water and power;
- Transportation to new dwelling inclusive of transportation of materials; and
- Food allowance of PhP 150 per person relocated or a food parcel of equal or greater amount (as determined by DOTr).

Option 2: Assisted Resettlement

- Option to avail of affordable public rental housing accommodation by DOTr in partnership with KSA or LGUs;
- Cash compensation to cover the cost of reconnecting utilities such as water and power (if not provided by KSA/LGU);
- Transportation to new dwelling inclusive of transportation of materials; and

- Food allowance of PhP 150 per person relocated or a food parcel of equal or greater amount (as determined by DOTr).
6. PAPs who occupy temporary dwellings will be able to avail of the assisted resettlement provisions above, provided they present Certification from their respective Barangay Captains and Head of LGU's Urban Poor Affairs Office stating that they are bona fide residents and have occupied the project affected-area prior to the applicable cut-off date. PAPs that do not meet the socialized housing program eligibility criteria but are able to present Certification may have the option to avail of affordable public rental housing accommodation through partnership with KSA and LGUs.

6.4 Livelihood Restoration Options

Other types of entitlements and assistance include those that will enable PAPs to at least restore their pre-project socio-economic status. Although the entitlements described in the succeeding sections are not fully covered by Philippine legislation, these are but are prescribed under JICA guidelines and ADB safeguard policies and as such must be complied with.

6.5 Disturbance Compensation

PAPs are entitled to participate in the Livelihood Restoration and Improvement Program if they are losing 10% or more of agricultural land. In addition:

1. *PAPs* who own agricultural lands and are directly engaged in farming will be entitled to the following:
 - Disturbance compensation equivalent to five times the average gross harvest for the last five years on the principal and secondary crops of the area acquired (as adopted from RA 6389).
2. *PAPs* who are agricultural tenants and sharecroppers will be entitled to the following:
 - Financial assistance equivalent to the average gross harvest for the last three (3) years and not less than P 15,000 per hectare (EO 1035).
3. PAPs who own micro-businesses (e.g. small shops, sari-sari store, carinderia, food stand, repair shop, etc.) with or without permit from the LGU concerned are entitled to the following:
 - Cash compensation to cover income losses during transition period corresponding to stoppage of business activities, but not exceeding a period of six months;
 - Cash compensation to cover transactional (e.g., permitting) cost of re-establishing the business elsewhere; and
 - Assistance in securing soft loan to enable self-rehabilitation for those restarting businesses elsewhere.
4. PAPs who own small, medium and large business establishment (including apartments for rent) who own the land are entitled to the following:
 - Cash compensation to cover income losses during transition period corresponding to stoppage of business activities, but not exceeding a period of six (6) months, to be based on PAPs declared income to the Bureau of Internal Revenue (BIR);
 - Cash compensation to cover transactional (e.g., permitting) cost of re-establishing the business elsewhere; and
 - Assistance in securing soft loan to enable self-rehabilitation for those restarting businesses elsewhere.

5. PAPs who are employed in displaced commercial or industrial establishment and lose their job due to closure of business or laying off as a result of minimized operation are entitled to:
 - Cash compensation for net salary for two months based on minimum wage; and
 - Employees who are displaced and unable to find alternative employment entitled to participate in the livelihood restoration program.
 - Provision of skills training in anticipation of available job positions during construction and operation; and
 - Priority in employment during construction and operation stage of the project.
6. PAPs who permanently relocate to a place that makes it more expensive to commute to their place of work and they retain their employment.
 - Commuting allowance of an amount based on additional costs, but not exceeding PhP 5,000 per household per month for three months.

6.6 Relocation of ISFs

Informal settler families (ISF) in general, are those who occupy lands and/or structures and do not enjoy security of tenure. ADB SPS for involuntary resettlement requires that projects “ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets, improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards, and provide them with appropriate income sources and legal and affordable access to adequate housing.”

Under the Philippine law on housing and urban development, occupants of land who do not have legal rights to said land do not automatically qualify as beneficiaries of the government’s socialized housing program. R.A. 7279 excludes (i) professional squatters (who have sufficient income for legitimate housing), (ii) persons who have previously been awarded home lots or housing units by the Government but who sold, leased or transferred the same to settle illegally in the same place or in another urban area, (iii) non-bona fide occupants and intruders of lands reserved for socialized housing, and (iv) squatting syndicates (groups of persons engaged in the business of squatter housing for profit or gain).

This does not apply to individuals or groups who simply rent land and/or housing from professional squatters or squatting syndicates. Underprivileged and homeless renters and sharers are also eligible to avail of the government’s socialized housing programs⁷.

6.7 Special Assistance for Vulnerable Groups

PAPs who belong to any of the following vulnerable groups,

- Poor based on poverty threshold
- Elderly
- Persons with disabilities (PWDs)
- Single women-headed households

Those may be worsened off after displacement will be provided with:

- Inconvenience allowance in the amount of PhP 10,000 per household;

⁷ Under this Project, all ISF who are low income and homeless will be eligible for socialized housing program, as described in Chapter 5.

- Rehabilitation assistance in the form of skills training and other development activities with the value of up to PhP 15,000 per household in coordination with other government agencies;
- Support to access/maintain government welfare programs;
- Inclusion in the Livelihood Restoration and Improvement Program as prescribed in the RAP.

For families with persons needing special assistance and/or medical care, respective LGUs will provide nurses or social workers to help them before and during the resettlement activities.

6.8 Payment of Compensation and Provision of Resettlement Assistance

6.8.1 Required Documents

(1) Land, with or without structures/improvements

For negotiated sale, the following documents are required to be submitted by the landowners prior to the full payment:

- Owner's duplicate copy of title (Original Certificate of Title (OCT)/Transfer Certificate of Title (TCT)) covering said lot
- Tax Declaration of Lot
- Tax Declaration of Improvements (if any)
- Two government issued/valid Identification Cards (IDs)

(2) Structures only

Structure owners who do not own the land, including informal settlers are required to present the following documents:

- Certification from the barangay concerned stating that he/she is the rightful owner of the structure;
- Waiver from the landowner stating that he/she is not the owner of the structure and/or improvement therein and as such he is waiving the receipt of any compensation for such; and
- Other proofs of ownership of the structure or improvement such as tax declaration filed with the LGU

6.8.2 Payment schedule

Table 6.1 summarizes the mode of payment to the PAPs.

Table 6-1 Payment Arrangements for Legal Property Owners

PAP Category	Estimated time for validation and overall land acquisition	Remaining payment
Case 1. PAP with complete documents which have been verified by DOTr and authenticated by authorized agencies	15 to 30 working days	(i) DOTr to pay 100% of compensation prior to issuance of a new title in favor of DOTr and before relocation/construction can begin. (ii) DOTr to notify property owners early to enable time to gather necessary paperwork as proof of ownership.

PAP Category	Estimated time for validation and overall land acquisition	Remaining payment
Case 2. PAPs with complete documents except Tax Clearance (due to the landowner's incapacity to pay their RPT arrears)	30 to 45 days	<ul style="list-style-type: none"> (i) DOTr to pay 100% of compensation prior to issuance of a new title in favor of DOTr and before relocation/construction can begin. (ii) DOTr to notify property owners early to enable time to gather necessary paperwork as proof of ownership.
Case 3. PAPs/cases would require extra-judicial settlements (i.e. missing documents due to death of land owner, etc.)	6 months-1 year	<ul style="list-style-type: none"> (i) An initial compensation at an amount computed at 100% of lot price based on latest Bureau of Internal Revenue (BIR) zonal value for land, replacement cost for structure and improvements, and market value for crops and trees. A check will be deposited to the court in favor of the owner upon filing of expropriation case by DOTr. (ii) While the court adjudicates the compensation to be paid, the PAPs may, at any time request the court to release such deposit upon presentation of proof of ownership; (iii) After the case has been heard by the court, the Court will order DOTr to pay difference, if any, between initial compensation and the just compensation as determined by the court.

6.9 Units of Entitlements

The units of entitlement include the following categories:

- i. Individuals or juridical persons having legal ownership of land and structures will be considered as the unit of entitlement of the subject property;
- ii. Residential / non-residential structures of ISFs will be recognized as the property of the household that is actually residing and/or using the structure at the time of the census;
- iii. Female-headed households are to be equally recognized as a unit of entitlement, similar to male-headed households;
- iv. The unit of entitlement for loss of income from business activities will be the legally registered owner of the business activities who at the time of the census is operating the business on the land or structure to be acquired by the project. For small shops, micro business and vendors with no registration or permit, compensation will be based on indicated income in the survey questionnaire utilized; and
- v. Legal co-owners of land, structures and/or business will be entitled to compensation under the same arrangement as the co-share documents or as per existing form of income-expenses-profit share arrangements.

6.10 Entitlement Matrix

Table 6-2 shows the Entitlement Matrix providing details for compensation and entitlements for project affected families.

Table 6-2 Entitlement Matrix

Type of Impact		Loss of Land	
Entitled Person		(Severe/Full)	(Marginal/Partial)
1a	PAPs who have full title being Original Certificate of Title (OCT) or Transfer Certificate of Title (TCT) or emancipation patents (EP) or Certificates of Land Ownership Award (CLOA).	Entitlements: Cash compensation for loss of land at full replacement cost computed at current market value, free of taxes, including capital gains tax (CGT), documentary stamps tax (DST), transfer tax, and registration fees, except Real Property Tax (RPT) arrears. OR If feasible, land for land will be provided in terms of a new parcel of land of equivalent productivity, at a location acceptable to PAPs.	Entitlements: Cash compensation for portion of land at full replacement cost computed at current market value, free of taxes, including CGT, DST, transfer tax, and registration fees, except RPT arrears. Easement Agreement: If the portion of a lot required for a ROW is minimal, such that the expenses for surveying or segregating that portion from the main lot would be more than the value of the part of the lot needed, the DOTr may, if the owner agrees, resort to the mode of easement of ROW (Title VII, Chapters 1 and 2 Civil Code of the Philippines). In this case, cash compensation for the value of the portion of the land subjected to easement agreement computed at latest BIR zonal value, with owner retaining ownership of said portion of land (Article 630, Chapter 1, R.A. 386/ Civil Code of the Philippines).
1b	PAPs who are not original patent holders of lands granted through C.A. 141 (i.e. those who have bought the patent for the land previously granted through C.A. 141) and where any previous acquisition is not through a gratuitous title (e.g., donation or succession) (C.A. 141, Chapter 7).		
1c	For untitled land, PAPs who can present: (a) Tax Declaration showing his and his predecessors' open and continuous possession of the property for at least 30 years, (b) a certification from the DENR that the land is alienable and disposable, and (c) other documents that may show proof of ownership (RA 10752).		
1d	PAPs who were former ISFs but now hold title of land as a result of a government socialized housing program.		
1e	PAPs who were former ISFs and government socialized housing program beneficiaries whose titles are still under the name of the organization.	Entitlements: Same as above, with less any amount still owing to the title.	Entitlements: Same as above.
1f	PAPs who are original patent holders	Entitlements:	Entitlements:

Type of Impact		Loss of Land	
Entitled Person		(Severe/Full)	(Marginal/Partial)
	of lands granted through Commonwealth Act (C.A.) No. 141 and the land has not been subjected to previous government exercise of its lien.	No compensation for land up to 20 meters width if patent was granted prior to 1975, and up to 60 meters width for patents granted thereafter ⁸ . In excess of government lien, follow other entitlements for 1a.	No compensation for the affected portion of land within 20 meters width if patent was granted prior to 1975 and up to 60 meters width for patents granted thereafter. In excess of government lien, follow other entitlements for marginal/partial impacted 1a PAPs.
1g	PAPs whose properties are mortgaged	Entitlements: Same as above, but check payment will be split into as follows: <ol style="list-style-type: none"> 1. For mortgagee PAPs – Full replacement cost as defined above, less remaining amortization; 2. For Mortgagor – Remaining amortization amount, computed based on original amount of principal, less interests for remaining amortization period 	Entitlements: DOTr to request Mortgagor to segregate the portion of the property to be acquired for ROW from the rest of the property. <ol style="list-style-type: none"> 1. Full replacement cost for portion of the mortgaged property to be acquired, less remaining amortization; 2. Pay Mortgagee the remaining amortization amount needed to release portion of mortgaged property
Implementation Considerations: DOTr to pay 50% of compensation upon execution of the Deed of absolute Sale, and the remaining 50% at the time of issuance of a new title in favor of DOTr but before displacement/clearing can begin. DOTr to notify property owners early to enable time to gather necessary paperwork as proof of ownership. If the original patent granted under CA 141 has been subject to Government exercise or lien, it cannot be subject to lien a subsequent time. PAPs can request DOTr to pay the RPT arrears in advance to the LGU. This amount will be deducted from the compensation payment, except when the arrears is higher than the total compensation amount. The land for land option will be considered on a case by case basis considering the potential complexities in transferring titles, in order to ensure that there is not a large gap between acquisitions of land and providing the new parcel of land to the PAP.			

⁸ For example, if the affected land was granted through CA 141 prior to 1975 and the land to be acquired for the right of way was a strip of land up to 20m then the PAP would not be entitled to compensation for the land. If, however, the land to be acquired from the same land was wider than 20m (say 50m) then the PAP would be entitled to compensation for any area over the 20m width (in this case 30m) provided other required conditions are met. For land granted through CA 141 from 1975, then the any land acquired up to a width of 60m would not be compensated and same principle would apply as to the 20m example.

Type of Impact		Loss of Structure	
Entitled Person		(Severe/Full)	(Marginal/Partial)
2a	PAPs who own structures and also own the land where the structure is located.	<p>Entitlements: Cash compensation for entire structure equivalent to full replacement cost without deduction for depreciation or salvaged materials.</p> <p>In cases where the affected structure are being used as a dwelling by the structure owner and their family residing there, self-relocation or assisted resettlement as follows:</p> <p>1. Self-relocation assistance: (i) Rental subsidy equivalent to 5 months of rental payment for an alternative dwelling; (ii) Cash compensation to cover the cost of reconnecting utilities such as water and power; (iii) Transportation to new dwelling inclusive of transportation of materials; and (iv) Food allowance of 150p per person relocated or a food parcel of equal or greater amount (as determined by DOTr).</p> <p>OR</p> <p>2. Assisted-resettlement: (i) Option to avail of government economic and medium cost housing program under the Home Development Mutual Fund otherwise known as Pag-IBIG Fund. The Pag-IBIG housing loan may be used to finance any one or a combination of the following: - Purchase of a fully-developed residential lot or adjoining residential lots not exceeding 1,000 m²; - Purchase of a residential house and lot, townhouse or condominium unit; - Construction or completion of a residential unit on a residential lot owned by the member; - Home Improvement; and/or - Refinancing of an existing housing loan. (ii) Cash compensation to cover the cost of reconnecting</p>	<p>Entitlements: Cash compensation for the affected portion of the structure to full replacement cost without deduction for depreciation or salvaged materials.</p>
2b	PAPs who own structures but do not own the land where the structure is located on and are <u>not a low-income</u> household and/or they own a dwelling elsewhere.		

Type of Impact		Loss of Structure	
Entitled Person		(Severe/Full)	(Marginal/Partial)
		utilities such as water and power; (iii) Transportation to new dwelling inclusive of transportation of materials; and (iv) Food allowance of 150p per person relocated or a food parcel of equal or greater amount (as determined by DOTr).	
<p>Implementation Considerations:</p> <p>The amount of the rental subsidy by locality will be determined by DOTr through the replacement cost study.</p> <p>The DOTr will enter into an agreement with Pag-IBIG so that available housing programs can be made accessible to eligible PAPs through their respective LGUs. PAPs that do not meet Pag-IBIG program eligibility criteria, such as the elderly, may have the option to avail of affordable public rental accommodation in socialized housing arranged by DOTr. Rental allowance subsidy equivalent to five (5) months will be provided while awaiting availability of public rental accommodation.</p> <p>PAPs may be allowed to self-demolish their structures to enable them to preserve materials that still have salvage value. In such cases PAPs will be entitled to keep salvageable materials without deduction from compensation.</p> <p>Eligibility requirements for Pag-IBIG Loan: (i) active member of Pag-IBIG Fund; (ii) have made at least 24 monthly savings (the lump sum payment of the required 24 monthly savings is allowed); (iii) have the legal capacity to acquire and encumber real property; (iv) have passed satisfactorily background credit/ and employment/business checks of Pag-IBIG Fund; (v) have no outstanding Pag-IBIG short-term loan in arrears at the time of loan application; (vi) have no Pag-IBIG housing loan that was foreclosed, cancelled, bought back due to default, or subjected to dacion en pago; and (vii) if with existing Pag-IBIG housing loan, either as principal or co-buyer/borrower, it must be updated.</p> <p>The maximum loanable amount is PhP6M based on the lowest of the following: (i) member's actual need; (ii) desired loan amount (iii) loan entitlement based on capacity to pay; and (iv) loan-to-appraised value ratio.</p> <p>Loan term or maximum repayment period is 30 years.</p> <p>Normal loan application may either be through on-line scheduling of appointment or walk-in at any Pag-IBIG branches. In the case of PAPs, DOTr will make necessary agreement with the Housing and Urban Development Coordinating Council (HUDCC) so that the PAPs can be assigned a priority lane or similar arrangement for faster processing of their loan.</p> <p>With regards to marginally/partially affected structures, if the affected portion results in the structure no longer being suitable for a dwelling for the structure owner and residents, then self-relocation or assisted resettlement options apply.</p>			
2c	PAPs who are renting, leasing or sharing the structure, and do not have a low-income. ⁹	<p>Entitlements:</p> <p>No compensation for land or structures.</p> <p>In cases where the structures are being used as residential dwellings, self-relocation or assisted resettlement as follows:</p>	<p>No compensation.</p> <p>In the case of residential dwellings, if the affected portion results in the structure no longer being suitable for a dwelling, then self-relocation or assisted resettlement options apply.</p>

⁹ Refer to footnote 6.

Type of Impact		Loss of Structure	
Entitled Person		(Severe/Full)	(Marginal/Partial)
		<p>1. Self-relocation assistance:</p> <ul style="list-style-type: none"> (i) Rental subsidy equivalent to 5 months of rental payment for an alternative dwelling; (ii) Cash compensation to cover the cost of reconnecting utilities such as water and power; (iii) Transportation to new dwelling inclusive of transportation of materials; and (iv) Food allowance of 150p per person relocated or a food parcel of equal or greater amount (as determined by DOTr). <p>OR</p> <p>2. Assisted resettlement:</p> <ul style="list-style-type: none"> (i) Option to avail of government economic and medium cost housing program under the Home Development Mutual Fund otherwise known as Pag-IBIG Fund. The Pag-IBIG housing loan may be used to finance any one or a combination of the following: <ul style="list-style-type: none"> - Purchase of a fully-developed residential lot or adjoining residential lots not exceeding 1,000 m²; - Purchase of a residential house and lot, townhouse or condominium unit; - Construction or completion of a residential unit on a residential lot owned by the member; - Home improvement; and/or - Refinancing of an existing housing loan. (ii) Cash compensation to cover the cost of reconnecting utilities such as water and power; (iii) Transportation to new dwelling inclusive of transportation of materials; and (iv) Food allowance of 150p per person relocated or a food parcel of equal or greater amount (as determined by DOTr). 	
2d	PAPs who own structures but do not own the land where the structure is located on, and are a low-income	<p>Entitlements:</p> <p>Cash compensation for entire structure equivalent to full replacement cost without deduction for depreciation or</p>	<p>Entitlements:</p> <p>Cash compensation for affected portion of the structure equivalent to full replacement cost without deduction</p>

Type of Impact		Loss of Structure	
Entitled Person		(Severe/Full)	(Marginal/Partial)
	household. ¹⁰	salvaged materials.	for depreciation or salvaged materials.
2e	PAPs who own structures and were former ISFs but now hold title of land through government socialized housing programs.	<p>In cases where the structures are being used as dwellings, self-relocation or assisted resettlement as follows:</p> <p>1. Self-relocation assistance:</p> <p>(i) If PAP opts to move to an existing property (verified by the receiving LGU), transportation to be provided (e.g. bus tickets) inclusive of transportation of belongings; and</p> <p>(ii) Cash compensation to cover the cost of reconnecting utilities such as water and power;</p> <p>(iii) Food allowance of 150p per person relocated or a food parcel of equal or greater amount (as determined by DOTr).</p> <p>OR</p> <p>2. Assisted resettlement:</p> <p>(i) Option to avail of government socialized housing program of a partner government key shelter agency (KSA) (if qualified);</p> <p>(ii) Cash compensation to cover the cost of reconnecting utilities such as water and power (if not provided by KSA/LGU);</p> <p>(iii) Transportation to new dwelling inclusive of transportation of materials; and</p> <p>(iv) Food allowance of 150p per person relocated or a food parcel of equal or greater amount (as determined by DOTr).</p> <p>If completion of the socialized housing accommodation will not be ready in time, temporary accommodation or a rental allowance will be provided.</p>	
2f	PAPs who were former ISFs and CMP/NHA beneficiaries whose titles are still under the name of the	Same as above minus any amount still owed to the housing agency.	

¹⁰ Includes PAPs who previously participated in a government socialized housing program but who no longer have it, but did not sell it or rent it out (e.g. those who abandoned the housing unit).

Type of Impact		Loss of Structure	
Entitled Person		(Severe/Full)	(Marginal/Partial)
	organization.		
2g	PAPs who own structures but do not own the land where the structure is located, and who have previously availed of government socialized housing program (returnees) and are deemed ineligible by the key shelter agency (KSA) to participate in the socialized housing program	<p>Entitlements:</p> <p>Cash compensation for entire structure equivalent to full replacement cost without deduction for depreciation or salvaged materials.</p> <p>In cases where the structures are being used as dwellings by the structure owner and their family residing there, self-relocation or assisted resettlement as follows:</p> <p>1. Self-relocation assistance:</p> <p>(i) If PAP opts to move to an existing property (verified by the receiving LGU), transportation to be provided (e.g. bus tickets) inclusive of transportation of belongings;</p> <p>(ii) Cash compensation to cover the cost of reconnecting utilities such as water and power; and</p> <p>(iii) Food allowance of 150p per person relocated or a food parcel of equal or greater amount (as determined by DOTr).</p> <p>OR</p> <p>2. Assisted resettlement:</p> <p>(i) Option to avail of affordable public rental housing accommodation by DOTr in partnership with KSA or LGUs;</p> <p>(ii) Cash compensation to cover the cost of reconnecting utilities such as water and power (if not provided by KSA/LGU);</p> <p>(iii) Transportation to new dwelling inclusive of transportation of materials; and</p> <p>(iv) Food allowance of 150p per person relocated or a food parcel of equal or greater amount (as determined by DOTr).</p> <p>If completion of the public rental housing accommodation will not be ready in time, temporary accommodation or a rental allowance will be provided.</p>	

Type of Impact		Loss of Structure	
Entitled Person		(Severe/Full)	(Marginal/Partial)
<p>Implementation Considerations:</p> <p>PAPs will not be responsible for demolition of structures. PAPs are entitled to salvageable materials.</p> <p>Payment of compensation for structures and improvements may be held in abeyance or used as an advance payment on their amortizations at the PAPs request until the relocation site and socialized housing accommodation becomes available.</p> <p>For PAPs who own untitled condominium units, DOTr shall oblige developers, particularly if these were engaged by key shelter agencies, to make the necessary arrangements to effect release of Certificate of Condominium Title to PAPs who have duly paid full amount in consideration.</p> <p>Any fees required to be paid to community organizers to set up communities to borrow for socialized housing will be paid by DOTr.</p>			
2h	PAPs who occupy temporary dwellings.	<p>Provision of Assisted Resettlement options as detailed for 2d provided that they present a Certification from their respective Barangay Captains and Head of LGU's Urban Poor Affairs Office stating that they are bona fide residents and have occupied the project affected-area prior to the applicable cut-off date.</p> <p>PAPs that do not meet the socialized housing program eligibility criteria but are able to present Certification may have the option to avail of affordable public rental housing accommodation through partnership with KSA and LGUs.</p> <p>If completion of the public rental housing accommodation will not be ready in time, temporary accommodation or a rental allowance will be provided.</p>	No compensation for structure.
2i	PAPs who are renting, leasing or sharing the structure, and have a low-income. ¹¹	<p>No compensation for land or structures.</p> <p>In cases where the structures are being used as residential dwellings, self-relocation or assisted resettlement as follows:</p> <p>1. Self-relocation assistance:</p> <p>(i) Rental subsidy equivalent to 5 months of rental payment for an alternative dwelling;</p> <p>(ii) Cash compensation to cover the cost of reconnecting utilities such as water and power;</p>	

¹¹ Refer to footnote 6.

Type of Impact		Loss of Structure	
Entitled Person		(Severe/Full)	(Marginal/Partial)
		<p>(iii) Transportation to new dwelling inclusive of transportation of materials; and</p> <p>(iv) Food allowance of 150p per person relocated or a food parcel of equal or greater amount (as determined by DOTr). OR</p> <p>2. Assisted resettlement:</p> <p>(i) Option to avail of government socialized housing (if qualified);</p> <p>(ii) Cash compensation to cover the cost of reconnecting utilities such as water and power (if not provided by KSA/LGU);</p> <p>(iii) Transportation to new dwelling inclusive of transportation of materials; and</p> <p>(iv) Food allowance of 150p per person relocated or a food parcel of equal or greater amount (as determined by DOTr).</p> <p>If completion of the socialized housing at the relocation site will not be ready in time, temporary accommodation or a rental allowance will be provided.</p>	
<p>Implementation Considerations:</p> <p>Any fees required to be paid to community organizers to set up communities to borrow for socialized housing will be paid by DOTr.</p> <p>The amount of the rental subsidy by locality will be determined by DOTr through the replacement cost study.</p>			

Entitled Person		Loss of income/Livelihood
3a	PAPs who own fixed micro businesses (e.g. small shops, sari-sari store, carinderia, food stand, repair shop, etc.) with or without permits from the LGU concerned.	Entitlements: Cash compensation for income losses during transition period corresponding to stoppage of business activities, not to exceed six months. ¹² Cash compensation to cover transactional (e.g., permitting) cost of re-establishing the business elsewhere. Assistance in securing soft loan to enable self-rehabilitation for those restarting business elsewhere. Participation in the Livelihood Restoration and Improvement Program. For PAPs who are leasing space from property owners: (i) For those who will continue with their micro-small business activities elsewhere, rental subsidy for three (3) months based on prevailing average monthly rental for a similar structure of equal type and dimension to the property being leased. Not applicable to lease contracts that will expire at the time of taking.
3b	PAPs who own small, medium and large business establishments ¹³ and own the affected property.	Entitlements: Cash compensation for income losses during transition period corresponding to stoppage of business activities, not to exceed six months. ¹⁴ Cash compensation to cover transactional (e.g., permitting) cost of re-establishing the business elsewhere. Assistance in securing soft loan to enable self-rehabilitation for those restarting business elsewhere. For PAPs who are owners of medium to large commercial establishments built inside own affected property: (i) Acquire the property but allow the owner of the structure and business use of the land for a defined period to give the owner time to transfer, subject to agreement on a case to case basis; For PAPs who are owners of commercial/business entities and are leasing affected space/property: (i) For those who will continue with their commercial and business activities elsewhere, rental subsidy for three (3) months based on prevailing average monthly rental for a similar structure of equal type and dimension to the property being leased. Not applicable to lease contracts that will expire at the time of taking.
3c	PAPs who own medium and large business establishments and are leasing/renting space from property owners.	
3d	Vendors with no stalls / ambulant vendors/ hawkers. ¹⁵	Assistance in identification of, and transportation to, an alternative sites to continue economic activity, e.g. assistance in (a) shifting to areas within the same LGU where there is no construction and/or (b) identify alternative sites to sell.
3e	PAPs who are employed in a	Entitlements:

¹² Preferred mode of business transition is to help set up affected persons with an alternative but similar business with minimal transition period. Options have to be considered by the PAPs with no delay.

¹³ Categories of businesses are based on capitalization and number of employees, with (1) Php 15,000,000-100,000,000 capitalization and 100-199 employees for medium businesses, and (2) More than Php 100,000,000 capitalization and over 200 employees for large businesses. In this project, affected enterprises are expected to be only micro and small as defined under Small and Medium Enterprise Development (SMED) Council Resolution No. 01 Series of 2003 dated 16 January 2003.

¹⁴ Preferred mode of business transition is to help set up affected persons with an alternative but similar business with minimal transition period. Options have to be considered by the PAPs with no delay.

¹⁵ Pertains to itinerant vendors who move from place to place to sell goods/services.

Entitled Person		Loss of income/Livelihood
	displaced commercial or industrial establishment and lose their job due to closure of business or laying off as a result of minimized operation.	Cash compensation for net salary for two (2) months based on minimum wage. Participation in the Livelihood Restoration and Improvement Program. Provision of skills training in anticipation of available job positions during construction and operation of the project. Priority in employment during construction and operation stage of the project.
3f	PAPs who permanently relocate to a place that makes former wage based livelihood opportunities inaccessible and as a result need to find new employment or source of livelihood.	
3g	PAPs who permanently relocate to a place that makes it more expensive to commute to their place of work and they retain their employment.	Commuting allowance of an amount based on additional costs, but not exceeding Php 5,000 per household per month for three months (not entitled to 3e or 3f).
3h	PAPs who are agricultural tenants and sharecroppers.	Entitlements: Financial assistance equivalent to the average gross harvest for the last three (3) years and not less than P 15,000 per hectare (EO 1035). Crop compensation will be made between the owner and sharecropper as per terms of the sharecropper in case of privately-owned land / publicly-owned land. In case of dispute over verbal agreement with sharecropper, certification from elected representatives will be considered as legal document. Participation in the Livelihood Restoration and Improvement Program.
3i	PAPs who are landowners or lessee who are directly engaged in farming.	A disturbance compensation equivalent to five times the average gross harvest for the last five years on the principal and secondary crops of the area acquired (as adopted from RA.6389). Participation in the Livelihood Restoration and Improvement Program.
Implementation Considerations: Income losses as based on evidence such as tax receipts or otherwise as per estimated values of monthly income losses for various categories of micro-businesses to be determined by replacement cost study.		

Entitled Person		Loss of Public Land and Structure (Severe/Full)
4a	Government Agency/ Local Government Unit (LGU) owners of affected public structures and areas on public land.	Entitlements: Compensation between agencies based on mutual agreement.
4b	Government Agency/ Local Government Unit (LGU) owners of affected public structures and areas	Entitlements: Cash compensation for structures at full replacement cost. Reconstruction of the social infrastructure within easy reach of all users.

Entitled Person		Loss of Public Land and Structure (Severe/Full)
	on private land.	Transportation to be provided inclusive of transportation of materials.
Entitled Person		Loss of Non-Land Assets and Improvements
5a	Owners of fruit and timber trees (regardless of ownership status of affected land).	Entitlements: Cash compensation at replacement cost for affected fruit and timber trees.
5b	Owners of crops (regardless of ownership status of affected land).	Entitlements: Compensation for the affected crop at market value of the crop at full-term harvest time.
5c	Owners of aquaculture produce (regardless of ownership status of affected land).	Entitlements: Allowance for costs associated with moving aquaculture stock ¹⁶
5d	Owners of other affected non-land assets and improvements (not mentioned in 5a, 5b or 5c).	Entitlements: Compensation at replacement cost for affected non-land assets and improvements (not mentioned in 5a, 5b, 5c).
Implementation Considerations: Determination of replacement cost of trees will take in to account age and productivity of the tree. Compensation rates determined by the replacement cost study and informed by values prescribed by the Department of Agriculture (for fruit trees) or Department of Environment and Natural Resources (DENR) for timber trees. Coordination with land owners and/or fishpond operators to advise them regarding the schedule of clearing.		

¹⁶ PAPs will receive compensation for land and compensation for improvements. If the remaining area (remaining fish pond area) is no longer viable, PAPs will be compensated for entire area.

Entitled Person		Additional Hardship Due to Vulnerability
6a	PAPs who are classified as any of the following vulnerable groups: poor (based on the poverty income threshold), elderly and single women-headed households, and persons with disabilities.	Entitlements: <u>In addition to applicable compensation:</u> Inconvenience allowance in the amount equivalent to Php 10,000 per household. For the families with persons who need special assistance and/or medical care, respective LGUs to provide nurses or social workers to help them before and during the resettlement activity. Rehabilitation assistance in the form of skills training and other development activities with the value of up to Php 15,000 will be provided in coordination with other government agencies. Support and/or maintain access to government welfare programs. Inclusion in the Livelihood Restoration and Improvement Program.
Entitled Person		Temporary Impacts due to Construction
7a	PAPs who have legal rights to the land.	Entitlements: Restoration of land within 3 months of completion of use. Compensation for affected non-land assets at full replacement cost. Cash payment for rent of the affected land at prevailing rental rates in the location of the property until the property is restored.
7b	PAPs without legal rights to affected land but owners of affected non-land assets.	
7c	Severance impacts/ barrier effect during construction disrupting lateral movement (access).	The project will provide for crossings and continued access.
Implementation Considerations: Contractors will be responsible for the arrangement and payment of land rent, restoration of land and compensation for non-land assets. Contractors will also be responsible for restoration of land and compensation for non-land assets.		
Entitled Person		Unanticipated Involuntary Resettlement Impacts
8a	Eligible affected persons.	Entitlements will be prepared in accordance with the ADB Safeguard Policy Statement and applicable national laws and regulations (including requirements for preparation of corrective action plan and other related documents for ADB and JICA to review and approve), and the Environmental Management Plan (EMP) of the approved Environmental Impact Statement (EIS).
Implementation Considerations: Entitlements to be prepared in such circumstances are subject to approval of the DOTr and concurrence by ADB and JICA.		

Expropriation Proceeding

1. An initial compensation at an amount computed at 100% of lot price based on latest Bureau of Internal Revenue (BIR) zonal value for land, replacement cost for structures and improvements, and market value for crops and trees in the form of a check will be deposited to the court in favor of the owner upon filing of expropriation case by DOTr. The Court will immediately issue an order to take possession of the property and start implementation of the project (Section 6(a) R.A. 10752).
2. While the court adjudicates the compensation to be paid, the PAPs may, at any time request the court to release such deposit upon presentation of proof of ownership (Section 6(a) R.A. 10752).
3. After the case has been heard by the court, the Court will order DOTr to pay the difference, if any, between initial compensation and the just compensation as determined by the court.
4. At this time, DOTr will also pay any required taxes with the exception of CGT (as detailed in RA10752) and any unpaid RPT.

Implementation Considerations:

Based on Rule 16 Section 1(h) of the 1997 Rules of Court on Civil Procedures, the plaintiff (DOTr) can withdraw the case any time before the filing of the answer by the defendant (owners). If the answer has been filed there has to be a joint filing by DOTr and owner to withdraw the case (Section 2, Rule 17 of the 1997 Rules of Court on Civil Procedures). In both cases, the acquisition mode would revert back to negotiated sale, which will entitle the owner to payment at current market value for land (as indicated in DOTr's letter offer), free of taxes, including CGT, and registration fees, replacement cost for structures and improvements, and market value for crops and trees. If no motion to dismiss as above described is filed, expropriation proceeding will continue. Once the court decision becomes final and executory acquisition mode (expropriation) cannot revert back to any other mode.

Where the PAP agreed to the negotiated sale, but was unable to gain the necessary documents to show proof of ownership, DOTr may pursue a joint motion in the court for a compromised judgement reflecting the agreed amount – on a case-by-case basis and in good faith.

DOTr will provide assistance to PAPs whose lands will be subjected to Extra Judicial Settlement (EJS). This will be done through the Help Desk that will be established at each LGU prior to the issuance of the Notice of Taking (NoT). Early issuance of the NoT is highly recommended for PAPs to have enough time to complete/progress EJS process prior to issuance of the Letter Offer to Buy, which only gives them 30 days to accept offer, after which expropriation proceedings can commence. If PAPs are unable to complete the EJS before the expropriation proceedings are heard by a court, DOTr will pay the just compensation as determined by the court, as well as any required taxes including CGT, except for any unpaid RPT.

CHAPTER 7 RELOCATION AND RESETTLEMENT

As part of the project resettlement policy and entitlements (Chapters 5 and 6), resettlement assistance will be provided for physical displacement resulting in permanent loss of informal and residential structures and economic displacement (i.e. for a transition period needed to restore the livelihood and standards of living of PAPs). Economic displacement support and assistance is discussed in Chapter 8 on the Livelihood Restoration and Improvement Program. Any land acquired for resettlement sites for the MCRP will also have the same policies and entitlements identified in this RAP.

The PAPs entitled to resettlement assistance are grouped as follows:

- a. PAPs who own the affected residential structures and the land where the residential structure is located;
- b. PAPs who own the affected residential structures but do not own the land where the structure is located and are not low income or homeless (i.e. they are not poor and vulnerable, or they own real property elsewhere);
- c. PAPs who own the residential structures but do not own the land where the structure is located, and who have previously availed of government socialized housing program (returnees);
- d. PAPs who own the affected residential structures but do not own the land where the structure is located, and are low income and homeless;
- e. PAPs who are renting/leasing, sharing the affected structures, and are low income and homeless; and
- f. PAPs who are renting/leasing, sharing the affected structures, but are not low income and homeless.

Assisted relocation can include relocation packages provided by the National Housing Authority (NHA) for those that are eligible, or government economic and medium cost-housing loans and support under the Home Development Mutual Fund (HDMF, otherwise known as Pag-IBIG Fund) programs. Prior to relocation, ample consultations will be provided to PAHs to ensure that their needs are addressed and assisted relocation options are understood, and where applicable relocation site options are presented. The implementing agency, in coordination with the key shelter agencies, host and sending LGUs and PAPs, will ensure that no PAH will be forcibly evicted or a structure demolished without prior notice and consultation. Any land acquired for resettlement sites for the MCRP will also have the same policies and entitlements identified in this RAP.

In-city relocation (within the same LGU) is preferable to ensure minimal displacement of PAHs from their source of income/livelihood. During the DED Stage, PAPs will be consulted on their preferred relocation site, based on the information on available land and relocation sites.

7.1 Preference on Relocation Sites

In total, there are 1,416 affected households, with a large majority of these initially being identified as ISFs. Nonetheless, the formal status of PAHs – as legal PAHs or ISFs- will be determined during the Detailed Engineering Design Stage. Based on Table 3-11, majority of the potentially affected households are in San Fernando with 566 (51.97%), Mabalacat with 26 (2.39%), Calumpit with 319 (29.29%) and Angeles City with 141 (12.95%). Furthermore, 664 (46.89%) have been initially assessed as underprivileged or vulnerable.

During the socio-economic survey of PAHs, respondents indicated the following preferences for the location of relocation as indicated in Table 3-50:

- i. Be near work/livelihood opportunities (1154 or 26%);
- ii. Be near school (773 or 17%);
- iii. Be near market/malls (663 or 15%);
- iv. Have access to public transportation (513 or 11%);
- v. Be near hospitals or health facilities (424 or 9.0%); and
- vi. Have access to basic utilities such as electricity and water (417 or 9%).

7.2 Resettlement Assistance Options and Relocation Package

The different entitlements are indicated in Table 6-1 (Entitlement Matrix). In particular, qualified ISFs have the following options:

7.2.1 Option 1: Self-Relocation Assistance

The option to self-relocate will be offered to all categories of PAPs. In this option, PAPs may choose to relocate to their hometown, to a relative with residence close to their current sources of living, to continue renting somewhere near their current location, to return to previously availed socialized housing or to relocate in a permanent dwelling of their choice. The forms of assistance to be provided to PAPs vary by category of PAPs but are generally geared towards helping them to self-relocate without financial burden.

PAPs who are low income are more susceptible to the impacts of physical displacement, thus (as much as possible) PAPs who are low income and homeless will be discouraged to choose this option since monitoring their access to social services and livelihood assistance will be more challenging. On the other hand, PAPs who are not low income and homeless and who may have sufficient, stable and permanent source of income in their current location must be provided the option to stay where they deem most convenient to them so they may quickly recover and continue to enjoy their financial stability even after displacement.

