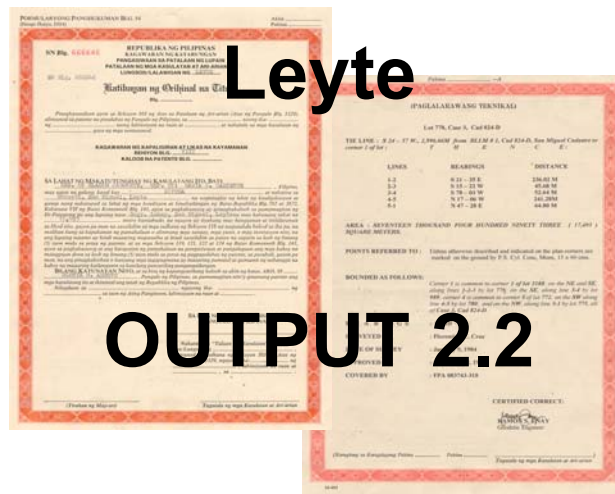




Republic of the Philippines  
Department of Environment and Natural Resources

# LAMP, PROTOTYPE 1



## Report of Technical Assistance to Prototype 1 in Activity 25



Draft dated 27 June 2003

### REPORT C23



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## Executive Summary

In Activity 25, in the period January to June 2003, there were full-time inputs from the International Systematic Registration Adviser and the National Mapping and Survey Adviser. There were also part-time inputs from the International Administrative Titling adviser and two National Social Dynamics Advisers. There were also short-term inputs from the International Land Registration Law Adviser, the National GIS Adviser, the International Social Dynamics Adviser, the National Monitoring and Evaluation Adviser and the International Orthophoto Mapping Adviser.

The aims of the TA inputs were to assist PIO 1 in its field tests, production processes and evaluations. PIO 1 continued the field tests of CIM production, survey and titling options commenced during Activity 21, initiated other pilot activities especially in Community Organising, and evaluated field tests in order to identify preferred options. The projected output is a recommended land titling methodology that is capable of introduction and expansion during a mass titling programme in Phase II.

In broad terms, Technical Advisers have now assisted Prototype 1 to test three land titling options: Homestead Patents, Judicial Titling and Free Patents. The Homestead Patent process is more suited to pioneering land occupation and allocation operations rather than to titling land that has been actively cultivated for generations. Judicial titling offered significant advantages over the Homestead Patent but, after 15 months of field test, no titles have been delivered. The field tests have highlighted operational difficulties arising from the involvement of multiple agencies in the process, resulting in PIO 1 not being able to control the timely delivery of outputs. The process is overly technical and involves multiple reviews by lawyers. Because of the watchdog role adopted by the Solicitor General, the threat of an appeal is a factor that compels lawyers to seek legal exactness in processes. Such a cautious approach may be suitable for single applications to the court in a context of land disputes but is not ideal for mass land titling over parcels where there is no conflict and where the community supports the application. As a result, although the pilots have not been completed, the process is not considered to be a suitable basis for mass land titling in Phase II.

At the start of the main project, the homestead patent and judicial titling processes had no established methodology, not having been used in recent years, and there was no institutional memory of processes.<sup>1</sup> The most likely land titling option, free patents, suffered a setback before the project started because the law permitting its use expired in December 2000. For the first 15 months of the main TA, from October 2001 to December 2002, the project had no proven land titling methodology. Following reinstatement of the free patent law in December 2002, the prototype developed pilots to test its suitability as a mass land titling method and commenced piloting in March 2003 in both surveyed and unsurveyed areas. Draft titles were available for the surveyed area shortly thereafter and signed titles were available within 12 weeks. However the pilot in unsurveyed areas suffered from lack of management and coordination with survey contractors and outputs have been low.

In conducting the free patent pilots, the prototype was able to identify changes to simplify processes that could be implemented immediately by administrative action. These were introduced in consultation with stakeholders. Other changes were identified that will permit streamlined processes if legislation is amended. These were reported to the Land Management Bureau via the PMO and were incorporated into a draft Bill that is expected to be introduced into parliament in July 2003.

Most judicial and patent pilots have been conducted over agricultural land but during Activity 25 the Prototype tested judicial titling in a residential context. The processes are the same as

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<sup>1</sup> Homestead Patents have not been used for about 40 years; judicial titling not for 20 years

for agricultural land but the pilot identified procedural differences that can be expected to occur in future residential activities. For example, the residents were found to have a greater familiarity with the operations of bureaucracy, were more likely to have documents to evidence ownership and were more likely to have recent tax receipts. The logistics of implementation were simpler because of proximity - community meetings were easy to organise and the delivery of notices of lacking documents was simpler.

