

TITLE OF PAPER

Land Supply Systems in Davao City and the Role of NGO's

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Access to land in a context of scarcity and speculative land markets

The research carried out in the city of Davao, The Philippines, disclosed a context of a land market characterised by "laissez faire" and unchallenged individual property rights regime that reinforces social and spatial segregation. The absence of an active land policy and land management instruments that would enable local government to safeguard social functions in land use planning corroborates to more exclusion. The urban poor – whose majority live in informal settlements – find themselves in a vulnerable position against any claims to repossess the land they occupy.

The role of NGO's in enabling access to the land by the poor

The research reveals the roles played by NGO's in the land market in their attempt to safeguard land for the poor by engaging in direct negotiations with land owners on behalf of organised communities resulting in direct land purchase that propels land prices to even higher levels. Many of the NGO's have been active as "originators" under the CMP-Community Mortgage Programme. The CMP is a mortgage-financing programme that helps organised "marginalized" communities purchase and develop land under the concept of community ownership. Organised communities seek assistance from local government or a NGO to acquire a tract of land that could be the site they occupy or a relocation site and the CMP makes finance available under certain conditions and criteria.

The role of the federations of the poor

The research depicts the self-organisation and local responses against the adverse impacts of land markets on the poor. People's federations engage in savings groups and in dialogues with the Davao city government in order to make possible land acquisition. The savings groups are more than simply collection of financial contribution. They serve the purpose of self-organisation and social cohesion that enable the poor to find a negotiation position for a territory within the city. The support of NGO's to the Federations and particularly of those NGO's practising the right-based approach to housing and land strengthens this negotiation position and the ability to purchase land.

Adverse impacts from land transactions

The research underscores the strategic role that NGO's play in safeguarding a territory for the poor in the city and the report elaborates on current and potential roles that these organisations can play in such a context. In Davao city, this has actually many different facets but implies an active role in the land market by intermediating with local governments and landowners in actual land acquisition and direct purchase. However this practice is stimulating a process of land conversion (rural to urban in locations where prices are low) and the purchase of land under speculative prices that not only propels land prices to very high ceilings but also helps to engrave a peculiar rationale of the land market in Davao (and in other cities of the Philippines) that only benefits the individual interests of landowners.

The context of Davao, The Philippines

Davao City is one of the most important cities in the country, has a population of 1.3 million and is currently undergoing a rapid process of urbanisation. The research was commissioned by Cordaid and fell under the institutional collaboration between this organisation and the Institute for Housing and Urban Development Studies-IHS. Informal urbanisation and the rate of slum formation where most of the poor lives in Davao is double than the urban growth rate in the Philippines. This means that low-income settlements are growing faster than the overall rate of urbanisation. Additionally, most of these settlements are situated on privately owned land resulting into a serious problem of insecurity of tenure and frequent evictions. Residents are commonly subject to relocation to peripheral and cheaper land whenever landowners claim their land and NGO's engage residents in collective land acquisition via the CMP-Community Mortgage Programme and/or direct purchase. The research discloses the process of informal settlement formation based on gradual encroachments on privately owned land. Some of these settlements have their origins back to more than 3 to 4 decades ago meaning that some are reasonably consolidated but with housing quality remaining quite poor due to fear of losing their investment in case the land is claimed by its owner.

Surveys and evidences from 7 different cities in the world

The research and process mapping in the city of Davao, The Philippines, is part of a global survey carried out by IHS. The field survey and interviews with the different organisations and individuals in Davao took place in 2005 and 2006. Nearly 50 different organisations and more than 100 individuals, officials and senior executives from government, non-governmental, private, academic institutions and community-based organisations were interviewed in addition to participating in working meetings carried out by the author of this article. A summary version of the research report was published in 2006 in a book co-edited by the author entitled "Knocking at the Mayor's door: participatory urban management in 7 cities" ¹, which depicts the results of similar research unfolding the challenges of creating pro-poor policies, participatory processes and civil society-local government policy dialogues in Lima (Peru), Recife (Brazil), Tirana (Albania), Awassa (Ethiopia), Nairobi (Kenya), Yaounde (Cameroon) and Davao. The complete versions of all these studies have been made available in CD format as well.

Access to serviced land: a challenge in various cities

Amongst these cities, the question regarding land, informal land development processes and the problems of access to land and the mechanisms and regulatory frameworks that are enabling or hindering the access of low income families to the city are prominent issues in Nairobi, Recife, Tirana and Davao. The study on Davao draws on these cases as an attempt to outline similar constraints in the delivery of serviced land for housing the poor. Constraints in the planning and regulatory frameworks as well as discrepancies in the land market are argued to be one of the causes of the persistence and multiplication of informal settlements. In Davao this is worsened by an unchallenged regime of private property of land coupled with the absence of land use and land management instruments from the part of local government. Totally different from Recife where the ZEIS-instrument has been widely used to differentiate and assure rights – under certain conditions – of low-income residents over the land they have been occupying regardless of being privately or government owned land.

The paper makes a brief review of the UDHA legislation. The Urban Development and Housing Act, enacted in 1992, established the framework and relations between different actors in the Philippines' Housing Sector when addressing the housing needs of the poor. Basically the law helps in providing protection for informal settlements and setting procedures against evictions; it gives provisions for local governments to set aside land for low-income housing and for making inventory of land resources for social housing. The critical issue on the development agenda affecting the poor and many NGO's is exactly related to the implementation of the law. The research confirmed in Davao findings of previous studies showing the difficulties faced by a great majority of the Local Government Units – LGUs in safeguarding land for socialized housing. This is associated with increasing land prices and speculative practices in both the formal and informal land markets that helps to expel the poor to peripheral and frequently un-serviced land in Davao.



¹ Acioly, C. et al. (2006). "Davao City, The Philippines: Building channels of participation and the land question", in "Knocking at the Mayor's Door: Participatory Urban Management in 7 Cities". Eburon Academic Publishers, Delft, The Netherlands. The book was officially launched during the III World Urban Forum, Vancouver. Process mapping researches were carried out in 7 different cities based on participants' observation methods, on-site interviews and desktop review of policy documents, articles, publications and various sources.