

Intermediate Land Tenure Instruments for the Urban Poor: Concepts and Realities

The Case of Land Proclamations in the Philippines

Introduction: Urbanization is unstoppable. Alongside with this development trend comes the "mushrooming" of informal settlements in urban and peri-urban areas that provides another set of consequences as well as tremendous challenges. Too bad, the Philippines is not an exemption. The on-going global debates have focused on two approaches of securing tenure through the issuance of titles or secure rights for the urban poor. As the debate continues, the more the need for evidence in the field is highlighted.

Objectives:

- To contribute to the "scarce" research knowledge of the impacts of intermediate land tenure instruments.
- To provide future guidance to the government.

Hypothesis:

Land Proclamation in the Philippines, as seemingly aimed to provide security of tenure for informal settlers, is a politically motivated measure that brings no positive impact on the urban poor's livelihood but rather serves as a catalyst for informal land and housing markets.

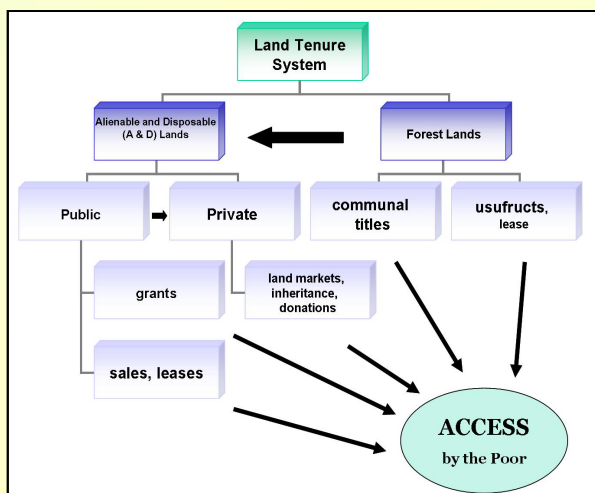
Methodology:

Mix of qualitative and quantitative approach wherein qualitative method is the dominant strategy.

Theoretical Framework:

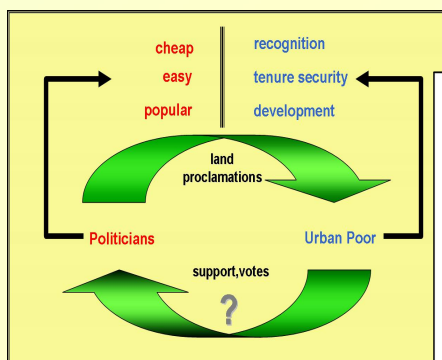
- Property Rights and Related Concepts
- Tenure Security for the Urban Poor: Titles or Rights?
- Sustainable Livelihoods Framework

Access to Land by the Poor:

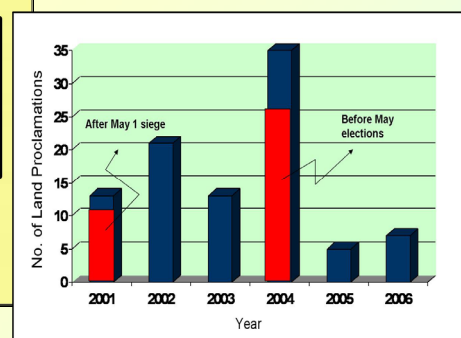


Key Findings:

The Unwritten Agreement



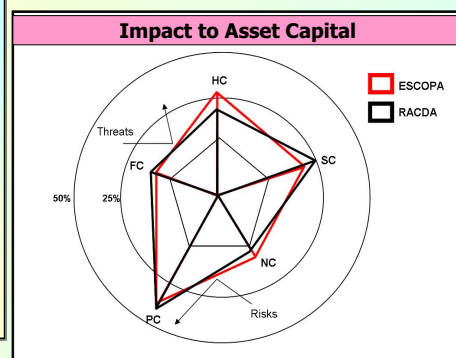
The Real Score



The Realities on the Ground

- Post proclamation activities are so slow.
- Implementing agencies have inadequate capacity and resources.
- About 50% of residents do not feel secure yet.
- Increase in informal land and housing markets is evident.
- Land and housing conflicts emerge in proclaimed areas.
- Communities are more able to confront risks, threats.

The Good News



Conclusions:

- ✓ Intermediate land tenure instruments can definitely increase tenure security in the short-term but may reduce its usefulness in the long term and may even cause backlash if the promised or expected form of tenure will not be achieved in a reasonable time.
- ✓ Land Proclamations are politically motivated measures but nevertheless have huge advantages and potentials.
- ✓ Tenure security is a means to an end and not the end itself. Without social and infrastructure services, it is doubtful that secured tenure alone will yield to substantial impacts on people's livelihoods.
- ✓ Land Proclamations, or any intervention to increase tenure security for that matter, can "trigger" increases in the informal market and unintended conflicts but these will largely depend on the "depth" of the stakes of the communities and can be minimized by adopting appropriate mechanisms.