7.2.2 Option 2: Assisted Resettlement

Assisted Resettlement consists of the option to avail of permanent housing either through socialized housing or economic housing. The packages for this option are a combination of the following:

- a. Housing Support
- b. Relocation expenses
- c. Commuting allowance
- d. Livelihood restoration program and
- e. Rental subsidy while waiting for the permanent housing unit to be completed.

All qualified PAPs will be assessed and validated by the corresponding key shelter and financing agencies (i.e. NHA and Pag-IBIG) during the DED Stage.

7.3 Housing Support

7.3.1 Type of Housing Support

Housing Support differs for each category of PAPs. ISFs and renters who are low income and homeless may avail socialized housing, while all other remaining category of PAPs in Table 7-1 above may avail of Economic Housing.

Eligibility of housing support will be based on the PAP's entitlement, as prescribed in the Entitlement Matrix (Table 6-1) and summarized in Table 7-1. Type of housing support is as follows.

- Avail of relocation packages provided by NHA, also known as a socialized housing program with affordable amortization repayments; and
- Avail of government economic and medium cost-housing loan for acquired assets or new properties under the Pag-IBIG Fund.
- For those who do not qualify for socialized housing program or housing loans, Public Rental will be provided through DOTr.

Table 7-1 Eligibility for assisted resettlement programs by category of affected households

Project Affected Households	Eligible House Support
Formal settler	Government assisted economic and medium cost-housing loan under Pag-IBIG Fund
Informal settlers but are not low income or homeless	Government economic and medium cost-housing loan under Pag-IBIG Fund
Informal settlers and are low income or homeless	Socialized housing program provided by NHA
Returnees who were previous participants of a socialized housing program and sold the house	Government economic and medium cost-housing loan under Pag-IBIG Fund
Returnees who were previous participants of a socialized housing program and abandoned the house	Socialized housing program provided by NHA or Public Rental
Renting, sharing the structures, and are low income and homeless	Socialized housing program provided by NHA
Renting, sharing the structures, but are not low income or homeless	Socialized housing program provided by NHA

7.3.2 Housing Modality

To guarantee that PAPs are sufficiently assisted in finding and availing a replacement housing unit, DOTr will coordinate with concerned agencies to establish a one-stop shop of requirements for housing loan, per LGU. Additionally, site visits will also be arranged with the developers to ensure that PAPs make an informed and preferential decision in selecting their housing unit.

Table 7-2 presents a comparison of the packages that will be offered.

Table 7-2 Comparison of Options per Housing Modality

Options	Housing Modality	
	NHA Socialized Housing Program	Pag-IBIG Housing Loan
Option 1	Row-houses	Any or a combination of the following: <ul style="list-style-type: none"> • Loan for a fully-developed residential lot or adjoining residential lots not exceeding 1,000 m² • Loan for a residential house and lot, townhouse or condominium unit • Construction or completion of a residential unit on a residential lot owned by the member • Home Improvement of an existing property not impacted by the project • Refinancing of an existing housing loan
Option 2	Five-storey Low-Rise Buildings (LRBs)	
Option 3	Off-city resettlement	

(1) Housing package by modality

Each housing modality will have different options and package inclusions. The general packages are summarized in Table 7-3.

Table 7-3 Housing Packages Available to PAPs

Options	Housing Modality		
	NHA Relocation	Pag-IBIG Housing Loan	Public Rental
Housing Package inclusions	<ul style="list-style-type: none"> House and lot package (inclusive of cost for housing construction and social preparation activities and exclusive of land acquisition cost for in-city relocation); Socioeconomic component (inclusive of relocation and social preparation and community development); Community facilities; and Livelihood development In addition to the above listed, for in-city relocation sites, land acquisition cost and administration cost (3%) are added. 	<ul style="list-style-type: none"> Any or a combination of the following: Purchase of a fully-developed residential lot or adjoining residential lots not exceeding 1,000 m² Purchase of a residential house and lot, townhouse or condominium unit; Construction or completion of a residential unit on a residential lot owned by the member Home Improvement; Refinancing of an existing housing loan 	<ul style="list-style-type: none"> For those who do not qualify for socialized housing program or housing loans, Public Rental option at an affordable rate shall be provided through DOTr.

Relocation sites will be organized for PAHs that are eligible for the socialized housing programs by NHA. For all other PAHs who wish to be assisted in their relocation, they will receive support to participate in a Pag-IBIG housing loan program.

For the socialized housing program, the specific arrangements for relocating PAHs to respective relocation site options would be discussed in detail in a Memorandum of Agreement (MOA) between DOTr and the NHA. DOTr and partner housing agencies will be working closely with the *Sending and Receiving*¹ LGUs to ensure that during the implementation stage, the actual number of PAHs to be relocated will be assigned to the appropriate relocation sites, based on the results of the Socio-Economic Survey (SES) and Detailed Measurement Survey (DMS). The development of candidate relocation sites will also be under this RAP.

7.3.3 Economic Housing

Economic Housing is defined in BP 220 as housing units which are within the affordability level of the average and low-income earners which is 30% of the gross family income as determined by the National Economic and Development Authority from time to time. Economic Housing could be private or government-initiated sites. Based on HLURB Memorandum Circular No. 13 Series of 2017, the selling price of Economic Housing is above PhP1,700,000 but not more than PhP450,000. Medium Cost Housing, on the other hand, costs above PhP1,700,000 up to PhP4,000,000 and designed for average to mid-level income earners.

The option for Economic Housing or Medium Cost Housing will be offered to any of the following PAPs who reside in the affected residential structure and who:

- i. Own the affected residential structures and own the land where the structure is located.

¹ “Sending LGU” refers to the local government unit where the PAPs will be displaced from; the “Receiving LGU” will be the one who has jurisdiction over the relocation site and as such, will receive the resettling PAPs.

- ii. Own the affected residential structures but do not own the land where the structure is located and are not low income or homeless (i.e. they are not poor and vulnerable, or they own real property elsewhere);
- iii. Own the affected residential structures but do not own the land where the structure is located, and who have sold or rented out previously availed government socialized housing program (returnees);
- iv. Renters, sharers, rent-free occupants who are not low income and homeless.

DOTr will coordinate with Pag-IBIG to identify the developers and location of Economic Housing and Medium Cost Housing in each LGU. A series of housing exhibits will be organized per LGU wherein housing options will be presented to PAPs by the developers. During consultation, PAPs will be provided with a list of documentary requirements to qualify for a housing loan under Pag-IBIG. Said list of requirements will also be made available at the PAPs' respective Help Desks.

For those who may avail Economic Housing assistance in finding economic housing near their current work, trippings with the developer, rental subsidy for the elderly and transportation cost during relocation will be provided. Since pre-qualification of PAPs has not been conducted at this stage, the cost to GoP of the relocation package for Economic Housing and Medium Cost Housing will be determined at the DED stage of RAP preparation.

(1) Housing Loan

Pag-IBIG Housing Loan may be availed for acquired assets or new properties. Housing loan application can be done through any of the following modes: (1) Developer-Assisted, where the developer assists the member in his/her housing loan application; or (2) Retail, where the member applies directly to Pag-IBIG.

(2) Eligibility Requirement

Depending on qualifications, PAHs may choose from either of the two housing programs: The Affordable Housing Program (AHP) and the End-User Home Financing Program. The AHP is designed for minimum-wage earners or whose gross income doesn't exceed PhP17,500 per month. It is aimed at giving opportunity for Pag-IBIG members to acquire decent homes at very low interest rate. The End-User Home Financing Program is for medium-cost housing worth up to six million pesos (PhP6M).

Both housing programs are available to active Pag-IBIG Fund Members who meet the eligibility requirement outlined in Table 7-4.

Table 7-4 Eligibility Requirements for Housing Programs

Affordable Housing Program	End-User Home Financing Program
<ul style="list-style-type: none"> • Have made at least 24 monthly savings. The lump sum payment of the required 24 monthly savings is allowed; • Have a gross monthly income not exceeding PhP17,500.00; • If with existing Pag-IBIG housing account, it must be updated; • Have no outstanding Pag-IBIG Short-Term Loan in arrears at the time of loan application; • Have the legal capacity to acquire the encumber real property; • Have passed satisfactory background/credit and employment/business checks of Pag-IBIG Fund; • Are not more than 65 years old as of date of 	<ul style="list-style-type: none"> • Have made at least 24 monthly savings. The lump sum payment of the required 24 monthly savings is allowed; • If with existing Pag-IBIG housing loan, either as principal or co-buyer/borrower, it must be updated; • Have the legal capacity to acquire and encumber real property; • Have passed satisfactory background/credit and employment/business checks of Pag-IBIG Fund; • Are not more than 65 years old and not more than 70 years old at maturity of loan application; • Have no Pag-IBIG housing loan that was foreclosed, cancelled, bought back due to

Affordable Housing Program	End-User Home Financing Program
application and must be insurable; <ul style="list-style-type: none"> Had no Pag-IBIG housing loan that was foreclosed, cancelled, bought back due to default, or subjected to dacion en pago. 	default, or subjected to dacion en pago.

(3) Loanable Amount, Interest Rate, Loan Term and Process

The loanable amount under the AHP is up to PhP750,000 while the End-User Home Financing Program is up to PhP6M. The maximum repayment period for the loan is 30 years. The loanable amount will be based on the lowest of the following: actual need, loan entitlement based on gross monthly income and capacity to pay, and the loan-to-appraised value ratio.

Table 7-5 Loanable Amount and Interest Rate under AHP

Details		Maximum Gross Monthly Income/Cluster Limit	
Income Clusters	Cluster 1 (NCR)	up to PhP15,000	up to PhP17,500
	Cluster 2 (Regions)	up to PhP12,000	up to PhP14,000
Loan Amount		Loans up to PhP450,000	Loans up to PhP750,000
Interest Rate		3.0%*	6.5%**

* Housing loan borrowers earning up to PhP15,000 for Cluster 1 and up to PhP12,000 for Cluster 2 with maximum loan amount of PhP450,000 will be charged with interest rate of 3% for the first 5 years of the loan.

**Housing loan borrowers earning up to PhP17,500 for Cluster 1 or up to PhP14,000 for Cluster 2 with housing loan of up to PhP750,000 will be charged with interest rate of 6.5% for the first 10 years of the loan.

At the end of the 5 year or 10 year period, the interest rate will be repriced based on the prevailing interest rate in the Fund's Full Risk-Based Pricing (FRBP) Framework. For those opting for a 3 year or 5 year fixing period, the interest rate will be repriced based on the prevailing interest rate in the FRBP Framework or it will be increased by 2%, whichever is the lower.

For the End-User Home Financing, the interest to be charged will be based on the chosen re-pricing period of the borrower under the Fund's Full Risk-Based Pricing Framework.

Housing loan applicants must accomplish the application form, along with loan requirements and submit them at any Pag-IBIG Branch offices.

7.3.4 Socialized Housing Program

Socialized housing is the primary strategy of the government or the private sector for providing shelter for the underprivileged and homeless. This will include the provision of basic services (i.e. water, electricity, sewerage facilities, solid waste disposal system, and access to primary roads and transportation facilities) and social facilities (e.g. health, education, communication, security, recreation, relief and welfare).

(1) Eligibility

The NHA, as the primary agency in-charge of providing housing for the underprivileged and the homeless, maintains a masterlist of beneficiaries as the basis against which prospective beneficiaries would be compared to guard against double or multi-awarding of shelter security units and against going to unintended beneficiaries. This Alpha list will be used to validate PAHs qualification to avail of the socialized housing program for MCRP.

(2) Cost for Relocation Site Development

The community-initiated approach of NHA allows beneficiaries to acquire their housing units and accommodates different partnership arrangements (i.e. including private developers or community associations).

The relocation package offered by NHA consists of the house and lot package, as well as socio-economic components (i.e. relocation, social preparation and community development, monitoring and evaluation), and livelihood restoration assistance. The program is tailored to the needs of underprivileged households, with affordable monthly amortization payments that enable these families to become land and property owners. The amortization payments comprise the loan repayments for the house and lot at 3% interest and insurance costs, while the support components and site preparation are funded by DOTr. Once the loan has been paid, the title for the land and structure will be given to the household. Under the proposed MOA(on going preparation) , DOTr intends to set the ceiling of site develop cost as Php 580,000 in accordance to the ongoing draft HUDCC guidelines.

(3) Monthly Cost for Amortization

As in all other government socialized housing projects, the relocated PAHs will also be required to pay monthly amortization costs.

Based on the discussion with DOTr and NHA, it is agreed that the affordable rate will be set as flat rate for maximum 30 years loan based on the income of PAHs, government policies and in line with the housing package, minus compensation for affected assets as indicated in the Entitlement Matrix. However, since pre-qualification of PAPs has not been conducted at this stage, the cost to GoP of the relocation package for Economic Housing and Medium Cost Housing will be determined at DED stage of RAP preparation.

The legal beneficiaries of housing units will be able to own their respective dwelling places either through outright cash sale or through installment. If the installment method is opted, the monthly payments to be incurred is based on the chosen number of years to pay, as well as the cost of the land and structure, and for LRB/MRB options, the level on which the unit is located. It should be noted that there is a one year moratorium of payments for the beneficiaries. Furthermore, after signing the contract, the beneficiary must submit the names of family members who will be residing in the respective residential units.

7.3.5 Public Rental Facility

Elderly without close kin living with them and returnees shall be prioritized in the public rental facility. DOTr through NHA shall coordinate with the Local Government Units (LGUs) in the establishment of public rental facilities. The LGUs shall establish these facilities using funds from NHA which shall recover portion of the loan after a specified number of years as agreed with LGUs. The public rental facility will be operated and managed by the LGUs. The amount of rent for the first 10 years will be determined by and between DOTr, NHA and LGU based on the affordability of PAPs. Rental amount thereafter shall be governed by the Rental Control Act or any other applicable laws by that time.

7.4 Relocation Sites for the Socialized Housing Program

ISFs will be informed of the resettlement options during the succeeding Stakeholder Consultations accordingly. They will also be involved in identifying their relocation sites through CBIA. .

7.4.1 Community Based Initiative Approach

As a new approach adopted by NHA Memorandum Circular No. 014, Series of 2018, NHA uses the Community Based Initiative Approach (CBIA) to select the relocation sites. NHA will partner with private developers through advertisement to provide a list of land or projects suitable for resettlement sites or housing units in developed sites and bid out the development of the site.

PAPs will identify their preferred relocation sites through the CBIA. In this approach, the community selects the site and executes a formal agreement with the developer upon the proper endorsement of the Local Inter-Agency Committee (LIAC) and the NHA. CBIA is an implementation strategy of NHA which is designed to build on the community's initiative and promote participation of PAPs through their Community Associations (CA) in the relocation and resettlement decision-making process.

The CBIA key components are:

1. Selection and endorsement by project beneficiaries of their preferred project sites;
2. Development of project sites including the construction of housing units by the participating landowner/developer/contractor;
3. Acquisition of house and lot units through the existing financing scheme for beneficiaries; and
4. Participation of the project beneficiaries in the identified aspects of the relocation and resettlement program, as well as in project implementation.

Land acquisition, under CBIA financing scheme, include lands owned by NHA under its inventory of resettlement sites, including its properties, other government properties owned by non-government agencies, LGUs, and privately developed sites offered by landowners/developers/contractors under a specific NHA housing program.

7.5 NHA Verified Candidate Relocation Sites

Based on the initial verification of available lots conducted by NHA for the proposed resettlement sites for in-city sites, Table 7-6 indicates a summary of the available existing NHA in-city relocation sites for MCRP, for Angeles new in-city relocation site will be development through CBIA process.

Table 7-6 Summary of Options for Candidate Relocation Sites

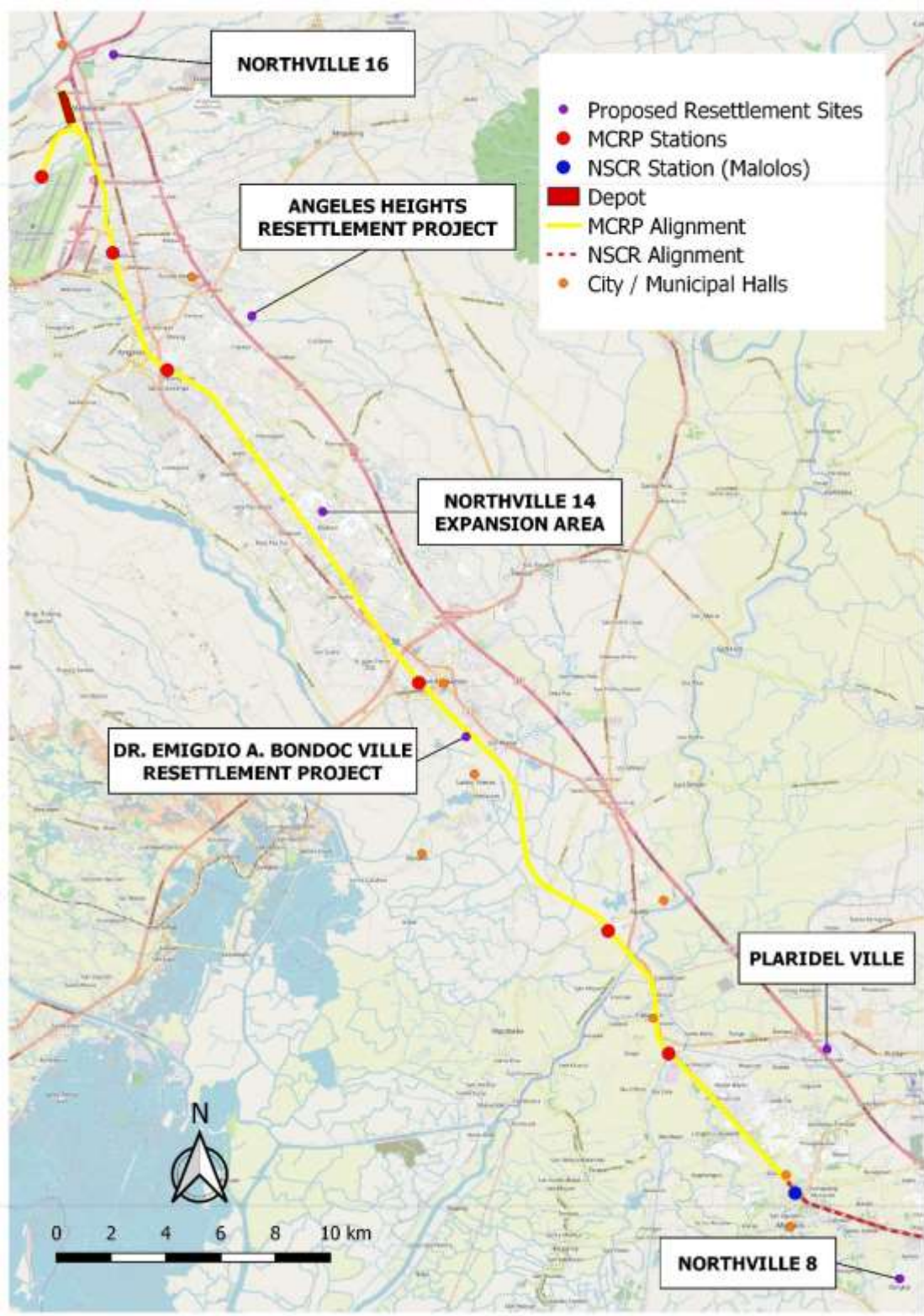
No.	LGU	ISFs	Proposed Relocation Site	
			Location	No. of Excess lot
1	Malolos	3	Northville 8 Brgy. Bangkal, Malolos, Bulacan	33
2	Calumpit	286	Plaridel Ville Brgy. Sipat, Calumpit, Bulacan	394
3	Apalit	2	Dr. Emigdio A. Bondoc Ville Resettlement Project Brgy. Sto Nino, Sto. Tomas, Pampanga	3
4	Santo Tomas	13	Dr. Emigdio A. Bondoc Ville Resettlement Project Brgy. Sto Nino, Sto. Tomas, Pampanga	33
5	San Fernando	664	Northville 14 Expansion Area Brgy. Calolot, San Fernando, Pampanga	1,700
6	Angeles	176	Angeles Heights Resettlement Project Brgy. Sapa-Libutad, Angeles, Pampanga	16
7	Mabalacat	29	Northville 16 Brgy. Atlu-Bola, Mababacat, Pampanga	3,374 Developed lots

Source: NHA

The above relocation site options are based on the initial meetings with NHA conducted for the preparation of FS RAP. NHA, who owns and manages these sites, is the proper authority to be cited.

Viability is not an issue anymore considering that these are either existing relocation sites, or adjacent to it. Other possible relocation sites (i.e., aside from those in Table 7-6), will not be known until the PAPs select the developers. Under the CBIA of the NHA, the need for relocation sites are advertised by the Authority. The bidders will then present their candidate relocation sites and go on visits or trips with the PAPs (normally done by officers of the community associations (CA)). After the site visits the CA will then select the developer of their preference.

The relocation sites and their proximity to the MCRP alignment and the city and municipal halls are depicted in Figure 7-1.



Source JICA Study Team

Figure 7-1 Location Map of Candidate Existing NHA Relocation Sites for the MCRP

7.6 Temporary Accommodation

In case the Resettlement site construction are not yet ready in time for the clearing of ROW, rental subsidy will be provided to the PAHs, for a maximum period of six months.

Rental subsidies will be paid directly to the PAPs on a monthly basis. DOTr will provide support to PAPs to set up a bank account with Landbank, so that monthly rental subsidies will be paid. The initial payment of the rental subsidy will also include a deposit amount of two months. This will facilitate financial literacy, and can be supported by financial literacy training under the LRIP.

Due to the number of PAPs, rather than organizing transport from existing structures to the temporary rental accommodation and then later to the resettlement sites, DOTr may transfer funds instead to the PAP's Landbank accounts.

7.7 Integration with Host Population

Prior to any relocation activities, NHA in behalf of DOTr will conduct consultation to the receiving LGUs and host communities to (i) identify existing facilities and available social services; (ii) prioritize the services and assistance that the receiving LGU and host communities may need to be able to accommodate and manage the sudden influx of PAPs into their community; (iii) and to sign a tripartite agreement between and among DOTr, NHA and the receiving LGU for the accommodation and integration of the PAPs into the host community.

To prevent the adverse impact of sudden increase in population in receiving LGUs as experienced in previous relocation projects, DOTr will provide financial assistance to the receiving LGU for off-city socialized housing sites. The amount of which will be discussed and agreed upon with the receiving LGU to cover any or all of the following:

1. Health services, facilities and/or infrastructure;
2. Educational services, facilities and/or infrastructure;
3. Services, logistics or equipment for the maintenance of peace and order;
4. Provision of transport services or improvement thereof;
5. Solid waste management; and
6. Implementation of the Livelihood Restoration and Improvement Program

The assistance to be provided must be sufficient to cover all operational expenses that the receiving LGU may incur due to increase of population until the Internal Revenue Allotment (IRA) of the receiving LGU increased to cover the relocatees. The amount however, must be reasonable and proportionate to the number of PAPs to be relocated. For government auditing purposes, DOTr will not provide financial assistance for the host population of the receiving LGU, although they may use and access the facilities, equipment's and services provided for the relocatees using the funds of the receiving LGU for its operation.

Under the Local Government Code (R.A. 7160) and the Urban Development and Housing Act (R.A. 7279), provision of socialized housing is a mandate of the local government unit. Thus, for in-city resettlement, DOTr will not provide financial assistance to the LGU although they may provide facilities for basic social services to augment the existing facilities in the host barangay. Additionally, since the PAPs are in the same city, economic displacement will be minimal (PAPs may continue working in the same company or operate their business near their original location) and the required resources for social services is still available and accessible to the PAPs.

7.8 Additional Measures for Relocation

To ensure that relocation does not result to any adverse impact to the lives of the PAPs, wholistic approach in restoring and improving their condition must be observed during and after relocation:

- Prioritizing affected ISF households with elderly and PWD members at the ground or lower levels of the relocation buildings (for multi-level relocation sites);
- Program interventions must include stimulating the formation of new social networks and reviving existing networks in a new community environment. This includes the establishment of purpose driven community-based organizations to meet specific community needs for livelihood, health, security, education, etc.;
- National and local health program/s directed towards younger members of the households (e.g. infants and children) such as screening for malnutrition, provision of health supplements, child feeding, etc., will be tapped to extend assistance post relocation.
- Transitional assistance will include opportunities for general awareness programs such as family health and food preparation and changes in domestic practices as a result of improved home environments;

Moving can also be very stressful for pregnant women. The ability of women to relocate and help out during the move may be limited. On the other hand, care of elderly household members and those with physical and/or mental disabilities will be extra challenging for the affected households. This group may need special targeted assistance through the following means:

- Priority in physical mobilization and transfer to relocation site;
- Assisted transit to relocation site; and
- Support case workers to assist transition process and monitor conditions. The case workers will identify other assistance required for specific cases.

7.9 Relocation Implementation Institution Arrangement

Prior to the relocation, the MCRP Project Management Office (PMO) would be created. The MCRP PMO would request the respective LGUs to create a Local Inter-Agency Committee (LIAC) or utilize respective Local Housing Boards (LHB) for the Project. The tasks of the MCRP PMO and LIAC/LHB are outlined in Chapter 10.

In particular, the Environmental, Social and Right-of-way (ROW) Division of the MCRP PMO will submit the masterlist of ISFs to NHA and the LIAC for validation and assessment of census claims. The LIAC, together with the MCR PMO will conduct consultations with the ISFs as part of the social preparation process prior to relocation. The LIAC or LHB would also prepare the schedule for relocation of the ISFs and assist the MCR PMO in issuing the Notice to Relocate.

7.9.1 Role and Responsibility of Involved Parties

(1) DOTr MCRP PMO

The role and responsibilities of DOTr will be the following:

- Provision of a budget for the expenses for site development and construction of housing units for the affected ISFs by the MCRP, or equivalent budget for existing units that will be reserved for the ISFs. The expenses will also include the funding for the livelihood assistance of qualified families/businesses and the social development package for the ISFs.

- Provide the NHA its priority areas for clearing of ROW, together with the corresponding schedule vis-a-vis the project's implementation schedule.
- Provide support and assistance to the LIAC and NHA in the conduct of social preparation activities including the expediting of pre-relocation, actual relocation and post-relocation, if deemed necessary.
- Assist NHA in the conduct of community consultations with the PAPs and in securing necessary clearances from concerned government agencies (e.g. PCUP).
- Lead the clearing of affected structures.

(2) Local Inter-Agency Committee (LIAC)

The tasks and responsibilities of the LIAC are outlined in Chapter 10. The project-specific roles of each agency will be finalized upon the signing of the Executive Order for the convening of LIAC for each city/municipality.

(3) LGUs

Under the Off-City relocation option, concerned LGUs portray different roles namely the: *Sending* and the *Receiving* LGU. On one hand, the "Sending LGU" refers to the local government unit where the PAPs will be displaced from. On the other hand, the "Receiving LGU" will be the one who has jurisdiction over the relocation site and as such, will receive the relocated PAPs.

However, for In-City Relocation, the Sending and Receiving City LGU are one and the same, but the *Sending* and *Receiving* Barangay LGU may be different. The delineation of roles is important to identify the gaps that needs to be filled in the transition process. At the level of Feasibility Study (FS) RAP preparation, the responsibilities of the Sending LGUs are as follows:

- Submitting the following: (i) the certificate of turnover for areas already cleared of structures and PAPs, and (ii) the monthly financial statements to DOTr, duly audited by the resident auditor upon completion of the relocation and resettlement of the affected ISFs.

Other responsibilities of LGUs, as indicated in R.A. 7279, include:

- Implementation, in coordination with NHA, of the prescribed procedures and guidelines on the execution of eviction and demolition orders involving homeless and underprivileged citizens, including the provision of adequate relocation;
- Providing, in coordination with the NHA, relocation and resettlement sites with basic services and facilities, and access to employment and livelihood opportunities sufficient to meet the basic needs of the affected families (Section 29).

(4) National Housing Authority

The National Housing Authority (NHA) is responsible for;

- Providing support to the LGU by facilitating the reactivation of the Local Inter-Agency Committee and the conduct of the social preparation activities by the LGU;
- Dissemination of information to project beneficiaries on the proposed projects to be implemented;
- Conducting the clearing of affected structures and the relocation and resettlement of families affected by the Project;
- On the basis of the formal request from DOTr, undertaking the relocation and resettlement of ISFs affected by the Project;

- Providing assistance in the provision of livelihood programs for the families to be relocated by the local government units; and
- Submitting financial statements duly audited by its resident auditor upon completion of the livelihood interventions for the affected ISFs.

(5) Home Development Mutual Fund (HDMF) or Pag-IBIG

HDMF will be responsible for the following:

- Bulk processing of Pag-IBIG Membership of PAPs
- Bulk processing of loan application of PAPs
- Identify developers and determine location of Economic Housing and Medium Cost Housing per LGU
- Consolidate possible options in a form that can readily be presented to the PAPs

7.9.2 Preparation of Memorandum of Agreement

Through a MOA between the DOTr and the NHA, the NHA will provide to the DOTr the cost for the target beneficiaries' resettlement as per allocation and mandate of the agency. The implementing agency, DOTr, on its part, will provide the money directly to NHA, which will be the agency responsible for disbursing the amount.

A draft tripartite Memorandum of Agreement that will be executed between the DOTr, the local government units and the NHA should stipulate the various points of concurrence, responsibilities of parties and effectivity of the agreement.

There is a section in the MOA that allows for instances when modifications have to be made. In case an Amendment is needed, particularly in the increase in the number of ISFs, the same will be covered by a supplemental MOA duly signed by the party under the same terms and conditions of the agreement - provided that in case of reduction of ISFs, based on the verified list, the excess will be returned to the DOTr.

CHAPTER 8 INCOME RESTORATION AND LIVELIHOOD RESTORATION ASSISTANCE

This section outlines the various measures that the Philippine Government is recommended to carry out in order to mitigate the impacts that the project will cause on PAPs livelihoods. It also provides the framework for further planning and implementing suitable livelihood and restoration program in partnership with national and local government agencies as well as the affected communities.

8.1 Objectives and Approach of the Livelihood Restoration and Improvement Program

Households experiencing loss of productive resources or loss of employment are expected to face challenges in restoring their livelihoods, income generating capacity and living standards. For vulnerable households, there is an opportunity within the project to contribute to improving living standards. The objective of the Livelihood Restoration and Improvement Program (LRIP) is to assist PAPs whose livelihoods are adversely affected directly by the project to restore their income generating capacity to at least pre-project levels. For vulnerable PAPs, the LRIP is also aimed at improving their living standards.

The project's livelihood restoration strategy was prepared based on the result of Focus Group Discussion (FGD) conducted for the vulnerable sector and business sector. Potentially affected persons from these two sectors were invited to a series of FGD where their concerns and recommendations were gathered in order to come up with the applicable strategies based on their actual needs.

Based on the result of the FGDs, most apprehensions from the business sector are related to adverse impacts of relocating somewhere else such as, loss of income, loss of regular customers, and difficulty of finding a space to re-establishing their business. For the vulnerable sector who are wage-based, their apprehensions include, more time and cost for travel if relocated far from work, and difficulty of earning a living in the relocation site. For vulnerable PAPs whose income are land-based, they worry of loss of land to cultivate or space to raise swine/chicken (backyard gardening/animal raising). To address these concerns, livelihood restoration measures must be able to: (i) compensate loss of livelihood assets (e.g. structures, machineries, land) at replacement cost; (ii) include transitional support; and (iii) provide assistance for livelihood improvement.

Additionally, a preliminary assessment of impacts on affected households' livelihoods, their needs, as well as review of existing state programs in addressing the livelihood needs of these households within the project timeframe were also carried out. The strategy presented below will be updated and refined in to a detailed livelihood restoration and improvement program during updating of the RAP.

The plan takes into consideration the PAPs' preferences, needs and capacities, relocation site conditions, outcomes of the detailed census and survey, focus group discussions, and review of secondary data/documents. Relevant provisions of the law were also taken into account while existing government livelihood programs both at the national and LGU levels will also need to be tapped. The concerned LGUs will also play a vital role in the implementation of the plan. A multi-faceted approach will be adopted to assist PAPs in the restoration of their affected livelihoods and in helping improve their standard of living.

With the intention to match or exceed the PAPs' current income and quality of life after resettlement, livelihood restoration measures are to be planned to take account of each individual situation and not aggregate measures of economic benefits. Individuals within an affected household, men and women, should be considered to have equal entitlement to livelihood restoration and improvement measures. Sufficient time for planning and substantial interaction with the PAPs is deemed essential requisites to

developing a more robust plan that will promote both immediate and long-term self-sufficiency. As such, while this plan outlines the necessary livelihood restoration measures, further targeted consultations with the PAPs to plan specific livelihood restoration and improvement measures needs to be conducted in accordance with the following hierarchy of preference:

Preference 1: *Restoration of current livelihoods.* Where PAPs have existing viable livelihoods, the preferred approach is to restore these livelihoods where feasible. This is considered a lower-risk approach considering that the likelihood of success is high if the PAPs will be able to continue doing what they know best and what is proven to work in the local situations. While opportunities for improvement may be introduced, the emphasis should be on replacing enabling conditions and livelihood assets with new assets of at least equal quality and quantity. This represents a lower risk of failure due to technical, economic, or social factors. Many PAPs with affected livelihoods are expected to be able to restore their income generating capacity with transitional assistance without additional LRIP interventions. However, some will require additional support to enable them to readjust their existing livelihood to a new operating environment, more particularly if their previous livelihood involves engaging in service activities. This finds more applicability to women as engagement in service activities ranked 3rd among the major industries participated by them.¹

Preference 2. *Introduction of Alternative Livelihoods.* Opportunities for alternative livelihoods will be provided to PAPs when restoration of their previous livelihood is not feasible or preferred by the PAP, or as a means to improve the households' income earning capacity. The promotion of alternative livelihoods should be geared towards providing PAPs opportunity for diversifying livelihoods and improving household incomes (e.g. seasonal workers, minimum wage-earning households) based on PAP interests, current skills set and/or capacities, and taking account of market needs/demands. Livelihood activities traditionally engaged in by women should be supported; but at the same time, livelihood programs that encourage men and women's participation in non-traditional undertakings should likewise be promoted. Moreover, care should be taken that unpaid care and domestic work are equally redistributed within the household, especially between the husband and wife, to avoid exacerbating women's burden of unpaid work as a result of additional hours spent on alternative livelihoods.

One of the primary objectives of this plan is to avoid or minimize impacts on PAPs' livelihoods in the first place. Accordingly, a key consideration in selecting relocation sites is the proximity to their current livelihoods and workplaces. Outcomes of the survey and FGD reinforces the need to prioritize this approach as PAPs expressed preference to be relocated within the same Barangay or Municipality/City in order for them to continue with their current livelihoods. In-city relocation would also enable them to benefit from the economic and employment opportunities that will be brought about by the railway project. Where feasible, housing design will also take into consideration livelihood spaces for PAPs to continue their homebased enterprises.

8.2 Overview of LRIP Beneficiaries

Regardless of PAPs tenurial status "legal PAPs" or "ISFs", there are three general types of LRIP beneficiaries:

1. PAPs engaged in enterprise-based (business or commercial activities) livelihood;
2. PAPs who are employed or wage-based income earners; and

¹ 2016 Gender Statistics

3. PAPs whose livelihood are land-based (i.e., farming, agri-business)

The following section provides a description of these types of beneficiaries and main approaches to restore and improve their livelihoods. An overview of PAP livelihood practices is presented in Chapter 3 of the RAP.

8.3 Livelihood Restoration for the Affected Businesses

Compensation for income losses is not provided for in any national legislation except for agricultural tenants, lessees, and free patent holders. While JICA Guidelines (2010)² and ADB SPS (2009) prescribes payment for loss of income, it would render the Project financially unviable if the acquisition of the Right-of-Way becomes very expensive. Thus, a combination of assistance in various forms are carefully crafted to assist PAPs based on their (i) tenurial status and (ii) size of their business.

8.3.1 Tenurial Status of the Business Owner

(1) PAPs who own the land where the business operates

- Assistance in seeking replacement land, of the same size or of a size that permits relocation of the affected business, possibly within the same barangay or City/Municipality;
- Cash compensation to cover transactional (e.g., permitting) cost of re-establishing the business in the replacement land;
- Assistance in securing government soft loans that offer lower transaction costs and interest rates, and long term and flexible payment schedules, to enable self-rehabilitation;
- Project benefit-sharing agreement with DOTr such as, but not limited to Right of First Offer (RFO) or Right of First Refusal (RFR) in locating at commercially developed areas during project operation (This option is deemed more practicable for commercial rather than industrial establishments).

Above options could be offered to PAPs during negotiation, depending on the type of loss and entitlement. Outcomes must be such that it would allow business rehabilitation at the shortest possible period for PAPs whose primary source of income would be lost due to economic displacement.

(2) PAPs who lease land and/or structures for operating their businesses

- Assistance in seeking alternative rental space to reestablish business, preferably within the same barangay or City/Municipality;
- Rental subsidy for three months based on prevailing average monthly rental for a similar structure of equal type and dimension to the property being leased. Not applicable to lease contracts that will expire within three months at the time of taking;
- Cash compensation to cover transactional (e.g., permitting) cost of reestablishing the business elsewhere.

(3) PAPs whose affected businesses are within the PNR Right-of-Way and are not paying any rent

- Assistance in securing government soft loans that offer lower transaction costs and interest rates, and long term and flexible payment schedules, to enable self-rehabilitation;
- Assistance in seeking alternative rental space to reestablish business, preferably within the same barangay or City/Municipality;

² In reference to World Bank's O.P. 4.12

- Cash compensation to cover transactional (e.g., permitting) cost of reestablishing the business elsewhere.

In any case, affected businesses should be given preference for availing of rental commercial spaces that may be established at the railway stations on a first-come-first-serve basis subject to screening procedures aimed at ensuring business appropriateness.

For marginally affected business establishments, the project development plan should consider integrating the property owner's development plan so that PAPs can benefit from enhanced economic development opportunities surrounding the project, specifically the railway stations, and mitigate income losses resulting from limited access or business disruptions during construction phase.

8.3.2 Size of Business

(1) PAPs who own fixed micro businesses (e.g. Small shops, sari-sari store, carinderia, food stand, repair shop, etc.) regardless of tenurial status and with or without permits from the LGU concerned

- Cash compensation for income losses during transition period corresponding to stoppage of business activities, not to exceed six months;³
- Cash compensation to cover transactional (e.g., permitting) cost of reestablishing the business elsewhere;
- Assistance in securing soft loan that offer lower transaction costs and interest rates, and long term and flexible payment schedules to enable self-rehabilitation for those restarting business elsewhere.

(2) Vendors with no stalls/ ambulant vendors/ hawkers

- Assistance in identification of alternative temporary sites to continue economic activity. (e.g. assistance in (a) shifting to areas within the same LGU where there is no construction and/or (b) identify alternative sites to sell). LGU assistance will be sought to reorganize their places operating outside the acquired areas.

(3) PAPs who own medium and large business establishments⁴ (including apartments for rent and those who own the land)

- Cash compensation for income losses during transition period corresponding to stoppage of business activities, not to exceed six months;⁵
- For PAPs who are owners of medium to large commercial establishments built inside own affected property.
 - i. Acquire the property but allow the owner of the structure and business use of the land for a defined period to give the owner time to transfer, subject to agreement on a case to case basis;

3 Preferred mode of business transition is to set up affected persons with an alternative but similar business. Options have to be considered by the APs with no delay.

4 Categories of businesses are based on capitalization and number of employees, with (1) PhP15,000,000-100,000,000 capitalization and 100-199 employees for medium businesses, and (2) More than PhP 100,000,000 capitalization and over 200 employees for large businesses.

