Objective

To investigate perception of tenure security of different tenure groups and identify factors that are perceived as improving tenure security

- De jure and de-facto elements of tenure security
- Social and Legal legitimacy of tenure security
Rationales: Tenure Security

- Land Tenure Security is considered as an important instrument for poverty reduction; one fundamental aspect for economic activity (UN HABITAT, 2008)
- Large amount of land in developing countries remain unregistered under formal title (Trewin, 2007) makes the population living in disaster prone areas become more vulnerable to the impact of natural disasters.
- The strongest form of tenure security is land titles (De-Soto, 2000; Reerink and van Gelder, 2010)
- Debates on what entails tenure security (de Souza, 2001; van Gelder, 2010)
- How Tenure Security is perceived in the context of “informality of tenure”
Rationale: Land and Disasters

- Land issues as a critical gap in the international community’s post-disaster and post-conflict response capacity (UN-OCHA, 2005)
- Uncertainties over land ownership that caused delays in house reconstruction in various areas affected by natural disasters.

Study Area

Source: Disaster Management Office of Camalig Municipality
Barangay TAGAYTAY

<table>
<thead>
<tr>
<th>TITLED</th>
<th>UNTITLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>83</td>
<td>213</td>
</tr>
</tbody>
</table>

Barangay ILAWOD

<table>
<thead>
<tr>
<th>TITLED</th>
<th>UNTITLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>129</td>
<td>149</td>
</tr>
</tbody>
</table>
BARANGAY ILAWOD, Area = 18 Ha

BARANGAY TAGAYTAY, Area = 26 Has
Land Tenure System

1. Titled
2. Government-assisted housing, BLISS. Housing improvement program, established in 1978; provision of housing to the poor
3. Resettlement Sites; (of communities in disaster-prone areas)
4. Tenancy
   - Labour Tenancy (wage-based agreement)
   - Share Cropping
5. Informal Settlements
   - Along the river bank
   - Railway lines
   - Inside the forests

Comparison of Tenure Types

Barangay Ilawod

Barangay Tagaytay
Land Tenure System: Title Group

- Easily recognized: strong structures of houses
- Mostly located in the center of barangay
- Moderate to well-off households

Land Tenure System: Tenancy

- Living inside the land they tilt
- Living outside the managed land; come to visit on regular basis
- Mobile tenancy: move from one place to another
General pattern of tenancy (yellow)

Land Tenure System: BLISS

- 59 houses in Barangay Tagaytay
- Uniform design yet mostly now transformed into multi-storey houses
Land Tenure System: Resettlement Sites

- Old Resettlement Site: Relocation of the 6-km Permanent Danger: 520 houses
- New Resettlement Site: relocation of victims of the 2006 typhoon: 1157 houses
- New relocation sites are built in the municipality

BARANGAY ILAWOD, Area = 18 Ha
BARANGAY TAGAYTAY, Area = 26 Has

Recognised legal property rights

<table>
<thead>
<tr>
<th></th>
<th>Informal settlers</th>
<th>Tenants (leasehold)</th>
<th>Government assisted housing and resettlement</th>
<th>Registered titles</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Legally recognized rights</td>
<td>Labour tenancy</td>
<td>Share-farming</td>
<td></td>
</tr>
<tr>
<td>Legal occupancy rights</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Land use rights</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>The right to sell</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Inheritance rights</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Registered land tenure rights</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
</tr>
</tbody>
</table>

Y = Yes, N = No
Perception of Tenure Security

- Titled group: secured, safe from disasters
- BLISS
- Resettlement group
- Tenant Group: relationship with the owner, trust, proof of payment
Perception of Tenure Security

- Informal settlement: perception on threat of eviction

- Length of occupation
- Social recognition
- Government recognition
- Know the rights if evicted

Factors Constituting Tenure Security

<table>
<thead>
<tr>
<th>Aspects</th>
<th>Informal Settlements</th>
<th>Regularized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>on the road</td>
<td>on river bank</td>
</tr>
<tr>
<td>Legal legitimacy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Title documents</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Formal certificate / award of tenancy or contract</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Government recognition</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land tenure is also the owner</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Social significance</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Length of occupation</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Social recognition</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Capital improvements and investment on property</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Connection with government and/or patron from institutions linked to power is not needed</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Inheritance recognized</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>No perceived threat of eviction</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
Conclusion

- Land title provides the highest level of tenure security
- Little / no fear of eviction to informal settlers. No eviction in rural areas.
- The right to compensation if eviction occurs.
- Evicted by “natural disasters”
- Social legitimacy plays role in security of tenure in the context of developing country (majority of land untitled)
- Social Legitimacy ~ Social Resilience
Thank You