CIM production continued by manual processes, with a pilot of digital processes also conducted and some digital CIM prepared. CIM production by orthophotos was delayed until the arrival of the orthophotos two weeks ago and received initial consideration in mid-June, with inputs expected to continue during Activity 34. The first ortho CIMs were produced during the four-day visit of the TA. The testing of orthophotos as a means of parcel survey was not commenced. These delays will be taken into account during the design of Activity 34.

In the first stages of LAMP, the community mobilisation method used was the top-down CRS method. However, during Activity 25 a pilot of Local Government-led CRS was conducted in the context of the residential judicial titling pilot in Palo. In March 2003, greater impetus was given to the design of the Community Organising methodology, with inputs from the Social Dynamics Advisers. The CO pilots are in the initial stages, and full implementation and testing are expected in the second half of 2003. Already, lessons have been applied to the PIO 1 CRS method.

Completed pilots include the production of CIM by manual processes, survey control, an evaluation of GPS for boundary surveying [Activity 21], community mobilisation by top-down processes, and CRS by an LGU, Homestead Patents, and free patents. Evaluation reports are being prepared by PIO 1 and will be available in final form by 7 July 2003.

Incomplete pilots include digital CIM production, CIM production using orthophotos, judicial titling rural and residential pilots, CO pilots.

Pilots that have not yet started include parcel survey by orthophoto and by using satellite imagery. The pilot of simultaneous adjudication and survey that commenced in Pastrana during Activity 25 was not successful and a new pilot is required.

During Activity 25, 60 free patent applications were approved by CENRO for signature by PENRO. At the date of preparation of this report, the fees have been posted and will be collected on 25 June and the patents lodged for registration. In the first week of July a formal title delivery ceremony should occur, provided the patents are registered by ROD.

During Activity 25, LAMP suffered major budget reductions. As a result there was a restructure of field activities from early April 2003. This resulted in some field processes being stopped. And again in May, further budget cuts were confirmed, requiring a complete restructure of the prototype and downsizing by 43%, effective from 1 July 2003, with a further reduction from January 2004. PIO 1 therefore restructured field processes and merged some operations. In particular, under the reduced staffing model, field activities to mobilise the community will pass to the SAT. This will require additional training and a separate field test during Activity 34. Also, if the Bill to simplify free patents is enacted by parliament then the simplified processes must be designed and field tested.

Two Local Advisory Group meetings were conducted during Activity 25. At the meeting on 13 March the Administrative Titling Advisor presented proposed legislative changes to simplify land titling. The second meeting was conducted on 25 June, with advisers presenting the recommended land titling options. The major review activities conducted by PIO 1 over the last three months should be considered by the LAG and support sought for proposed changes of direction. For example, the review process has recommended against the use of judicial titling in agricultural areas. Initial estimates suggest that it will take several years to mop up the existing judicial activities if processing continues at the existing rate. As a result, existing

pilots will not be completed in LAMP 1 and may take several years. PIO 1 must face the difficult decision of terminating the judicial pilots by withdrawing Petitions and starting again with free patent pilots. LAG support to such a major decision is fundamental.

Evaluation criteria were set for comparing the land titling options. The criteria included time, cost per title, agencies involved, productivity of adjudicators, skills and resources required and availability, simplicity and flexibility of the process, capacity to expand the use of the process, control over key functions, quality of the output, land covered and decentralisation.

A comparison was made of free patents and judicial titling and the following options were recommended for Phase II - free patents for agricultural land and judicial titling for residential land. However, as soon as the free patent law is amended extending the application of free patents to residential land then judicial titling can cease to be used.

The selected option has not in Activity 25 been demonstrated to be streamlined or cost-effective. Initial titles cost in the vicinity of \$US 300 each to issue, based on an average adjudicator productivity of 0.2 parcels per day. These are well outside the project objectives of titles at \$US 60 and productivity of 5 parcels per day. Therefore, a major goal of Activity 34 will be to bring the productivity and costs to acceptable levels. Having selected free patents as the more attractive basis for a mass titling programme in Phase II, the advisers have identified ways in which the option can be streamlined to improve productivity. The options are set out in the report of the Systematic Registration Adviser.

One essential is the community response to the land titling option. This measures the community understanding of the option, participation rates and attitudes [of support etc]. This can be assessed by community-based monitoring and evaluation. CBME has not yet been conducted in the patented barangay.