5 Preferred mode of business transition is to set up affected persons with an alternative but similar business. Options have to be considered by the PAPs with no delay.

- ii. Cash compensation to cover transactional (e.g., permitting) cost of reestablishing the business;
- iii. Assistance in securing soft loan that offer lower transaction costs and interest rates, and long term and flexible payment schedules to enable self-rehabilitation for those restarting business elsewhere. Transitional support during the period while PAPs are resettling and re-establishing their livelihoods will be provided aimed at stabilizing their living standards.

Income losses to be paid shall be based on evidence such as tax receipts or otherwise as per estimated values of monthly income losses for various categories of microbusinesses as determined by the SES and validated by DOTr during RAP implementation.

(4) PAPs who are owners of medium to large commercial establishments built inside own affected property

- Acquire the property but allow the owner of the structure and business use of the land for a defined period to give the owner time to transfer, subject to agreement on a case to case basis;
- Cash compensation to cover transactional (e.g., permitting) cost of reestablishing the business;
- Assistance in securing soft loan to enable self-rehabilitation for those restarting business elsewhere. Transitional support during the period while PAPs are resettling and re-establishing their livelihoods will be provided aimed at stabilizing their living standards.

Income losses to be paid will be based on evidence such as tax receipts or other similar documents as per estimated values of monthly income losses for various categories of microbusinesses as determined by the SES and validated by DOTr during RAP implementation.

8.4 Livelihood Restoration for Affected Employees and/or Wage-Based Earners

For employees of commercial and industrial enterprises who will lose their jobs either due to closure or minimized operations, they will be entitled to the following;

- Cash compensation for net salary for two months based on minimum wage;
- Provision of skills training in anticipation of available job positions during construction and operation; and
- Priority in employment during construction and operation stage of the project or provision of alternative livelihood opportunity as outlined in this chapter.

(1) PAPs who are relocated in an off-city site and continue working in the same company/location after being relocated, will be entitled to the following assistance

- Commuting allowance going to the original place of work with an amount not exceeding PHP 5,000 per household/ per month for three months;
- Provision of skills training to qualify for job/livelihood opportunities near the relocation site; and
- Endorsement to the receiving LGU to be prioritized for employment opportunities of equal salary or to be provided initial inputs to start a business, including provision of commercial space/stalls to be rented/owned, capitalization and access to soft loan, and assistance in marketing their products. As women build on their existing traditional skills, LGUs must ensure that business skills training on non-traditional skills shall also be provided to them to prevent over competition and market saturation within communities.

(2) PAPs who permanently relocate to a place that makes former wage-based livelihood opportunities inaccessible and as a result need to find new employment or source of livelihood,

they will be entitled to the following

- Cash compensation for net salary for two months based on minimum wage;
AND
- Provision of skills training in anticipation of available job positions during construction and operation; and
- Priority in employment during construction and operation stage of the project.
OR
- Provision of skills training to qualify for job/livelihood opportunities near the relocation site; and
- Endorsement to the receiving LGU to be prioritized for employment opportunities of equal salary or to be provided initial inputs to start a business, including provision of commercial space/stalls to be rented/owned, capitalization and access to soft loan, and assistance in marketing their products, taking into account the prevention of over competition and market saturation in communities, particularly in the business enterprises participated by women.

8.5 Livelihood Restoration for Land Based Income Earners (Replacement Farm Land)

Based on the results of the survey, there are a number of PAPs who are into backyard level vegetable, fruit tree (e.g. banana, guava, chico and mango) and livestock production (i.e. swine and poultry) as their main source of livelihood. Hence, where possible, it is recommended that privately owned farms be assisted in finding replacement farmlands where possible. For farming households within PNR ROW, replacement land at resettlement sites is also suggested, however, the viability of this option needs to be studied further during the detailed planning stage. An option could be to appoint a piece/s of land near the resettlement site where PAPs who are into backyard crop and livestock production can continue doing so. Through an appropriate government program outlined in the subsequent section, technical support to assist farmers adapt their farming practices to the changed conditions should be extended. Technical support, however, should include women-friendly and sustainable agriculture technology designed based on accessibility and viability, in consultation with women's organizations (Sec. 21, Republic Act 9710). Inputs (fertilizer, chemicals and crop varieties) should also be provided to bring the land into full productive potential.

Alternative non-land based livelihood opportunities should be extended where sufficient replacement land is not available. This will include skills training and consideration for project employment to assist PAPs supplement their land-based livelihoods at resettlement sites. Additionally, immediate traditional support will be provided as follows:

1) For agricultural land owners who are directly engaged in farming

- If feasible, land for land will be provided in terms of a new parcel of land of equivalent productivity, at a location acceptable to PAPs. Consultations with both women and men shall be held to guarantee same rights to both spouses or common law spouses in respect to resources and property ownership and management, whether titled or not (Sec. 19(f), RA 9710);
- For PAPs directly engaged in farming, a disturbance compensation equivalent to five times the average gross harvest for the last five years on the principal and secondary crops of the area acquired. (as adopted from R.A. 6389); and

2) For agricultural lessee

- Entitled to disturbance compensation equivalent to five times the average gross harvests on his/her landholding during the last five preceding calendar years⁶

3) For Agricultural Tenants and Share Croppers

- Financial assistance equivalent to the average gross harvest for the last three years and not less than PhP15,000 per hectare (E.O. 1035);
- Rehabilitation assistance in the form of skills training and other development activities to be provided in coordination with other government agencies to be designed in consultation with eligible PAPs, including and women's organizations groups to ensure development of women-friendly and sustainable agriculture technologies; and
- Assistance in securing soft loan to enable self-rehabilitation.

Crop compensation will be made between the owner and sharecropper as per terms of the sharecropper in case of privately-owned land / publicly-owned land. In case of dispute over verbal agreement with sharecropper, certification from elected representatives will be considered as legal document.

8.6 Programs and Services

The LRIP activities to improve livelihoods will be based primarily on existing relevant programs at the national, regional, provincial and LGU levels with the latter being an active partner in program implementation in order to ensure maximum project benefits. This approach ensures program alignment to broader community investments programs, synergies in achieving cost efficiencies and development outcomes, and sustained LGU support once the program ends. To ensure social inclusion, development outcomes should consider integration of the different needs and concerns of women and men, people with disability, and the elderly people as agents and beneficiaries of programs and services, in all local plans and agenda, including the LGUs investment plan and programs. This will guarantee the gender responsiveness and sustainability of the livelihood programs to be accessed by the PAPs (Sec 36(a)(3), RA 9710).

Being hosts to various relevant government programs alongside its own suite of livelihood development programs, the LGU livelihood development offices can provide PAPs direct access to their much-needed livelihood support. The partnership should be such that the LGUs will have sufficient room to integrate their local plans and initiatives into the program.

As much as possible, the support provided within the program will be in kind and in the form of supplies and material inputs necessary to start with any livelihood activity. Mechanism for how such support are to be received and utilized will be developed in consultation with male and female PAPs on equal representation and with guidance from DOTr, NHA, HUDCC and LGU program staff. The danger of this approach, however, is that it fosters a “dole-out” mentality and encourages expectations that livelihood opportunities are only possible with financial support from special programs or projects. This attitude has to be overcome through the following mechanisms:

- Fostering a sense of ownership by ensuring that PAPs are closely involved in all stages of the livelihood planning and implementation process;
- Developing capability of PAPs to properly plan enterprises including provision for generating funds to meet recurrent costs;

⁶ As per R.A.6389

- Ensuring ongoing technical support from DOTr, NHA, HUDCC and LGU technical staff and monitoring to enable PAPs to achieve livelihood restoration and improvement targets. It is imperative that NHA, DOTr, HUDCC and the relevant LGUs engage livelihood technical experts that can provide technical advice to PAPs in a timely manner so that adjustments can be made and avoid problems before they happen; and
- Social preparation, including inclusion of Values Formation Sessions⁷ for PAPs geared towards development of attitude from being mere recipients of government aid to managers of their own livelihoods.

Site specific livelihood restoration and improvement plans in accordance with the LRIP strategy and RAP entitlement matrix will be developed by DOTr in collaboration with DSWD, DOLE and the relevant LGUs outlining in detail the program approach and strategies, procedures, type of support, alternative livelihood opportunities, extension and market awareness activities, budget and resource requirements, monitoring and evaluation, including implementation arrangements that promotes community participation. The detailed LRIP document will be submitted to ADB and JICA for review and approval. It will form part of the updated RAP which in turn will be endorsed by DOTr and submitted to ADB and JICA for review and agreement.

A variety of opportunities should be made available to PAPs that will help facilitate restoration and improvement of livelihoods for the short term and long term. While priority is given to livelihood restoration as a low risk measure for mitigating economic displacements impacts, there is a strong possibility that this may not be feasible at all times. Both livelihood restoration and alternative livelihoods will be very challenging in this case, hence, the objective is to provide a menu of livelihood opportunities that opens up prospects for diversifying household sources of income or livelihood activities. Based on the survey results, households with multiple livelihood activities or with more house hold members involved in productive endeavors tend to have higher monthly household incomes compared to those with one livelihood activity or lesser number of household members contributing.

Participatory, and sustainable and gender responsive approaches to the implementation of the livelihood restoration and improvement programs should be adopted with a strong dedicated support and extension services. Measures should also be taken to ensure that unpaid care and domestic work, equally necessary for the family's survival and well-being, are equally shared among the spouses and/or other family members.

8.6.1 Vocational Training

Vocational training will be provided by the Technical Education and Skill Development Authority (TESDA). TESDA is the government agency tasked to manage and supervise Technical Education and Skills Development (TESD) in the Philippines. Training activities will be delivered through three modes:

TESDA run training centers. TESDA provides certificates of completion after each training course. The certificates of completion are presented to would-be employers who will provide permanent employment and a regular stream of income. Trainings cost an average of Php 10,000/ course, but may be as high as Php 15,000. TESDA, in collaboration with various LGUs, industries/sectors who provide funds, implement the Training for Work Scholarship Program (TWSP) where successful scholars are chosen to undergo training based on industry requirements. The scholars, before being chosen, undergo a rigid selection process. PAPs and/or vulnerable groups may avail of this program, provided they pass

⁷ This is a strategy in the DSWD 4Ps (Pantawid Pamilyang Pilipino Program)

the tests or assessments provided. Centers in the project areas are located in Taguig City, Sta. Rosa, Binan and Calamba.

Private: run by private institutions/schools. Vouchers are allocated by TESDA at least 3-4 times a year to accredited training centers. The number of vouchers are demand-based; it is usually determined through surveys on the training courses needed per barangay.

Community Based Programs: Community-based Training for Enterprise Development Program is primarily addressed to the poor and marginal groups, those who cannot access, or are not accessible by formal training provisions. They may have low skills, limited management abilities, and have few economic options. They may have no access to capital – most of them are unqualified for formal credit programs. The program goes further than just mere skills training provision. It is purposively designed to catalyzed the creation of livelihood enterprises that will be implemented by the trainees, immediately after the training. Likewise, it is designed to assist partner agencies such as LGUs, NGOs, people organizations and other agencies and organizations with mission to help the poor get into productive undertakings to help themselves and their communities.

Vocational Training(s), in particular, those provided by TESDA, should ensure enrollment of women in non-traditional skills training (e.g. welding, carpentry, plumbing) as it offers higher income compared to engagement in traditional livelihood activities (Sec. 13, RA 9710). TESDA should ensure the full implementation of the gender sensitive TVET curriculum in all training courses, regardless of the mode of delivery of these trainings.

8.6.2 Mainstream Employment Information and Referral

Mainstream employment opportunities will be explored and interventions carried out to assist PAPs for potential employment. A labor market assessment will be carried out in areas were groups of PAHs are relocated for program implementers to understand the dynamic market conditions (i.e. available jobs, volume of human resource demand, skills required, job hiring seasons/cycles etc.) and sources of potential employment and entrepreneurship opportunities among PAPs. Labor market assessment should consider the gender needs of women and men, as gender segregation characterizes employment in the Country (WEDGE Plan). By Looking into the type of employment women and men are traditionally engaged in, a gender responsive employment plan could be devised by the project implementers, and improve chances of women to better jobs, with higher income. The result of the assessment will help define specific interventions to improve chances of PAPs for employment.

Employment referral, labour market information and job-skill matching will be provided through the Public Employment Service Office (PESO). The Public Employment Service Office (PESO), a free employment service facility was established in accordance with R.A. 8759 to provide services for access to employment opportunities. This is being maintained by the Provincial Government and the other LGUs in partnership with Department of Labor and Employment (DOLE), SUCs, NGOs and community-based organizations. The PESO encourages employers to submit to its office on a regular basis a list of job vacancies in their respective establishments in order to facilitate the exchange of labor market information services to job seekers and employers. The PESO provides to persons with entrepreneurship qualities access to various livelihood and self-employment programs offered both by government and non-government organizations at the provincial/city/municipal and barangay levels. The PESO likewise conducts job fairs periodically to provide a venue for job seekers to explore employment opportunities. The PESO is mandated like any other government bureaus to ensure gender mainstreaming in the identification, design, development, implementation, monitoring and evaluation of all its projects, activities and programs.

8.6.3 Project Employment Opportunities

Based on the outcomes of the survey and FGDs, there are wage-based earning PAPs who expressed that they be given the opportunity to be employed near resettlement sites, while enterprise-based earning PAPs saw employment opportunities as an alternative to their lost enterprises. Additionally, there are a number of PAPs who are in their working age but are currently unemployed due to a lack of opportunities. Other PAPs stressed that being directly impacted by the project, they should be given preferential treatment in availing of job opportunities during construction and operations.

R.A.6685 specifically provides that project contractors for national and local public works projects funded by either the national government or any local government unit including foreign-assisted projects must hire at least 50% of the unskilled and thirty percent 30% of the skilled labor requirements from the local community in which the project will be undertaken. The project contractors should be required to prioritize qualified project affected persons in their manpower requirements. This should be strictly implemented and spelled-out explicitly in their contracts to ensure compliance. The Department of Public Works and Highways (DPWH), in furtherance of RA 6685 and RA 9710 (Magna Carta of Women) requires that the mandatory minimum requirement of 50% unskilled labor and 30% skilled labor shall be recruited and equally accessible to both women and men. In addition, it requires concerned LGU and contractors to purposively employ women, to comprise at least 20% of total workforce in skilled or unskilled positions in various phases and stages of construction / civil works, from planning, design, pre-construction and construction, and maintenance for each project (DPWH Dept Order No. 130, series of 2016). The project will benefit well with the application of this same principle and requirement, to ensure equal participation of women and men in all livelihood opportunities arising from the project.

To maximize local participation in project employment opportunities during construction and operations, priority listing and profiling of all working age PAPs, male and female, will be established and the following interventions without gender discrimination should be carried out in conjunction with project contractors:

- Establishment of job placement centers at the LGU-Public Employment Service Office (PESO) and at the relocation sites to provide regular IECs on project and non-project related employment opportunities and assist PAPs with application requirements;
- Apprenticeship and on-the-job skills enhancement training of eligible PAPs. Training facility/ies will be integrated into the final project design.

Collaboration between the Livelihood Committee and PESOs will provide information on skills and qualification requirements for technical, skilled and unskilled jobs during project operations at the earliest possible. This will assist PAPs, including those yet to enter senior high school or college, decide on what academic track or courses to take in line with the project skills requirements.

8.6.4 Financial Management and Entrepreneurial Training

Resettlement processes are complex, particularly as they relate to valuation, compensation and assistance packages. Limited exposure to the cash economy and low levels of financial literacy, in light of future payment of compensation funds, highlights the need to provide PAPs with access to financial advice, as part of this program. Financial advice will help improve their capabilities on money management matters, including financial planning; investment options; training, employment and business development. The nature of financial advice varies and will have to be undertaken at different stages to coincide with the various financial activities during the RAP implementation (i.e. compensation payment, release of livelihood support, livelihood implementation/enterprise operations etc.).

Social circumstances may inevitably change as a result of resettlement at the relocation sites. For instance, cash availability will change domestic decision-making processes and could give rise to changes in domestic relations. New investment opportunities may be recognized which were previously out of reach. Economic relations at household level are likely to change which will require social interventions aimed at regenerating domestic resourcefulness. As ISFs more likely to engage in small-scale initiatives, the program should aim to develop alternative skill sets and opportunities to engage household labor in other economic activities. These opportunities could progressively lead to more advanced economic opportunities and develop into significant contributors to the financial independence of PAPs. As such, the creation of opportunities for basic entrepreneurial skills development and honing existing skills into viable occupations should be initiated as part of the program. Additionally, investment of available funds from compensation pay-outs into other economic viable enterprises should also be encouraged and supported.

Supplemental training and counseling will be provided through the Department of Trade and Industry (DTI) and a service provider engaged under the project. The DTI is a branch of government that provides business counseling services to existing and potential entrepreneurs who need information on government and private sector programs and services and referrals to DTI's Small and Medium Enterprise (SME) Centers nationwide. Advice on finance, marketing, technology, human resource development and advocacy needs are provided for free. The DTI also provides advice to the ISFs who, after determining and completing all the requirements to pursue a livelihood option, decide to venture into an enterprise or business endeavor.

A service provider will be engaged by the project through DOTr to provide financial management training. Potential key areas of training include:

- Introduction of improved production and business management techniques/practices;
- Value chain promotion and access to markets, product diversification and diversification of livelihood options among others;
- Market intelligence with appropriate skills upgrading and enterprise development interventions;
- Providing vital institutional and credit link between a formal credit provider and the PAPs; and
- Financial management and entrepreneurial trainings shall be gender-sensitive in its methodology and content; and, if needed, include women-focused programs.

8.6.5 Women as beneficiaries of the Livelihood Restoration and Improvement Program (LRIP)

The 2010 Women Economic Opportunity Index shows that the Philippines ranked 63rd out of 113 countries in terms of women's participation in MSME. Although cognizance of the great potential of women as entrepreneurs, huge potential for the creation of wealth and the improvement of their respective socio-economic status, women are not at par with men. However, for these to be realized, appropriate and timely intervention must be made by concerned government agencies to enable women to grow and upscale their businesses. Interventions can target the (i) lack of social preparation and technical skills in entrepreneurship; (ii) difficulty of woman MSMEs to access funds; and (iii) difficulty of women entrepreneurs in sustaining and upscaling their business, needs to be addressed.

To maximize the impact of the LRIP to women and female-headed households, the program implementers must ensure provision of support services, to include among others the following:

- Assistance in organizing potential entrepreneurs into cooperatives or business associations towards starting a business venture;
- Improve access of woman entrepreneurs to relevant business information and linkages such as trade fairs, subcontracting, market matching, product design, and other information that will help them grow their businesses;
- Ensure availability of business development services, such as training, counseling, and consultancy services to woman entrepreneurs, including access to financing;
- Utilize existing promotional instruments and measures for MSME development such as good practice examples and toolkits (gender-sensitive value chain, management training);
- Conduct/sustain enterprise-development related capacity development activities for women microentrepreneurs (I.e. Current Good Manufacturing Practices, How to Start a Business, Hazard Analysis and Critical Control Points, Packaging and Labeling, Food Safety Management System, Marketing Seminar, Product Development);
- Expand and sustain the conduct of livelihood training courses and other capacity development initiatives for women entrepreneurs, potential women entrepreneurs, and students;
- Incorporate a module on cultivating the entrepreneurial spirit among women toward putting up their own business in existing livelihood training and information/promotional activities; and
- Motivate women entrepreneurs to move from survival to micro and small enterprises through the provision of training focused on packaging, product development, marketing, etc.

8.6.6 Additional Support for Vulnerable Persons

The development of the detailed livelihood restoration and improvement plan will identify the need to provide additional support to vulnerable persons, including extremely underprivileged persons, Persons with Disabilities (PWD), elderly people and Sexual and Gender Minorities (SGM). Depending on the number of vulnerable persons, DOTr will engage special interest Civil Society Organizations (CSOs) or Non-Government Organizations (NGOs) to provide support to each vulnerable group.

8.7 Proposed Workplan

The following proposed activities and corresponding timings will lead to the development of a detailed LRIP and provides an indication of key activities and corresponding timing. Note that the key activities outlined herein are indicative and that additional activities may be required prior to an outcome of these key activities.

Table 8-1 Proposed Workplan

Key Activities	Objective	Timing	Responsibility
1. Inventory of relevant National Government and Local Government programs	Identify relevant existing programs that can be implemented to assist PAPs restore and improve their livelihoods	Detailed Study Phase	JDT
2. Inventory and Capability Assessment of host Local Government Units to implement the MCRP LRIP	To determine existing capabilities of host LGUs and recommended actions to address gaps if any.	Detailed Study Phase	JDT
3. Develop site-specific gender responsive	To establish site-specific technical implementation plans based on	Detailed Study Phase	DOTr, DOLE, DSWD, LGUs

Key Activities	Objective	Timing	Responsibility
livelihood restoration and improvement implementation plans	outcomes of consultations with the PAPs and Government agencies.		
4. Forging of Memorandum of Agreements between DOTr and relevant National Government Agencies and host LGUs	To lock in partnership commitments and ensure that required resources are sufficiently allocated for program implementation.	Immediately after FS RAP Approval	DOTr, HUDCC and Livelihood Committee
5. Priority listing and profiling of economically displaced and working-aged PAPs by LGUs where gender related information could be generated and used in gender responsive planning and budgeting	To establish a masterlist of PAPs that will be prioritized for livelihood restoration and improvement program	Immediately after MOA Signing	NHA
6. Establishment of a sex-disaggregated registry of PAPs from the formal sector and issuance of certifications attesting to their being affected by the MCRP	To ensure that the formal settler households who are to self-relocate will be monitored and have priority access to national government livelihood support programs	Prior to displacement	DOTr
7. Formal establishment of livelihood support centers and employment assistance centers for the MCRP project at the LGU livelihood offices and relocation sites	To bring the support near the PAPs and ensure access to MCRP livelihood programs and employment assistance at the least possible cost and minimum disruption to their day-to-day activities	Prior to relocation	All LGU, DTI, Livelihood Committee
8. Engagement of special interest CSOs/NGOs to provide support to specific vulnerable groups (PWD, SGM, elderly, etc.) if required	To ensure vulnerable persons are provided additional assistance to restore livelihoods/salaries	Prior to displacement	DOTr
9. Consultations and/or continuing engagements with PAPs	LGUs to carry-out more detailed consultations with PAPs in order to: a. Present specific livelihood restoration and improvement programs b. Explain the procedures for availing support c. Agree on final packages of livelihood support guided by the hierarchy of preference and informed by relocation site conditions.	Prior to relocation and continue through to relocation and reestablishment	DOTr and LGU
10. Identification of qualified financial management advisors/experts either from government, private institutions, NGOs etc.	To carry out financial management trainings	Prior to releasing payments of compensation and livelihood assistance	DOTr, HUDCC and all LGU Partners
11. Baseline assessment of host/receiving communities at relocation sites	To develop a socio-economic baseline for receiving communities and assess the impact on their livelihoods with the relocation of MCRP PAPs with the aim of	Detailed Study Phase	DOTr/ LGU Partners

Key Activities	Objective	Timing	Responsibility
	establishing measures to avoid, or at least minimize impacts.		
12. Consultations with host communities	To ensure the participation of host communities in resettlement planning	Prior to relocation	DOTr/LGU Partners
13. Labor Market Assessment	To understand market conditions and potential employment and entrepreneurship opportunities as basis for program interventions.	Prior to displacement	DOTr, PESO
14. Update detailed site-specific livelihood restoration and improvement implementation plans	Finalize site-specific technical implementation plans based on outcomes of consultations with the PAPs and baseline assessment of receiving communities at relocation site ensuring that the implementation of the livelihood restoration and improvement program will not pose negative impacts on existing communities at relocation site.	Prior to displacement	DOTr and Livelihood Committee
15. Identification and enlisting of PAPs to appropriate government and/or LGU programs	To match PAP preferred livelihood support packages with relevant government and LGU programs and facilitate availment of the required support.	Prior to relocation and during relocation/reestablishment	LGU Partners
16. Program Implementation, Monitoring and Evaluation that will be able to generate SDD and identify the gender differentiated impact of the program strategies on women and men	To implement the livelihood restoration and improvement program in accordance with the fundamental principle of improving or at least restoring the PAPs' standard of living to pre-displacement levels.	Prior to displacement, during relocation/reestablishment and until livelihoods are fully restored or income levels are at least within regional standards to meet basic family needs	DOTr, HUDCC, NHA and TWG/PIAC

8.8 Implementation Arrangements

The implementation of this plan requires the successful coordination of the inputs of a range of technical specialists, consultation teams, and monitoring teams from concerned national and local government agencies with the DOTr having overall responsibility for program implementation. DOTr must ensure equal participation of male and female staff as required in the HGDG checklist for program/project implementation, management, monitoring and evaluation. Central to DOTr's role is getting all the national government and local government agencies to work together harmoniously in implementing the livelihood restoration plan which is underpinned by their existing programs, services, and resources. Thus, DOTr will initiate the creation of the Technical Working Group (TWG) wherein the Livelihood Committee is seated. The Livelihood Committee will be composed of concerned attached agencies and divisions of the implementing partners that has the technical expertise, network, resources and programs on enterprise development, farm improvement, local and international employment, provision of soft loan, and skills training.

DOTr will also be responsible in making available the required additional resources and support to enhance LGU capacities to carry out the plan in their respective cities/municipalities. Monitoring and

evaluation of the program implementation will also be among DOTr’s core responsibilities to ensure that all partners adhere to their agreed commitments.

DOTr will create a special body within its PMO that is seated in the Environmental, Social and ROW Division (ESR Division) to implement (in coordination with the Livelihood Committee) the livelihood programs intended to restore and improve the individual livelihood of both formal PAPs and ISFs and including skills training for legal PAPs.

The HUDCC, being positioned a national agency, will be responsible for coordinating with national level agencies providing services under the LRIP. Such national agencies to be coordinated by HUDCC include TESDA, DOLE, Department of Social Welfare and Development (DSWD), and DTI. The role of HUDCC is set out in an umbrella Memorandum of Agreement with DOTr.

Specific partnership commitments, roles and responsibilities including coordination and reporting mechanisms will be defined in greater detail in the Memorandum of Agreements forged among key players to deliver the programs and services laid out in this chapter:

DOTr will also be responsible in making available the required additional resources and support to enhance NHA and LGU capacities to carry out the plan. DOTr will carry out monitoring and evaluation of the program implementation to ensure that all partners adhere to their agreed commitments.

8.9 LRIP Budget Estimate

The estimate of LRIP participants is based on those whose primary livelihoods are were reported by PAPs to be conducted either at or within the immediate vicinity of location of displacement. This includes 516 PAPs whose livelihoods are conducted in their residences, 542 PAPs whose livelihoods are within the neighborhood or barangay, and an estimated 1,269 employees whose employing businesses are expected to be displaced. (See chapter 3 for details of livelihoods of PAPs). For planning purposes for the preparation Draft RAP, the total number estimated requiring training or other forms of LRIP intervention is 2,530. This number will be updated once the needs assessment is conducted during the detailed study phase.

Table 8-2 Estimated Number of LRIP Participants

City/ Municipality	Livelihood in Own Residence/ House	Livelihood Within Neighborhood/ Brgy	Displaced Employees*	Total
Malolos	6	1	25	32
Calumpit	198	122	735	1098
Apalit	0	1	0	1
Sto. Tomas	1	19	20	40
San Fernando	235	318	300	855
Angeles	71	65	131	267
Mabalacat	5	16	58	237
Total	516	542	1269	2,530

* Note: the estimated number of displaced employees is extrapolated from the number of affected employees of the 279 businesses that did provide information of a total of 310 affected businesses.

The estimated LRIP budget is Php 41,745,000. This comprises funds for vocational training (or similar such as agricultural extension training). The budget estimate will be updated and revised during detailed study phase and preparation of site specific LRIPs.

Table 8-3 Estimated LRIP Budget

Activity	Estimated Participants	Ave Cost	Total (Php)
Vocational training	2,530	10,000	25,300,000
Service provider financial management training	2,530	5,000	12,650,000
Sub-Total			37,950,000
HUDCC/LGU Management Fee (10% of direct costs)			3,795,000
Total LRIP Estimate			41,745,000

CHAPTER 9 GRIEVANCE REDRESS MECHANISM

9.1 Objectives of Grievance Redress

Grievance refers to any concern, issue or conflict resulting from the varying interpretations of involuntary resettlement and implementation of the RAP for the MCRP Project. This may include issues on compensation for various types of PAPs, application of eligibility criteria, relocation of informal settlers, reduced income, and the quality of services.

The Grievance Redress Mechanism (GRM) will have the following objectives:

- Receive and facilitate the resolution of PAPs' concerns and grievances about physical and economic displacement and other project impacts which cannot be settled during stakeholder consultations, with particular attention to impacts on vulnerable groups;
- Address PAPs' concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to the country's judicial or administrative remedies commensurate to the risks and adverse impacts of the project.

PAPs will be informed about the mechanism for Implementation Stage during stakeholder consultations. During DED, DOTr will set up a Help Desk to address the PAPs' concerns.

9.2 Principles Guiding the GRM

Implementation of grievance redress must be anchored on several principles to guide process and decisions.

1. Keep the complainant's details confidential;
2. Procedure must be explained, and cases must be presented and deliberated in a language understandable by the PAPs (i.e. technical terms must be explained in a layman's term);
3. Grievance procedure must be transparent, gender responsive and culturally appropriate;
4. Readily accessible to the affected persons at no costs and without retribution.

9.3 Levels of Grievance Redress Mechanism

There will be four levels of GRM, with an assigned Help/Grievance Desk within the Environmental, Social and ROW Division (ESR Division) of the MCRP Project Management Office (PMO), DOTr Office of the Undersecretary for Railways, serving as the first contact point for PAPs.

Table 9-1 summarizes the levels of grievances for ISFs and legal PAPs.

Table 9-1 Levels of Grievance Redress Mechanism

	For Legal Project-Affected Families	For Informal Settler Families (ISFs)
1st Level	Help Desk/Grievance Desk	
2nd Level	RAP Implementation and Management Committee (RIMC) <ul style="list-style-type: none"> • To be headed by the MCRP PMO • Will convene once the ROWA starts 	Local Housing Office (LHO)/Local Inter-Agency Committee (LIAC)
3rd Level	Project Inter-Agency Committee (PIAC)	
4th Level	Court	

9.3.1 Level 1 - Help Desk/Grievance Desk

Grievances may initially be received through text/SMS, email, official letter, phone call or personal visit in the designated Help Desk which will be established per LGU and in the DOTr Railway Office.

The locations of the Help Desk and details of the hotline, SMS number and email and postal addresses will be announced during consultation meetings and posted in bulletin boards of each barangay LGU. During the initial consultations, preliminary details were provided to the PAPs, although this will be revised once the GRM is operational during the DED phase:

USEC Timothy John R Bartan
Office of the Undersecretary for Railways
DOTr Clark Office
Pinatubo Street, cor Osmena Street
Clark Freeport Zone, Pampanga
Telephone: (02) 790-8300 loc 285

The Help/Grievance Desk operated and maintained by trained Grievance Desk Officers, who will serve as the first formal contact point for legal PAPs and ISFs to receive their grievances. This group of dedicated staff who will operate the Help/Grievance Desk will be seated in the Environmental, Social and ROW Division (ESR Division) of the MCRP PMO. DOTr also has a PMO for all ROW projects (called ROW-PMO), and the Grievance Desk Officers will work closely with ROW-PMO staff who are conversant on the land acquisition process, experts on environmental related-issue, familiar with the provisions of the laws and international guidelines, and knowledgeable in the validation process and documentation of PAPs.

The Grievance Desk Officers will determine (a) if complaints are project-related or not; (b) if the complainant is a legal PAP or ISF; and (c) if the nature of issue is environmental or social. As part of the basic policies for the GRM, a grievance should be resolved expeditiously at all times at the lowest level possible. Thus, Grievance Desk Officers will staff the Help/Grievance Desks at specific times and days of the week per LGU, aside from a dedicated staff to man the hotline, to receive calls, text/SMS, messages and email. Further, the DOTr staff who will man the Help/Grievance Desk and Hotline will be knowledgeable on all aspects of the project (i.e. engineering, resettlement, legal and documentation). However, (a) if not settled at the lowest level, (b) if the complainants are not satisfied with the action taken, or (c) the case is not acted upon after 15 days, the issue or concern will be taken to the next level.

9.3.2 Level 2 - MCRP PMO and RIMC for Legal PAPs, or Local Housing Office (LHO)/ Local Inter-Agency Committee (LIAC) for ISFs

Grievances unresolved at the first level will then be turned over to the LHO or LIAC and the MCRP PMO/RIMC¹ for ISF and legal complainants, respectively.

(1) For Legal PAPs: MCRP PMO and RAP Implementation and Management Committee (RIMC)

The MCRP PMO or RIMC will handle grievances pertaining for legal PAPs that went unresolved at the first level. Grievances of legal PAPs may include but not be limited to parcellary surveys, appraisals and Extra-Judicial Settlements (EJS).

(2) For ISFs: Local Housing Office (LHO)/ Local Inter-agency Committee (LIAC) of the LGU

If there is no LHO in place, a LIAC will be created/reconvened at all local levels where relocations will take place. This will be headed by the city or municipal mayor of each LGU, and will consist of representatives of the LGU, affected barangay and PAPs.

¹ Composition and other function is discussed in detail in Chapter 10 of this RAP.

The second level of GRM will be convened prior to the start of ROWA.

9.3.3 Level 3 - Project Inter-Agency Committee (PIAC)

If the decision by the LHO/LIAC or MCRP PMO is not satisfactory, the complainant may appeal to the Project Inter-Agency Committee (PIAC). The PIAC will serve as the third level of grievance for legal PAPs and ISFs. The PIAC has fifteen working days to resolve the complaint. The resolution will be officially communicated in writing to the PAP within five working days from the date of the issuance of the decision.

9.3.4 Level 4 - Court of Law

If the PIAC decision is unsatisfactory, then the matter will be taken to the appropriate court of the Republic of the Philippines for adjudication.

9.3.5 Other Grievances

Some project-related grievances related to the Project but pertaining to activities of other concerned stakeholders, will be handled as follows:

- Complaints against local government executives will be filed with the Department of Interior and local government.
- Complaints against subordinate officials will be filed with the office of the local chief executive concerned.
- Complaints against officials of other national agencies may be filed with the office of the Presidents, or the office of the Ombudsman.
- Aggrieved parties may also direct their complaints to and/or seek the assistance of the Commission on Human Rights or the Presidential Commission for the Urban Poor.

(1) IP Grievance Redress Procedure

Grievances expressed by Indigenous People and/or conflicts within the affected IP community will be addressed within the community itself in the context of its customary law and customary dispute resolution process and mechanisms, in the presence of the relevant staff of the NCIP office with jurisdiction over the area, and if so invited, project-related staff and other stakeholders, e.g. formal local leadership in the barangay and/or the municipality. Inter-community conflicts will be addressed between the communities themselves, according to their customary or agreed upon dispute resolution processes and mechanisms. If an outside facilitator, mediator, or arbiter is required or requested for, the ESR-PMO will seek the intervention of the NCIP to act as facilitator, mediator, or arbiter. This guideline applies to conflicts or disputes between the IP community and any of the project units and implementers.

If no satisfactory result ensues, the IP communities will be allowed to elevate their complaints and grievances to the PIAC. The grievance procedure established herein in no way substitutes for or replaces the grievance procedure set forth in The Free and Prior Informed Consent (FPIC) Guidelines of 2012. At their choosing, the IPs may avail of the grievance procedure and mechanisms spelled out in the FPIC Guidelines of 2012.

(2) ADB's Accountability Mechanism

In addition to the project GRM, once all the GRM measures have been exhausted, ADB's Accountability Mechanism also applies to the project. However, while the project level GRM is the responsibility of the EA, the Accountability Mechanism is the responsibility of ADB. The accountability mechanism provides opportunities for people (2 or more complainants) that are adversely affected by ADB-financed projects to express their grievances, seek solutions, and report alleged

violations of ADB's operational policies and procedures, including safeguard policies. ADB's accountability mechanism comprises of (i) consultation led by ADB's special project facilitator to assist people adversely affected by ADB-assisted projects in finding solutions to their concerns and (ii) providing a process through which those affected by projects can file requests for compliance review by ADB's Compliance Review Panel. Details of the Accountability Mechanism can be found at: <https://www.adb.org/documents/accountability-mechanism-policy-2012>.

(3) JICA's Objection Procedures

Alternatively, people (2 or more persons) who suffer or are likely to suffer substantial damage as a result of JICA's non-compliance with the Guidelines regarding the project may submit an objection to JICA requesting investigation. Details of JICA's Objection Procedures based on the Guidelines for Environmental and Social Considerations can be found at: https://www.jica.go.jp/english/our_work/social_environmental/objection/index.html.

9.4 Roles and Responsibilities

9.4.1 Help/Grievance Desk

A team of Grievance Officers within the MCRP PMO, which is within the Office of the Undersecretary for Railways, will be the first contact point for legal PAPs and ISFs in the GRM. The team will receive all complaints and determine whether such complaints are project related or not. A Help Desk/Grievance Desk will be set up at each LGU and in the DOTr Railway Office, staffed with Grievance Officers. There will also be a project-specific, easy to remember, central hotline to receive calls, text/SMS and messages, as well as address for emails and letters. The SMS', emails, letters and phone calls will be inputted and tracked within a central database to aid in the responses and actions. The following are the roles and responsibilities of the Grievance Officers under the abovementioned office:

1. Receive the written or verbal complaint from the PAPs and explain the grievance redress process to PAP. If it is a verbal complaint in person, the Officer will write down the complaint for the PAP and ask him/her to sign the complaint.
2. Acknowledge receipt of complaint and explain the process to the PAP including contact details where complaint will be forwarded and who is responsible for acting on the complaint.
3. A coded reference number will be assigned through the central database for all complaints received via phone call, text message, letter, or verbal that will be easily identified and traced for follow up purposes.
4. Clarify the nature of the complaint whether it is project related or not.
5. Promptly provide answers or clarifications to PAPs questions.
6. If the concern is beyond the Grievance Desk Officers' capacity to decide, forward the complaint to the respective LHO/LIAC designated office for ISFs or RIMC for legal PAPs if it is project related.
7. Advise the complainant if the complaint is not project-related, and assist him/her by forwarding the complaint to the appropriate agency or LGUs who could act on the complaint.
8. Follow up with the LHO/LIAC/RIMC on their action on the complaint.
9. Provide feedback to the PAP on the status of complaint - and the decision of the LIAC/LHO/RIMC.
10. Maintain a database for all complaints and the corresponding actions and decisions on the complaints received. Prepare quarterly Monitoring Reports on Grievance Redress with

accomplishments and status of unresolved grievance to the PIAC, and semi-annual monitoring reports to JICA and ADB.

9.4.2 DOTr MCRP PMO and RAP Implementation and Management Committee (RIMC)²

For complaints that are not able to be handled by the Help/Grievance Desk, and those are made by a legal PAP, the RIMC will receive the complaint and seek to resolve it.

As the second level of grievance, the RIMC will have the following roles and responsibilities:

1. Act and decide on each complaint within 15 working days once the complaint has been filed by the PAP.
2. Provide feedback to the PAP on the status of complaint - and the decision of the RIMC through the Help/Grievance Desk Officer.

9.4.3 Local Housing Office (LHO) or Local Inter-Agency Committee (LIAC)

As the second level of GRM for ISFs, LHO or LIAC will act to resolve the complaints elevated or forwarded by the Help/Grievance Desk/Grievance Officers. In particular, the LHO/LIAC will:

1. Act and decide on each complaint within 15 working days once the complaint has been filed to the LHO/LIAC by the PAP.
2. Provide feedback to the PAP on the status of complaint - and the decision of the LHO/LIAC through the Help/Grievance Desk Officer.

9.4.4 Project Inter-Agency Committee (PIAC)

The PIAC will receive all complaints and determine complaints forwarded from the LHO/LIAC, or the RIMC.

As the third level of grievance, the PIAC will have the following roles and responsibilities:

1. Act and decide on each complaint within 15 working days on the complaint filed to the PIAC by the second-level of the GRM.
2. Provide feedback to the PAP on the status of complaint - and the decision of the PIAC through the Help/Grievance Desk/Grievance Officer.

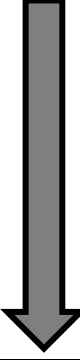
9.5 Grievance Redress Mechanism Procedures

Grievances from the PAPs related to the resettlement implementation or any related issues with regard to the project will be handled, free of monetary charge, through a process of negotiations aimed at arriving at a consensus decision. The procedures for ISFs and legal PAPs are described in Table 9-2.

Table 9-2 Grievance Redress Mechanism Procedure

Steps	By	Actions
1	Aggrieved Stakeholder	<ul style="list-style-type: none"> Any aggrieved stakeholder will lodge his/her grievance in person to the Help/Grievance Desk, or in writing, verbally or electronically transmitted to the Grievance Officers within the MCRP PMO for immediate action.
2	1st Level Help Desk established at each LGU	<ul style="list-style-type: none"> When received in person, the grievance may be written down by the staff of the Help/Grievance Desk on behalf of the aggrieved stakeholder, who will sign the written complaint for official submission. Explain process to the aggrieved stakeholder and give contact details of where the complaint will be forwarded and who is responsible for acting on complaint. Review the complaint to determine whether it is project related or not.

² Composition and other functions discussed in detail in Chapter 10 of this RAP

Steps	By	Actions	
		<ul style="list-style-type: none"> If the concern is beyond the Grievance Desk Officers' capacity to decide, forward the complaint to the 2nd level. 	
		a) If the complaint is project- related, the Help/Grievance Desk will forward the complaint to the RIMC for concerns pertaining to legal PAPs, and LHO/LIAC for ISFs' within 15 working days from receipt of complaint.	b) If it is not project related, the Help/Grievance Desk will assist the PAP by referring the complaint to the appropriate agency or LGU who may be able to act on the complaint.
3	Aggrieved Stakeholder		If the aggrieved stakeholder is not satisfied with the decision of the Help/Grievance Desk that the complaint is not project related, the aggrieved stakeholder may elevate his/her complaint to the RIMC or LHO/LIAC.
4	Help/Grievance Desk		<ul style="list-style-type: none"> Receive request from the aggrieved stakeholder to elevate his/her complaint to RIMC or LHO/LIAC. Record the status of the aggrieved stakeholder complaint.
5	2nd Level RIMC (Legal PAPs) or LHO/LIAC (ISFs)	<ul style="list-style-type: none"> Receives complaint from the Help/Grievance Desk. Act and decide on the complaint within 15 working days reckoning from the day it is received from Help/Grievance Desk Inform the Help/Grievance Desk the action and/or decision on the aggrieved stakeholder's complaint. 	
6	Help/Grievance Desk	<ul style="list-style-type: none"> Receive and record decision of 2nd level decision maker. Inform to the aggrieved stakeholder. 	
7	Aggrieved Stakeholder	<ul style="list-style-type: none"> Receives action of the 2nd level through the Grievance officer If satisfied, the complaint is resolved and recorded accordingly. If not satisfied with the decision of the 2nd level or if his/her complaint has not been acted upon within a period of 15 working day and has not received any response from the 2nd level decision maker, the aggrieved stakeholder can forward the complaint, or file an appeal, to the PIAC. 	
8	Help/Grievance Desk	<ul style="list-style-type: none"> Receive request from the aggrieved stakeholder to elevate his/her complaint to the PIAC Record the status of the aggrieved stakeholder complaint. Forward the complaint to the 3rd Level within 15 working days from receipt of complaint. 	
9	3rd Level PIAC	<ul style="list-style-type: none"> Receives complaint from the Help/Grievance Desk Act and decide on the complaint within 15 working days and inform the decision to the aggrieved stakeholder on the decision accordingly. Inform the Help/Grievance Desk the action and/or decision on the aggrieved stakeholder's complaint. 	
10	Help/Grievance Desk	<ul style="list-style-type: none"> Receive and record decision of PIAC Inform to the aggrieved stakeholder. 	
11	Aggrieved Stakeholder	<ul style="list-style-type: none"> Receives action of the 3rd Level through the Help/Grievance Desk If satisfied, the complaint is resolved and recorded accordingly. If not satisfied with the decision of the 3rd Level or if his/her complaint has not been acted upon within a period of 15 working day and has not received any response from the 3rd Level, the aggrieved stakeholder can forward the complaint, or file an appeal, to the 4th Level (Court). 	

Steps	By	Actions
12	Help/Grievance Desk	<ul style="list-style-type: none"> Receive request from the aggrieved stakeholder to elevate his/her complaint to the 4th Level. Record the status of the aggrieved stakeholder complaint.
13	4th Level Court	<ul style="list-style-type: none"> Receives complaint from aggrieved stakeholder. Once the complaint is filed in the Court, the judicial procedures for the trial on the case will be followed.

9.6 Grievance Redress Mechanism Guidelines

Implementation of grievance redress must be anchored on several principles to guide process, decisions, resolutions and steps forward. The guidelines for GRM are as follows:

- Keep the claimant's details confidential;
- Procedure must be explained, and cases must be presented and deliberated in a language understandable by the PAPs (i.e. technical terms must be explained in a layman's term);
- Grievance procedure must be transparent, gender responsive and culturally appropriate;
- Readily accessible to the affected persons at no costs and without retribution. Aggrieved stakeholder will not be charged of any fees (administrative and legal fees) in filing of their grievance.
- All complaints received in writing, verbally or transmitted electronically will be documented and filed. Upon receiving a complaint from the aggrieved stakeholder, the Help/Grievance Desk will accomplish the Grievance Action Form (GAF).
- The GAF will be stamped with a "Received" mark with corresponding reference no., date of receipt and signature of the persons who received the said letter. The aggrieved stakeholder will be given a copy of the control number for record purposes.
- Actions and decisions made with the received complaints/grievances/appeals by the PIAC, LHO/LIAC and RIMC/MCRP PMO will be reported and discussed by the Help/Grievance Desk during weekly meetings.
- If the grievance indicated in the letter cannot be readily addressed, the aggrieved stakeholder will be referred to the appropriate authority. The following will be indicated in the GAF: name of the authority to look for, date when the aggrieved stakeholder can meet with the said authority, and the venue for the meeting.
- In addition, the Help/Grievance Desk will publicize the grievance redress process in the form of handouts such as pamphlets, brochures or leaflets that are written in Filipino. All concerned institutions, including Barangays, LGUs, and the MCRP PMO, will use the same handouts in explaining the grievance redress procedures to the aggrieved stakeholder who may come to them to raise their issue or concern. Additional communication materials will also be produced (refer to Section 9.10). Training will be provided for concerned institutions on the GRM procedure. The handout will be disseminated through LGUs and Barangays as well as DOTr, also the mechanism to be publicized at the website of DOTr and LGUs.

9.7 Grievance Action Form and Centralized Database

A Grievance Action Form (GAF), will be used to cover the various aspects of property acquisition described in the RAP. A sample form is attached in Appendix 7.

At all levels, a central grievance registry is maintained to keep track and document the number and type of complaints and grievances that have been raised, as well as their status and action/s taken. The GAF will, as a minimum, contain the following:

- Basic information on PAPs (name, address, contact number);
- Date of last disclosure meeting;
- Category of grievance filed (Legal, Technical/Engineering, Social, and Financial);
- Type of action taken.

For record keeping purposes, the GAF will be entered into a centralized database in order to facilitate future resolutions and to conduct effective monitoring and evaluation. The database will be designed to accommodate the manual inputting of the GAFs for GRM officers who entertain complainants personally visiting the Help Desk. The design of the database will also include mobile platforms, by which field officers or railway staff can easily upload complaints, letters or verbal feedback during their site visits.

9.8 Staffing of the GRM

The DOTr will recruit and retain dedicated Grievance Officers for the project, whose tasks and responsibility will be focused entirely on the GRM. There will be Grievance Officers assign to the central hotline during business hours, and a roster for Grievance Officers to be at each LGU Help Desk. At a minimum, the Help Desk will be open at least once a week, but more frequent during the lead up to the Notice of Taking and during relocation.

9.9 Training for Help/Grievance Desk Officers

Help/Grievance Desk Officers will be provided with training in order to provide information to PAPs and stakeholders. The training will include: (i) understanding the technical details of the project including valuation, compensation and other resettlement matters; (ii) skills on negotiation and communication; (iii) using communication materials such as job aids (i.e., project FAQs, flip charts on GRM processes, etc.) and other issues. The training will be organized by the DOTr.

9.10 Communication materials

Part of the Communications Strategy for the project there will be the preparation of communication materials produced to assist the Help/Grievance Desk Officers and other field staff. The communications materials will such items as grievance redress mechanism in text and visual forms, project details and maps, frequently asked questions, and procedures relating to land acquisition and resettlement among many others. A communications-based assessment of project-affected persons and stakeholders will inform the development of these communications materials, in order for the materials to be customized and targeted to the requirements of stakeholders and their preferred channels and languages of communication.

9.11 Monitoring Reports on Grievance Redress

The MCRP PMO will prepare quarterly Monitoring Reports on Grievance Redress with accomplishments and status of unresolved grievance of each agency to higher level authorities. These reports will form part of the Internal Monitoring Report to be submitted to JICA/ADB.

CHAPTER 10 RAP IMPLEMENTATION ARRANGEMENTS

This chapter discusses the implementation arrangement for MCRP detailing the structure, function and obligation of the implementing agency, and RAP implementing partners composed of the funding institutions, national agencies, local government units, and non-government organizations. The implementation arrangement is presented in two layers, (i) the **Internal Organization** of DOTr; and (ii) the **External Structure** on which DOTr as the implementing agency (IA) shares the obligation with other agencies that are mandated by law or by agreements to implement certain portions of this RAP. This arrangement requires systematic exchange of information and sharing of resources between and among these agencies which this RAP will describe and which will be institutionalized through an Executive Order (E.O.) or a Joint Memorandum Circular (JMC).

10.1 Internal Organization

As the implementing agency (IA) for MCRP, the DOTr will supervise and coordinate implementation of all activities, guaranty and monitor compliance to this RAP, secure sufficient funding for all resettlement related activities, allocate resources in a timely manner, set target output with corresponding timeline, monitor progress, consolidate report from all implementing units, and document gaps and find appropriate solution. These general roles of DOTr as IA will be largely carried out by a special office created for this purpose, the MCRP Project Management Office (MCRP DOTr is headed by the Department Secretary who directly reports to the President of the Philippines. The Department Secretary is assisted by several Undersecretaries that heads their respective division. For this project, the Undersecretary for Railways will directly supervise the MCRP PMO and the Right-of-Way Project Management Office (ROW PMO), and make critical decisions related to RAP implementation. The Undersecretary for Legal & Procurement and the Undersecretary for Planning are both members of the Technical Working Committee (TWC) and will provide legal and technical support to the ROW PMO that is directly responsible in the acquisition of ROW. Presented in Table 10-1 is the Organizational Structure of DOTr, succeeded by section describing the composition, roles and responsibilities of its key units.

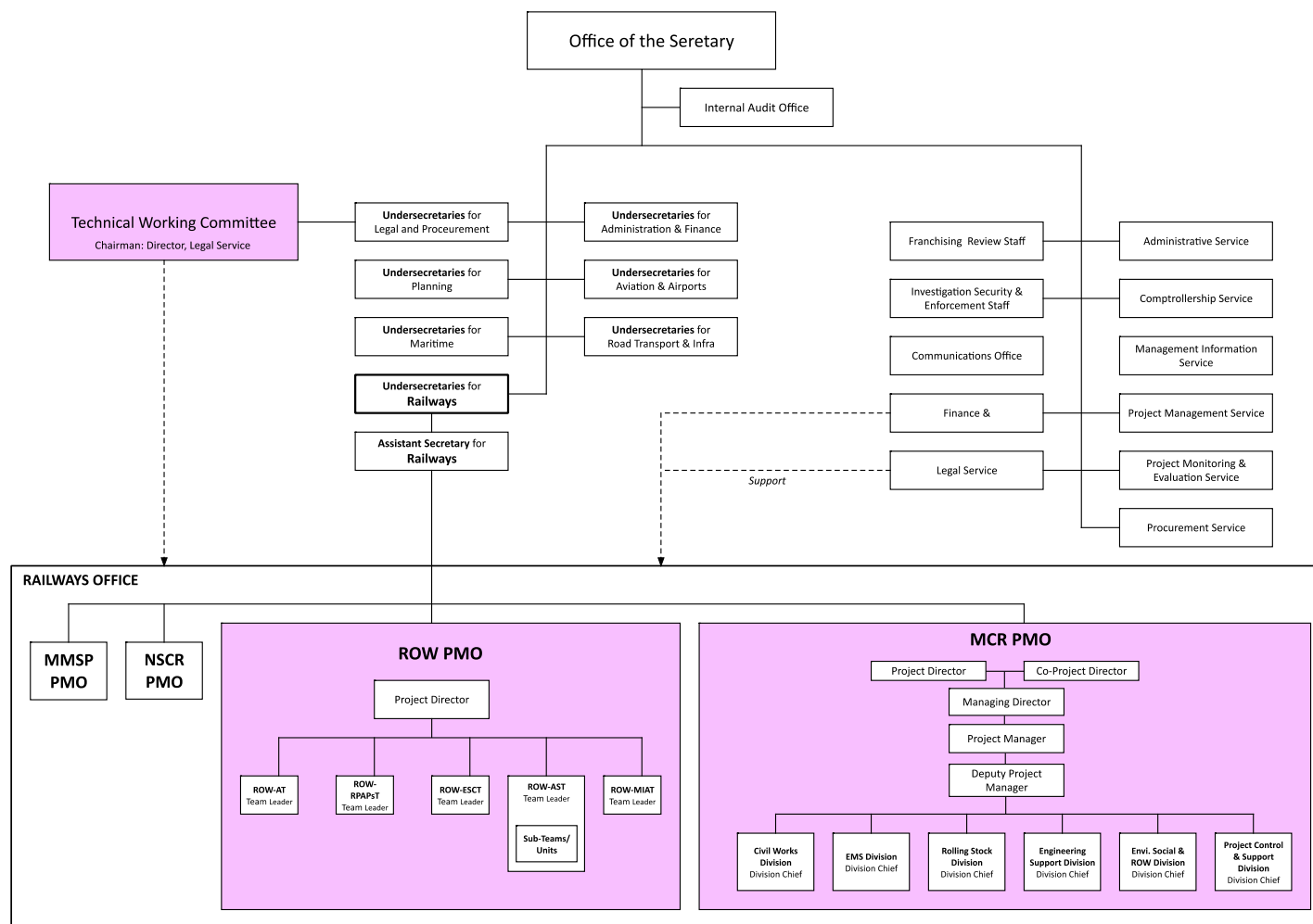


Figure 10-1 Organizational Structure of DOTr

Three special bodies mentioned earlier will carry-out critical roles in the implementation of this RAP. These are the TWC, ROW PMO and MCRP PMO.

10.1.1 The DOTr Technical Working Committee for the Acquisition of Sites/Right-of-Way for the Department's Infrastructure Projects

Department Order No. 2013-05 specifies the composition of the Technical Working Committee (TWC) for the Acquisition of Sites/Rights-Of-Way for the Department's infrastructure projects under the management of DOTr. DOTr TWC will provide support to all project management office under DOTr including the MCRP PMO.

10.1.1.1 Composition of DOTr TWC

The DOTr TWC is established under the Office of the Undersecretary for Legal and Procurement of the DOTr (Please see Table 10-1).

Table 10-1 Composition of DOTr TWC

Position		Member
1	Leader	<ul style="list-style-type: none"> • Chairman: Director, legal Service • Vice-Chairman: Director Planning Service
2	Member	<ul style="list-style-type: none"> • Executive Director Concerned • Chief, Legal Affairs and Research Division • Project Manager/Engineer Concerned • Representative of Legal Service • Representative of Planning Service • Representative of Finance and Comptrollership Service • Representative of Procurement Supply and Property • Management Service
3	Observer	<ul style="list-style-type: none"> • Representative, COA Resident Auditor

10.1.1.2 Roles and Responsibilities of DOTr TWC

The DOTr TWC is responsible for the effective and unhampered implementation of projects. No infrastructure project will be bid and/or commenced unless the acquisition of site and/or right-of-way of lots affected by the project are determined/settled as certified by the Committee.

The following are the roles and responsibilities of the DOTr TWC:

- Provide overall supervision and coordination in the planning, implementation, monitoring and evaluation of land/site acquisition activities;
- Evaluate and examine all documents pertaining to the property to be acquired;
- Certify that at least 50% of required right of way had been acquired on the date of bidding where the project is of such magnitude that it would take more than one year to complete before the same is advertised and bid out, or the necessary complaint for expropriation had been filed and the corresponding writ of possession had been issued by the court;
- Study and approve the acquisition price of the real property to be acquired, including improvements thereon, as recommended by an IPA/GFI, in accordance with R.A. 10752 and its implementing rules and regulations (IRR); and
- Approve payment of resettlement benefits to project affected property owners.

10.1.2 Right-of-Way Project Management Office (ROW-PMO)

ROW PMO will be directly responsible for the acquisition of right-of-way for all railway projects under the support of the Technical Working Committee. It is focused on the ROW acquisition, and

resettlement of PAPs, particularly those who own affected lands pursuant to the provisions of this RAP and acceptable to the government’s auditing mechanism.

10.1.2.1 Composition of ROW-PMO

The ROW-PMO will be established under the Office of the Undersecretary for Railways of the DOTr, linked to the Technical Working Committee while overall leadership will be exercised by its Project Director. The team composition of the ROW-PMO is shown in Table 10-2.

Table 10-2 Composition of the ROW PMO

Position		Member
1	Leader	Project Director
2	Team	The ROW-PMO is to be further divided into five teams that are headed by a Team Leader. <ul style="list-style-type: none"> • ROW Acquisition Team (ROW-AT) • ROW Relocation and PAPs Concern Team (ROW-RPAPsCT) • ROW Environmental and Site Clearing Team (ROW-ESCT) • ROW Administrative Support Team (ROW-AST) with sub-teams/sub-units • ROW Monitoring and Internal Audit Team (ROW-MIAT) 3
3	Supporting Services	<ul style="list-style-type: none"> • Project Manager: Representative from DOTr/PNR • Deputy Project Manager: Representative from DOTr/PNR
4	Division	Six Divisions which is headed each by a Division Chief. <ul style="list-style-type: none"> • Civil Works Division • Electricity and Mechanical System Division (EMS Division) • Rolling Stock Division (RS Division) • Engineering Support Division (ES Division) • Environment Social and ROW division (ESR Division) • Project Control and Support Division (PCS Division)

10.1.2.2 Role and Responsibility of ROW PMO

The ROW-PMO is responsible for the following tasks:

- Execute DOTr’s duties and responsibilities in ROW acquisitions;
- Read, know and understand the provisions of this RAP particularly the Entitlement Matrix;
- Ensure timely procurement of GFI services and monitor appraisal of affected properties, thereafter;
- Issue Notice of Taking (NoT) and Letter Offer (LO) duly approved and signed by proper authorities;
- Offer step-by-step guide to PAPs in securing required documents, particularly in extra-judicial settlement (EJS) cases;
- Carry-out timely payment of compensation to PAPs; and
- Monitor and ensure timely clearing of the ROW and relocation of PAPs.

Table 10-3 shows the tasks and responsibilities of the Project Director and team members of the ROW PMO.

Table 10-3 Tasks and responsibility of Project Director and Teams

	Team	Task and Responsibilities
1	Project Director	<ul style="list-style-type: none"> • Submit, for the Undersecretary for Railways and the Secretary's consideration, policies and measures which are necessary to carry out the mandate and functions of the ROW-PMO; • Prepare the budget of the ROW-PMO for recommendation of the Undersecretary for Railways and approval of the Secretary; • Execute and administer plans, policies and measures for recommendation of the Undersecretary for Railways and approval of the Secretary; • Subject to the approval of the Secretary and insofar as allowed by established rules and regulations, to oversee the operations and internal administration of the ROW-PMO, and for this purpose, to delegate some or any of his/her powers and duties to other officers of the ROW-PMO; • Represent the ROW-PMO in all dealings with other offices, agencies and instrumentalities of the government, and with all persons and entities, public or private; • Prepare and submit annual report on the activities of the ROW-PMO on or before the end of the first quarter after the fiscal year completed, and to submit a copy thereof to the Secretary and the Undersecretary for Railways, and to other government authorities, as may be requested; • Engage in inter-agency consultation, coordination and to request for technical assistance in the performance of the office's functions; and • Exercise such other powers and duties that are proper or necessary to carry out the mandate and functions of the ROW-PMO, as may be vested in him/her by the Secretary and/or the Undersecretary for Railways
2	ROW Acquisition Team (ROW-AT)	<ul style="list-style-type: none"> • Perform, in coordination with the ROW-RPAPsCT and ROW-ESCT, pre-acquisition activities such as planning, determination of appropriate signatories for ROW transactions, validation of surveys, and preparation of cost estimates of structures/improvements, and compensation price for negotiated sales, public information, campaign, gathering and validation of plans and documents and inventory of outstanding claims • Identify, in coordination with Land Registration Authority, titled properties falling within the specified points of interest and alignment of interests for the purpose of ROW acquisition. • Study and recommend the applicable mode of acquiring real property, from any of the modes enumerated under Section 4 of the IRR of R.A. 10752 and facilitate observance of procedures and standards and compliance with requirements under the said IRR/RAP, and other relevant standards corresponding to the approved mode of acquisition. • Recommend the engagement of Government Financial Institution through a competitive process, with adequate experience in property appraisal, or recommend the procurement of services of an independent property appraiser accredited by the Bangko Sentral ng Pilipinas (BSP) or professional association of appraisers recognized by the BSP, whenever justified by circumstances contemplated in the IRR. • Coordinate and negotiate with property owners, in collaboration with ROW ESCT, affected by the approved sites for acquisition and, whenever necessary, coordinate with other affected parties, including the LGU concerned. • Issue notices of taking or letter offer, facilitate processing of replacement costs, payment and just compensation, assists in the removal of structures or improvements, and facilitate the transfer of title in the name of the Republic of the Philippines • Recommend the filing of expropriation complaints, in the event of refusal or failure of the property owner to accept the final offer of purchase within 30 days from receipt hereof and/or refuses to submit the documents necessary for payments; assist

	Team	Task and Responsibilities
		<p>in the preparation of documents for expropriation, endorsement to the Office of the Solicitor General of complaints for expropriation and attend court hearing as witness, whenever necessary.</p> <ul style="list-style-type: none"> • Assist implementation of writs of possession and perform acts to secure full site possession of the required ROW, in accordance with law to allow immediate commencement of works. • Screen and review all ROW claims and the genuineness or authenticity of supporting documents submitted. • Prepare a ROW acquisition Manual and update or amend whenever necessary. • Coordinate and request for the assistance from government agencies in the post-acquisition activities including demolition, or demolition related activities and other clearing operation. • Submit the team's annual and supplementary budgetary requirements for approval and allocation of funds • Perform such another necessary activities assigned by the Undersecretary and/ or the Secretary.
3	ROW Relocation and PAPs Concern Team (ROW RPAPsCT)	<ul style="list-style-type: none"> • Perform, in coordination with ROW-AT and ROW-ESCT, pre-acquisition activities, such as, but not limited to, planning, public information campaign, validation of census/tagging of ISFs and IPs, preparation of cost estimates, and aiding concerned national agencies and LGUs in the identification of PAPs. • Attend to and address grievances of PAPs related to ROW and share to -MCRP-PMO for consolidation. • Represent the DOTr in coordination meetings, conferences, and similar activities with concerned LGUs and national agencies, for the relocation and resettlement of PAPs affected by ROW acquisition. • Submit a plan of action, in accordance with the law and the RAP, to the Secretary and Undersecretary for railways and whenever requested by concerned national agencies and LGUs for every acquisition that involves displacement and relocation of PAPs. • Participate and represent the DOTr in consultation meeting with affected persons, non-government organization, private sectors, and other stakeholders, in coordination with concerned LGUs and national agencies. • Secure Certificate of Compliance in the event of Eviction and Demolition of ISFs from respective Local Housing Boards/ Local Inter-Agency Committee (LIAC), or their equivalent bodies. • Strictly oversee and observe the procedures under relevant laws, policies and guidelines whenever eviction and demolition are justified, and to submit reports in relation thereto, to the Undersecretary for Railways and the Secretary. • Provide assistance to the concerned national agencies and LGUs, whenever required; • Provide input in the preparation and finalization of the Resettlement Action Plan (RAP); • Provide assistance to relocation project beneficiaries in planning, crafting, and implementation of their post relocation activities, such as but not limited to, income restoration, and estate management, and coordinate these with concerned national agencies and LGUs; • Submit the team's annual and supplementary budgetary requirements for approval and allocation of funds; • Perform such other necessary activities, as may be assigned by the Undersecretary for Railways and/or the Secretary;
4	ROW Environmental and Site Clearing Team	<ul style="list-style-type: none"> • In collaboration with the ROW-AT and ROW- RPAPsCT, to prepare and submit the necessary documents, plans and requirements in compliance with applicable environmental laws, and other policies protecting the rights of marginalized sectors

	Team	Task and Responsibilities
	(ROWESCT)	<p>that may be affected by ROW acquisitions, such as, but not limited to, Environmental Compliance Certificate and Indigenous People’s Action Plan, and provide technical guidance and support in the implementation thereof.</p> <ul style="list-style-type: none"> • In collaboration with ROW-AT and ROW-RPAPsCT, to assist project consultants and managers, in preparing the parcellary survey of project area, verification of PAPs, final inventory of affected assets, and information dissemination, among others. • Recommend amendment or updating of the approved RAP whenever necessary. • Follow-up with the proper office for the processing of compensation claims of PAPs. • In collaboration with the ROW-AT, monitor the actual payment of compensation to PAPs. • In collaboration with ROW-AT and ROW-RPAPsCT, prepare periodic supervision and monitoring reports on RAP implementation. • Submit the team’s annual and supplementary budgetary requirements for approval and allocation of funds. • Perform and/or assist site clearing activities, whenever necessary, after demolition. • Perform and/or assist in utilities diversion, whenever necessary. • Perform such other necessary activities, as may be assigned by the Undersecretary for Railways and/or the Secretary.
5	ROW Administrative Support Team (ROWAST)	<ul style="list-style-type: none"> • In charge of accounting, records, maintenance and utility, and other sub-teams/sub-units as may be included and approved in the staffing plan, or may be determined by the Secretary; • Ensure availability of resources and logistical support for the ROW PMO; • Each sub-team/sub-unit will provide support services to the ROW-PMO through the exercise of their established disciplines, in accordance with existing government policies and guidelines and submit the team’s annual and supplementary budgetary requirements for approval and allocation of funds.
6	ROW Monitoring and Internal Audit Team (ROWMIAT)	<ul style="list-style-type: none"> • In charge of monitoring and auditing of the IA’s/ROW-PMO and partner-agencies’ compliance with commitments and performance of obligations under relevant laws, rules and regulations. • Responsible for the consolidation and submission of reports including accomplishment reports, monitoring report, team’s annual and supplementary budgetary requirements for approval and allocation of funds; • Perform such other necessary activities, as may be assigned by the Undersecretary for Railways and/or the Secretary properties that will be acquired for right-of-way and relocation sites of ISFs. It will also secure, on behalf of the Railways Office, writs of possession which will be applied before and issued by the court.
7	DOTr Legal Service	<ul style="list-style-type: none"> • Provide support to the ROW-PMO, including, but not limited to the following: technical assistance, advisory functions, interagency consultation, coordination and collaboration, case management, drafting of legal forms and preparation of documents, legal opinions, drafting and/or reviewing of complaints for expropriation, appeals, and other court-bound papers. • Provide legal advice and step-by-step guide to the team and to the PAPs on legal issues related to ROW acquisition; • Coordinate with the Office of the Solicitor-General, Office of the Government Corporate Counsel, or their deputy government or private legal counsel in filing of expropriation cases before the court.
8	DOTr Finance and Management Service	<ul style="list-style-type: none"> • Download or affirm any prior downloading of both obligated and unobligated funds for the payment of ROW claims and ROW related expenses to the ROW-PMO, and provide technical assistance for the proper processing and review of any aspect of ROW claims

10.1.3 MCRP Project Management Office (MCRP PMO)

The MCRP PMO will be the implementing office of the MCRP Project in accordance with JICA and ADB policies on involuntary resettlement. The PMO will be created by way of a Special Order prior to the mobilization of General Consultant. It will be the representative of the Department in all activities pertaining to the planning, technical design review, and implementation of the project.

The following will be responsible for the decision-making, planning and implementation of the overall project activities:

- Project Director
- Co-Project Director and
- Management Director

In terms of project management, a Project Manager and Deputy Project Manager will be assigned. The PMO will consist of six divisions, composed of technical staff, legal staff and administrative staff.

10.1.3.1 Role and Responsibility of MCRP PMO

- Provide technical assistance on day-to-day activities and management monitoring of the Project, such as:
 - Site identification, selection and preparations.
 - Detailed engineering, design, construction drawings and all other related documents.
 - In coordination with ROW PMO, ensure timely implementation of the Resettlement Action Plan including the acquisition of the ROW and resettlement of PAPs.
 - Supervise construction of all Civil Works Packages, supply, installation and commissioning of Electro-Mechanical Component; supply, delivery and commissioning of Rolling Stock Component;
- Secure necessary approval and permit from concerned government agencies, LGUs, and other stakeholders, including relocation of utilities;
- Supervise the general consultant undertaking the detailed engineering design review, tendering and construction;
- Monitor the progress of the Project to ensure that compliance with the conditions of the contract are carried out by the general consultant and general contractor;
- Conduct internal monitoring of RAP implementation; and
- Submit periodically (monthly basis) all necessary reports to DOTr and act under the overall direction of the Undersecretary for Railways.

10.1.3.2 Composition of MCRP PMO

The organization structure of MCRP PMO is described in Table 10-4.

Table 10-4 Composition of MCRP PMO

	Position	Member
1	Oversight Function	<ul style="list-style-type: none"> • Project Director: Assistant Secretary for Railways • Co-Project Director: PNR General Manager • Managing Director: Representative from DOTr
2	Manager	<ul style="list-style-type: none"> • Project Manager: Representative from DOTr/PNR • Deputy Project Manager: Representative from DOTr/PNR
3	Division	Six (6) Divisions which is headed each by a Division Chief. <ul style="list-style-type: none"> • Civil Works Division

	Position	Member
		<ul style="list-style-type: none"> • Electricity and Mechanical System Division (EMS Division) • Rolling Stock Division (RS Division) • Engineering Support Division (ES Division) • Environment Social and ROW division (ESR Division) • Project Control and Support Division (PCS Division)

10.1.4 The Environment, Social and ROW Division (ESR Division)

The **Environment, Social and ROW Division (ESR Division)** of MCRP PMO will be directly responsible in coordinating RAP implementation with the ROW PMO and other implementing partners. Additionally, it will assign a dedicated group of staff to (i) supervise the implementation of the Livelihood Restoration and Improvement Program (LRIP); (ii) monitor development of relocation sites and relocation activities including the provision of interim shelters (rental or temporary shelter); (iii) handle the Grievance Redress Mechanism; and (iv) conduct internal monitoring

10.1.4.1 Roles and Responsibilities of Environment, Social and ROW Division (ESR Division)

(1) Livelihood Restoration and Improvement Program

- Prepare an action plan for Livelihood Restoration and Improvement Program (LRIP) in coordination with the Livelihood Committee of the Technical Working Group (TWG), HUDCC and LGU;
- Identify gaps and address these gaps; and
- Execute the action plan for LRIP particularly those that are not covered by the KSAs, HUDCC and partner NGAs;

(2) Resettlement and Relocation

- Coordinate with Key Shelter Agencies (KSAs) and Local Government Units (LGUs) in identifying, selecting, acquiring, and developing sites for relocation;
- Monitor progress and accomplishment of KSAs and LGUs related to relocation site development;
- Represent DOTr in, and monitor, the actual relocation; and
- Monitor provision of interim shelters especially those that will be provided rental subsidy instead of temporary shelters.

(3) Grievance Redress Mechanism

- Create a group of Grievance Desk Officers composed of staff with technical capacity to explain the project design and alignment, knowledgeable on land-acquisition and well versed on the provisions of the Entitlement Matrix, local laws and international guidelines;
- Assign a dedicated group of Grievance Desk Officers for each LGU;
- Create a database accessible to all Grievance Desk Officers with corresponding cyber security policies in place to protect the identity and privacy of the complainants; and
- Carry out all other applicable functions described in Chapter 9 of this RAP.

(4) Internal Monitoring

- Carry out all functions related to internal monitoring as described in Chapter 13.

10.2 External Organization

The implementation of this RAP requires the technical expertise, mandate, network and resources that are available in other agencies and organizations outside of DOTr. For example, development of socialized housing sites is not within the present technical capacity nor mandate of the Department to do. Similarly, implementation of the LRIP requires technical expertise, network and resources that are available in other NGAs and the LGUs that have existing programs for livelihood. Hence, DOTr will tap these existing programs and resources not only to minimize project cost, but to ensure efficient delivery of these services to the PAPs.

The external structure presents the relationship of DOTr to these agencies and explains the roles and responsibilities of the funding agencies, the supervising consultant, the local government units and RAP implementing partners.

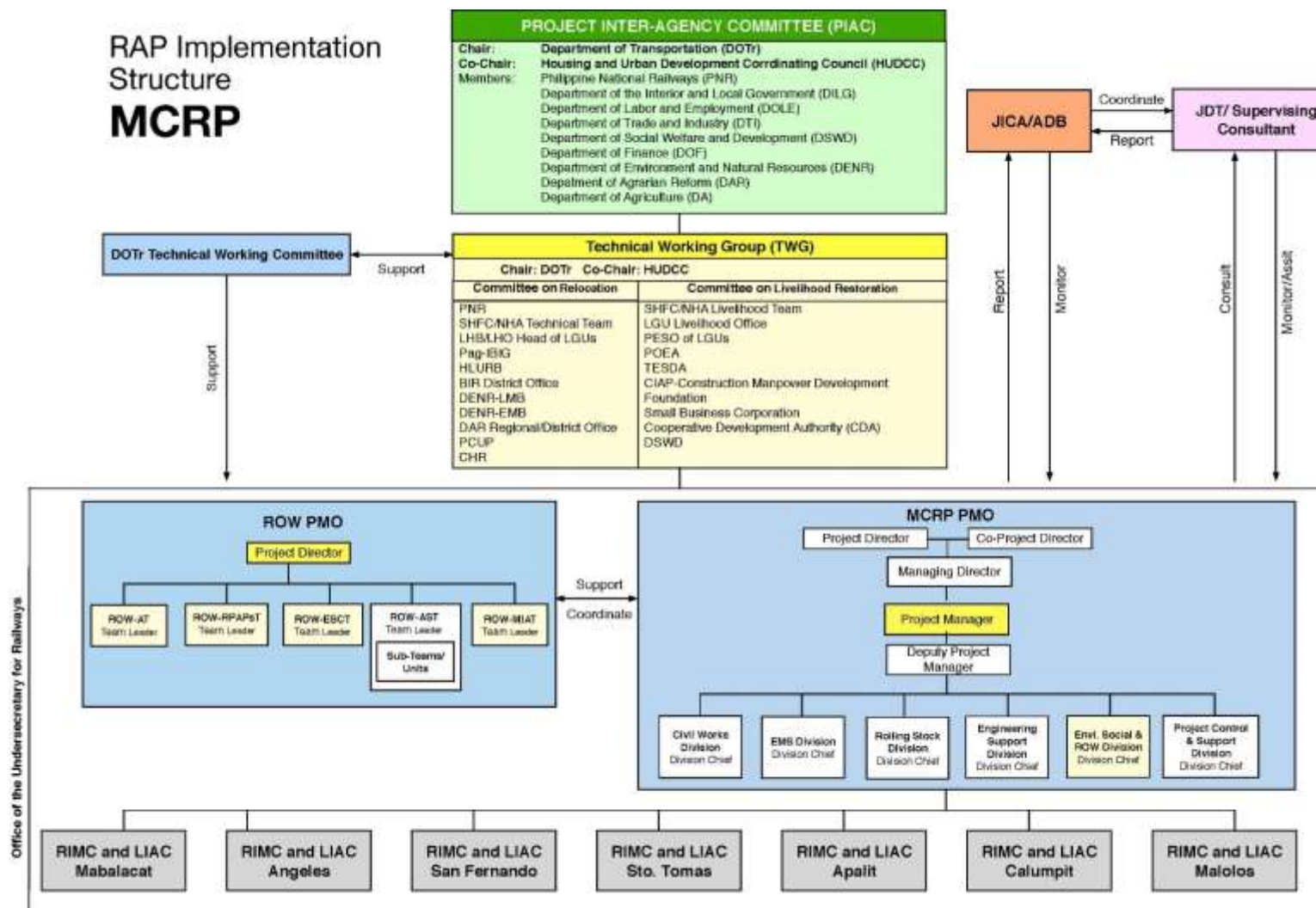


Figure 10-2 RAP Implementation Structure

10.2.1 The Project Inter-Agency Committee (PIAC)

As the implementing agency, DOTr through its Secretary will coordinate with other Department Secretaries to establish the Project Inter-Agency Committee (PIAC) through an Executive Order (EO) to be issued by the President of the Philippines.

10.2.1.1 Composition of PIAC

The PIAC will be chaired by the Secretary of the DOTr and Co-Chaired by the Chairman of the Housing and Urban Development Coordinating Council (HUDCC). See Table 10-5.

Table 10-5 Composition of PIAC

Role		Member
1	Leader	<ul style="list-style-type: none"> Chairman: Undersecretary for Railways Vice-Chairman: HUDCC
2	Member	<ul style="list-style-type: none"> Philippine National Railways (PNR) Department of the Interior and Local Government (DILG) Department of Trade and Industry (DTI) Department of Labor and Employment (DOLE) Department of Social Welfare and Development (DSWD) Department of Agrarian Reform (DAR) Department of the Environment and Natural Resources (DENR) Department of Finance (DOF)
3	Secretariat	<ul style="list-style-type: none"> MCRP PMO (Envi and ROW)

10.2.1.2 Roles and Responsibilities of PIAC

The PIAC will be responsible in creating inter-agency policies or agreements regarding sharing of resources, exchange of information and linking of programs for the effective and unhampered implementation of the Resettlement Action Plan (RAP), in accordance with the laws of the Philippines, JICA Guidelines for Environmental and Social Considerations (2010) and ADB Social Safeguards Policy (2009). It will provide a high-level coordination to make resources, programs and information available and accessible to the lower level units of each Department and LGUs where the actual work of RAP implementation happens.

The following are the roles and responsibilities of the PIAC:

- Craft and approve project specific policies that are not in contrary to, and may have not been covered by the provisions of the approved RAP;
- Perform oversight function in the planning, implementation, monitoring and evaluation of resettlement activities including site selection, site development, actual relocation and integration of the PAPs to the host community;
- Establish and maintain high level coordination to support the Technical Working Group (TWG) and MCRP PMO in the actual execution of plans and programs for resettlement, livelihood restoration and provision of social safety nets;
- Consolidate and mobilize resources to hasten the efficient implementation of the RAP; and
- Review, deliberate and provide resolution/action on the grievance complaints elevated at their level.