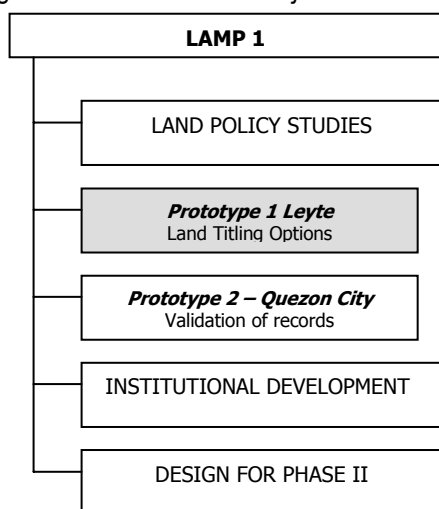
In addition, this report examines activities that should be assisted by advisers during the last 6 months of Output 2.2.

# 1 - The Design of Activity 25

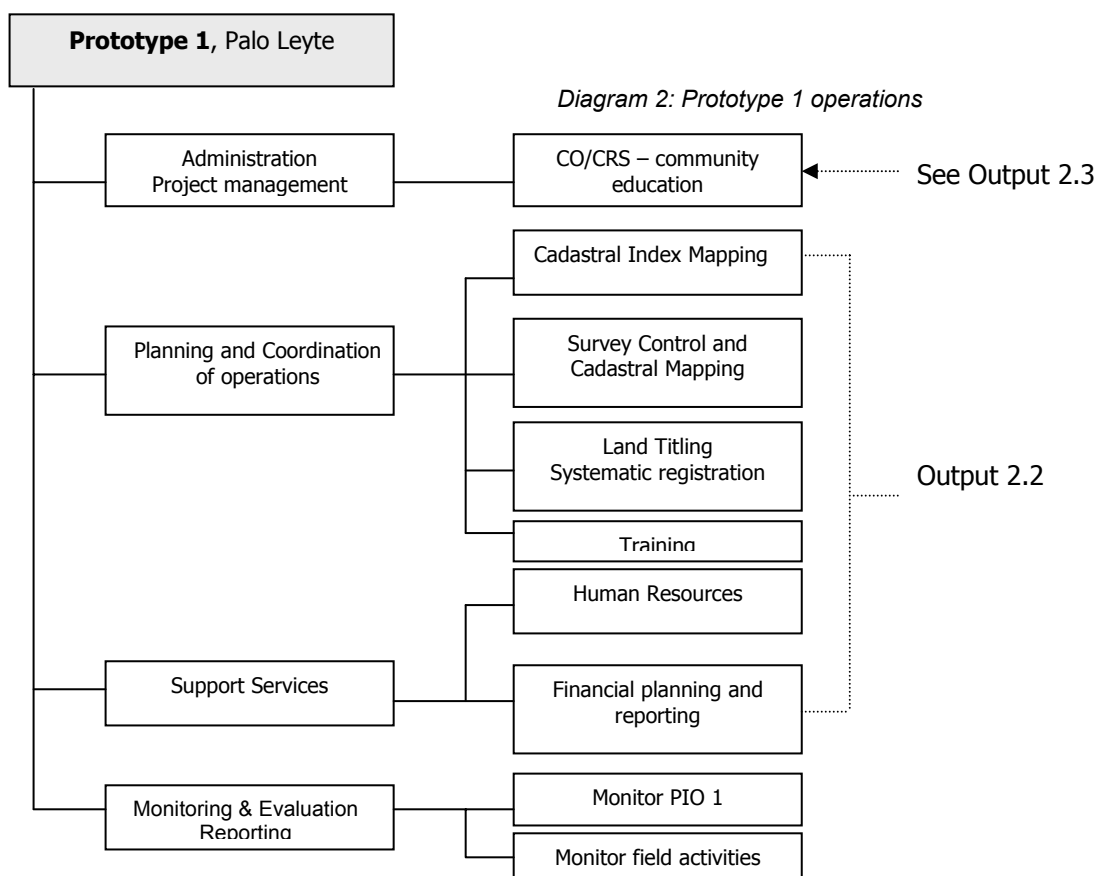
## Introduction

This report relates to technical assistance to LAMP's Prototype 1 based in Leyte. It builds on the design document originally prepared for technical assistance to December 2002.<sup>2</sup> The following diagram identifies PIO 1's part in LAMP 1:

Diagram 1: Structure of the Project and role of PIO 1 in LAMP 1



In 2003, technical assistance is being offered to support various operational components of PIO 1. The following diagram illustrates operational components:



<sup>2</sup> "Design of TA Activities in Output 2.2" prepared in July 2002 and updated in November 2002