10.2.1.3 Roles and Responsibilities of PIAC Members

(1) Department of Transportation

1. Serve as Chair of PIAC and preside on all meetings of the Committee
2. Create a database of affected families accessible to all involved agencies nationwide;
3. Set guidelines in accessing this database to maintain confidentiality of information and protect the privacy of PAPs;
4. Set guidelines and policy in issuing “**Certificate of Project Affected Person**” to PAPs ensuring that this will not be easily duplicated or falsified;
5. Supply all data or information that other NGAs may require to be able to perform their obligations to the Committee;
6. Consolidate all reports presented by the participating agency and identify the gaps or PAPs who are not yet served by any of the agencies, and recommend solution to these gaps;
7. Assign a dedicated secretariat to document meetings of the committee, prepare letters, set meeting schedule and venue, consolidate reports, provide update to member agencies, TWG and its committees, and follow-up on actions/reports of participating agencies, TWG and its committees.

(2) Housing and Urban Development Coordinating Council (HUDCC)

8. Serve as Co-chairman of the PIAC;
9. Initiate creation of policies to support and enable relocation programs for the project;
10. Coordinate with other national government agencies for the implementation of the relocation plan and livelihood restoration and improvement program;
11. In coordination with HLURB, consolidate inventory of vacant/idle lands that may be used as relocation site;
12. Adopt or sponsor policies to allow innovative relocation strategies that suit the ever changing landscape of urban development (i.e. public rental);
13. Present quarterly report on the progress of relocation site preparation, number and names of qualified PAPs for relocation, number and names of PAPs relocated (from where to where), schedule of relocation, number and names of PAPs not yet relocated, target completion of all relocation activities, and other reports as may be required by the committee; and
14. Provide data, documents as may be needed by the External Monitoring Agent (EMA) during project monitoring and evaluation.

(3) Philippine National Railways (PNR)

1. Co-manage the overall implementation of the project with DOTr
2. Supply all information, data or documents regarding the PNR ROW and other PNR properties;
3. Identify remaining PNR non-core properties that may be used for public rental facility;
4. In coordination with LGU, PCUP and CHR, issue Notice to Vacate to PAPs who are informal settlers or Eviction Notice to resisting PAPs; and
5. Provide police force for security or other purposes as needed.

(4) Department of the Interior and Local Government

1. Monitor compliance of LGUs to their tasks as mandated by RA 7279 and the Local Government Code;

2. Guaranty cooperation of LGUs in the conduct of resettlement activities by exercising general supervision over local governments;
3. Liaise with LGUs objecting to absorb ISFs residing outside their cities or municipalities and determine possible assistance to accommodate relocatees;
4. Provide capacity building to LGUs, particularly the Local Housing Boards/Offices, Social Welfare, and Livelihood Offices in implementing housing and resettlement programs as necessary;
5. Facilitate coordination between sending and receiving LGUs, and ensure equitable sharing of resources between them;
6. Present quarterly report gathered from LGUs; and
7. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

(5) Department of Trade and Industry

1. Provide industry road mapping per receiving LGU;
2. Coordinate and monitor LGUs in establishing Negosyo Centers that will promote ease of re-establishing business and facilitate access to services for MSMEs within its jurisdiction;
3. Facilitate access to grants, to government soft loan program (i.e. P3*) through accredited MFIs or through the Small Business Corporation; and other forms of financial assistance, including shared services facilities and equipment, and other support for MSMEs through national government agencies;
4. Create a nationwide program to facilitate equal access to grants, loan and assistance to PAPs (certified by DOTr) who will opt for self-relocation;
5. In coordination with DOLE, provide training and help create network for establishing online business or other home-based enterprise for interested housewives, female household head, persons with disability, and the elderly;
6. Establish a feedback mechanism among the MSMEs in the respective jurisdiction of Negosyo Centers;
 - a. Present quarterly report of accomplishment to the PIAC indicating the number of PAPs assisted per LGU, list of PAPs assisted - disaggregated by age and gender (including those who opted for self-relocation), forms of assistance, amount of capitalization provided, status of MSMEs and other information as may be needed by the committee; and
 - b. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

(6) Department of Labor and Employment (DOLE)

1. Craft an **Emergency Employment Program** for displaced employed PAPs who will no longer be able to continue working in the same company due to the project;
2. In coordination with MCRP PMO, identify qualified displaced wage-based earners and facilitate access to Workers Income Augmentation Program (WIN-AP);
3. In coordination with MCRP PMO and TESDA, identify qualified and trainable PAPs; conduct consultation, training, assessment and screening (prioritizing those who lose their jobs/livelihood due to the project or may not be able to continue working in the same company or to operate same business due to relocation); and ensure that these PAPs are prioritized for project construction and operation;
4. Facilitate access to Nego-Kart (Negosyo sa Kariton) for the displaced ambulant vendors;

5. In coordination with MCRP PMO, provide Kabuhayan Starter KITS or facilitate access to DILEEP Kabuyahan Restoration Package (PhP 10,000) to qualified/trained vulnerable and underprivileged PAPs;
6. Provide labor market information on **Key Employment Generators** (KEGs) and hard to fill and in-demand occupations (domestic and overseas) to serve as basis in identifying relevant training program for the PAPs through TESDA;
7. Tap accredited organizations and POEA* to conduct jobs fair especially in off-city relocation sites;
8. Conduct career guidance and employment coaching to PAPs;
9. In coordination with the LGUs, put-up Employment Kiosks in areas accessible to PAPs;
10. Present quarterly accomplishment report to PIAC indicating number and names of PAPs assisted, forms of assistance provided, number of PAPs successfully re-employed/employed abroad (including those who opted for self-relocation), and other information as may be needed by the committee; and
11. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

(7) Department of Social Welfare and Development

1. In coordination with MCRP PMO and KSAs, identify vulnerable and underprivileged PAPs based on their National Household Targeting System for Poverty Reduction;
2. Identify PAPs who are members of 4Ps and ensure that they will continually enjoy the benefits of the program; and include in the program qualified PAPs who are not yet member of 4Ps;
3. Identify elderlies qualified for the **Social Pension Program for Indigent Senior Citizens (SPISC)** and facilitate their inclusion in the program;
4. Assist PAPs who are not qualified under DTI/DOLE programs to qualify for employment and livelihood opportunities provided by the Department for vulnerable and underprivileged (i.e. Trabahong Lansangan, capacity building, capital resource provision and market linkage);
5. Assign social-case workers to assist and monitor vulnerable and underprivileged households during relocation and after relocation;
6. Present quarterly report to the PIAC indicating the number and names of vulnerable and underprivileged PAPs absorbed and served in DSWD programs and other information that may be needed by the committee; and
7. Provide data, documents as may be needed by the External Monitoring Agent (EMA) during project monitoring and evaluation.

(8) Department of Agrarian Reform

1. Provide recommendation and inter-agency support to fast-track land conversion for social housing purposes;
2. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

(9) Department of Environment and Natural Resources

1. Facilitate fast titling of untitled lands that are suitable for relocation site;
2. Provide inter-agency link to hasten the process of securing ECC and other environmental permits related to social housing;
3. Recommend solutions to issues related to land titling; and

4. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

(10) Department of Finance

1. Direct through an appropriate circular, the Bureau of Internal Revenue (BIR) to hasten the issuance of BIR ruling on capital gains tax exemption for developers of socialized housing units engaged by the community associations;
2. Direct, through an appropriate circular, the Bureau of Internal Revenue to allow partial payment of estate or inheritance tax for ROW-affected properties, instead of paying for all other properties owned by the deceased;
3. Facilitate on-time issuance of BIR ruling and electronic Certificate Authorizing Registration (eCAR) for lot titling for relocation sites; and
4. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

10.2.1.4 The Technical Working Group (TWG)

Under PIAC is a Technical Working Group (TWG) composed of representatives from the concerned division and attached agencies of partner Departments, and representatives from the LGUs for housing and livelihood.

(1) Composition of TWG

The TWG will be composed of the following:

Table 10-6 Composition of TWC

Role		Member
1	Leader	<ul style="list-style-type: none"> • Chairman: DOTr Undersecretary for Railways • Vice-Chairman: HUDCC
2	Members (Committee on Relocation)	<p><u>Core Group:</u></p> <ul style="list-style-type: none"> • PNR • NHA Technical Team • LHB/LHO Heads of LGUs • Pag-IBIG • CHR (as member of LIAC) <p><u>Other Members:</u></p> <ul style="list-style-type: none"> • HLURB • BIR District Office • DENR-LMB • DENR-EMB • DAR Regional/District Office
3	Members (Committee on Livelihood Restoration)	<p><u>Core Group:</u></p> <ul style="list-style-type: none"> • NHA Livelihood Team • LGU Livelihood officer • DSWD Operation and Programs Group - Promotive Programs • PESO of LGUs • POEA • TESDA <p><u>Other Members:</u></p> <ul style="list-style-type: none"> • CIAP – Construction Manpower Development Foundation • Small Business Corporation (SBC)

Role		Member
		<ul style="list-style-type: none"> Cooperative Development Authority (CDA)
4	Secretariat	<ul style="list-style-type: none"> MCRP PMO (Envi and ROW)

(2) Roles and Responsibilities of TWG

The TWG will be responsible in implementing all the programs related to livelihood and relocation envisioned in this RAP from the community down to the household level. It will identify gaps in policy and resources and notify their Department heads to allocate resources or create policy at the PIAC level to ensure efficient implementation of this RAP.

(3) Roles and Responsibilities of TWG Members

1) Undersecretary for Railways (and DOTr PMO)

1. Serve as chair of TWG and preside on all meetings;
2. Monitor all resettlement related activities and gather reports from KSAs and LGUs;
3. In coordination with KSAs, DTI, DOLE, TESDA, and LGUs supervise the implementation of the Livelihood Restoration and Improvement Program;
4. Create a division within DOTr PMO or assign a dedicated person to supervise and implement the implementation of LRIP that is not covered by NHA;
5. Prepare monthly project update for review of the Internal Monitoring and EMA;
6. Gather all issues related to the project, resettlement and livelihood activities and present to TWG members for discussion of appropriate action;
7. Assign a dedicated secretariat to document meetings of the committee, prepare letters, set meeting schedule and venue, consolidate reports, provide update to member agencies/LGUs, PIAC and TWG committees, and follow-up on actions/reports of participating agencies/LGUs, PIAC and TWG committees.

2) Housing and Urban Development Coordinating Council (HUDCC)

1. Serve as Co-chairman of the TWG
2. Coordinate relocation activities of all KSAs including but not limited to:
 - i. Active participation of respective Local Housing Boards/Offices or convening/re-activation of LIAC in the absence of a LHB/LHO
 - ii. Community Organizing
 - iii. Validation of masterlist and qualifying of PAPs for eligibility to compensation/entitlement
 - iv. Site identification, selection, preparation and development
3. Coordinate with DepEd to facilitate seamless transfer of students;
4. Coordinate with DOH to facilitate seamless transfer of health record of PAPs to continue access of health services in their new location;
5. Ensure that all activities related to clearing of structures, demolition or eviction are in accordance with the provisions of the law;
6. In coordination with HLURB, consolidate inventory of vacant/idle lands that may be used as relocation site;

7. Contract an NGO or create a dedicated group of staff within HUDCC to implement the livelihood restoration program envisioned in this RAP that is not covered by the Key Shelter Agencies;
8. Present quarterly report on the progress of relocation site preparation, number and names of qualified PAPs for relocation, number and names of PAPs relocated (from where to where), schedule of relocation, number and names of PAPs not yet relocated, target completion of all relocation activities, names of PAPs assisted in the LRIP (including forms of assistance) and other reports as may be required by the committee; and
9. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

3) Philippine National Railways (PNR)

1. Co-manage the overall implementation of the project with DOTr
2. Supply all information, data or documents regarding the PNR ROW and other PNR properties;
3. Provide or allow access to PNR properties to participating agencies in the conduct of their activities related to the implementation of this RAP;
4. Coordinate with the city/municipal LGUs and barangay LGUs to secure permit for partner agencies that will carry out field work or community work;
5. Identify remaining PNR non-core properties that may be used for public rental facility;
6. In coordination with LGU, PCUP and CHR, issue Notice to Vacate to PAPs who are informal settlers or Eviction Notice to resisting PAPs; and
7. Provide police force for security or other purposes as needed.

4) Local Government Units

1. Issue memorandum order to all LGU Department Heads to fast track issuance of permits and licenses related to resettlement and development of socialized housing;
2. Create policy, through Sangunian Resolution, on the maximum number of days to act upon requests, letters, and questions pursuant to Executive Order Nr. 2–2016;
3. Create policy on the maximum number of days to issue permit and licenses specific to the development of socialized housing, pursuant to Ease-of-Doing Business Act of 2018;
4. Forge partnership with DOTr or NHA (LCMP) in the development of relocation sites or public rental facilities
5. Create policy on collection of rent from PAPs who will occupy the public rental facilities;
6. Create local programs and policies geared towards making relocation sites sustainable and livable;
7. Support the establishment of Negosyo Centers;

5) LGU Representative for Relocation

1. Draft or recommend the creation of policy, through Sangunian Resolution, on the maximum number of days to act upon requests, letters, and questions pursuant to Executive Order Nr. 2–2016;
2. Draft or recommend the creation of policy at the local level on the maximum number of days to issue permit and licenses specific to the development of socialized housing, pursuant to Ease-of-Doing Business Act of 2018;
3. Provide inventory of lands (public and private) and identify possible areas for relocation site within their city;

4. Conduct land research and initiate negotiation with land-owners;
5. Identify off-city sites (if no available in-city site) and recommend to the local executive to forge agreement with the proposed receiving LGUs regarding the accommodation of relocatees from their city;
6. Assign a focal person or office to be their representative to the RIMC and to supervise and monitor relocation activities;
7. Endorse to their local executive to forge partnership with DOTr in the development of relocation sites or public rental facility;
8. Liaise with their local executive to facilitate connection of utilities to relocation sites;
9. Recommend and advocate for the creation of local programs and policies geared towards making relocation sites sustainable and livable;
10. Present quarterly report to TWG and DILG on the status of relocation activities, issuances of permits and licenses, and other information as may be required by PIAC; and
11. Provide data, documents as may be needed by the EMA during project monitoring and evaluation;

6) LGU Representative for Resettlement and Livelihood Restoration

1. Advocate for the issuance memorandum order to all LGU Department Heads to fast track issuance of permits and licenses related to resettlement and development of socialized housing;
2. Recommend to their local executive the creation of policy, through Sangunian Resolution, on the maximum number of days to act upon requests, letters, and questions pursuant to Executive Order No. 2–2016;
3. Draft or recommend to their local executive the creation of policy on the maximum number of days to issue permit and licenses for MSMEs pursuant to Ease-of-Doing Business Act of 2018;
4. Provide lists of registered affected businesses and monthly income;
5. Facilitate the securing of supporting documents for monthly income, salary and number of employees;
6. Facilitate and validate documentation of all affected business and employees;
7. Conduct land research and initiate negotiation with land-owners;
8. Identify alternative sites for business (i.e. replacement land or rental facility) and provide an inventory of these properties to PAPs;
9. Assign a focal person or office to be their representative to the RIMC and to supervise and monitor relocation activities of businesses;
10. Facilitate re-connection of utilities to for businesses;
11. In coordination with MCRP PMO, DTI, DOLE, TESDA and DSWD, implement the LRIP in their locality;
12. In coordination with DTI, establish Negosyo Centers to cater to enterprise-based PAPs and assist PAPs in registering their businesses pursuant to Ease-of-Doing Business Act of 2018;
13. Present quarterly report to TWG and DILG on the status of issuances of permits and licenses, status of LRIP implementation and other information as may be required by PIAC; and
14. Provide data, documents as may be needed by the EMA during project monitoring and evaluation;

7) National Housing Authority

1. Conduct validation of PAPs and assess eligibility for compensation;
2. Through consultation, identify, select and develop relocation sites;
3. In coordination with DOLE, DTI, TESDA and LGUs, conduct training needs assessment and extend livelihood and employment assistance to displaced PAPs;
4. Coordinate with the sending and receiving LGUs and assist relocatees to integrate with the host community;
5. Submit regular project update to DOTr PMO on the status of relocation activities and implementation of the LRIP; and
6. Provide data, documents as may be needed by the External Monitoring Agent (EMA) during project monitoring and evaluation.
7. Provide data, documents as may be needed by the External Monitoring Agent (EMA) during project monitoring and evaluation. Commission on Human Rights (CHR)
8. Monitor the conduct of demolition and eviction in accordance with its mandate;
9. Review and assess documentary requirements submitted by demolition and eviction proponent and take the necessary action; and
10. Perform such other functions as may be necessary to effectively carryout the provision of this RAP

8) Presidential Commission for the Urban Poor (PCUP)

1. Monitor the conduct of eviction and demolition in accordance with its mandate and Executive Order 152 as amended by Executive Order 708 and EO 69;
2. Review and assess documentary requirements submitted by demolition and eviction proponent and take the necessary action;
3. Facilitate Pre-Demolition Conference; and
4. Perform such other functions as may be agreed in TWG.

9) Home Development Mutual Fund (HDMF or Pag-IBIG Fund)

1. Assist PAPs not qualified to avail of socialized housing to qualify for a Pag-IBIG housing loan;
2. Link PAPs to developers with existing properties within the same city where they are coming from;
3. Provide a list of Pag-IBIG foreclosed properties to inform PAPs of the available options they have for resettlement;
4. Conduct housing exhibit in each LGU twice before the clearing of ROW;
5. Facilitate fast approval of housing loan;
6. Submit regular update to MCRP PMO indicating the number and names of PAPs assisted, forms of assistance provided and backlog or gaps in project implementation;
7. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

10) Housing and Land Use Regulatory Board (HLURB)

1. In coordination with LGUs, conduct inventory of lands as provided for by RA 7279;
2. Create policy related to Special Housing for the elderly as mandated by RA 9994;

3. Facilitate fast accreditation/registration of homeowners association;

11) BIR District Office

1. Hasten the issuance of BIR ruling on capital gains tax exemption for developers;
2. Facilitate on-time issuance of BIR ruling and electronic Certificate Authorizing Registration (eCAR) for lot tilting for relocation sites;
3. Facilitate issuance of documentary requirements relating to extra judicial settlement cases; and
4. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

12) DENR-LMB

1. Facilitate fast titling of untitled lands that are suitable for relocation site;
2. Recommend solutions to issues related to land titling;
3. Facilitate issuance of Certifications for alienable and disposal lands, as supporting document to untitled lands that will be subject to ROW acquisition and
4. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

13) DAR District Office

1. In coordination with LGUs, facilitate land conversion for social housing purposes;
2. Identify agricultural lands suitable for conversion to residential use for socialized housing purpose;
3. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

14) POEA

1. Tap organizations to and employment agencies to conduct jobs fair for overseas employment;
2. Provide list of employment opportunities abroad;
3. Submit report to DOTR PMO indicating the number and names of PAPs assisted to be employed abroad (disaggregated by age and gender); and
4. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

15) Department of Social Welfare and Development (Operations and Programs Group – Promotive Programs)

1. Provide data on PAPs who are beneficiaries of 4Ps and ensure that they will continually enjoy the benefits of the program; and include in the program qualified PAPs who are not yet member of 4Ps;
2. Identify elderlies qualified for the **Social Pension Program for Indigent Senior Citizens (SPIISC)** and facilitate their inclusion in the program;
3. Assist PAPs who are not qualified under DTI/DOLE programs to qualify for employment and livelihood opportunities provided by the Department for vulnerable and underprivileged (i.e. Trabahong Lansangan, capacity building, capital resource provision and market linkage);
4. Assign social-case workers to assist and monitor vulnerable and underprivileged households during relocation and after relocation;

5. Present quarterly report to the TWG indicating the number and names of vulnerable and underprivileged PAPs absorbed and served in DSWD programs and other information that may be needed by the committee; and
6. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

16) TESDA

1. In coordination with DOTR PMO, KSAs, DOLE and DTI, conduct series of skills training to project affected persons;
2. Partner with other institutions offering technical and skills development courses, particularly in cases where the needed training are not in its regular course offerings;
3. Offer scholarship or training vouchers to PAPs;
4. Assist PAPs in acquiring NCII;
5. Submit report to DOTR PMO indicating the number and names of PAPs trained (disaggregated by age and gender); and
6. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

17) CIAP Construction Manpower Development Foundation

1. Provide information on the skills required for construction and hard-to-fill jobs
2. Link PAPs for employment to the “Jobs Jobs Jobs” program, in connection with the “Build Build Build” platform of the current administration

18) Small Business Corporation

1. Assist PAPs in accessing soft loan through government loan programs;
2. Link qualified PAPs to MFIs and banks to access higher loan amount to help them re-establish their business;
3. Monitor the use of the seed capital provided to the PAPs;
4. Submit report to DOTR PMO indicating the number and names of PAPs assisted (disaggregated by age and gender); and
5. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

19) Cooperative Development Authority

1. Assist PAPs to organize as cooperatives;
2. Conduct free seminar on cooperative development in areas accessible to PAPs;
3. Facilitate fast registration of PAP’s cooperative;
4. Provide link to funding agencies and grants to help PAP’s cooperatives start their operation;
5. Provide market link for their products and services;
6. Submit report to DOTR PMO indicating the number and names of PAPs assisted (disaggregated by age and gender); and
7. Provide data, documents as may be needed by the EMA during project monitoring and evaluation.

10.2.2 The Japan International Cooperation Agency (JICA) and Asian Development Bank

(ADB)

JICA and ADB will provide added layer of protection to the rights and welfare of project affected families by setting up social safeguard mechanisms in the RAP and by carrying out monitoring of project implementation. All implementing partners will be subject to a regular monitoring to be carried out by an EMA who will report to DOTr, JICA and ADB.

10.2.3 The RAP Implementation and Management Committee (RIMC)

The RAP Implementation and Management Committee (RIMC) will be created through a Memorandum of Understanding between the MCRP PMO and the concerned LGUs. Its main role, as its name connotes, is to implement the RAP. Other important functions include:

1. Participate in the conduct of information education and communication (IEC) with PAPs, throughout the duration of the RAP implementation;
2. Assist DOTr in validating the eligibility of PAPs in relation to their corresponding entitlements; and
3. Receive grievances during RAP implementation, related but not limited to project design, parcellary survey, appraisal, compensation, extra-judicial settlement (EJS), etc.

The RIMC will be established after the creation of the MCRP PMO.

10.2.3.1 Members of the RIMC

RIMC will consist of the following:

- Project Director of the MCRP PMO – Chairperson
- Barangay Chairperson of affected barangays, as Co-chairperson
- DOTr Legal Office Representative
- Representative of legal PAPs
- Representative of ISFs

10.2.3.2 Role and Responsibility of the RIMC

The RIMC will be created to mainly support and assist the **MCRP PMO** in the following;

- Assist the MCRP PMO and LIAC in RAP implementation activities, specifically in:
 - Validating the master list of PAPs;
 - Validating the assets of the PAPs that will be affected by the project; and
 - Monitoring the RAP implementation;
- Assist the MCRP PMO in conduct of IEC activities public information campaign, public participation and consultation meetings;
- Receive complaints and grievances from PAPs and other stakeholders or interested parties; and refer the matter to the appropriate authorities;
- Maintain a record of all public meetings, complaints and actions taken during resolution of grievances under the Grievance Redress Mechanism filed by PAPs; and
- In coordination with concerned government authorities, assist in the enforcement of laws/ordinances regarding encroachment into the project site or ROW.

10.2.4 The Local Inter-Agency Committee (LIAC)

The MCRP PMO will officially request respective LGUs to actively involve LHO/convene LIAC where relocations of ISFs will take place. Coordination with LHO/LIAC and other agencies will start after the RIMC is mobilized.

10.2.4.1 Composition of LIAC

For LGUs wherein the LHOs are not in place yet, the LIAC will be headed by the concerned city/municipal mayor under whose jurisdiction the project area is located in. People's Organizations (POs), representing the PAPs will be invited to the LIAC to assist and help in the implementation and monitoring of the resettlement process. Table 10-7 shows the envisioned composition of the LIAC for MCRP.

Table 10-7 Composition of the LIAC

	Position		Member
1	Board members		<ul style="list-style-type: none"> Chairman: The Mayors of the LGUs affected by the project Co-Chairman: The General Manager of NHA Action Officers: City/Municipal Administrator Head of City/Municipal Engineering Office
2	Members	City/Municipal Representatives	<ul style="list-style-type: none"> City/Municipal Legal Officer Head of the Urban Poor Affairs Office/ Urban Settlements Office/Housing and Resettlement Office Head of the City/Municipal Social Welfare and Development Office
		National Government Agency (NGA) Representatives	<ul style="list-style-type: none"> DOTr NHA Philippine National Railways (PNR) Commission on Human Rights (CHR) Presidential Commission on the Urban Poor (PCUP) Other government agencies for livelihood and skills training provision (e.g. DOLE, TESDA, DTI)
		Representatives from Civil Society Organizations	
		Barangay Chairpersons for the affected areas	

The LIAC will be composed of the following sub-committees:

- Social preparation with community organizing
- Beneficiary selection, awards, and arbitration (or the respective BSAAC)
- Legal and security, and
- Relocation and livelihood restoration

The organizational structure of LIAC is presented in Figure 10-3 Organizational Set-up of the LIAC.

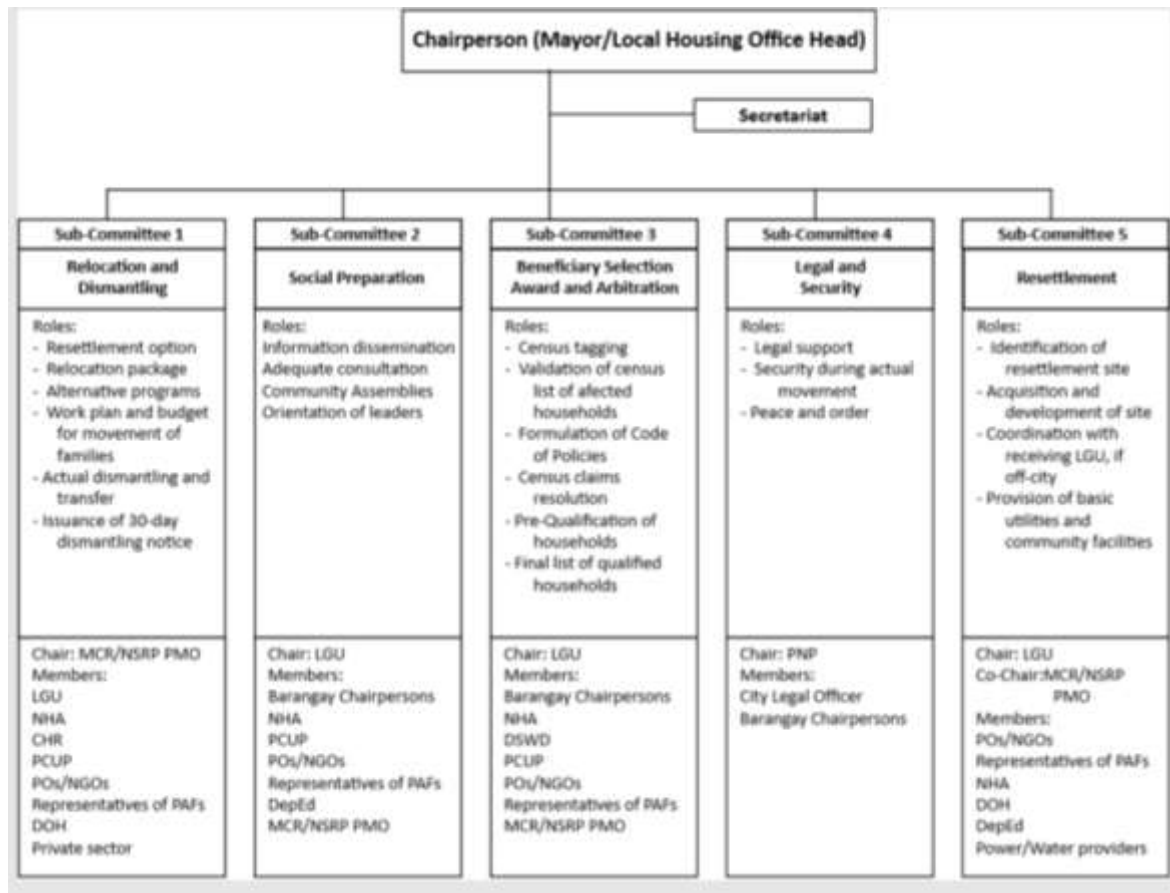


Figure 10-3 Organizational Set-up of the LIAC

10.2.4.2 Roles and Responsibilities of the LHOs/LIAC

LIAC members will meet periodically, attend all open dialogues, and observe all demolition works to secure the rights of the affected informal settler families/persons as well as to prevent conflicts.

Specifically, the LIAC will:

- Serve as the local clearing house of all relocation and resettlement activities, and resolve issues and concerns that may arise in the actual conduct of census and tagging operations and dismantling operations, as well as in the planning and development of resettlement sites;
- Facilitate the orderly, peaceful and humane relocation of the ISFs occupying the affected areas;
- Facilitate and expedite activities of the Social Preparation Committee in the stages of Pre-Relocation, Actual Relocation and Post Relocation;
- Supervise and evaluate the ISF applicants/ beneficiaries through the Beneficiary Selection, Awards and Arbitration Committee (BSAAC);
- Ensure that all qualified ISFs are relocated to acceptable, secure, and affordable resettlement sites that are provided with basic utilities, facilities and services;
- Enable all ISF PAPs to participate in planning and implementing the program through a coordinative and integrated multi-sectoral approach;
- Resolve grievance concerns elevated at their level; and

- Monitor the implementation of resettlement action plans, programs and projects as well as the operations of the subcommittees under it.

The roles and responsibilities of the members of the LIAC are briefly described in Table 10-8.

Table 10-8 Roles and Responsibilities of Members of the Local Inter-Agency Committee

Agency/Organization	Roles and Responsibilities
The concerned Local Government Units (LGUs)	<ul style="list-style-type: none"> • Chair of the LIAC and execute the work plans and actions; • Identify possible areas for development as relocation site within the locality and provide funds for its acquisition/infrastructure projects; • Assist in the identification of off city/municipality resettlement site acceptable to the families for relocation; • Constitute a surveying team from among concerned agencies and set up initial funds to carry out its function as lead agency in relocation of families; • Facilitate the smooth relocation of families and the orderly removal of structure; • Lead in the conduct a series of dialogues with the affected families; • Undertake necessary action to safeguard the proposed project site and prevent the entry of new illegal dwellers in the project area; • Submit periodic reports to the ROW PMO, copy furnished HUDCC, relative to the status of project implementation activities; • Perform such other functions as may be necessary to effectively carry out the provisions of RAP formulated; • Provide assistance in the conduct of social preparation activities in accordance with Section 23 of Republic Act 7279; • Assist in the identification of legitimate urban poor representation in all LIAC levels; and • Review and assess documentary requirements submitted by demolition and eviction proponent and take the necessary action.
The Housing and Urban Development Coordination Council (HUDCC)	<ul style="list-style-type: none"> • Assist in the formulation of the development plans and criteria for the selection and disposition of lots to the qualified beneficiaries; • Provide general policy direction to the LIAC and make necessary recommendations to ensure the immediate resolution of major issues and concerns affecting the implementation to the said projects; • Monitor the status of project implementation activities in each new relocation site; • Coordinate the participation of concerned key shelter agencies, financing institutions, nongovernment organizations and other entities for technical and financial assistance, whenever deemed necessary, in the implementation of the projects; and • Perform such other functions as may be necessary.
The National Housing Authority (NHA)	<ul style="list-style-type: none"> • Provide technical assistance and data for the preparation of plans, design specification and cost estimates for the proposed relocation programs; • Undertake the subdivision survey for the lot identified as relocation site and submit survey returns to LMB/DENR for verification and approval; • Facilitate the individual titling of lots for disposition to qualified beneficiaries of upon full payment of community loan; • Assist in the identification of resettlement site for acquisition and development and eventually for distribution to qualified beneficiaries; • Assist in the information dissemination to project beneficiaries on the proposed projects to be implemented and monitor progress of work within Socialized Housing Project; • Coordinate with the concerned agency in order to facilitate issuance of Special

Agency/Organization	Roles and Responsibilities
	<p>Patents for alienable and disposable lands;</p> <ul style="list-style-type: none"> • Assist in the formulation of criteria for the selection and disposition of lots to the affected families of the amended Proclamation; • Furnish the concerned LGU with the approved subdivision plans for purposes of valuation and taxation of the subject properties; • Coordinate with the participation of concerned key shelter agencies, financing institutions, nongovernment organization and other entities of the technical and financial assistance, whenever deemed necessary, in the implementation and completion of the projects; • Implement livelihood restoration and improvement program for the ISFs through community associations; and • Perform such other functions as may be necessary
Philippine National Railways (PNR)	<ul style="list-style-type: none"> • Provide assistance to the Implementing Agency
Presidential Commission for the Urban Poor (PCUP)	<ul style="list-style-type: none"> • Assist in the identification of legitimate urban poor representation in all LIAC levels; • Monitor the conduct of eviction and demolition in accordance with its mandate and Executive Order 152 as amended by Executive Order 708 and EO 69; • Review and assess documentary requirements submitted by demolition and eviction proponent and take the necessary action; • Facilitate Pre-Demolition Conference; and • Perform such other functions as may be necessary.
The Office of Congressional District	<ul style="list-style-type: none"> • To act as observer in the implementation of R.A. 7279.
The Commission on Human Rights (CHR)	<ul style="list-style-type: none"> • Monitor the conduct of demolition and eviction in accordance with its mandate; • Provide assistance in the conduct of social preparation activities in accordance with Section 23 of Republic Act 7279; • Review and assess documentary requirements submitted by demolition and eviction proponent and take the necessary action; and • Perform such other functions as may be necessary to effectively carryout the provision of this guidelines
Non-Government Organization (NGO)	<ul style="list-style-type: none"> • Assist in the continuing social preparation of affected families/beneficiaries in relation to project implementation; • Assist in the conduct of validation of appellant-families for census inclusion; • Review and assess documentary requirements submitted by demolition and eviction proponent and take the necessary action; and • Provide assistance in the conduct of social preparation activities in accordance with Section 23 of Republic Act 7279.
Community Associations (CA)	<ul style="list-style-type: none"> • Participate in the conduct of community relations, social preparation and information dissemination activities including the drawing up the development program implementation; • Formulate community initiative options or people’s plan for their collective interest;

10.3 Primary and Support Roles

Table 10-9 presents the activities to be undertaken during RAP implementation, and the organizations that are responsible for such. It also shows whether the respective entity’s role is primary or as support.

Table 10-9 Activities and Responsible Organizations

RAP Activities		RESPONSIBLE UNIT/ORGANIZATION									
		DOT-TWC	PIAC	MCRP-PMO	RIMC	LHB/LIAC	KSA	PNR	LGU	Barangay	Others
A. Overall	Overall implementation of RAP		○	◎	○	○					
B. RAP Preparation	Household census, structure tagging, verification of eligibility of PAPs			◎		○	◎		○		
	Verification of Eligibility			◎	○	○	◎				
	Validation and Estimation of Compensation cost	○		◎	○	○	◎				
	Complaints and grievance handling		○	◎	○	○			○		
C. Land Acquisition and Relocation	Relocation Site Development		○	◎		○	◎		○	○	◎
	Consultation & coordination with PAPs regarding choice of compensation, relocation & financial assistance			◎	○	○	○				○
	Issuance of notification for structure demolition			◎				◎			
	Preparation of necessary documents for demolition, relocation, and financial assistance			◎		○	○	◎	◎		○
	Preparation of necessary funding for demolition, relocation, and financial assistance	○		◎							
	Official demolition of structure and clearance of the site			◎		◎		◎	◎		○
	Provisions of compensations, assistance, and allowances	○		◎			○				○
	Preventing further in-flow of ISFs on the cleared easement areas.			◎				◎	◎	◎	
E. Social Development Program	Provision of livelihood and Income Restoration Program		○	◎	○	○	○				
F. Monitoring	Internal Monitoring			◎							
	External Monitoring										◎

CHAPTER 11 IMPLEMENTATION SCHEDULE

11.1 Implementation Schedule of Construction

The construction stage of the Project will commence in May 2019 and will be completed by the end of April 2022.

11.2 Implementation Schedule of RAP

The general implementation schedule for the RAP is shown on Table 11-1. This schedule will be updated periodically by the MCRP PMO and shared among the members of the PIAC, TWG and RIMC. For the institutional arrangement for RAP implementation, please refer to Chapter 10. The activities presented in Table 11-1 are explained in detail below:

11.2.1 Preparation of RAP

1. *RAP Field Surveys* – Various surveys will be conducted to gather data needed for the acquisition of ROW and compensation thereof. One of these is the **parcellary survey** of affected properties adjacent to the current PNR ROW which will commence once the alignment has been finalized. This will determine the additional land to be acquired for the ROW.
2. DMS and supplemental SES will be conducted after the parcellary survey. During DMS, affected structures will be measured and materials used will be recorded for the preparation of the Bill of Quantities and Bill of Materials. Additional SES will be conducted to cover the PAPs who were not included in the SES during FS RAP due to (i) change in final alignment or (ii) result of the boundary survey and parcellary survey.
3. Finalization of RAP Report – Contents of RAP will be updated and finalized based on result of the parcellary survey and supplementary SES.
4. JICA Review and Concurrence of RAP – Only after the approval of DED RAP by JICA and ADB, DOTr will be allowed to start payment of compensation.

11.2.2 RAP Implementing Institutions

1. *Creation of PIAC, TWG, RIMC, GRM, etc.* – As discussed in Chapter 9 and 10 of this RAP, a PIAC and TWG will be created and a RIMC and a GRM will be created/set-up per LGU.
2. *Mobilization of LIAC* – DOTr through the HUDCC or the Key Shelter Agencies (KSA) will call for the convening or re-convening of LIAC per LGU. At the time of writing, initial meetings have already been conducted and some LGUs have already convened their LIAC.
3. *Coordination of sending LGUs, LIAC members regarding the scope and coordination* – DOTr, through the MCRP PMO, will coordinate with the sending/receiving LGUs and the LIAC of respective LGUs, and determine the assistance that must be provided to facilitate timely relocation and accommodation of PAPs. During this coordination, DOTr will also determine the basic social services and livelihood assistance that may be provided by the LGUs and identify the gaps that need to be addressed.
4. *Appointment of PAPs representatives to LIAC/RIMC* – indicates when will a PAP be nominated and selected as representative of the PAPs in their respective LIAC/RIMC.
5. *Set-up GRM* – the GRM will be set-up prior to DED RAP survey and will continue in the duration of the project. Details on the set-up and processes of GRM is discussed in Chapter 9.

11.2.3 Land Acquisition

1. *Validation of RAP Surveys* – DOTr MCRP PMO and ROW PMO will work together with the respective RIMC of each LGU to validate the contents of RAP Surveys. Specifically, they will have to verify if the affected families and properties on the list indeed fall within the boundaries of the final alignment, depot and station footprint. Additionally, they will conduct due diligence

review on the ownership of affected properties to ensure that the rightful owners are included in the list and will be notified.

2. *Issuance of Notice of Taking* – Once the list of affected properties and rightful owners has been identified and finalized, this will be forwarded to the Office of the Undersecretary for Railways for his approval. Once this is secured, ROW PMO will issue the Notice of Taking (NoT) through registered mail. The timely issuance of NoT will provide ample time for PAPs to secure the required documents for compensation, and to avoid expropriation. **The date when the PAP received the NoT marks the cut-off-date for legal PAPs and no more improvement of structures thereon may be done thereafter.** Any improvements thereafter will no longer be compensated.
3. *Procurement of Appraisal* – indicates when DOTr MCRP PMO will start the procurement process for the services of GFIs.
4. *Appraisal of Affected Properties* – indicates when the appraisal of affected properties by the GFIs will commence, and the duration of which. The result of this appraisal will be the basis of the amount indicated in the Letter Offer to each PAP.
5. *Issuance of Letter Offer* – Once the properties have been appraised, DOTr MCRP PMO may, upon submission of GFI report, start the issuance of Letter Offer (LO) by segment. It does not need to wait for the GFI to finish the appraisal for the whole alignment. Upon the concurrence and certification of the TWC, the Undersecretary for Railways may issue the Letter Offer through registered mail. The 30-day policy in accepting the offer starts from the day the PAP receives the Letter Offer based on the records of the registered mailing service.
6. *Payment to PAPs* – DOTr, through the ROW PMO and upon the concurrence of the TWC, will initiate payment of compensation to PAPs after 30 days after the issuance of Letter Offer. Initial payment of compensation cost to legal PAPs will start from February 2019. Compensation is to be paid only after DD RAP approval by JICA and ADB.
7. *Expropriation Proceedings* – Filing for expropriation will ensue if (i) the PAP *refuses* the offer of DOTr or (ii) the PAP failed to present required documents to support his claim of ownership to the affected property within 30 days upon receipt of Letter Offer. Expropriation proceedings is explained in detail in Chapter 4 of this RAP.
8. *Clearing of ROW by PAPs (non-ISFs)* – The cost for dismantling structures will be included in the compensation for legal PAPs. Thus, once the payment has been received as described in Chapter 5 and Chapter 6, the PAPs will dismantle their structures as indicated in the timeline.

11.2.4 Relocation of Informal Settler Families

1. *MOA Between DOTr and Key Shelter Agencies (KSAs), and Transfer of Funds* – The development of relocation sites for informal settler families will be handled by KSAs, specifically the National Housing Authority (NHA) for MCRP. The timeline indicates when the MOA between DOTr and KSAs will be signed and becomes effective. Any delays in the signing of MOA will have implication in the overall schedule of relocation and of project implementation. Additionally, transfer of funds from DOTr to KSAs is also critical since KSAs cannot start the actual works (i.e. site identification and development) without available funds.
2. *Validation of affected ISFs* – DOTr MCRP PMO, through the KSAs will validate the list of affected informal settler families with or without the assistance of the LIAC¹. Specifically, they will have to verify if the affected ISFs are within the boundaries of the final alignment, depot and station footprint. Additionally, they will conduct due diligence review on the ownership of affected structures, ensure that the rightful tenants/renters were not kicked out or excluded in

¹ Case to case. Some LGUs are willing to provide assistance but there are some that may not want to participate in the process and may cause delay if will be required.

the list of affected families, and validate if the families occupying the structures at the time of validation were there prior to the cut-off-date.

3. *Pre-qualification of PAPs (Verification of Eligibility of ISFs)* – As part of pre-qualification, the KSAs will determine who among the ISFs have been previously awarded a socialized housing unit and determine whether they sold or rented out the said unit. Additionally, KSAs will verify eligibility of PAPs by preparing a list of the following per LGU:
 - i. Returnees and other disqualified PAPs with reason for disqualification;
 - ii. Vulnerable households;
 - iii. Elderly household heads who do not have or do not live with their children that is of legal age;
 - iv. PAPs who opt for self-relocation indicating the transportation cost per family and where they will relocate;
 - v. Wage-based PAPs who will be relocated far from their current work but will continue working there after relocation².
 - vi. PAPs who will not be able to continue their current livelihood or continue working in the same company;
 - vii. Employees of affected businesses who will temporarily or permanently lose their jobs; and
 - viii. Renters who prefer to continue renting and are qualified for rental subsidy;
4. *Development of Relocation Site* – Development of relocation sites includes site identification, site selection, bidding process for developers, securing of permits and licenses, site development, construction of housing units and connection of utilities.
5. *Payment of Compensation and Other Forms of Assistance* – based on the result of pre-qualification and verification of eligibility of PAPs, and upon presentation of required documents (i.e. barangay certification on the ownership of ISF structure), DOTr MCRP PMO and ROW PMO will facilitate payment of compensation to PAPs. Initial compensation to PAPs will start in February 2019 from section approved by JICA and ADB. The livelihood and other forms of assistance will be provided from pre-relocation stage up to the end of the construction.
6. *Relocation of ISFs* - the schedule of *Relocation of ISFs* reflected in Tables 11-1 refer to the moving out of ISFs from the ROW and transferring them into the relocation site.

11.2.5 Provision of Livelihood Restoration and Improvement Program

1. *Formation of the Committee on Livelihood* – Indicates when the Committee on Livelihood under the Technical Working Committee should be created. See Chapter 10 for more information about the Committee on Livelihood.
2. *MOA with Relevant Agencies on Provision of Livelihood* – Depending on the provisions of the Executive Order (EO) or the Joint Memorandum Circular (JMC) for the creation of PIAC, a MOA may be executed between and among DOTr and the member-agencies of the Livelihood Committee.
3. *Coordination with Relevant Agencies on Provision of Livelihood* – Coordination with relevant agencies will start prior to the implementation of LRIP and will continue during its implementation. DOTr will be responsible in monitoring who were provided livelihood assistance and in making sure that all PAPs [who were economically displaced] were provided assistance, and that their livelihood has been restored to pre-project condition upon project completion.

² for the provision of commuting allowance

4. *Implementation of LRIP* - implementation of LRIP will start prior to relocation to ensure that PAPs will be well equipped with skills and required resources to re-start their lives at the relocation sites. Implementation of LRIP will be carried out up to the end of the construction. Details on the packages and livelihood assistance may vary, as indicated in Chapter 8.
5. *Monitoring of the Implementation of LRIP* – DOTr MCRP PMO will conduct internal monitoring of the implementation of LRIP, identify gaps and recommend solutions to these gaps. Additionally, an external monitoring agent (EMA) will conduct monitoring during the whole duration of the project.

11.2.6 Monitoring of RAP Implementation

1. *Set-up Monitoring Agents* – The Internal Monitoring will be undertaken by the MCRP PMO. External monitoring will be undertaken by an External Monitoring Agent (EMA) to be engaged by the DOTr. Please refer to Chapter 13 for details on the internal and external monitoring program
2. Internal Monitoring – *See Chapter 13 for details*
3. External Monitoring – *See Chapter 13 for details*

11.3 Arrangements for Implementation of RAP

Implementation of the RAP will be undertaken by the MCRP PMO through the RIMC, and in coordination with the respective LHOs or LIAC, whichever is applicable. The roles and responsibilities are briefly described in Chapter 10.

As reflected in the implementation schedule, creation of the MCRP PMO, RIMC and coordination with LHO/ convening of LIAC will start from September 2018. As part of Grievance Redress mechanism, Help Desks will be set up for each concerned LGU to operate from September 2018. Additionally, Grievance Desk will replace the Help Desk at the start of project implementation.

After verification of PAPs eligibility, PAP representatives to LIAC will be appointed.

11.4 Review and Update of RAP

The RAP prepared by the JICA Design Team will be updated in the Implementation Stage - during the verification of master list of eligible PAPs by the MCRP PMO. This will be done in coordination with the concerned LGUs and the RIMC/LIAC.

11.5 Information Dissemination and Consultation

All information on resettlement activities - from pre-relocation to post-relocation - will be made available to PAPs and concerned parties throughout the project. This includes information on the legal framework, eligibility criteria, processes and documents for relocation and receiving just compensation, options for resettlement sites, as well as compensation and other forms of assistance. Mechanisms for information disclosure at each stage of project implementation is presented in Chapter 14 of this RAP.

Table 11-1 Implementation Schedule of MCRP

Activity	Responsible Agency	Period (Duration)	2019												2020												2021				2022							
			9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
A. Project Implementation																																						
1 Start of Construction	Contractor	May. '19 - Apr. '22																																				
B. Preparation of RAP Implementation																																						
1 RAP field surveys (Parcellary, As Built, DMS, SES, RCS)	JDT	Aug. '18 - Dec. '18																																				
2 Finalization of RAP Report	JDT	Jul. '18- Feb. '19																																				
3 JICA/ ADB Review and concurrence of RAP	JICA/JDT	Jan. '19 - Fer. '19																																				
C. RAP Implementing Institution																																						
1 Creation of PMO, RMT, LIAC, etc.	DOTr/PNR	Sep. '18 - Oct. '18																																				
2 Mobilization of LIAC (LGU level)	LGU (Chair) DOTr (Co-chair)	Sep. '18 - Oct. '18																																				
3 Coordination of sending LGUs, LIAC members regarding resettlement scope and schedule	DOTr/PNR/LIAC	Sept. '18 - Jan. '19 (5M)																																				
4 Appointment of PAPs representatives to LIAC	LIAC/PMO/IC/LGUs/NGOs	Oct. '18 (1M)																																				
5 Set up and Operation of Grievance Redress Mechanism	LIAC/PMO/IC	Sep. '18 -																																				
D. Land Acquisition (Depends on schedule of DOTr validation of data)																																						
2 Validation of RAP survey	DOTr PMO/PNR/LIAC	Dec. '18 - Mar. '19 (4m)																																				
3 Issuance of Notice of Taking (after Masterlist validated based on parcellary survey)	DOTr PMO	Dec. '18 - Jan. '19 (2m)																																				
4 Procurement/ Appraisal of Affected Properties	GFIPAs	Jan. '20 - Mar. '19 (3m)																																				
6 Issuance of Letter of Offer	DOTr PMO	Mar. '19 (1m)																																				
7 Payment of Compensation and other forms of assistance	PMO/Contractor	Apr. '19 (1m)																																				
8 Expropriation Proceedings	DOTr PMO	From Apr. '19																																				
9 Clearance of ROW by PAPs	Structure owners/PMO/LGU	From Apr. '19																																				
E. Relocation of Informal settlers																																						
1 MOA between DOTr and Key Shelter Agencies and transfer of funds	DOTr PMO/ KSAs	Jul. '18																																				
2 Verification of eligibility of ISFs	DOTr/PNR/LIAC	Jan. '19 - Feb. '19 (2m)																																				
3 Validation of affected ISFs against Alpha list	LIAC/DOTr PMO	Jan. '19 - Feb. '19 (2m)																																				
4 Construction of relocation sites (bidding, selection of developer, community organizing, identification of relocation sites, and construction, etc.)	KSADOTr PMO	Oct. '18 - Mar. '19 (6m)																																				
5 Provision of rental subsidy if the housing is not ready	KSADOTr PMO	Oct. '18 - Mar. '19 (6m)																																				
6 Payment of Compensation and other forms of assistance	LIAC/DOTr PMO	Feb. '19 - Mar. '19 (2m)																																				
7 Relocation (ISFs)	LIAC/DOTr PMO	Feb. '19 - Apr. '19 (3m)																																				
F. Provision of Social Program																																						
1 Formation of Committee on Livelihood	LIAC/DOTr PMO	Sep. '18																																				
2 Coordination and MOA with relevant agencies on provision of Livelihood	LIAC/DOTr PMO	Sep. '18 - Oct. '18																																				
3 Implementation of Livelihood and Income Restoration Program	HUDCC/NHADOTr	Sep. '18 -Apr. '19																																				
4 Implementation of Livelihood and Income Improvement Program	HUDCC/NHADOTr	Feb. '19 - Apr. '21																																				
5 Monitoring of Livelihood and Income Improvement Program	HUDCC/NHADOTr	Case to case until Project End																																				
G. Monitoring of RAP Implementation																																						
1 Set up Monitoring Agents	DOTr PMO/PNR	Nov. '18 - Dec. '18																																				
2 Internal Monitoring	DOTr PMO	Jan. '18 - Up to Project Completion																																				
3 External Monitoring	EMO	Jan. '18 - Up to Project Completion																																				

Source: JICA Study Team

CHAPTER 12 COST AND BUDGET FOR RESETTLEMENT AND LAND ACQUISITION

12.1 Estimated Cost

The cost for implementing the RAP for the MCRP is presented in Table 12-1.

Table 12-1 Estimated RAP Implementation Cost

Activity	Cost Item	Amount (PhP)	Remarks
A. Land and Structures Acquisition	Land	4,685,987,000	Estimated based on the adjusted BIR zonal values. Assumption is that PNR existing ROW is only about 20 m and that there is an additional 10 m to be acquired by the IA.
	Structures	653,947,000	Estimated based on replacement cost as defined in R.A. 10752
	Subtotal for (A)	5,339,934,000	
B. Resettlement Assistance	Livelihood rehabilitation assistance	52,260,000	Maximum amount PhP15,000 per ISF
	Rental Subsidy	5,067,510	Renters of residential structures based on highest average current rental fee x 5 months
	Temporary Shelter	228,735,000	Estimated based on prevailing local price of prefabricated temporary shelters plus 30% associated cost
	Income Loss (business)	102,541,002	Compensation for income loss for CIBE declared incomes
	Income Loss (employee)	190,103,854	Compensation for income loss for employees/workers
	Special Assistance for vulnerable groups	6,640,000	Special Assistance for vulnerable persons such as medical care due to the implementation of relocation
	Transportation Assistance	5,865,000	For transporting PAPs to the relocation site
	Food assistance	2,639,250	For relocating PAPs during relocation schedule (3 days)
	Subtotal for (B)	593,851,616	
C. Development of Relocation Sites	Horizontal/vertical development	527,850,000	Using NHA ceiling price for horizontal and vertical development
	Subtotal for (C)	527,850,000	
D. Crops and Trees	Compensation for Crops and Trees	233,595,048	Market value of potentially affected crops and trees.
	Subtotal for (D)	233,595,048	
E. RAP Implementation and monitoring	LIAC coordination	7,000,000	Organizing and make LIAC functioning through meetings and other related activities
	Internal monitoring cost	8,600,000	RAP Internal monitoring cost for 2019 to 2022
	External monitoring cost	2,700,000	RAP external monitoring cost for 2019 to 2022
	Subtotal for (E)	18,300,000	
Total (A+B+C+D+E)		6,713,530,664	
F	Administrative Cost	335,771,533	5% of Total (A+B+C+D+E)
	Contingency	671,543,066	10% of Total (A+B+C+D+E)
Grand Total (A+B+C+D+E+F)		7,720,560, 264	7,720,560,000 Rounded off

*Price escalation is not considered.

CHAPTER 13 MONITORING AND EVALUATION

13.1 Purpose of RAP Monitoring and Evaluation

The DOTr will put in place a monitoring system that will track whether the: (i) planned resettlement activities for project-affected families were delivered (i.e., whether compensation for lost assets were promptly paid); and (ii) planned activities contained in the RAP, such as relocation and livelihood restoration are producing the desired outcomes. Internal monitoring will track the progress in the delivery of physical and financial targets, resettlement assistance and other entitlements, while external monitoring will assess the effects and impact of the RAP implementation.

13.2 Institutional Arrangement

Internal resettlement monitoring will be conducted internally by the DOTr MCRP PMO and externally through assistance from external monitoring specialists.

13.3 Internal Monitoring

The tasks and obligations of the MCRP PMO on internal monitoring are to:

1. Supervise and monitor the implementation of the RAP, on a regular basis. The findings will be documented in the monthly report to be submitted to the Project Director of MCRP PMO, for subsequent submittal to JICA/ADB.
2. Review if the RAP is implemented as designed and planned and report on any gaps;
3. Verify that funds are released in a timely manner and the amount is sufficient for each activity and purpose;
4. Validation of compensation paid and verification that 100% compensation was paid prior to relocation;
5. Review how grievances are recorded and addressed; and
6. Prepare required monitoring reports based on the format prescribed in the RAP.

13.4 External Monitoring

DOTr will mobilize an External Monitoring Agent (EMA) to undertake independent external monitoring and evaluation to ensure that DOTr is properly implementing the RAP, such that it meets the JICA/ADB policies. The EMA can either be a qualified individual or a consultancy firm with qualified and experienced staff. Terms of Reference is to be referred to Appendix 10.

The methodology of external monitoring will be of two types namely: 1) random observation visits; and 2) consultation with PAPs, both at their current residence area and at their relocation site. The tasks of the EMA will be the following:

1. Verify results of internal monitoring;
2. Assess the extent to which consultation and disclosure activities are inclusive, accessible and effective in conveying key information from the RAP as well as provide conditions for PAPs to contribute to decision making which affects them such resettlement and livelihood restoration;
3. Verify that compensation and assistance has been provided in accordance with the requirements of the RAP, checking that it was done 100% prior to loss/relocation;
4. Assess whether resettlement objectives are likely to be achieved; specifically, whether livelihood and living standards have been restored or enhanced;

Ascertain whether the social safeguards document/plan entitlements were appropriate to meet the objectives, and whether the objectives were suited to PAP conditions;

5. Suggest modification in the implementation procedures of the social safeguards document/plan, if necessary, to achieve the principles and objectives of the RIPPF;
6. Review how compensation rates were evaluated;
7. Validation of compensation paid and verification that 100% compensation was paid prior to relocation; and
8. Review the effectiveness of the grievance redress mechanism, it's accessibility and responsiveness to resolving complaints.

The detailed monitoring indicators for the IMA and EMA are shown in Table 13-1.

Table 13-1 Monitoring Indicators for the MCRP RAP

Monitoring Indicators	Basis for Indicators/Check List
A. For the IMA	
1. Budget and timeframe	<ul style="list-style-type: none"> • Have all land acquisition and resettlement staff been appointed and mobilized for the field and office work on schedule? • Have capacity building and training activities been completed on schedule? • Are settlement implementation activities being achieved against the agreed implementation plan? • Are funds for resettlement being allocated to resettlement agencies on time? • Have resettlement offices received the scheduled funds? • Have funds been disbursed according to the RAP? • Has the social preparation phase taken place as scheduled? • Have all land been acquired and occupied in time for project implementation?
2. Delivery of Compensation and Entitlements	<ul style="list-style-type: none"> • Have all PAHs received entitlements according to amounts and categories of loss set out in the entitlement matrix? • Have PAPs received payments for affected structures on time? • Have all received the agreed transport costs, relocation costs, income substitution support and any resettlement allowances, according to schedule? • Have all replacement land plots or contracts been provided? Was the land developed as specified? Are measures in train to provide land titles to PAHs? • How many PAPs resorted to expropriation? • How many PAP households have received land titles? • How many PAPs have received housing as per relocation options in the RAP? • Does house quality meet the standards agreed? • Have relocation sites been selected and developed as per agreed standards? • Are the PAPs occupying the new houses? • Are assistance measures being implemented as planned for host communities? • Is restoration proceeding for social infrastructure and services? • Are the PAPs able to access schools, health services, cultural sites and activities at the level of accessibility prior to resettlement? • Are income and livelihood restoration activities being implemented as set out in income restoration plan? For example, utilizing replacement land, commencement of production, numbers of PAPs trained and provided with jobs, micro-credit disbursed, number of income generating activities assisted? • Have affected businesses received entitlements including transfer and payments for net losses resulting from lost business and stoppage of production?

Monitoring Indicators	Basis for Indicators/Check List
3. Public Participation and Consultation	<ul style="list-style-type: none"> • Have consultations taken place as scheduled including meetings, groups, and community activities? Have appropriate resettlement leaflets been prepared and distributed? • How many PAPs know their entitlements? How many know if they have been received? • Have any PAPs used the grievance redress procedures? What were the outcomes? • Have conflicts been resolved? • Was the social preparation phase implemented?
4. Benefit monitoring	<ul style="list-style-type: none"> • What changes have occurred in patterns of occupation, production and resources use compared to the pre-project situation? • What changes have occurred in income and expenditure patterns compared to pre-project situation? What have been the changes in cost of living compared to pre-project situation? Have PAHs' incomes kept pace with these changes? • What changes have taken place in key social and cultural parameters relating Monitoring Indicators Basis for Indicators / Check List to living standards? • What changes have occurred for vulnerable groups?
B. For the EMA	
1. Delivery of Entitlements	<ul style="list-style-type: none"> • Entitlements disbursed, compared with number and category of losses set out in the entitlement matrix. • Disbursements against timelines. • Identification of the displaced persons losing land temporarily, e.g. through soil disposal, borrow pits, contractors' camps, been included. • Timely disbursements of the agreed transport costs, relocation costs, income substitution support, and any resettlement allowances, according to schedule. • Provision of replacement land plots. • Quality of new plots and issue of land titles. • Restoration of social infrastructure and services. • Progress on income and livelihood restoration activities being implemented as set out in the income restoration plan, for example, utilizing replacement land, commencement of production, the number of the displaced persons trained in employment with jobs, microcredit disbursed, number of income-generating activities assisted. • Affected businesses receiving entitlements, including transfer and payments for net losses resulting from lost business.
2. Consultation and Grievances	<ul style="list-style-type: none"> • Consultations organized as scheduled including meetings, groups, and community activities. • Knowledge of entitlements by the displaced persons. • Use of the grievance redress mechanism by the displaced persons. • Information on the resolution of the grievances. • Information on the implementation of the social preparation phase. • Implementation of special measures for Indigenous Peoples.
3. Communications and Participation	<ul style="list-style-type: none"> • Number of general meetings (for both men and women). • Percentage of women out of total participants. • Number of meetings exclusively with women. • Number of meetings exclusively with vulnerable groups. • Number of meetings at new sites. • Number of meetings between hosts and the displaced persons. • Level of participation in meetings (of women, men, and vulnerable groups). • Level of information communicated—adequate or inadequate.

Monitoring Indicators	Basis for Indicators/Check List
	<ul style="list-style-type: none"> • Information disclosure. • Translation of information disclosure in the local languages.
4. Budget and Time Frame	<ul style="list-style-type: none"> • Land acquisition and resettlement staff appointed and mobilized on schedule for the field and office work. • Capacity building and training activities completed on schedule. • Achieving resettlement implementation activities against the agreed implementation plan. • Funds allocation for resettlement to resettlement agencies on time. • Receipt of scheduled funds by resettlement offices. • Funds disbursement according to the resettlement action plan. • Social preparation phase as per schedule. • Land acquisition and occupation in time for implementation.
5. Resettlement and Relocation	<ul style="list-style-type: none"> • ISFs provided adequate information, consulted on preferences and guided on procedures to avail of social housing. • ISFs participation in selection and design of social housing locations and options. • Number and percentage of ISFs provided availing of social housing programs. • Timeliness of provision of social housing to relocating ISFs • Quality of social housing provided to ISFs (suitability of location, utilities, access to social services). • Transitional assistance, such as transportation allowances, provided. • Rental assistance provided until social housing is available for eligible ISFs. • Percentage of relocating ISFs able to service financial obligations • Percentage of relocating ISFs satisfied with social housing and remaining in social housing. • Adequate management on the part of NHA.
6. Livelihood and Income Restoration	<ul style="list-style-type: none"> • Number of displaced persons under the rehabilitation programs (women, men, and vulnerable groups). • Number of displaced persons who received vocational training (women, men, and vulnerable groups). • Types of training and number of participants in each. • Number and percentage of displaced persons covered under livelihood programs (women, men, and vulnerable groups). • Number of displaced persons who have restored their income and livelihood patterns (women, men, and vulnerable groups). • Number of new employment activities. • Extent of participation in rehabilitation programs. • Extent of participation in vocational training programs. • Degree of satisfaction with support received for livelihood programs. • Percentage of successful enterprises breaking even (women, men, and vulnerable groups). • Percentage of displaced persons who improved their income (women, men, and vulnerable groups) • Percentage of displaced persons who improved their standard of living (women, men, and vulnerable groups) • Number of displaced persons with replacement agriculture land (women, men, and vulnerable groups) • Quantity of land owned/contracted by displaced persons (women, men and vulnerable groups) • Number. of households with agricultural equipment

Monitoring Indicators	Basis for Indicators/Check List
	<ul style="list-style-type: none"> Number of households with livestock

13.5 Reporting

The MCRP PMO will be accountable to the Project Director and will submit promptly all internal monitoring reports. The Project Director will review and evaluate these monitoring reports and if found acceptable will submit a copy of these reports to JICA/ADB.

13.6 Type of Reports

The monitoring reports to be prepared are summarized in Table 13-2.

Table 13-2 Monitoring Reports

Type of report	Internal/ External	Frequency	Who to prepare	Submit to whom
Inception and Compliance Report	External Monitoring	1 month after mobilization	EMA	EMA ⇒DOTr, JICA and ADB
Initial Evaluation Report	Internal Monitoring	3 months after the completion of payments of compensation to PAPs	PMO	Project Manager ⇒ JICA and ADB
Quarterly monitoring Report	Internal Monitoring	Quarterly submission	PMO	Project Manager ⇒ JICA and ADB
Semi-Annual Monitoring and Evaluation Report	Internal/ External Monitoring	Every 6 months until the end of the project,	PMO /EMA	Project Manager ⇒ JICA and ADB EMA ⇒DOTr, JICA and ADB
Final Report/ Resettlement audit Report	Internal/ External Monitoring	Upon loan closing	PMO/EMA	Project Manager ⇒ JICA and ADB EMA ⇒DOTr, JICA and ADB

13.6.1 Inception and Compliance Report

The first activity of the EMA is to determine whether or not the RAP has been implemented according to its plan and with the JICA and ADB Involuntary Resettlement Policies. The EMA will then submit an Inception and Compliance Report one month after receipt of Notice to Proceed for the engagement. The engagement of the EMA will be scheduled to meet the policy's requirement of concluding RAP implementation activities at least one month prior to the start of civil works.

13.6.2 Monthly Monitoring Report

The MCRP PMO can prepare internal monitoring forms patterned after the JICA and ADB forms. An example is attached in Appendix 8.

The monitoring will include the following activities related to RAP implementation:

- Public consultations held, and key issues raised;

- Grievance redress issues and measures to address these issues;
- Pending compensation payments; and
- Resolutions of outstanding issues the month before and pending issues.

13.6.3 Initial Evaluation Report

This will be conducted by the MCRP PMO and EMA three months after the completion of payments of compensation to PAPs.

13.6.4 Quarterly Monitoring Report

The MCRP PMO will conduct quarterly monitoring of activities related to RAP implementation. The draft monitoring form is attached in Appendix 9.

13.6.5 Semi-Annual Monitoring and Evaluation Report

This activity will be undertaken every six months until the construction works end by the MCRP PMO and EMA, to determine whether the social and economic conditions of the PAPs after the implementation of the project were restored, or better yet, improved.

When the living standards of the PAP have not improved or have become worse, or if their present means of livelihood have become non-viable, DOTr, in coordination with other appropriate institutions, will provide assistance, such as those described in the chapter on livelihood restoration and improvement of this RAP.

13.6.6 Final Report/Resettlement Audit Report

The Final Report and Resettlement Audit Report will be submitted upon loan closing in order to determine whether the social and economic conditions of the PAPs after the implementation of the project have improved.

13.7 Implementation Schedule of Monitoring

The MCRP PMO will establish a schedule for RAP implementation and monitoring, taking into account the project's implementing schedule. It is expected that one month prior to the start of the civil works, all affected families have been relocated and compensated while provision of support services and livelihood programs have been started.

CHAPTER 14 PUBLIC CONSULTATION

Best practices worldwide prescribe that PAPs be fully informed, consulted, and encouraged to participate in the decision-making about the project that will affect their lives. This is consistent with JICA/ADB policies on stakeholder engagement that requires PAPs to be involved in the resettlement process.

Information dissemination and meaningful consultation at the early stage provide a good venue for PAPs to express their opinions, apprehensions, even objections. It allows DOTr to address matters raised. After careful consideration, these can be incorporated in the next study stage---detailed engineering design and preparation of updated RAP. Once this is achieved, delays in implementation due to unforeseen conflicts are minimized, if not avoided.

DOTr has, and will, pay particular attention to the need of disadvantaged or vulnerable groups, especially those below the poverty line, the landless, the elderly, female headed households, women and children, Indigenous Peoples, and those without legal title to land.

This chapter shall discuss in detail the project stakeholders, principles for consultation, mechanisms for public consultation to be used during the different stages of the project cycle, activities undertaken during the project feasibility study to disseminate project information, and results of the consultation with affected persons. A comprehensive communications strategy will be included as an attachment to the DED RAP. The communications strategy will be developed in consultation with stakeholders.

14.1 Principles for Consultations and Participation

DOTr will carry out meaningful consultations with the project affected persons throughout the project cycle and ensure their participation. Meaningful consultation is a process comprising the following elements:

- It begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle.
- It provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people.
- It is undertaken in an atmosphere free of intimidation or coercion.
- It is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups.
- It enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

All land acquisition and resettlement activities shall be carried out with the cooperation and assistance of PAPs and the local government units. More specifically:

- The relevant officials have been informed about the project and their assistance will continue to be solicited in the supervision and validation of the PAP census and the inventory of affected assets.
- The project implementing consultants and LGU will carry out a detailed measurement survey (DMS) with the cooperation of PAPs and will inform them of the results of the survey and the inventory prior to the finalization of the RAP.
- The preference of PAPs related to compensation and other resettlement assistances will be given due consideration during the planning process.

The PAPs have and will continue to participate throughout various stages of the RAP preparation and updating. This following information has been provided and will continue to be provided:

- Information about the project
- Project designs
- Schedules of implementation
- Probable benefits and adverse impacts; and mitigating measures to be taken
- Compensation and entitlement packages and the schedule of disclosure meetings on valuation
- Compensation payment and entitlements
- Resettlement options and relocation sites
- Grievance redress process

A Project Information Brochure (PIB) comprising the project background and relevant information from the resettlement action plan, including entitlements, compensation valuation method, project implementation schedule, and the project level grievance redress procedure will be distributed by the DOTr and explained to the PAPs in their language at the DED phase, prior to finalization of the RAP and land acquisition/clearance of ROW. All consultation meetings and information dissemination activities will be properly documented.

14.1.1 Disclosure

This RAP will also be disclosed on the DOTr, JICA and ADB websites. The following key documents produced related to resettlement assessment, planning, and monitoring are required to be disclosed:

- Draft resettlement action plan endorsed by DOTr and concurred by ADB and JICA
- Updated resettlement plan endorsed by DOTr and concurred by ADB and JICA
- Corrective action plans prepared during project implementation (if any)
- Any resettlement-related due diligence reports
- The resettlement monitoring reports

14.2 Project Stakeholders

The project stakeholders of MCRP includes the Local Government Units (LGUs) where the alignment traverses; landowners of lot parcels adjacent to PNR ROW; structure owners within or adjacent to PNR ROW; and families residing and businesses operating within or adjacent to PNR ROW.

Landowners and structure owners include government agencies, government owned and controlled corporations, privately owned corporations and private individuals. Affected families refer to those who actually reside in the affected structure at the time of Census and Tagging (refer to the cut-off date per barangay in Chapter 3). They may include legal owners of lot parcel, informal settler families, renters (regardless of land ownership of the structure owner), rent-free occupants, sharers, and structure caretakers. Employees of potentially affected businesses and lessees of land/farmlands/agricultural land are also among the project stakeholders covered in this RAP.

Other interested parties (i.e. people or organizations who do not have direct stake at the project but may be affected by the project to some extent) are covered in the Environmental Impact Statement (EIS). These may include but not limited to Civil Society Groups (CSOs) and Non-Government Organizations (NGOs) operating in the area.

14.2.1 Women and Vulnerable Persons

The project defines vulnerable persons as underprivileged below national poverty line, households headed by senior citizens, and female headed households with members who are persons with disabilities. Such persons may be at risk of being marginalized from regular consultation processes. The project will ensure that the consultation and participation processes are inclusive of all PAPs. The project will ensure engagement with local women's groups in key project activities. In case of under-representation or where needed, separate meetings with marginalized households, including women, shall be organized to discuss the project prior to the stakeholder consultation meeting.

14.3 Consultation/Participation Mechanism for Information Disclosure Measures

Meaningful consultations paired with disclosure of information must be conducted with the project affected persons to guarantee their participation at all levels of project planning and implementation. As such the following mechanisms for consultation and subsequent measures for information disclosure at different stages of project cycle are proposed:

Table 14-1 Proposed Mechanism for Consultation and Information Disclosure

Stage of Project Cycle	Proposed Mechanism	Timing and Frequency	Responsible Agency	
			Legal PAPs	ISFs
Planning and Pre-Project Implementation				
Feasibility Study	IEC	Once per LGU, prior to all field activities	DOTr	DOTr
	1 st SCM	Once per LGU, prior to Census & Tagging	DOTr	DOTr
	2 nd SCM	Once per LGU, after Census & Tagging	DOTr	DOTr
	3 rd SCM	Once per LGU, after approval of Entitlement Matrix	DOTr	DOTr
	FGD	Once per LGU, after Census and Tagging	DOTr	DOTr
Detailed Engineering Design	IEC	Once per LGU, prior to all field activities	DOTr	DOTr
	1 st SCM	Once per LGU, prior to Parcellary Survey	DOTr	DOTr/KSA
	2 nd SCM	Once per LGU, after updated Census & Tagging	DOTr	DOTr/KSA
	FGD	Once per LGU, between 1 st and 2 nd SCM	DOTr	DOTr/KSA
	Posting of tarpaulin or distribution of printed materials	As needed Printed materials should inform PAPs where to address their grievances; schedule of public consultation; procedure & requirements for extra judicial settlement (EJS), and inventory of land, etc.	DOTr	KSA
Project Implementation				
Resettlement and Land Acquisition	Community Validation	Once per barangay after master list validation	DOTr	BLGU, LIAC and KSA
	Trippings	Thrice per LGU between people’s planning workshop	DOTr/HDMF	LIAC & KSA
	Issuance of Notice of Taking	Once per PAH, after finalization of design and parcellary survey	DOTr	LIAC & KSA
	Help Desk	Twice a week per LGU	DOTr	DOTr
	Round Table Discussions on EJS	Twice per LGU after issuance of NoT	DOTr	N/A
	Final Orientation	Once per LGU/CA prior to clearing of	DOTr	KSA

Stage of Project Cycle	Proposed Mechanism	Timing and Frequency	Responsible Agency	
			Legal PAPs	ISFs
	prior to relocation	ROW and payment of compensation		
	Posting of tarpaulin or distribution of printed materials	As needed Printed materials should inform PAPs of their rights, critical dates (payment, clearing of ROW), procedure (flow-chart), and other information to help them avoid expropriation, etc.	DOTr	KSA
Livelihood Restoration Program	Consultation on Livelihood Restoration Program	Once per BLGU, prior to actual relocation	DOTr	DOTr/KSA
	Help Desk	Twice a week per LGU	DOTr	DOTr
	Posting of tarpaulin or distribution of printed materials	As needed Printed materials should inform PAPs of available livelihood/employment opportunities, skills required and schedule of skills training & jobs fair.	DOTr	DOTr
Civil Works	Posting of tarpaulin or distribution of printed materials	As needed Printed materials should inform PAPs where to go or who to contact for their grievance and complaints	DOTr	DOTr
Monitoring & Evaluation	Public Consultation	Once per LGU, every year from the commencement of civil works	EMA	EMA
Post-Project Implementation				
Operation	Posting of tarpaulin or distribution of printed materials	As needed Printed materials should inform PAPs where to go or who to contact for their grievances, available livelihood and employment opportunities in MCRP operation, skills required and jobs fair.	DOTr	DOTr
Impact Evaluation	Public Consultation	Once per receiving LGU, 3 years after relocation	EMA	HUDCC/EMA
	FGD	Once per relocation site, 3 years after actual relocation	N/A	HUDCC/EMA
<i>Note: Each proposed mechanism will be discussed in detail in DED RAP and will be part of a communications strategy developed for the project.</i>				

14.4 Activities Undertaken for Feasibility Study

To ensure PAPs involvement through the RAP planning process, strategies were prepared to enable their participation through the following: stakeholder analysis, stakeholder consultation meetings, socio-economic survey, and Focus Group Discussions (FGDs). Care was taken to ensure that PAPs were able to voice out their concerns, suggestions, and opinions freely and openly on the topics presented.

14.4.1 Information, Education and Communication (IEC) Meetings

IEC Meetings with concerned local government units (LGUs) were conducted to disclose initial information about the project, prior to any RAP-related activities. Prior to IEC Meetings, official letters were sent to concerned LGUs to inform them about the project. During the IEC meeting, the following information were discussed with the LGU representatives:

- Development Objectives
- Luzon Railway Masterplan

- Project Objectives
- MCRP Proposed Alignment
- Basic Design and Project Features

Questions were addressed by DOTr representatives. Representatives from the JICA Design Team (JDT) and ECOSYS were also around to respond to any technical issues and concerns regarding project design and implementation of RAP activities. Suggestions and inputs were welcomed while issues and concerns were solicited to inform basic design. LGU officials who were present in said IEC meetings were barangay chairmen/representatives, city planning officers, city engineers, city housing representatives, city assessor's representatives, and representatives from the Mayor's Office. Table 14-2 below shows the schedule of IEC meetings, participants and issues raised.

Table 14-2 Information and Education and Communication Meetings with Stakeholders

Date	Location	Stakeholders Participated	Number of Participants		
			Male	Female	Total
December 11, 2017	Malolos, Bulacan	DOTr – 4 JDT – 5 Malolos LGU – 8 Calumpit LGU - 9	17	9	26
December 11, 2017	Malolos, Bulacan	DOTr - 4 JDT – 5 Provincial LGU - 3	8	4	12
December 13, 2017	Apalit, Pampanga	DOTr - 1 JDT - 3 EcosysCorp, Inc. - 5 LGU Municipal Engineer - 1 Other LGU Officials - 3 SB Members - 3 Barangay Captains - 1 Barangay Kagawad - 1	11	7	18
December 14, 2017	City of San Fernando and Municipality of Santo Tomas, Pampanga	DOTr - 2 JDT - 6 EcosysCorp, Inc. - 5 LGU LHSD - 1 Other LGU Officials - 1 Mayors - 2 Barangay Captains - 10 Other Barangay Officials - 1	17	11	28
20 December 2017	City of Angeles, Pampanga	DOTr - 1 JDT - 5 Geosphere - 1 EcosysCorp, Inc. - 2 LGU CPDO - 2 LGU Assessor's Office - 1 LSE - 2 CEO - 1 Barangay Kagawads - 2 Other Barangay Officials - 4	12	9	21
January 4, 2018	City of Mabalacat, Pampanga	DOTr - 1 JDT - 3 Geosphere - 1 EcosysCorp, Inc. - 3 LGU CSWDO - 1 LGU City Assessor's Office - 2	16	6	22

Date	Location	Stakeholders Participated	Number of Participants		
			Male	Female	Total
		LGU City Planning Office - 1 LGU City Engineer's Office - 2 LGU CIO - 1 LGU UPAO - 1 Other LGU Officials - 2 Barangay Captains - 2 PNP Mabalacat - 2			
January 4, 2018	Capas, Tarlac	DOTr – 1 Geosphere – 1 EcosysCorp – 3 JDT – 3 LGU - 5	8	5	13
January 5, 2018	Bamban, Tarlac	DOTr – 1 Geosphere – 1 EcosysCorp – 1 JDT – 2 LGU - 6	8	3	11
January 10, 2018	Minalin, Pampanga	DOTr -1 JDT - 4 LGU MPDO - 1 LGU Municipal Assessor's Office - 1 LGU Municipal Engineer's Office - 1 LGU Municipal Administrator - 1 Sangguniang Bayan - 1 Other LGU Officials - 2 Informal Settlers Representative -1 Barangay Captains - 2 Other Barangay Officials - 1 Geosphere - 1	12	5	17

Table 14-3 Issues and Concerns Raised During IEC Meetings

LGU	Issues and Concerns Raised	Agreements and Next Steps
Provincial Government, Malolos, Bulacan	No issues were raised.	PLGU to discuss with Municipality of Calumpit their proposed plans to relocate the station and decide together on a beneficial location.
Malolos, Bulacan Calumpit, Bulacan	Old PNR station in Calumpit has historical significance and requests to preserve the old station.	LGU to submit official letter to DOTr regarding the request
Apalit, Pampanga	The LGU plans to use the PNR ROW, particularly the area below the planned elevated railway, as an alternative bypass road to decongest McArthur Highway.	LGU to coordinate with the DOTr regarding the details and plans for the said bypass road. LGU to provide ECOSYS the proposed land use plan and tax maps.
Angeles, Pampanga	Presence of day care center within the PNR ROW. Planned construction of chapel near the PNR ROW which might be hit if the ROW will be widened Timeline of activities for the project Schedule of consultation meetings Will the LGU stop issuing building permits for areas within and around the PNR ROW	
San Fernando and Sto. Tomas, Pampanga	Request for the addition of two more stations (Sto. Tomas and Brgy. Sindalan, San Fernando)	JDT will consider the proposal Request for copies of all relevant documents for the project, including the Comprehensive Land Use Plans (CLUP), Development Masterplans, and lists of projects approved by the NEDA board
Mabalacat, Pampanga	Challenge of relocation and resettlement based on previous experience in Northrail project	Constant coordination with LGU for data requirements JDT to send Malabacat PNP Chief of Police a Letter of Request for security detail for EIA/RAP survey teams
Capas, Tarlac	Petition letter from the barangay residing on the existing PNR ROW requesting to buy the PNR ROW.	JDT to coordinate with NCIP on presence of IPs in Capas, Tarlac
Bamban, Tarlac	No issue/concern was raised.	JDT to coordinate with NCIP on presence of IPs in Bamban, Tarlac and schedule a site inspection of the Ancestral Domain to determine CADT/CADC boundary Request for copy of CLUP

14.4.2 First Round of the Stakeholder Consultation Meetings

The first round of SCMS were held in each LGU as shown in Table 14-1. The first SCMs started with the disclosure of the Project in terms of (i) areas that the Project will traverse, (ii) its components such as the stations, depot, and (iii) other features such as envisioned width of the Right-Of-Way (ROW). This was followed by a description of the RAP Study, with particular focus on the following topics: (i) Basic principles of resettlement; (ii) Socio-economic survey activities, and (iii) RAP schedule of activities. At the end of each meeting, the invited PAPs were encouraged to participate in the open forum to express their views/opinions. A summary of the main concerns/issues raised during the first SCMs is provided in Table 14-4.