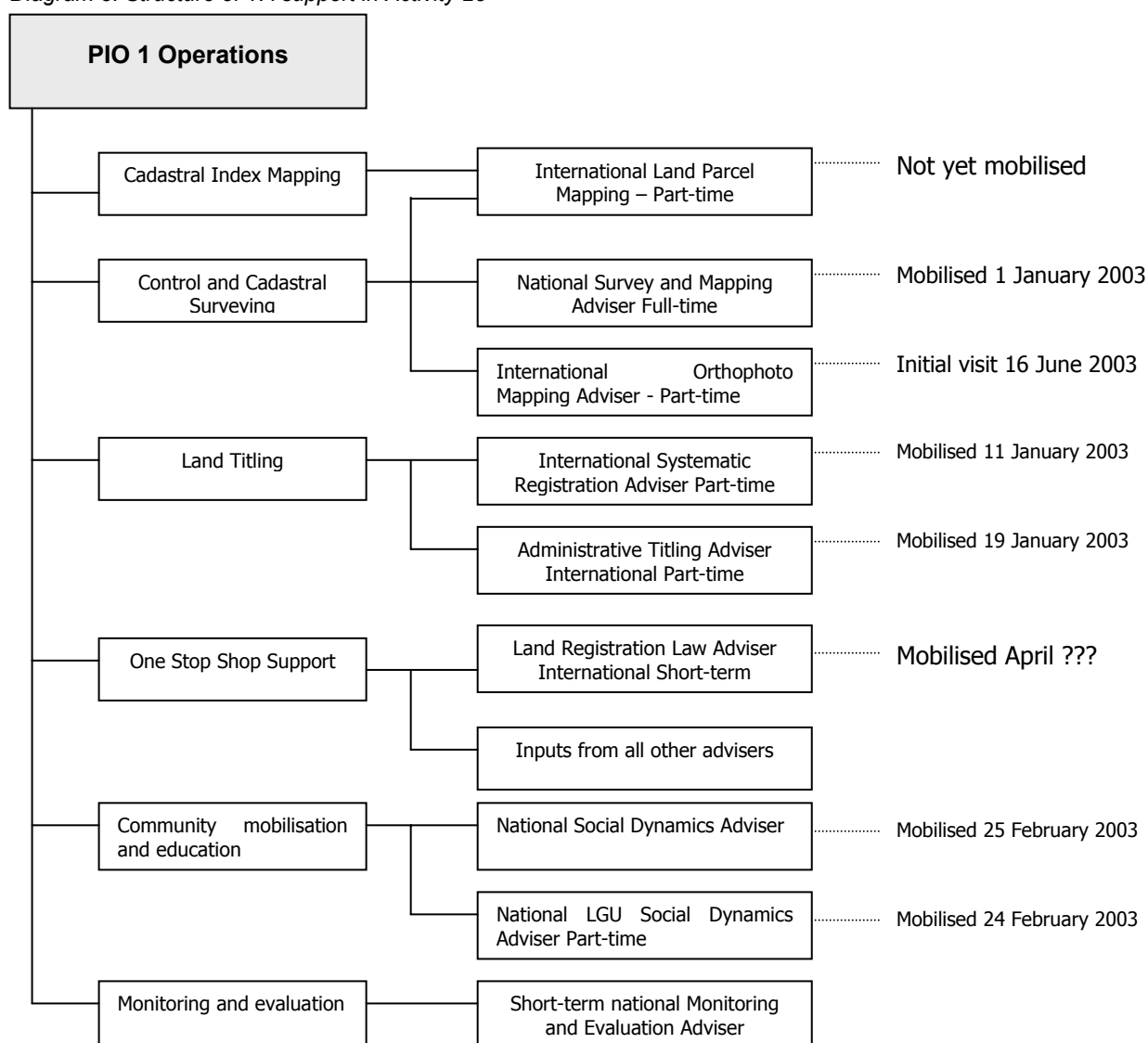
The Technical Assistance Annual Plan refers to the provision of technical support to PIO 1 in various outputs. These include:

Table 1: Outputs supported by TA

Output	TA Inputs
2.2	<b>Land Titling</b> - aims to identify methods for surveying, CIM production and land titling that are suitable for operationalisation during Phase II
2.3	<b>Community education and mobilisation</b> - aims to develop and test alternative processes for community mobilisation and to identify preferred processes for a mass land titling programme

This document describes the support planned for PIO 1 for Activity 25 in the period January to June 2003. The support is illustrated in the following diagram:

Diagram 3: Structure of TA support in Activity 25



### Output 2.2 design

Output 2.2 commenced in July 2002 and continues until December 2003, when all technical assistance activities are expected to end. The Inception Report and Annual Plans [2001-2002, 2002-3, 2003-4] contain a guide to the activities in Output 2.2. The terms require the advisers, in

consultation with PIO 1 and government and non-government stakeholders, to identify and evaluate all methods that have potential for the effective and efficient conduct of land titling in the Philippines. As a result, the advisers are to recommend improved methods that are more effective, more efficient, affordable and sustainable.