Table 14-4 Outline of the First Round of Stakeholder Consultation Meetings

LGUs	Venue	Date & Time	Main Participants	Number of Participants		
				Male	Female	Total
Malolos City, Bulacan	Aldaba Hall, Malolos City Integrated School (Malolos Central School), Brgy. Sto. Rosario, Malolos City, Bulacan	08:30 A.M. January 17, 2018	PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	28	41	69
Municipality of Apalit, Pampanga	Sampaga Covered Court, Brgy. San Vicente, Apalit, Pampanga	08:30A.M. January 17, 2018	PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	55	31	86
Municipality of Calumpit, Bulacan	Covered Court, Calumpit Municipal Hall Compound, Calumpit, Bulacan	1:30 P.M. January 17, 2018	PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	61	88	149
Municipality of Minalin, Pampanga	Technical Training Center, Minalin Municipal Hall, Minalin, Pampanga	1:30 P.M. January 17, 2018	LGUs, PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	13	3	16
Municipality of Santo Tomas, Pampanga	Auditorium, Municipal Hall Compound, Santo Tomas, Pampanga	08:30 A.M. January 18, 2018	LGUs, PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	24	3	27
City of Angeles, Pampanga	New Legislative Building, City Hall Compound, Angeles City, Pampanga	08:30 A.M. January 18, 2018	PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	45	38	83
City of San Fernando, Pampanga	Covered Court, Brgy. Santo Niño, City of San Fernando, Pampanga	1:30 P.M. January 18, 2018	LGUs, PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	57	46	103
Mabalacat City, Pampanga	Xevera Covered Court, Xevera Compound, Brgy. Tabun, Malabalcat, Pampanga	1:30 P.M. January 18, 2018	PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	186	354	540

Table 14-5 Main Concerns/Issues at the First SCM

Queries/Concerns/Suggestions/ Comments	Responses to Queries
Entitlements and Rights of ISFs	
<ul style="list-style-type: none"> • If recipients of previous relocation program be included in the housing program for this project 	<ul style="list-style-type: none"> • Confirmed that if a person did not avail any relocation program before, it means that the individual is not a recipient of a housing program; • The NHA has a master list of those who were previously awarded with relocation sites; • Those who have already been awarded with relocation sites before will not be qualified for relocation again; • It would be unfair for the government to provide relocation sites for those who abandoned or sold the rights to relocation sites previously awarded to them by the government; • If those previously awarded with relocation sites officially returned the same to the housing agency concerned, then they could have still been qualified for relocation
<ul style="list-style-type: none"> • Considerations for the Northville relocation program awardees who returned to illegal settling along the tracks in San Vicente 	<ul style="list-style-type: none"> • As part of the RAP study, the Team will gather data of previous housing project awardees from the barangay; • The survey to be undertaken will establish the present status of the PAPs; • The RAP Team could only recommend who are qualified, but it is the partner housing agency of the DOTr who will decide if the PAP is qualified for the relocation program/compensation or not
<ul style="list-style-type: none"> • If landowners are qualified for relocation 	<ul style="list-style-type: none"> • Private lands to be affected by the project will be compensated
<ul style="list-style-type: none"> • If structure owners are qualified to the relocation program for the project 	<ul style="list-style-type: none"> • Qualifications of the structure owners to the relocation program will be discussed in detail during the 2nd SCM; • Reminded the stakeholders that the housing is not free and will be amortized monthly
<ul style="list-style-type: none"> • If the relocation program will be awarded per family or per structure 	<ul style="list-style-type: none"> • Relocation program will be per household; • One household is defined by a separate kitchen and food budget
Issues and Concerns on the Tagging and Survey	
<ul style="list-style-type: none"> • Before the administration's Build Build Build plan, a tagging and a study were already undertaken in the area 	<ul style="list-style-type: none"> • A new tagging will be implemented for this project
<ul style="list-style-type: none"> • Structure owners may not be present during the tagging, census and survey due to work schedule, particularly during weekdays 	<ul style="list-style-type: none"> • Permission will be requested from the structure owners prior to tagging; • Suggested to the PAPs to authorize their neighbors to permit the tagging in case the owners are not present; • Schedule of the interview could be arranged with Team on weekends as the enumerators are staying in the area, to accommodate PAPs who are working during weekdays
<ul style="list-style-type: none"> • If tagging of structures depends on the number of families living in the house 	<ul style="list-style-type: none"> • Clarified that the tagging will be per structure, not per household or per family; • Explained that structures tagged at this stage are considered potentially affected only;

Queries/Concerns/Suggestions/ Comments	Responses to Queries
	<ul style="list-style-type: none"> • There may be additional structures to be tagged once the parcellary survey is completed; • After the tagging, the enumerators/interviewers will start the survey and census
<ul style="list-style-type: none"> • Requested that the survey and census be coordinated and verified with the barangay 	<ul style="list-style-type: none"> • Assured the stakeholders that the tagging, survey and census teams will coordinate with the barangay official prior to undertaking of any activities related to the project.
Alternative Livelihood and Restoration Program	
<ul style="list-style-type: none"> • Alternative source of livelihood must be provided to the PAPs who will be resettled 	<ul style="list-style-type: none"> • The Socio-Economic Survey (SES) to be undertaken will establish the present socio-economic status of the PAPs; • A detailed explanation on the livelihood restoration program for the PAPs will be discussed in the next SCM
<ul style="list-style-type: none"> • Most of the affected area in Minalin are fish ponds and even if only a fraction will be acquired, the fish pond will not be functional; • If the affected fish ponds could still be utilized or will it be fenced, and fishing would be prohibited 	<ul style="list-style-type: none"> • If the remaining part of the fish pond is no longer viable for business, there is a possibility that the whole property will be acquired; • The extent of the areas to be affected cannot be determined yet as the exact measurements are. • The policy now is that even if DOTr will build above the land, no structures are allowed to be constructed below; • There is a plan to fence the ROW
Temporary Employment	
<ul style="list-style-type: none"> • Suggested that out-of-school youths along the tracks be hired during construction stage of the project 	<ul style="list-style-type: none"> • Part of the study is to identify who are these youths and what skills they can offer. This is also why we're coordinating with you and the barangay. • Suggestion is noted
Concerns on the Relocation Site	
<ul style="list-style-type: none"> • If existing relocation sites be used for those who will be relocated 	<ul style="list-style-type: none"> • Relocation sites will depend on the study of EcosysCorp, the RAP subcontractor (Consultant) of the project; • EcosysCorp will consult the PAPs, LGUs, the DOTr, the PNR, and other concerned agencies; • Coordination with the LGUs and the NHA will be undertaken to ascertain the availability of relocation sites within the municipality/city or those near the area; • If there are no relocation site available, DOTr will give the PAPs choices for relocation sites; • If there are many PAPs to be relocated, the concerned LGU or the PAPs could offer a lot where a 2-storey or 3-storey building could be built as your relocation site using the budget allotted for your relocation (People's Plan); • Encouraged the PAPs to provide accurate inputs during the survey, especially about their compensation and entitlements
<ul style="list-style-type: none"> • Asserted that there are relocation sites without basic utilities such as electricity 	<ul style="list-style-type: none"> • In the JICA guidelines, those relocated should at least have electricity and water

Queries/Concerns/Suggestions/ Comments	Responses to Queries
<ul style="list-style-type: none"> • If there is an identified relocation site for the PAPs affected by Phase 1 	<ul style="list-style-type: none"> • In-city relocation is the priority; • For Phase 1, informal settlers may be relocated in NHA projects such as Bustos, Caloocan, and Harmony Hills in San Jose Del Monte, Bulacan. • According to the NHA, Northville in Malolos is already fully occupied; • Livelihood packages will be included for those who will be relocated; • There will be three SCMs per stage of the project, and the 3rd SCM will tackle the issues concerning the potential relocation sites and the entitlements of the PAPs
Right-Of-Way Issues	
<ul style="list-style-type: none"> • How wide is the PNR ROW 	<ul style="list-style-type: none"> • The PNR ROW is approximately 30 m wide; • ROW required by the project is 15-15m from the centerline of the PNR ROW, however, it would still depend on the final design of the project
<ul style="list-style-type: none"> • If the 30-m ROW measures 15 m to the left and 15 m to the right of the centerline • Reckoning point of the 30-meter PNR ROW 	<ul style="list-style-type: none"> • The 30-m ROW means 15 m to the left plus 15 m to the right of the centerline; • Explained that the 30-m area as for now will only be used for surveys to determine the current condition of the area and for DOTr to be able to prepare the budget request; • The final Right-Of-Way (ROW) required by the project has not been finalized yet; • Explained that the surveyors are still locating the boundary of the 30 m ROW
<ul style="list-style-type: none"> • There is an existing list of legitimate occupants of PNR property, and there are delinquent members or informal settlers 	<ul style="list-style-type: none"> • If the property is (within) a public land, DOTr will verify if the government allowed the subject property to be occupied, and look for proof recognized by the concerned government entity who owns the land; • Explained that if it is proven that the government allowed its land to be occupied, then those occupying the said property are not classified as informal settlers, and their compensation will be different; • If any land owner, in general, does not acknowledge whoever is occupying their land, those occupants will be classified as informal settlers.
<ul style="list-style-type: none"> • If the new railway will be constructed where the old railway is 	<ul style="list-style-type: none"> • Yes, the new railway will utilize the existing PNR ROW
<ul style="list-style-type: none"> • Possibility that the ROW required would exceed 30 m, considering the planned cargo/freight train 	<ul style="list-style-type: none"> • The surveys will be undertaken within the 30-meter area; • The alignment of the cargo/freight train is not final yet
<ul style="list-style-type: none"> • Location of the cargo/freight train along McArthur Highway 	<ul style="list-style-type: none"> • As of now, location of the cargo/freight train is not determined yet as the studies are still on-going; • In Phase 1, the alignment of the cargo/freight train changes: there are areas where the trains are on the right side of the elevated railway, and there are areas where the trains cross to the left side of the elevated railway; • The location of the cargo/freight railway depends on the availability of land, final design, and the over-all

Queries/Concerns/Suggestions/ Comments	Responses to Queries
	ROW.
<ul style="list-style-type: none"> Several Barangay Roads in San Fernando City is beside the 15-m PNR ROW 	<ul style="list-style-type: none"> Barangay Roads and access of the PAPs are considered in the design; DOTr will find a way for affected areas to be accessible; There will be an inventory of all affected crossings; Areas with no viable alternative access routes will be considered in the design of the project
<ul style="list-style-type: none"> Basis of compensation for private lands 	<ul style="list-style-type: none"> A more detailed explanation on compensation of private lands will be discussed in the 2nd SCM; The latest ROW law, R.A. 10752 will be implemented for the compensation of affected private properties
<ul style="list-style-type: none"> Possibility that the areas below the elevated railway could be utilized as alternative roads 	<ul style="list-style-type: none"> The matter will be referred to DOTr as the agency may have other plans for the areas underneath the elevated guideway
Concern on Access (Vehicles & Residents)	
<ul style="list-style-type: none"> If barangay roads crossing the PNR ROW be maintained 	<ul style="list-style-type: none"> Legitimate public, municipal, and barangay roads will not be closed, but with regards to private roads crossing the PNR ROW, the matter must be discussed with the PNR; An inventory of private access roads crossing the PNR ROW will be undertaken
<ul style="list-style-type: none"> Concern about the subdivision access (Brgy. Cruzcosa, Calumpit) to the other side of the tracks during construction period when the ROW is fenced; Asked if access to the other side of the railway tracks will be provided once the line is operational 	<ul style="list-style-type: none"> Existing public and national roads will not be closed during construction; Subdivisions with access roads crossing the PNR ROW and private property owners or private properties crossing the PNR ROW without the permission of PNR may be closed, unless the subdivisions or private property owners execute an agreement with PNR; When the required ROW is measured, access to areas with numerous structures that will be blocked will be noted and these will be studied to find ways how to provide access; Access will most probably be located away from the PNR ROW
<ul style="list-style-type: none"> Concern on the possible closure of public roads crossing the tracks, which are major access points to schools in Sta. Isabel, Malolos City 	<ul style="list-style-type: none"> Major public roads such as those used by the municipalities and barangays will not be blocked/closed; Operating hours of the future cargo/freight train will only be at night as many intersections will be affected
<ul style="list-style-type: none"> Provision of access for residents crossing the tracks 	<ul style="list-style-type: none"> Clarified that unauthorized access to public will no longer be allowed once operational; The survey will include questionnaire regarding access, to understand the need of the residents for access to cross over to the other side of the tracks, and the importance of the access that will be lost; The RAP Preparer could recommend the provision of the access to the other side of the tracks if the purpose for crossing over is valid, such as going to a day care or school
<ul style="list-style-type: none"> Concern on the possible closure of existing road 	<ul style="list-style-type: none"> All existing legal roads crossed by the alignment such

Queries/Concerns/Suggestions/ Comments	Responses to Queries
crossings and public access points	<p>as National Roads, City Roads, and Barangay Roads will be maintained and not closed/blocked;</p> <ul style="list-style-type: none"> • Provision of alternative access to affected access roads and crossings are being considered in the design; • Assured that the concern is being carefully studied by the traffic engineering design team
Timeline of the Project	
<ul style="list-style-type: none"> • Target date of relocation or clearing 	<ul style="list-style-type: none"> • The project is currently in the Feasibility Study stage; • The JDT will have to adjust the design of the project based on the results of the study; • DOTr will send out the letter of notice prior to implementation to enable the PAPs to prepare
<ul style="list-style-type: none"> • Date of clearing in the affected areas; • Expected completion of Phase 1; • Expected start of Phase 2 	<ul style="list-style-type: none"> • For Phase 1, affected areas will be cleared and affected families will be resettled/relocated in April or May 2018; • Less than 10 are affected by Phase 1; • Construction of Phase 1 will start between July to September 2018; • Disclosed that DOTr is currently conducting a supplemental feasibility study for Phase 2; • The basic design for Phase 2 is expected to be completed by August 2018; • The Detailed Engineering Design stage of the project will be from September 2018 to May 2019; • The signing of the loan agreement will be on December 2018; • Essentially, after May 2019, there will be a final RAP containing the final list of project PAPs; • The construction of Phase 2 may start in 2019; • The aim is to connect Manila to Clark Airport by 2022, even if other stations have not been built yet
<ul style="list-style-type: none"> • Transition period allowed by the DOTr for the PAPs to fully vacate the area 	<ul style="list-style-type: none"> • Assured the PAPs that they will have enough time to prepare before the actual relocation is implemented, as they will be involved in the planning period
<ul style="list-style-type: none"> • Exact date that the affected area will be determined 	<ul style="list-style-type: none"> • The specific areas to be affected will be determined during the DED stage
Engineering Design	
<ul style="list-style-type: none"> • If the 30-m PNR ROW will be fenced once the railway is operational 	<ul style="list-style-type: none"> • Yes, the ROW will be fenced to limit access to the public to ensure safety; • Unauthorized access to the ROW will be limited
<ul style="list-style-type: none"> • If the railway project is elevated 	<ul style="list-style-type: none"> • Yes, and there are also some sections on embankment
<ul style="list-style-type: none"> • Height of the elevation (vertical clearance) 	<ul style="list-style-type: none"> • Explained that the DOTr will follow the guidelines on clearance (vertical) set by the country in designing the project; • The DPWH follows a 5.02-meter clearance for national roads; • Informed the stakeholders that in the design of Phase 1 or the Tutuban to Malolos Line, 5.2 m clearance from ground level is usually used, so that access roads (national roads, public roads, municipal roads, etc.) crossing the Line would still be passable;

Queries/Concerns/Suggestions/ Comments	Responses to Queries
	<ul style="list-style-type: none"> Disclosed that the proposed project is funded by the Japan International Cooperation Agency (JICA), and further explained that JICA has guidelines on environmental and social considerations
<ul style="list-style-type: none"> Suggested that a station be located in Brgy. Lourdes, Minalin, as there was an old station in the area before, and ridership is relatively high 	<ul style="list-style-type: none"> Explained that the project is already approved by NEDA; In case a new station will be built, it will be just an additional station, and maybe not a part of this project but of future projects; The suggestion was noted and will be related to JDT; Explained that one of the criteria considered in the station location is the volume of ridership which was absolutely studied by JDT
<ul style="list-style-type: none"> If the stations will be elevated 	<ul style="list-style-type: none"> The guideway and the stations will be elevated The alignment is a viaduct in principle. The structure of the station is super elevated (in principle)
<ul style="list-style-type: none"> Length of the station 	<ul style="list-style-type: none"> The width of stations is 60 m, while the is approximately 250 m
<ul style="list-style-type: none"> If the segment in San Fernando will be on viaducts or embankments 	<ul style="list-style-type: none"> There will be some areas with embankments, and some areas with viaducts; The location of viaducts and embankments will depend on ground conditions, and will be finalized in the DED stage
<ul style="list-style-type: none"> Requested to include the provision of parking space in the program during the FS stage 	<ul style="list-style-type: none"> Stated that provision of parking spaces in stations of the railway is already considered
<ul style="list-style-type: none"> Requested to consider side streets outside the PNR ROW for tricycles and other vehicles 	<ul style="list-style-type: none"> In cooperation with the LGU, DOTr will undertake a series of meetings regarding the development of the 7-kilometer radius from the station (transit-oriented development); The DOTr will help the LGU prepare technical plans for the 7-kilometer radius around the station for the management of traffic to and from the station, for the development of an inter-modal transport system
<ul style="list-style-type: none"> Location of the stations 	<ul style="list-style-type: none"> Old stations may be preserved; The new stations may be located within the area of the old stations, but studies will still be undertaken; The location of stations would depend on factors such as accessibility; The final locations of stations might be available by the time 3rd SCM is held;
<ul style="list-style-type: none"> Location of San Fernando Station; If the suggestions of the LGU on the location of the new station to optimize ridership be considered in the design If the LGU will be ask for their suggestions on where ridership can be optimized, or on where to place the new station 	<ul style="list-style-type: none"> DOTr is still in the conceptual design stage of the project; There is an existing PNR San Fernando Station, but it still has to be determined if it could be incorporated into the design of the new station, or if it will be avoided because it is already a heritage site; The location of the new San Fernando station could be moved, depending on the DED stage of the project; Factors considered in determining the location of the new stations include the availability of space and ridership;

Queries/Concerns/Suggestions/ Comments	Responses to Queries
	<ul style="list-style-type: none"> • New stations will be placed in accessible areas where space is available, and ridership can be optimized; • As of now, there are no final locations for stations; • The practice is to coordinate with concerned LGUs
<ul style="list-style-type: none"> • Related that the City Mayor of San Fernando is requesting for an additional station in Brgy. Sindalan 	<ul style="list-style-type: none"> • Advised the LGU to write the DOTr regarding the request for additional station in Brgy. Sindalan
<ul style="list-style-type: none"> • Requested to consider re-aligning the railway route to the open spaces in Brgy. Dolores to minimize the residential structures to be affected 	<ul style="list-style-type: none"> • Explained that the affected area of Brgy. Dolores is still not final; • There is a directive from Sec. Tugade that urges the design team to prioritize areas with minimum affected persons
<ul style="list-style-type: none"> • Related that there was once a PNR station in Santo Tomas; • Requested to add another station in Santo Tomas as the distance between the proposed Apalit Station and San Fernando Station is too far; • The additional station in Santo Tomas can also cater to western municipalities of Pampanga (i.e. Minalin, Sasmuan, Guagua, Macabebe, Masantol) because a new highway will pass through Lubao, Guagua up to NLEX in Santo Tomas 	<ul style="list-style-type: none"> • DOTr can consider a Santo Tomas station in the design stage; • The request and comments are noted.
<ul style="list-style-type: none"> • If the existing structures built under the Northrail project be retained 	<ul style="list-style-type: none"> • Existing structures from the Northrail project were assessed, and one of the recommendations was to build new structures instead: firstly, the Chinese and the Japanese have different standards, secondly, new technology now exists, and thirdly, the PNR Phase 2 is completely a new project; • The PNR line will be reconstructed completely; • The decision to use structures of the Northrail project will be finalized during the DED stage, because the structures will still be assessed further, considering their current state; • Reusing the Northrail structures will translate to savings, the reliability and safety of the railway will have to be considered
<ul style="list-style-type: none"> • If there will be sections of the railway on embankments in Santo Tomas 	<ul style="list-style-type: none"> • There will be sections with embankments, and there will be sections with elevated viaducts; • The exact areas of embankments and viaducts will be determined after detailed studies which will start in August
Concern on Flooding	
<ul style="list-style-type: none"> • Flooding is a problem in Brgy. Caniogan, Malolos City • Propose that the old drainage system be revived 	<ul style="list-style-type: none"> • DOTr is aware of the drainage problem in Brgy. Caniogan; • Disclosed that the drainage in the area was clogged during implementation of the Northrail Project; • The design for Phase 1 has been finalized, and DOTr coordinated with the LGU's engineering division/department regarding the drainage; • Informed the stakeholders that the drainage system along the boundary of the project is the concern of the PNR, since that area is within the PNR property;

Queries/Concerns/Suggestions/ Comments	Responses to Queries
	<ul style="list-style-type: none"> Drainage systems for areas along the boundaries of the project were considered in the design of the project, however, DOTr needs to work within its loan agreement with JICA
<ul style="list-style-type: none"> Purok 1, Brgy. Gatbuca, Calumpit is flood-prone 	<ul style="list-style-type: none"> Areas prone to flooding are considered in the design of the railway
<ul style="list-style-type: none"> Embankment sections in Santo Tomas might aggravate the existing flooding problem in the area 	<ul style="list-style-type: none"> Flood levels and the findings of the 2013 flood hazard assessment also incorporated into the design of the project
Other Issues and Concerns, and Suggestions	
<ul style="list-style-type: none"> There should be coordination with the PNR 	<ul style="list-style-type: none"> Coordination with the stakeholders will be continuous; Requested the stakeholders to cooperate with the team conducting surveys and interviews, and provide them with copies of the relevant documents
<ul style="list-style-type: none"> There was a station near Brgy. Pio Cruzcosa aside from the main Calumpit Station 	<ul style="list-style-type: none"> Clarified that there is no other proposed station aside from the main Calumpit Station, however, it may be considered as a “proposed future station”; For now, there will be no ROW acquisition for “proposed future stations” because these stations are not part of the budget of the current project
<ul style="list-style-type: none"> Concern regarding noise impact 	<ul style="list-style-type: none"> Informed the stakeholders that the noise impact is considered in the EIA study; Disclosed that in the design of the project, some areas will be provided with noise barriers; Explained that the trains are relatively quiet as the design will adopt the Japanese technology

14.5 Focus Group Discussions

FGDs were conducted as part of the consultation with selected affected households in all Cities/Municipalities of the project. This was undertaken to substantiate the data gathered from the SES and in the preparation of the LRIP in Chapter 8. Separate discussions were held for the business and vulnerable groups to gather their inputs on livelihood and resettlement. The outputs of the FGD were considered in the recommended mitigation measures for the Compensation and Entitlement Matrix in Chapter 6.

14.5.1 Focus Group Discussion with Affected Business Sector

Participants to the FGD were a select group of affected business owners in the Cities/Municipalities of Angeles, San Fernando, Minalin, and Sto. Tomas in Pampanga and Calumpit and Malolos in Bulacan. The list was taken from the list of business respondents of the SES in the affected communities. Criteria for selection were based on sectoral, age, and gender representation.

Table 14-6 below indicates the dates, locations and participants of the FGDs for each City/Municipality.

Table 14-6 Outline of FGD for Business Sector

City/ Municipality	Date	Location	Participants		
			Male	Female	Total
Angeles, Pampanga	April 16, 2018	Angeles Elementary School, Brgy. Pulungbulu	4	3	7

City/ Municipality	Date	Location	Participants		
			Male	Female	Total
San Fernando, Pampanga	April 17, 2018	City College of San Fernando, San Juan	2	1	3
Calumpit, Bulacan	April 19, 2018	F. Mendoza Memorial Elem. School	0	0	0
Malolos, Bulacan	April 19, 2018	City of Malolos Integrated School	0	1	1
Santo Tomas, Pampanga	April 20, 2018	Santo Tomas Municipal Hall	1	0	1
Minalin, Pampanga	April 20, 2018	Brgy. Hall, Minalin, Pampanga	2	0	2
Total			9	5	14

Those who attended the FGDs represented a diverse array of businesses—fishponds, piggery, eatery, soy sauce manufacturing, general merchandise, commercial/residential space rental, junk shop, and learning center for children with special needs. Participants shared the how the eventual relocation of their business would impact their businesses. For some, it is simply about finding another location and starting over with a little assistance while for others it could mean a total upheaval. This is especially true for the learning center for children with special needs (i.e. blind, autism, among others) in San Fernando, Pampanga. Relocation would disorient their learners and would entail having to re-educate them all over again about their new environment. It would also mean that whatever progress they gained with their learners would be undone.

In Minalin, Pampanga, only three fishpond owners will be possibly affected by the project. Although a big portion of the properties will be affected, respondents were confident that they would still be able to continue the business operations. Assistance in the form of interest-free capital would be helpful in boosting production to compensate for the acquisition of affected property and ensuring steady income flow.

In Malolos, Bulacan, the only business owner who attended was pretty sure that her property will not be affected at all even if it was included in the tagging and survey.

Overall, the business owners and/or their representatives were supportive of the project despite its impact in their respective businesses. Their only hope is that the project would push through and that they will not simply be relocated for nothing.

Table 14-7 below reflects the consolidated responses of the participants.

Table 14-7 Consolidated FGD Results for Business Sector

Guide Questions	Responses
1. On the business side - What are your apprehensions/concerns regarding acquisition of your property?	<ul style="list-style-type: none"> • Loss of property/space • Loss of income • Loss of investment • Loss of customers/social network • Loss of access if railway will be fenced • Effect on income (product has shelf life) • Finding a conducive location • Takes time to re-establish business • Transferring equipment and supplies • Uncertainty on what will happen to business

Guide Questions	Responses
	<ul style="list-style-type: none"> • Business will become unstable • Distance in new place • How to ensure that business will become successful in a new location • What will happen to the remaining property if not all will be acquired? • What will happen to tenants? Will there also be financial assistance to tenants? • Where to get staff salary during transition? • What is the time-frame of the project? (to allow them to plan for the transition) • How the transfer will affect the education of learners with special needs • Space for fishpond will become smaller • Will compensation cover expenses incurred in developing business (fishpond)
2. What are your expectations regarding livelihood restoration and improvement?	<ul style="list-style-type: none"> • Compensation for loss of property • Financial assistance to relocate business/mobilization of tools and equipment • Opportunity to have building/space to re-establish business within the city • Assistance in finding space for business • Opportunity to land a job while re-establishing eatery • On-time payment of compensation • Transition allowance • Additional capital to purchase machinery • Fair compensation of affected property • Assistance to avail of loan with no interest for additional capital and ensure steady income.
3. What possible project benefit sharing schemes can you suggest?	
During Construction?	<ul style="list-style-type: none"> • Opportunity to have space to put up eatery
During Operation?	<ul style="list-style-type: none"> • Opportunity to put up business
4. What is your expected timeline for this?	
During Construction?	<ul style="list-style-type: none"> • No answer
During Operation?	<ul style="list-style-type: none"> • No answer
5. What do you consider as “deal breakers” for the schemes presented?	<ul style="list-style-type: none"> • Delays in compensation for property (land and structure) • Unjust compensation

14.5.2 Focus Group Discussion with Affected Vulnerable Sector

Sessions with the vulnerable households were conducted in the Cities/Municipalities of Angeles, San Fernando, and Sto. Tomas in Pampanga and Calumpit and Malolos in Bulacan. Participants were selected from the list of respondents of the Socio-Economic Survey in the affected areas. Criteria for selection were based on sectoral, age, and gender representation. The vulnerable sectors covered by this FGD was limited to the poor, the underprivileged, and the homeless, including socialized housing beneficiaries. Separate FGDs have been designed and conducted for other vulnerable groups such as women, elderly, and children under the Gender Impact Assessment component of the RAP.

The table below indicates the dates and locations of the FGDs for each City/Municipality.

Table 14-8 Outline of FGD for Vulnerable Sector

City/Municipality	Date	Location	Participants		
			Male	Female	Total
Angeles, Pampanga	April 16, 2018	Angeles Elementary School, Brgy. Pulungbulu	17	12	29
San Fernando, Pampanga	April 17, 2018	City College of San Fernando, San Juan	7	9	16
Calumpit, Bulacan	April 18, 2018	F. Mendoza Memorial Elem. School	13	13	26
Malolos, Bulacan	April 18, 2018	City of Malolos Integrated School	2	5	7
Santo Tomas, Pampanga	April 18, 2018	Santo Tomas Municipal Hall	9	22	31
Total			48	61	109

Upon registration, participants were asked to sign a consent form that signified their voluntary involvement in the FGD. The activity also deviated from the usual FGD process wherein participants will just talk about their ideas or opinions on the subject matter. The activity made use of meta cards to allow participants to individually write their answers to the guide questions. That way, everyone was able to contribute in the process and no individual dominated the discussion. Similar responses were grouped and synthesized. If ideas were somewhat vague, facilitators probed and allow participants to elaborate on their ideas to stimulate discussion. To enable mothers with children in tow to participate in the activity, children were gathered in a corner and were provided with coloring pages and crayons to entertain them while the sessions were ongoing.

There was so much anxiety among participants regarding their plight as a result of the project. Concerns were mostly centered on where they will be relocated and what will happen to their lives in the relocation site rather than its effect on their livelihood. Although they were not hostile, it was difficult to draw out responses on the livelihood topic. The feedback was that they can easily re-establish their lives and sources of income once they know where they will be relocated.

Results of the FGD were consolidated in Table 14-9 below.

Table 14-9 Consolidated FGD Results for Vulnerable Sector

Guide Questions	Responses
1. What are your apprehensions /concerns regarding the potential impact of resettlement on your livelihoods?	<ul style="list-style-type: none"> Location of relocation site being far from current location resulting to apprehensions over distance from current workplace and livelihoods consequently leading to longer travel time, additional transport cost, and added pressure on income and business capital Ability to continue current livelihoods at relocation site vis-à-vis loss of regular clients/customers, limited space, existence of similar enterprises (e.g. sari-sari stores, eateries, etc.), reduced capital due to added cost of going to and from product source (market) <p>Other Concerns:</p> <ul style="list-style-type: none"> Absence of power and water system at relocation site Concerns over access to basic services/facilities such as hospitals and schools, churches, market, including peace and order situation at relocation site Current houses are still being amortized with Pag-ibig Housing as part of the previous relocation program. What will happen to payments already made and whether compensation will be provided with consideration to the improvements already made

Guide Questions	Responses
2. What support programs do you think are necessary to help you cope up with the possible impacts on your livelihoods?	<ul style="list-style-type: none"> • Financial assistance to augment business/income losses due to physical relocation • Commercial spaces at relocation site for sari-sari store owners, vendors, eateries/carenderia owners, etc. • Agricultural program on livestock and poultry raising • Establishment of 24-hour transport terminal at relocation site so that employees/workers will have access to transport services anytime (e.g. call center employees, etc.) • Creation of a transport operators/drivers association (TODA) at the relocation for affected tricycle/jeepney drivers and operators • Relocation in single-detached housing units to be able to continue mini-food stores / eatery • Relocation near main roads to continue vending/selling products • Government to provide service/shuttle bus to workers whose jobs will be far from the relocation site
3. If livelihood restoration is not possible, what alternative livelihood programs can you suggest?	<ul style="list-style-type: none"> • Financial support to start new businesses/enterprises • Opportunity to enter into small business contracts with the government (i.e. tailors, dressmakers etc.) • Be provided with an area to carry out farming enterprises (i.e. crop and livestock production) • Training on farming technologies • Livelihood skills training programs (e.g. bag-making, slippers-making or handicrafts/decorations-making) • Free access to TESDA courses for affected persons • Relocation near factories or encourage investors near relocation sites to generate jobs • Financial assistance for senior citizens who are no longer able to engage in any other alternative livelihoods
4. What other programs can you suggest to help improve existing livelihoods and consequently help improve household income?	<ul style="list-style-type: none"> • Skills training program to improve current livelihoods • Trainings on financial literacy and business management • Free training programs to be carried out right at the relocation site so that affected persons will have the opportunity to learn new skills and establish new livelihood enterprises • Assistance to improve products (e.g. improved packaging for ice cream and processed meat, provision of better appliance/machine for ice cream making) • Access to micro-finance or funding institutions • Encourage investors to put up industries near relocation site so that more jobs can be generated • Provide permanent job opportunities • Training on business management and financial management
5. How do you think the project can help you cope better with the livelihood impacts?	
During Construction?	<ul style="list-style-type: none"> • Priority in employment opportunities during construction • PAPs to be allowed to put up stores near construction site (i.e. sari-sari stores, eatery)
During Operation?	<ul style="list-style-type: none"> • Priority in employment opportunities during operations • No age limit in hiring able and capable employees • Prioritize new graduates from affected households for employment • Employment opportunities during the operation should include benefits like what they are currently enjoying at work (e.g. promotions for good performance, etc.)

Guide Questions	Responses
6. What is your relocation preference?	<ul style="list-style-type: none"> • Relocation near current location or current City/Municipality • Housing at relocation site with access to water and power supply • Low-cost housing and affordable payment terms same as HDMF system (25-30 years and amortization to start after a reasonable number of years (i.e. 2 years) to allow for livelihoods to be re-established first • Free Housing • Implement sports program to jobless so that they will be productive and not become a problem to the community • Secure place and near police station • Peace and order at the relocation site • Site should have trees, so it will not be hot • Near schools, hospital, church and market place • Assignment of relocation houses should consider current neighborhood locations to maintain support network and adjustment is easy • Bigger lot area (120sqm) and floor area (at least bigger than the government standard of 40sqm) • Single-detached houses and not multi-storey buildings • To be relocated in the current subdivision (Bondocville) • Sturdy housing materials • Regulated transport fare so that no one will take advantage of the relocatees' situation • Opportunities for employment at relocation site • Accessible transport terminal and relocation near main roads • Flood-free, peaceful community with clean surroundings and properly maintained and would not look like a squatters' area
7. What are the factors influencing your relocation preference?	<ul style="list-style-type: none"> • Relocation site of our neighbors who were relocated earlier were not orderly. Location is very hot like a desert that's why most relocatees left and went back to where they came from • Current neighborhood is the source of support in times of need, hence, it's important that they remain neighbors in the relocation site • No peace and order current community (e.g. robbery etc.) • Preferred Bondocville because it is not crowded, with wide streets, house sizes are big with the option to extend upwards (2nd floor) • The Northville relocation experience wasn't good, messy • Some previous government housing projects are not good, not sturdy, design and materials for windows and doors did not consider security of occupants • Water and electricity are essential • Most government housing are substandard • Other relocation sites are prone to flooding • So that the cost of housing is not going to add burden to our household • To be near current workplace/jobs • Government housing are weak. Roofs get blown during heavy winds • To be able to plant within the vicinity of houses as a stress reliever • Too noisy for houses to be too close to each other • To have some privacy if houses are not closely located with each other • Floods are sources of illnesses • People in the squatters' area mostly drink and create trouble in the community
8. Other suggested resettlement support/assistance	<ul style="list-style-type: none"> • Financial assistance while re-establishing livelihoods at the relocation site to support day-to-day needs and activities • Provide trucks during physical relocation or financial assistance to hire vehicle/trucks

Guide Questions	Responses
	<ul style="list-style-type: none"> • Give enough time for adjustment to enable them to better understand situation • Provide relief goods during relocation in the form of food assistance during transition period (e.g. 2-3 months) • Financial assistance for the affected senior citizens • Relocation should be carried out during dry season so that it would be less difficult • Cash compensation for affected properties should be paid early so that it can be used to rebuild their lives • Security during relocation to avoid looting • Food allowance during relocation • Labor assistance during relocation • Ensure that timing of relocation would not affect the schooling of children

14.6 Second Round of the Stakeholder Consultation Meetings

The second round of SCMs were held from 01 to 04 May 2018 in each LGU as shown in Table 14-11. The second SCM started with the brief presentation of the Project in terms of (i) areas that the Project will traverse, (ii) its components such as the stations, depot, and (iii) other features such as envisioned width of the Right-Of-Way (ROW). This was followed by a discussion on the legal framework of the RAP, which consists of two (2) overarching guidelines, namely the (i) international standards (WB, ADB, JICA), and (ii) the applicable Philippine legislation, particularly R.A.10752 and R.A.7279.

At the end of each meeting, the invited PAPs were encouraged to participate in the open forum to express their views/opinions. A summary of the main concerns/issues raised during the first SCMs is provided in Table 14-10.