Activities include:

- To identify, in addition to methods covered by the present laws and regulations, all methods that have potential application in survey control, cadastral mapping and land titling in the Philippines.
- To assist PIO 1 to develop a set of objective criteria for evaluating and comparing the identified methods.
- Where possible, to conduct a pilot of this activity which will permit an evaluation of the methods. This will highlight institutional, legal and technical roadblocks to efficient operations.
- To assist PIO 1 to conduct an evaluation of the options. This should also identify opportunities and examine constraints that would need to be overcome in order to implement the options.
- Under contract amendment 1, the scope of technical assistance was extended by adding support for the development and testing of free patent titling.

Output 2.2 comprises three separate deliverables. Deliverable 21 was completed in December 2002 and was reported to AusAID in January 2003. The remaining activities are:

<b>Deliverable</b>	<b>Start-finish</b>	<b>Description of Activities</b>
<b>25</b>	<b>January – June 2003</b>	<p><b><i>Evaluation of all mapping and land titling options</i></b></p> <ul style="list-style-type: none"> <li>✓ Continued implementation of judicial titling tests in rural and residential contexts</li> <li>✓ Continued implementation of the free patent pilots</li> <li>✓ Coordinated implementation and review of surveys by contractors</li> <li>✓ Evaluation of all pilot activities</li> <li>✓ Land titling options/ legal framework for Phase II and an evaluation of options</li> </ul>
<b>34</b>	<b>July 2003 – March 2004</b>	<p><b><i>Continued evaluation and implementation of the strategy for expansion</i></b></p> <ul style="list-style-type: none"> <li>✓ Completion of the existing land titling options will continue to be supported.</li> <li>✓ A compiled report of all land titling options presently permitted under the law, together with a strategy for gearing up these methods into full production in existing and new locations.</li> <li>✓ An expanded training programme that will permit resources required at the start of Phase II to be developed immediately upon commencement</li> <li>✓ An awareness-building programme among the officials of areas impacted early in Phase II.</li> </ul>
<b>34A</b>		<p><b><i>The development and testing of procedures for the One-Stop-Shop.</i></b> This will entail an examination of ways in which the operation of the One Stop Shop could be enhanced to increase customer service and user satisfaction. TA support will also be given to PIO 1 at a series of One Stop planning meetings and workshops</p>

Deliverable	Start-finish	Description of Activities
		throughout 2002. Resourcing of this item will come from the unallocated national resources

## Activities

Output 2.2 is linked to the output from Deliverable 11 under Output 2.1 and to the series of community participation strategies under Output 2.3 (Deliverables 12, 26, 35 and 39). The design strategy that underpins Output 2.2 is the initial development and testing of land titling procedures, the scaling up of these procedures and the testing of alternative survey/mapping technologies, the assessment of methodologies that are not possible under the existing legal framework, and finally the documentation of this experience into a form that can be used to scale up PA-LAMP activity in the LAM programme. It builds on the outputs from Activity 21, reported in Output 2.2 "Report of Technical Assistance to Prototype 1 in Activity 21" in January 2003.

The overall strategy for Output 2 is flexible as it needs to respond to changes in project circumstances – delays in photomaps, approval of laws, delays in delivery of outputs, major budget cuts etc. The design anticipates close links between Outputs 2.2 and 2.3, with recommendations from the evaluation of the community mobilisation reviews being incorporated into the design of future Output 2.2 field activities. To reflect these links, this document includes some design material for Output 2.3 (CRS/CO).

## Methodology for Activity 25

Field tests of land titling options will continue to be supported and reviewed. The following Table summarises pilots that were anticipated for Activity 25:

Activity No.	Pilot/ Process	Location	Aspect to investigate Issues	Timing
<b>21</b> June Dec 2002	<b>Ongoing judicial titling pilots</b>	7 locations  Dagami [4] Pastrana [1] Palo [3]	Finalise procedures  <b>Dagami</b> - court processes <b>Macalpi-ay</b> - answers reviewed by cadastral officer <b>Palo</b> - agricultural - answers reviewed by cadastral officer	October 2002 Complete 2003  Evaluate June 2003
	<b>CIM production</b>		Continue manual production process  Report on processes and options required	Complete and evaluate in 2003
	<b>Digital CIM</b>		Generate CIM in digital form	Complete and evaluate in 2003
	Judicial Titling in residential areas	7 barangays in Palo  Arado base camp	Test process in a purely residential area. Develop streamlined procedures.  This is a key to the design of phase II.  <b>Generate procedural regulation. Residential - Answers being prepared. Petition not yet filed</b>	Commence October 2002  Evaluate June 2003



Activity No.	Pilot/ Process	Location	Aspect to investigate Issues	Timing
	<b>CRS conducted by Local government unit [link to Palo residential judicial titling pilot]</b>	Palo-Arado	Test new approach in CRS delivery.  This will evaluate (a) LGU capacity to conduct CRS (b) PIO 1 CRS manual of procedures – capacity of PIO 1 to develop contractors to undertake this activity.	Start October/ November 2002  Complete 2003  Evaluate June 2003
	<b>Free Patents for surveyed land</b>	San Miguel – Lukay	Develop and test streamlined procedures. All participants to accept process. Generate procedural regulation. Key to design of Phase II.	Start Feb 2003  Evaluate Jun 03
	<b>Comparing field survey and GPS</b>	Pastrana	Comparison and costing. Key for design of Phase II.  Completed 2002	October 2002 Evaluate 2002
<b>25</b> Jan Jun 2003	<b>Free patents for unsurveyed land</b>	Pastrana 3 barangays	Test the use of private survey contractors in a free patent pilot activity.  <b>Difficulty in coordinating the simultaneous operations of survey and adjudication. Not given a high priority in PIO 1</b>	February 2003
	<b>CIM by orthophoto</b>		Comparison and costing. Key for design of Phase II.  <b>Photomaps not available until May 2003. Defer until activity 24</b>	2003
	<b>Survey and Title Issue from Orthophoto</b>	Alang Alang – 1 baragay	Use of orthophoto in field activities to generate free patents.  <b>Defer until Activity 34.</b>	May 2003
	<b>CIM by satellite imagery</b>		Comparison and costing. Key for design of Phase II.  <b>Images not available until 2003.</b>	2003
	<b>Comparing ground survey with satellite imagery</b>		Comparison and costing. Key for design of Phase II.  <b>Images not available until 2003.</b>	2003
	<b>CO - CD managed by PIO 1</b>	Caninoan	Test new approach in CRS delivery	2003
	<b>CO - managed by NGO</b>	Cabahuan, Dumarag	Test new approach in CRS delivery	2003
	<b>CO - managed by LGU</b>	Capilla	Test alternate CRS approach	2003
<b>34</b> Jul Dec 2003	<b>Terminate all judicial titling activities</b>			
	<b>Completion of all field activities</b>		Test the expansion model and staffing model	2003
	<b>Completion of review process</b>			

<b>Activity No.</b>	<b>Pilot/ Process</b>	<b>Location</b>	<b>Aspect to investigate Issues</b>	<b>Timing</b>
	<p><b><i>FREE PATENT REFINEMENT</i></b></p> <p>Continue to issue titles by free patent</p> <p>Test patents under the amended law</p> <p>Implementing regulation for systematic registration processes.</p> <p>Strategy for expansion in Phase II</p>		Continue the development of the free patent processes and reduce processes to a regulation	
	<p><b><i>Free Patent training</i></b></p>		<p>Set up a training base to give on-the-job training in support of the expansion programme.</p> <p>Design comprehensive training programme</p> <p>Negotiate land law component with local academic institution.</p>	2003
	<p><b><i>Training to provide staffing platform for gearing up –</i></b> identification of all procurement, staffing, training and mobilisation issues</p>		<p>Use existing pilots to train staff from other locations to prepare for the expansion of the project.</p> <p>Comprehensive training programme</p>	2003

The objective of Output 2.2 is to produce recommended land titling options for Phase II. Alternate community mobilisation methods will be evaluated under Activity 2.3 in parallel activities. In addition all field tests will be reviewed in consultation with the community and stakeholders. Areas in which the titling options permitted under the existing legislation can be improved by administrative or legislative action will be identified. The project will develop a strategy for the expansion of these methods.

In addition a site visit was organised to some of the countries whose laws and processes have been evaluated during Activity 21 by the Administrative Titling Adviser, so that staff in PIO 1 in the key disciplines could evaluate first-hand the potential application of methodologies in the existing field activities and in Phase II. The field test to Thailand and Lao PDR was conducted in March 2003.

### **Methodology for Activity 34**

Field tests of land titling options will continue to be supported. Support will be given to the conclusion of all field activities.

An integrated report of all land titling options and lessons learned from the pilot activities will be compiled. In relation to land titling methods permitted under existing legislation, the report will include a strategy on how to staff and expanded production process in Phase II.

It is expected that this activity will provide an effective transition from the design and evaluation processes of LAMP 1 and the expanded production processes of LAMP II. This activity will permit the concepts to be explained to officials in the initial target areas of LAMP II and will also permit the development of a recruitment and training programme to provide a platform of skilled staff on which LAMP II can be built.