Table 14-10 Outline of the Second Round of Stakeholder Consultation Meetings

LGUs	Venue	Date & Time	Main Participants	Number of Participants		
				Male	Female	Total
City of San Fernando, Pampanga	Covered Court, Brgy. Santo Niño	8:00 A.M. May 2, 2018	LGUs, PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	37	36	73
City of San Fernando, Pampanga	Covered Court, Brgy. Santo Niño	1:30 P.M. May 2, 2018	LGUs, PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	54	128	182
Municipalities of Calumpit and Malolos, Bulacan, and Municipalities of Minalin and Apalit, Pampanga	Covered Court, Calumpit Municipal Hall Compound, Calumpit, Bulacan	8:00 A.M. May 3, 2018	LGUs, PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	67	90	157
Municipality of Santo Tomas, Pampanga	Auditorium, Municipal Hall, Santo Tomas, Pampanga	1:30 P.M. May 3, 2018	LGUs, PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	5	17	22

LGUs	Venue	Date & Time	Main Participants	Number of Participants		
				Male	Female	Total
City of Angeles, Pampanga	Covered Court, Brgy. Mining, Angeles City, Pampanga	08:00 A.M. May 4, 2018	PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	70	85	155

Table 14-11 Summary of Issues, Concerns, Comments, and Suggestions Raised during the 2nd SCM

Queries/Concerns/Suggestions/Comments	Responses to Queries
Entitlements and Rights	
<ul style="list-style-type: none"> • Compensation for partially affected and/structures. 	<ul style="list-style-type: none"> • Explained that if the remaining portion of an affected property becomes unusable or nonviable, the whole property will be acquired and compensated instead. • Reminded stakeholders that in a negotiated sale, compensation for affected land is based on its current market value, while compensation for structures is based on their replacement cost. • Added that if the property owner wants to retain the remaining portion of their property, compensation will be for the acquired portion only and only an annotation will be made at the back of the property's title.
<ul style="list-style-type: none"> • Concern about affected business owners. 	<ul style="list-style-type: none"> • Explained that livelihood is considered in the Resettlement Action Plan and that businessowners have entitlements. • Informed stakeholders that compensation and entitlements will be discussed in the 3rd stakeholder meeting.
<ul style="list-style-type: none"> • Valuation of properties. 	<ul style="list-style-type: none"> • Explained that valuation of properties will be undertaken by experienced licensed Independent Property Appraisers.
<ul style="list-style-type: none"> • Asked about the relocation of a rent-free occupant who sold his unit in Northville. 	<ul style="list-style-type: none"> • Explained that the rent-free occupant may only be given relocation if qualified.
<ul style="list-style-type: none"> • Relocation of structure renters. 	<ul style="list-style-type: none"> • Structure renters who are qualified for relocation may be relocated but will not receive compensation for the structure they are occupying.
<ul style="list-style-type: none"> • Compensation/entitlements of affected structure owners. 	<ul style="list-style-type: none"> • Explained that non-land assets will also be compensated. • Structure owners will be compensated based on the replacement cost of their structures. • Reiterated that 50% of the total compensation price for the affected land plus 70% of the total compensation price for the affected structures/improvements will be received upon the execution of a Deed of Absolute Sale, even before structures are demolished.
<ul style="list-style-type: none"> • PAPs qualified for relocation. 	<ul style="list-style-type: none"> • Explained that qualified informal settlers are the only ones who may receive housing. • Clarified that relocation is not free. • Clarified that private property owners have the right to choose where they would like to transfer.

Queries/Concerns/Suggestions/Comments	Responses to Queries
Issues and Concerns on the Tagging and Survey	
<ul style="list-style-type: none"> Untagged structures. 	<ul style="list-style-type: none"> Clarified that tags can only be placed on structures if occupants give their consent. Advised stakeholders who have not been interviewed to have their names listed in their Barangay.
<ul style="list-style-type: none"> Only one tag was placed in structure with multiple occupants. 	<ul style="list-style-type: none"> Explained that one tag is placed on each structure, and not on each person or each household, but interviews are conducted per household.
<ul style="list-style-type: none"> Only renters and not property owners were interviewed. 	<ul style="list-style-type: none"> Explained that renters, property owners, and business owners have different entitlements.
Concerns on the Relocation Site	
<ul style="list-style-type: none"> Relocation site must not be flood-prone. 	<ul style="list-style-type: none"> Stated that JICA and ADB discourage communities to be resettled in dangerous areas.
<ul style="list-style-type: none"> Details of relocation sites. 	<ul style="list-style-type: none"> Stated that details on relocation sites will be ready in the next stakeholder consultation meetings. Reminded stakeholders that the relocation plan and livelihood restoration and improvement will be tackled in the 3rd stakeholder meeting.
<ul style="list-style-type: none"> Relocation site must have basic utilities. 	<ul style="list-style-type: none"> Stressed that JICA and ADB will check if relocation sites have basic community facilities and utilities, transportation networks, and a livelihood program, among others.
<ul style="list-style-type: none"> Location of relocation site. 	<ul style="list-style-type: none"> Discussed Republic Act No. 7279 and the provision mandating Local Government Units to allot land for relocation. Added that the Comprehensive Land Use Plan (CLUP) of an LGU should show the location of their relocation site(s).
<ul style="list-style-type: none"> Relocation of commercial and residential properties. 	<ul style="list-style-type: none"> Clarified that relocation is only for qualified informal settlers. Reminded stakeholders that private property owners will be compensated for their properties and that these owners have the right to choose wherever they want to transfer.
Right-Of-Way Issues	
<ul style="list-style-type: none"> Mentioned that their subdivision's developer may have encroached on PNR property. 	<ul style="list-style-type: none"> Asserted that titles of government-owned properties cannot be issued to private persons. Explained that a detailed survey to determine the exact boundaries of PNR properties has yet to be completed. Explained that parcellary surveys will determine if properties overlap with PNR property. Stated that reversion may be needed for cases involving encroachments.
Concern on Access (Vehicles & Residents)	
<ul style="list-style-type: none"> Blocked access to properties. 	<ul style="list-style-type: none"> The DOTr will ensure access to communities.
<ul style="list-style-type: none"> Affected barangay roads. 	<ul style="list-style-type: none"> The DOTr stated that no barangay road will be closed.
Timeline of the Project	
<ul style="list-style-type: none"> Project timeline. 	<ul style="list-style-type: none"> Stated that Notices of Taking will be issued after the completion of the parcellary survey between the end of 2018 and the first quarter of 2019. The DOTr's target is to complete right-of-way

Queries/Concerns/Suggestions/Comments	Responses to Queries
	acquisition within the third quarter of 2019.
<ul style="list-style-type: none"> Schedule of next tagging activities. 	<ul style="list-style-type: none"> Informed stakeholders that another round of tagging activities will be conducted during the DED stage, after the completion of the Parcellary Survey.
Engineering Design	
<ul style="list-style-type: none"> Affected drainages, water supply lines, and electricity. 	<ul style="list-style-type: none"> Assured stakeholders that drainages, electricity transmission lines, and water lines are considered in the DED study.
<ul style="list-style-type: none"> The measurement of the PNR right-of-way from the centerline. 	<ul style="list-style-type: none"> Explained that boundaries of PNR properties have yet to be verified.
<ul style="list-style-type: none"> Right-of-way required by project. 	<ul style="list-style-type: none"> Informed stakeholders that the width of the existing PNR right-of-way is 7.5 + 7.5 m, on average. Explained that although the 15 meter + 15 meter measurement is the standard PNR right-of-way and is the basis for the tagging of potentially affected structures, it is not the final right-of-way needed for the project. Reiterated that the final right-of-way needed for the project will be determined after the completion of parcellary surveys during the DED stage. Explained that when the railway alignment curves, the center point of its right-of-way changes.
Other Issues and Concerns, and Suggestions	
<ul style="list-style-type: none"> Ongoing land dispute cases. 	<ul style="list-style-type: none"> Advised that cases be resolved immediately to avoid delays in project implementation. Explained that the government may initiate expropriation if the rightful owner of the property cannot be identified. Explained the procedure of expropriation.
<ul style="list-style-type: none"> Previous relocatees who are returning to PNR property. 	<ul style="list-style-type: none"> Mentioned that previous relocatees who returned may still be qualified for relocation if there is a valid reason why they returned.
<ul style="list-style-type: none"> Affected properties still mortgaged to the GSIS. 	<ul style="list-style-type: none"> Explained that after PAP receives compensation payment, he/she will just need to pay the GSIS her remaining balance.
<ul style="list-style-type: none"> Mentioned that PAGIBIG has not received any letter from the DOTr regarding the project. Asked if payments to PAGIBIG will still be continued. 	<ul style="list-style-type: none"> Suggested that the DOTr coordinates with housing agencies.
<ul style="list-style-type: none"> Expressed concern on properties still being paid off by their occupants. 	<ul style="list-style-type: none"> Explained that for properties still being paid off, the remaining unpaid balance will be deducted from the compensation to be received.
<ul style="list-style-type: none"> Asked who will demolish affected structures. 	<ul style="list-style-type: none"> Stated that property owners may be demolish their properties and keep salvageable materials or allow the government to take charge of demolition. Added that an Agreement to Demolish and Remove Improvements (ADRI) stating the details of demolition will also be executed.

14.7 Additional Round of First and Second Stakeholder Consultation Meetings (SCM)

An additional round of first and second Stakeholder Consultation Meetings (SCMs) were held for the proposed San Fernando City Station, Calumpit Station, and Depot, as shown in Table 14-12. In the said SCMs, topics discussed in first and second SCMs were combined. The combined first and second SCMs started with the disclosure of the Project in terms of (i) areas that the Project will traverse, (ii) its components such as the stations, depot, and (iii) other features such as envisioned width of the Right-Of-Way (ROW); then a description of the RAP Study, with particular focus on the following topics: (i) Basic principles of resettlement; (ii) Socio-economic survey activities, and (iii) RAP schedule of activities. This was followed by a discussion on the legal framework of the RAP, which consists of two (2) overarching guidelines, namely the (i) international standards (WB, ADB, JICA), and (ii) the applicable Philippine legislation, particularly R.A. 10752 and R. A. 7279.

At the end of each meeting, the invited PAPs were encouraged to participate in the open forum to express their views/opinions. A summary of the main concerns/issues raised during the first SCMs is provided in Table 14-13.

Table 14-12 Outline of the Additional Round of First and Second Stakeholder Consultation Meetings

LGUs	Venue	Date & Time	Main Participants	Number of Participants		
				Male	Female	Total
City of San Fernando, Pampanga (Proposed San Fernando Station)	Covered Court, Brgy. Santo Niño, City of San Fernando, Pampanga	8:00 A.M. May 17,2018	LGUs, PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, PNR Representative, EcosysCorp, Inc.	20	26	46
Municipality of Calumpit, Bulacan (Proposed Calumpit Station – Alternative 1)	Covered Court, Calumpit Municipal Hall Compound, Calumpit, Bulacan	8:00 A.M. May 30,2018	LGUs, PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, PNR Representative, EcosysCorp, Inc.	32	34	66
Municipality of Calumpit, Bulacan (Proposed Calumpit Station – Alternative 2)	Covered Court Purok 2, Brgy. Iba O Este, Municipality of Calumpit, Bulacan	8:00 A.M. May 18,2018	LGUs, PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, PNR Representative, ADB Representative, EcosysCorp, Inc.	8	15	23
Municipality of Calumpit, Bulacan (Proposed Calumpit Station – Alternative 3)	Multi-Purpose Hall Creekstone Homes, Brgy. Iba O Este, Municipality of Calumpit, Bulacan	8:00 A.M. July 25, 2018	LGUs, PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	19	40	59
Mabalacat City, Pampanga (Northrail Depot)	Jade Hall Xevera Complex, Brgy. Tabun, Malabacat City, Pampanga	08:00 A.M. August 2, 2018	PAPs, BLGUs, DOTr Representatives, JICA Design Team Representatives,	128	163	291

LGUs	Venue	Date & Time	Main Participants	Number of Participants		
				Male	Female	Total
			PNR Representative, ADB Representative, EcosysCorp, Inc.			
Mabalacat City, Pampanga (Gil Puyat Avenue Depot)	Yumi Clark Agro Inc. Compound, Gil Puyat Avenue, Brgy. San Joaquin, Malabalacat City, Pampanga	8:00 A.M. 30 August 2018	PAP, EcosysCorp, Inc.	0	1	1
Mabalacat City, Pampanga (Gil Puyat Avenue Depot)	Yumi Clark Agro Inc. Compound, Gil Puyat Avenue, Brgy. San Joaquin, Malabalacat City, Pampanga	11:00 A.M. 06 September 2018	PAPs, DOTr Representative, JICA Design Team Representative, EcosysCorp, Inc.	2	3	5
Mabalacat City, Pampanga (Northrail Depot)	Covered Court, Barangay Hall Compound, Brgy. Dolores, Malabalacat City, Pampanga	1:00 P.M. 06 September 2018	PAPs, DOTr Representatives, JICA Design Team Representatives, BLGUs, EcosysCorp, Inc.	23	8	31

Table 14-13 Summary of Issues, Concerns, Comments, and Suggestions Raised during the Additional Round of First and Second SCMs

Queries/Concerns/Suggestions/Comments	Responses to Queries
Entitlements and Rights	
<ul style="list-style-type: none"> Partially affected properties. 	<ul style="list-style-type: none"> Explained that if the remaining portion of the property would be unviable (e.g. the foundation of a structure needs to be removed/demolished), the whole property will be acquired and compensated instead. Added that if the remaining portion of the property would still be viable, then only the affected portion will be acquired.
<ul style="list-style-type: none"> Process of compensation payments. 	<ul style="list-style-type: none"> Discussed the process for the payment of compensation and the requirements to be prepared by affected persons.
<ul style="list-style-type: none"> Asked about relocation. 	<ul style="list-style-type: none"> Reiterated that only those underprivileged and homeless are qualified for socialized housing.
<ul style="list-style-type: none"> Compensation of PAPs who made improvements to the structure they is renting; 	<ul style="list-style-type: none"> Explained that structures will be compensated according to their replacement cost without depreciation; Suggested that renters coordinate with property owners
<ul style="list-style-type: none"> Asked about the compensation/entitlements of landowners who do not have structures on their land 	<ul style="list-style-type: none"> Explained that all PAPs will have entitlements, including landowners without structures; Reiterated that compensation and entitlements will be explained in the 3rd SCM
Issues and Concerns on the Tagging and Survey	
<ul style="list-style-type: none"> Asked if the conduct of census and tagging activities mean that the area is surely affected. 	<ul style="list-style-type: none"> Explained that tagging activities during the Feasibility Study stage are only to determine the budget needed for right-of-way acquisition. It does not necessarily mean that structures tagged during this stage are surely

Queries/Concerns/Suggestions/Comments	Responses to Queries
	affected by the project. Added that structures tagged during the DED stage are those surely affected by the project.
<ul style="list-style-type: none"> • Asked if two households will be interviewed separately even if they live in one structure. 	<ul style="list-style-type: none"> • Explained that interviews are conducted per household, and not per structure.
<ul style="list-style-type: none"> • Expressed concern on structure owners who are not in their properties when census and tagging activities are conducted 	<ul style="list-style-type: none"> • Advised stakeholders who will not be available during the conduct of tagging activities to inform the Barangay Chairman if they are willing to have their structures tagged or otherwise; • Explained that interviews can also be conducted on weekends
Alternative Livelihood and Restoration Program	
<ul style="list-style-type: none"> • Expressed concern on the loss of livelihood. 	<ul style="list-style-type: none"> • Mentioned that there will be a livelihood restoration and improvement program for relocatees, in accordance with the law and international guidelines; • Explained that affected businessowners will have the right of first offer.
Concerns on the Relocation Site	
<ul style="list-style-type: none"> • Expressed concern on the need to pay for relocation. 	<ul style="list-style-type: none"> • Discussed the rationale behind paying for relocation.
<ul style="list-style-type: none"> • Asserted that relocation should be within the same affected city/municipality. 	<ul style="list-style-type: none"> • Stated that in-city relocation is prioritized.
<ul style="list-style-type: none"> • Suggested that unused PNR properties be used as relocation sites for project-affected persons. 	<ul style="list-style-type: none"> • Suggestion noted.
<ul style="list-style-type: none"> • Asserted that relocation sites should be complete with utilities and should not be flood-prone. • 	<ul style="list-style-type: none"> • Stated that proponents are aware of the situation of resettlement sites for previous projects. • Assured stakeholders that JICA and ADB are closely monitoring the project.
<ul style="list-style-type: none"> • Asked if PAPs will be the ones to choose where they will be relocated. 	<ul style="list-style-type: none"> • Explained that PAPs will be asked where they want to be relocated, but it will still depend on the availability of the site they choose and the capacity of the members of the association.
<ul style="list-style-type: none"> • Suggested that PAPs from Brgy. Dolores, Mabalacat, Pampanga be relocated within the Barangay; 	<ul style="list-style-type: none"> • Suggestions noted
<ul style="list-style-type: none"> • Suggested that the open space beside the Sacovia River across the Xevera Compound be the resettlement site for PAPs from Brgy. Dolores 	<ul style="list-style-type: none"> • Suggestions noted
Right-Of-Way Issues	
<ul style="list-style-type: none"> • Mentioned that structures were built on PNR land because there was a previous agreement with the PNR wherein PNR employees are given rights to occupy/lease PNR land. 	<ul style="list-style-type: none"> • Previous agreements with the PNR will be reviewed to determine the status of the ownership of affected land. • Asserted that expired agreements are no longer valid.
Timeline of the Project	
<ul style="list-style-type: none"> • Project timeline. 	<ul style="list-style-type: none"> • Stated that the target start of construction is on May 2019 and that the target completion of the project is on 2022. • Informed stakeholders that targets are tentative and may move depending on the progress of the project.

Queries/Concerns/Suggestions/Comments	Responses to Queries
<ul style="list-style-type: none"> • Asked when will station locations be finalized. 	<ul style="list-style-type: none"> • Informed stakeholders that the final alignment of the project will be presented in the next stakeholder meetings.
Engineering Design	
<ul style="list-style-type: none"> • Suggested that the proposed Calumpit station be transferred to an area with lesser traffic and lesser affected people, such as the junction behind the old Caltex Station near the Colegio de Calumpit where a number of projects (including a commercial complex and a sports complex) will be built. Stressed that the proposed alternative location of the Calumpit Station has access to roads leading to Pulilan, Plaridel, Pampanga and Malolos. 	<ul style="list-style-type: none"> • Advised stakeholders to coordinate with their LGU so that comments and suggestions will be conveyed to the DOTr/proper agencies. • Mentioned that a proposal to move the Calumpit Station to a different location was already submitted.
<ul style="list-style-type: none"> • Asked about the measurement and location of the proposed Calumpit station. 	<ul style="list-style-type: none"> • Stated that the current measurement of the station is 250 m by 60 m (around 1.2 hectares).
<ul style="list-style-type: none"> • Asked about the measurement of the right-of-way required by the project. 	<ul style="list-style-type: none"> • Explained that the centerline and the boundaries of PNR properties are being determined in the ongoing relocation survey. Added that the final right-of-way needed for the project can be determined when the boundaries of PNR properties are established. • Explained that once the centerline is established, 30 m will be needed for the alignment, and 60 m will be needed for stations. • Stated that the final right-of-way needed will be presented in the next stakeholder meetings.
<ul style="list-style-type: none"> • Requests that the station be moved to a vacant lot owned by the Philippine National Railways 	<ul style="list-style-type: none"> • Explained that the exact boundaries of PNR properties have yet to be identified; • Explained that private properties will be acquired if the ROW required by the project goes beyond the boundaries PNR properties
<ul style="list-style-type: none"> • Asked if there is an alternative location for the MCRP depot 	<ul style="list-style-type: none"> • Explained that alternative sites for the depot are being studied • Explained that in choosing the location or right-of-way of government projects, the government always considers their own properties first
Concern on Flooding	
<ul style="list-style-type: none"> • Mentioned that the location of the old San Fernando Station and the proposed San Fernando station gets submerged in flood. 	<ul style="list-style-type: none"> • Comment noted.
Other Issues and Concerns, and Suggestions	
<ul style="list-style-type: none"> • Inquired if there is an office PAPs could go to for concerns and queries regarding the project. 	<ul style="list-style-type: none"> • Stated that there will be a Help Desk for the project. Help Desks are usually located in a barangay hall or a municipal/city hall.
<ul style="list-style-type: none"> • Stated that disclosing information that is not final causes anxiety. 	<ul style="list-style-type: none"> • Explained that although holding meetings before everything is finalized brings stress and anxiety to potentially affected persons, holding meetings after everything is finalized would leave affected persons with no time to prepare.
<ul style="list-style-type: none"> • Mentioned that the Brgy. Iba O Este Tricycle Operators and Drivers Association has around 400 members; 	<ul style="list-style-type: none"> • Explained that a tricycle terminal may be considered in the planned transit-oriented development around the station;

Queries/Concerns/Suggestions/Comments	Responses to Queries
<ul style="list-style-type: none"> Expressed concern on the loss of a tricycle terminal during the construction of the project; Requested for a provision of a tricycle terminal 	<ul style="list-style-type: none"> Explained that the provision of a temporary tricycle terminal during the construction of the project may be considered
<ul style="list-style-type: none"> Explained that most potentially affected properties in Creekstone Homes (Brgy. Iba O Este, Calumpit, Bulacan) are still mortgaged to PAG-IBIG; Explained that PAG-IBIG transfers titles to those who purchased them after 2 years of payments, even if the properties have not been fully paid yet; Explained that the original titles are still with PAG-IBIG 	<ul style="list-style-type: none"> Explained that the government only gives compensation to whoever is listed in the titles of affected properties
<ul style="list-style-type: none"> Explained that the potentially affected lands in Brgy. Dolores, Mabalacat, Pampanga are owned by the BCDA, but rights to the said lands were bought by PAPs (transfer of rights); 	<ul style="list-style-type: none"> Explained that documents such as Tax Declarations will be needed by Project-Affected Persons (PAPs) as proofs of their ownership to their properties; Explained that PAPs without legal rights to affected lands may still be entitled to relocation

14.8 Third Round of the Stakeholder Consultation Meetings

The 3rd round of Stakeholder Consultation Meetings (SCMs) were held for each affected LGU as shown in Table 14-14. The 3rd SCM started with updates on the Project. This was followed by the Entitlement Matrix. At the end of each meeting, the invited PAPs were encouraged to participate in the open forum to express their comments/suggestions/opinions. A summary of the main concerns/issues raised during the third SCMs is provided in Table 14-15.

Table 14-14 Outline of the 3rd Round of Stakeholder Consultation Meeting

LGUs	Venue	Date & Time	Main Participants	Number of Participants		
				Male	Female	Total
Angeles City, Pampanga	Session Hall, Legislative Building, Angeles City Hall Compound, Angeles City, Pampanga	8:00 A.M. August 16, 2018	PAPs, BLGUs, DOTr Representatives, ADB Representatives, NHA Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	80	100	180
Municipality of Calumpit, Bulacan	Covered Court, Calumpit Municipal Hall Compound, Brgy. Balungao, Calumpit, Bulacan	2:00 P.M. August 16, 2018	PAPs, BLGUs, DOTr Representatives, ADB Representatives, NHA Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	102	167	269
City of San Fernando, Pampanga (Cluster 1)	Covered Court, Brgy. Santo Niño, City of San Fernando, Pampanga	8:00 A.M. August 17, 2018	PAPs, BLGUs, DOTr Representatives, ADB Representatives, NHA Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	115	185	300
City of San Fernando, Pampanga	Covered Court, Brgy. Santo Niño, City of San Fernando,	2:00 P.M. August 17, 2018	PAPs, BLGUs, DOTr Representatives, ADB Representatives,	146	244	390

LGUs	Venue	Date & Time	Main Participants	Number of Participants		
				Male	Female	Total
(Cluster 2)	Pampanga		NHA Representatives, JICA Design Team Representatives, EcosysCorp, Inc.			
Municipality of Santo Tomas, Minalin and Apalit, Pampanga, and Malolos City, Bulacan	Santo Tomas Municipal Hall, Brgy. San Vicente, Santo Tomas, Pampanga	8:00 A.M. August 23, 2018	PAPs, BLGUs, DOTr Representatives, ADB Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	14	18	32
Mabalacat City, Pampanga	Xevera Lot Only Basketball Court, Brgy. Tabun, Malabalacat City, Pampanga	2:00 P.M. August 23, 2018	PAPs, BLGUs, DOTr Representatives, ADB Representatives, JICA Design Team Representatives, EcosysCorp, Inc.	122	145	267
Mabalacat City, Pampanga (Gil Puyat Avenue Depot)	Yumi Clark Agro Inc. Compound, Gil Puyat Avenue, Brgy. San Joaquin, Malabalacat City, Pampanga	8:00 A.M. September 12, 2018	PAPs, BLGU, Ecosys Corp, Inc.	2	2	4
Mabalacat City, Pampanga (Northrail Depot)	Covered Court, Barangay Hall Compound, Brgy. Dolores, Malabalacat City, Pampanga	8:00 A.M. September 12, 2018	PAPs, DOTr Representative, JICA Design Team Representatives, ADB Representatives, NHA Representatives, LGUs, BLGUs, EcosysCorp, Inc.	31	14	45

Table 14-15 Summary of Issues, Concerns, Comments, and Suggestions Raised during the 3rd SCM

Queries/Concerns/Suggestions/Comments	Responses to Queries
Entitlements and Rights	
<ul style="list-style-type: none"> Asked about entitlements of affected employees 	<ul style="list-style-type: none"> Explained that employees of affected businesses are entitled to 2 months of compensation
<ul style="list-style-type: none"> Asked about the entitlements of an affected businesses 	<ul style="list-style-type: none"> Explained that business owners are entitled to 3 months of rental assistance, assuming their lease agreements are not expired
<ul style="list-style-type: none"> Asked about the compensation for partially affected structures 	<ul style="list-style-type: none"> Explained that if structures become economically non-viable, the whole structure will be acquired instead; Reiterated that structures will be compensated based on their replacement cost
<ul style="list-style-type: none"> Asked if those capable to buy other properties will not be qualified for housing 	<ul style="list-style-type: none"> Reiterated that those capable may not be qualified to avail of socialized housing; Reiterated that socialized housing is not just the only option offered by the government
<ul style="list-style-type: none"> Asked if affected fences will be compensated 	<ul style="list-style-type: none"> Explained that fences are improvements, and that all affected improvements will be compensated based on their replacement cost

Queries/Concerns/Suggestions/Comments	Responses to Queries
<ul style="list-style-type: none"> • Asked if occupants of tagged structures are the ones with entitlements 	<ul style="list-style-type: none"> • Reiterated that structures tagged in the second set of tagging activities to be conducted in the DED stage are those surely affected by the project; • Stated that surely affected PAPs have entitlements; • Reiterated that all those interviewed are part of the masterlist of PAPs
<ul style="list-style-type: none"> • Asked if people who bought rights to affected land will be compensated 	<ul style="list-style-type: none"> • Explained that rights to affected land cannot be compensated
<ul style="list-style-type: none"> • Asked if groups under Community Mortgage Programs (CMPs) will be compensated 	<ul style="list-style-type: none"> • Explained that if the properties are affected by the project, compensation payment will go to its owners; • Advised PAPs to keep all receipts of their payments; • Reiterated that PAPs will still be eligible for another CMP
<ul style="list-style-type: none"> • Asked if renters will be relocated 	<ul style="list-style-type: none"> • Reiterated that renters may be eligible for relocation
<ul style="list-style-type: none"> • Asked about the compensation of land and structure owners 	<ul style="list-style-type: none"> • Reiterated that land owners and structure owners will be compensated for their properties; • Briefly discussed other entitlements of property owners
<ul style="list-style-type: none"> • Asked about entitlements of those who purchased rights to affected land in Brgy. Dolores, Mabalacat City, Pampanga 	<ul style="list-style-type: none"> • Reiterated that property owners with valid proofs of ownership to affected land/structures will be compensated; • Stated that the DOTr and BCDA will discuss the issues/concerns raised by stakeholders;
<ul style="list-style-type: none"> • Asked about the assurance that entitlements will indeed be given to PAPs 	<ul style="list-style-type: none"> • Explained that the signing of loan agreements for the project will not be possible if international guidelines will not be followed
<ul style="list-style-type: none"> • Expressed concern on the cost of transferring seedlings and soil 	<ul style="list-style-type: none"> • Explained that the cost of transferring seedlings and soil will be shouldered by the DOTr
<ul style="list-style-type: none"> • Asked about compensation for affected crops 	<ul style="list-style-type: none"> • Responded that compensation will be based on the full harvestable value of affected grown vegetables
Issues and Concerns on the Tagging and Survey	
<ul style="list-style-type: none"> • Asked if there will be a second batch of interviews 	<ul style="list-style-type: none"> • Explained that there will be a second round of interviews for those who were not interviewed; • Explained that those with newly built structures will not be interviewed; • Reiterated that all PAPs, even those who were not interviewed, have entitlements
<ul style="list-style-type: none"> • Expressed concern on properties which were not tagged 	<ul style="list-style-type: none"> • Explained that tags are placed only if consent is given by structure occupants; • Explained that all potentially affected structures have control numbers assigned to them; • Explained that all potentially affected structures were photographed; • Advised stakeholders who will not be available during tagging activities to inform their barangays whether they agree to have their structures tagged or not
<ul style="list-style-type: none"> • Mentioned that renters were the only ones interviewed and asked if renters will have separate entitlements from property owners 	<ul style="list-style-type: none"> • Reiterated that renters and property owners have different entitlements
<ul style="list-style-type: none"> • Asked how owners of affected vacant lands will be identified 	<ul style="list-style-type: none"> • Explained that owners of vacant lots will be identified through the parcellary survey

Queries/Concerns/Suggestions/Comments	Responses to Queries
<ul style="list-style-type: none"> • Asked how the government will identify those who bought rights to the affected land but did not build any structure 	<ul style="list-style-type: none"> • Stated that PAPs who purchased rights to affected land can request a certification from the Barangay Chairman
Alternative Livelihood and Restoration Program	
<ul style="list-style-type: none"> • Raised concern on the loss of income from the tenants of affected properties 	<ul style="list-style-type: none"> • Explained that studies will be made to determine the entitlements of those who will lose income from rentals; • Explained that stakeholders who have the same concern may possibly be entitled to a maximum of 6 months of income loss compensation
<ul style="list-style-type: none"> • Requested that the hiring of PAPs be prioritized 	<ul style="list-style-type: none"> • Advised interested PAPs to undergo training as early as now so that they can acquire the skills necessary for them to be hired; • Reiterated that livelihood restoration considers the hiring of PAPs
Concerns on the Relocation Site	
<ul style="list-style-type: none"> • Asked if subsidy will still be given to relocatees if the relocation site is not yet ready after 5 months 	<ul style="list-style-type: none"> • Explained that rental allowance is given when the relocation site is not yet ready; • Explained that developers will be given a timeline which they should follow
<ul style="list-style-type: none"> • Expressed concern on the quality and the lack of basic utilities and livelihood in relocation sites 	<ul style="list-style-type: none"> • Stated that JICA and ADB are closely monitoring the project; • Explained that a relocation program is included in the budget of the project; • Explained that the provision of basic social facilities/amenities, utilities, and livelihood in relocation sites is included in the relocation program
<ul style="list-style-type: none"> • Expressed concern on the amount of amortizations to be paid for housing 	<ul style="list-style-type: none"> • Explained that the amount of amortizations for housing programs will be based on the capability of the awardees to pay
<ul style="list-style-type: none"> • Asked about the location of the relocation sites 	<ul style="list-style-type: none"> • Explained that relocation sites have not been identified
<ul style="list-style-type: none"> • Requested for relocation to be single detached housing so that there will be parking spaces for beneficiaries who bought vehicles for their livelihood 	<ul style="list-style-type: none"> • Reiterated that only the underprivileged and homeless can be qualified for socialized housing; • Reiterated that the NHA only caters to low-income earners, and that those who are capable of buying vehicles might not be qualified for socialized housing
<ul style="list-style-type: none"> • Expressed concern on the possibility of being unable to pay for socialized housing 	<ul style="list-style-type: none"> • Reiterated that livelihood programs will be provided by the government
Concern on Access (Vehicles & Residents)	
<ul style="list-style-type: none"> • Expressed concern on the possible loss of access to properties because of the project's fenced ROW 	<ul style="list-style-type: none"> • Explained that access to properties will be considered in the project's design
<ul style="list-style-type: none"> • Expressed concern on the possible closure of roads because of the project 	<ul style="list-style-type: none"> • Stated that the closure of access roads will be avoided; • Assured stakeholders that if the closure of an access road is unavoidable, an alternative route will be opened
Timeline of the Project	
<ul style="list-style-type: none"> • Project timeline 	<ul style="list-style-type: none"> • Target start of construction is on May 2019; • Target start of operations is in 2022

Queries/Concerns/Suggestions/Comments	Responses to Queries
<ul style="list-style-type: none"> • Asked when the final location of the project's depot will be determined 	<ul style="list-style-type: none"> • Exact boundaries of the project's depot, alignment, and stations will be determined after the completion of the parcellary survey during the DED stage towards the end of 2018
Engineering Design	
<ul style="list-style-type: none"> • Asked about the required Right-Of-Way (ROW) of the project 	<ul style="list-style-type: none"> • Explained that 30m of Right-Of-Way (ROW) is needed for the project's alignment; • Explained that the exact boundaries of the Philippine National Railways (PNR) ROW have yet to be determined through a parcellary survey; • Stated that the parcellary survey will be conducted from August 2018 to September 2018; • Reiterated that meetings will be held to present updates on the project
<ul style="list-style-type: none"> • Asked about the location of the Calumpit station 	<ul style="list-style-type: none"> • Explained that the proposed Calumpit Station was moved to Brgy. Iba O Este
<ul style="list-style-type: none"> • Asked about the measurement of stations 	<ul style="list-style-type: none"> • Stated that stations measure 50 m by 250 m
<ul style="list-style-type: none"> • Suggested that vacant PNR lands be used for the whole project 	<ul style="list-style-type: none"> • Explained that the design of the project may not be compatible with the existing PNR ROW; • Explained that social, engineering, financial, and safety factors were considered in studies for the project
Other Issues and Concerns, and Suggestions	
<ul style="list-style-type: none"> • PAP mentioned that he inherited his potentially affected land from his grandparents and that its title is lost 	<ul style="list-style-type: none"> • Advised PAP to execute an extrajudicial settlement with the other heirs of the subject property as soon as possible since the government will only compensate whoever is listed in affected titles; • Advised PAP to approach the Help Desk so that assistance can be given by the DOTr
<ul style="list-style-type: none"> • Asked what will happen to entitlements if the entitled PAP goes abroad 	<ul style="list-style-type: none"> • Explained that a Special Power of Attorney can be executed by the PAP
<ul style="list-style-type: none"> • Asked about the appraisal of properties 	<ul style="list-style-type: none"> • Explained that the appraisal of affected properties will be conducted after the second round of tagging activities; • Explained that affected properties will be appraised by Independent Property Appraisers
<ul style="list-style-type: none"> • Asked if properties that are outside PNR properties but are within the project's required ROW will be acquired by the government 	<ul style="list-style-type: none"> • Explained that properties within the project's required ROW will be acquired and compensated by the government
<ul style="list-style-type: none"> • Expressed concern on the loss of a tricycle terminal currently located along the PNR ROW 	<ul style="list-style-type: none"> • Assured stakeholders that there will be livelihood restoration planning which will consider affected Tricycle Operators and Drivers Associations
<ul style="list-style-type: none"> • Raised concern about affected properties in Creekstone (Brgy. Iba O Este, Calumpit, Bulacan) still being paid off to PAGIBIG • Asked if amortizations paid to PAGIBIG will be returned 	<ul style="list-style-type: none"> • Explained that PAPs are entitled to avail of another PAGIBIG housing loan; • Explained that for affected properties, the PAGIBIG loan will be closed, and amortizations will be returned
<ul style="list-style-type: none"> • Raised concern on PNR land being sold and structures currently being built on PNR properties 	<ul style="list-style-type: none"> • Assured PAP that the PNR will look into PAP's concern
<ul style="list-style-type: none"> • Asked if PAPs can be assisted when availing PAGIBIG housing loans 	<ul style="list-style-type: none"> • Explained that PAGIBIG housing loans are available to all, and that assistance will be given to PAPs

Queries/Concerns/Suggestions/Comments	Responses to Queries
<ul style="list-style-type: none"> • Mentioned that property is still mortgaged to a bank 	<ul style="list-style-type: none"> • Stated that the PAP's willingness to enter into a negotiated sale can be expressed at the Help Desk for the project so that assistance can be given; • Explained that it is possible that the remaining balance of the mortgage will just be deducted from the compensation the PAP will receive
<ul style="list-style-type: none"> • PAP mentioned that she is paying the GSIS for a potentially affected property; • Mentioned that PAP only continued/resumed the payments of the original owner of the said property 	<ul style="list-style-type: none"> • Advised PAP to visit the GSIS and fix the documents for the property she is paying for, and ensure that her payments are transferred under her name
<ul style="list-style-type: none"> • Expressed concern on buyers of affected PAGIBIG-owned foreclosed properties 	<ul style="list-style-type: none"> • Advised buyers of potentially affected PAGIBIG-owned foreclosed properties to visit PAGIBIG and fix all matters related to their properties
<ul style="list-style-type: none"> • Expressed concern on safety/livability of properties near the project 	<ul style="list-style-type: none"> • Assured stakeholders that structures outside the project's ROW are safe
<ul style="list-style-type: none"> • Reiterated request for relocation to be within the same barangay (Brgy. Dolores, Mabalacat City, Pampanga) 	<ul style="list-style-type: none"> • Comment noted
<ul style="list-style-type: none"> • Asked if the construction of unfinished structures can still continue 	<ul style="list-style-type: none"> • Reiterated that since there is a cut-off date for those with no legally recognizable rights to the affected land, any improvement made after the cut-off date will not be compensated
<ul style="list-style-type: none"> • Asked if affected properties should be vacated once construction begins 	<ul style="list-style-type: none"> • Explained that PAPs will be given enough time to relocate; • Reiterated that there will be no demolition without relocation; • Reiterated that PAPs will not be asked to vacate affected properties until relocation is available
<ul style="list-style-type: none"> • Mentioned that he did not receive an invitation to the 1st and 2nd SCMs 	<ul style="list-style-type: none"> • Explained that invitations were sent to affected barangays; • Explained that texts were sent to those who gave their mobile numbers during the interviews/census; • Explained that a parcellary survey that will identify the owners of affected properties is not yet available during the feasibility study stage
<ul style="list-style-type: none"> • Expressed concern on the budget the government needs to prepare to implement the RAP 	<ul style="list-style-type: none"> • Explained that the Feasibility Study RAP includes the costs needed for its implementation; • Explained that the loan agreement will not be approved if budget for right-of-way acquisition is not available
<ul style="list-style-type: none"> • Expressed concern on the transport of materials to and from the affected areas 	<ul style="list-style-type: none"> • Assured stakeholders that the DOTr will be coordinating with all concerned agencies, including the LGU and barangays; • Reiterated that the government will be able to provide transportation
<ul style="list-style-type: none"> • Asked if there is already a draft code of policy for relocatees 	<ul style="list-style-type: none"> • Explained that there will be coordination with affected LGUs and Provincial Governments regarding the LIAC during the DED Study stage
<ul style="list-style-type: none"> • Inquired about the possibility that the entire 103 ha property of CIAC in Mabalacat City be utilized by the DOTr so that all the members of 	<ul style="list-style-type: none"> • Inquiry noted

Queries/Concerns/Suggestions/Comments	Responses to Queries
the Samahang Magsasakang Nagkakaisa sa Kaunlaran (SANAMAKA) Multi-Purpose Cooperative will be relocated as one in a single area	
<ul style="list-style-type: none"> Expressed concern on the affected long-term mango contract-growing between affected farmers, the Bataan Peninsula State University and the Sacovia Theme Park 	<ul style="list-style-type: none"> Concerns noted; Explained that the DOTr is closely coordinating with the CIAC

14.8.1 Actions Taken

Concerns raised, and recommendations made during the IEC meetings and SCMs were summarized and informed the crafting of the EM and LRIP. Social safeguards were included in this RAP to ensure that the rights of the underprivileged and vulnerable groups are protected and mechanisms for livelihood restoration are in place at the relocation site.

14.9 Information Disclosure

The resettlement action plan (draft and updated versions) are required to be publicly disclosed and information from the resettlement plans disclosed to affected people in a timely manner and in an accessible and understandable form.

14.9.1 Disclosure of the draft resettlement action plan

Salient features of the project, project impacts, mitigation measures and information about the GRM were disclosed to affected households and relevant local Government agencies through consultation meetings presented above and particularly in the third round. A public information brochure (PIB) setting out key information will be disseminated to potentially affected people during consultations held during the Detailed Engineering Design Stage.

The agreed initial RAP will be disclosed in the project areas as well as publicly disclosed on the ADB and JICA websites. An updated PIB setting out key principles, forms of assistance, grievance redress mechanism (with contact information) and an updated project schedule will also be publicly posted in each LGU following approval of the resettlement plan.

14.9.2 Disclosure of the updated resettlement plan

During RAP updating, relevant information will be conveyed and disclosed to affected people, communities in the project areas as well as relevant Government agencies through public consultations and public information brochures. The agreed updated RAP will be disclosed to affected people, and communities as well as be publicly disclosed on JICA and ADB websites.