## **Methodology for Activity 34A**

Inputs will be provided as follows:

- TA participation in One Stop Shop workshops and planning meetings. These will aim at assisting the One Stop Shop participants to extract the maximum benefits from the potential of the One Stop Shop without enabling legislation, including a streamlined client service focus that encourages transparency.
- Assistance in integrating completed Cadastral Index Maps into the existing processes of the Registry of Deeds and guidance generally in records management procedures.
- Support for the design of the community education campaign on the role of the One Stop Shop.
- Support in the design of surveys of clients of the One Stop Shop in order to assess their satisfaction with service. This will review the cost to the client of attending the One Stop Shop and their satisfaction with the service.
- Inputs from other advisers will be presented to the One Stop Shop, including inputs from the International Land Registration Law Adviser on initiatives to strengthen the operations of the Registry of Deeds, the national land records management strategy and the automated mapping process.

## **Design of Output 2.3**

The specific task is to ensure that PIO 1 has effective landholder and community participation in land adjudication and titling processes, and in future revised and streamlined processes. Under field testing of land titling methods it is proposed that alternative community mobilization methods will be piloted and reviewed in consultation with the community and stakeholders. The advisers will support the ongoing implementation of the prototype's community mobilisation and education programme for systematic registration and for the implementation of the One Stop Shop. In addition it will assist PIO 1 to develop and test new field processes. Of particular importance are the formulation, implementation and evaluation of:

- A pilot to test and evaluate NGO-driven community organizing for systematic judicial land adjudication and titling. Due to delays in mobilising advisers, the judicial titling pilots were already well-advanced and because they take so long to complete it was not proposed to start new ones. This did not proceed.
- A pilot to test and evaluate NGO-driven community organizing for systematic free patent land adjudication and titling. This was amended to an NGO-led CO pilot.
- 1-2 pilots to test community organizing–community development (CO-CD) driven land adjudication and titling (for free patent and/or judicial titling).
- 1 pilot to test LGU-driven community organizing for systematic judicial land adjudication and titling in a residential area. This was changed to a free patent pilot.

Evaluation of community participation and development will be conducted and reported to stakeholder workshops as part of the innovation and learning cycle of PA LAMP.

**Planned Inputs**

The following technical adviser inputs to PIO 1 were planned in 2003:

Table: Resources proposed for Output 2.2

<b>Output</b>	<b>Activity</b>	<b>Resource</b>
<b>Output 2.2</b>	<b>Activity 25</b> January- June 2003	<b>International</b> Systematic Registration – 4.5 months Land Parcel Mapping – 1 month Orthophoto Mapping – 1 month Land Registration Law – 1 month Administrative Titling Adviser – 2 months <b>National</b> Cadastral Survey – 4 months Automated Mapping Adviser – 1 month as required
	<b>Activity 34</b> July - December 2003	<b>International</b> Systematic Registration – 4.5 months Land Registration Law – 1 month <b>National</b>
	<b>Activity 34A</b>	Inputs using unallocated national resources
<b>Output 2.3</b>	<b>Activity 26</b>	National Social Dynamics Adviser – 9 months National LGU Social Dynamics Adviser – part-time over 6 months

The inputs in the period January to June 2003 were planned as follows:

Table: Proposed team for the period January to June 2003

<b>Position</b>	<b>Adviser</b>	<b>Duration</b>	<b>From - To</b>	<b>Counterpart</b>
National Mapping Adviser	Pedro Mendiola	4 months	January - April 2003	CIM: Bennie Sanico Mapping: Evelyn Amago ROD Integration
Systematic Registration Adviser	Steve McFadzean	4.5 months	Mid January to mid June 2003	Juliet Asuar, Systematic Registration Coordinator
Administrative Titling Adviser	Nigel Thomson	2 months	18 January - 18 March 2003	Roel Atienza, Legal Assistant; Juliet Asuar, Systematic Registration Coordinator
Land Parcel Mapping	Jan van der Kevie	1 month	Upon availability of orthophotos	Bennie Sanico
Land Registration Law Adviser	David McDowell	1 month	March 2003	ROD: Atty Villanosa
Social Dynamics Adviser	Nilda Albao Output 2.3	5 months	February - June 2003	Wilma Garcia, CRS Officer
Local Government Unit Social Dynamics Adviser	Carolyn Gamiao Output 2.3	Part-time, 3 days per week over 5 months total 78 days	February - June 2003	Wilma Garcia
Orthophoto Mapping Adviser	Peter Clydesdale	1 month	Upon availability of orthophotos	Mapping

**Actual Inputs**

<b>Position</b>	<b>Adviser</b>	<b>Duration</b>	<b>From - To</b>	<b>Notes</b>
National Mapping Adviser	Pedro Mendiola	6 months	January - June 2003	Extension
Systematic Registration Adviser	Steve McFadzean	5.5 months	Mid January to mid June 2003	Restructured by offset from Activity 34
Administrative Titling Adviser	Nigel Thomson	2 months	18 January - 18 March 2003	Completed
Land Registration Law Adviser	David McDowell	10 days	March 2003	Report completed
GIS Adviser	Arman Digol	Short-term		
Social Dynamics Adviser	Nilda Albao	4 months	February - June 2003	Commence 25 February 2003
Local Government Unit Social Dynamics Adviser	Carolyn Gamiao	Part-time, 3 days per week over 4 months	February - June 2003	Commence 24 February 2003
Orthophoto Mapping Adviser	Peter Clydesdale	3 days	Upon availability of orthophotos	Delayed start because of delay in receiving photomaps by PMO. PIO 2 maps received first so time in PIO 1 was limited to one week??

Short-term inputs were also received from the National Monitoring and Evaluation Adviser and the International Social Dynamics Adviser.

**Deliverables****Deliverable to LAMP**

<b>Position</b>	<b>Outputs/ deliverables</b>
<i>National Mapping Adviser</i>	<ul style="list-style-type: none"> <li>• Assistance in implementation of field survey activities including training in LAMP orientation and project field practices, and including training in Survey Notification Sheet processes</li> <li>• Strategy for evaluating and review of field survey activities</li> <li>• Flowchart for integrating CIM into the Registry of Deeds office and processes</li> <li>• Methodology for updating CIM data and sheets from the data obtained by the base camps</li> <li>• Recommendations for survey procurement and training for Phase II</li> </ul>
<i>Systematic Registration Adviser</i>	<ul style="list-style-type: none"> <li>• Assistance in the implementation of the Free Patent field test. Report of progress and evaluation of the Free Patent pilots</li> <li>• Assistance in the implementation of the judicial titling residential pilots</li> <li>• Revised Manual of Procedures for Free Patents</li> <li>• Inputs into revised Judicial Titling Manual</li> <li>• Evaluation of the Free Patent and Judicial Titling pilots as a basis for an expanded land titling programme in Phase II</li> <li>• Coordinated TA activities</li> <li>• Coordinated study tour of Lao and Thailand</li> </ul>
<i>Administrative Titling Adviser</i>	<ul style="list-style-type: none"> <li>• Criteria for evaluation of land titling options [drawing on Activity 21 outputs]</li> <li>• Compilation of the draft recommended legal framework and land titling options for Phase II, drawing on the final reports of the Systematic Registration Adviser and Administrative Titling Adviser</li> </ul>

<b>Position</b>	<b>Outputs/ deliverables</b>
	from Activity 21 <ul style="list-style-type: none"> <li>• Evaluation of the land titling options that could apply in the Philippines under an amended legislative framework, setting out the evaluation criteria</li> <li>• Consultation workshops on land titling options</li> </ul>
<i>Land Registration Law Adviser</i>	Review of issues raised in Activity 21 and report setting out recommendations Presentation of recommendations at a workshop
<i>Social Dynamics Adviser</i>	<ul style="list-style-type: none"> <li>• Support to PIO 1 to implement CRS programmes in pilot barangays, supporting the existing systematic registration activities</li> <li>• Implemented pilot of the CO-CD approach managed by PIO 1.</li> <li>• An implemented pilot by a non-government organisation in two barangays fee patents</li> <li>• An implemented pilot using the CO-CD approach managed by an NGO</li> <li>• For each type of pilot, a methodology, workplan, CRS flowchart, an evaluation methodology and an evaluation.</li> </ul>
<i>Local Government Unit Social Dynamics Adviser</i>	<ul style="list-style-type: none"> <li>• An implemented Local government-led CRS pilot in Palo Leyte</li> <li>• For each type of pilot, a methodology, workplan for PIO 1, workplan for the LGU, terms of reference for the LGU, CRS flowchart, an evaluation methodology and an evaluation.</li> </ul>
<i>Orthophoto Mapping Adviser</i>	Evaluation of the orthophoto and satellite imagery products in survey and mapping in rural Leyte
<i>Land Parcel Mapping Adviser</i>	Testing and evaluation of CIM production by using orthophotos Simulated testing of cadastral survey by photomap

#### **Deliverable to AusAID**

Advisers will make monthly reports and milestone reports as required by specific terms of reference to the Project Director. In addition, each adviser will contribute detailed summaries to form part of the following reports to AusAID.

<b>Milestone Report</b>	<b>Deliverable to AusAID</b>
<b><i>Activity 25 Summary Report</i></b>	By 30 June 2003 a <b><i>combined report</i></b> summarizing progress in the evaluation of CRS, CIM production, cadastral mapping and land titling procedures recommended for Phase II [this report].
<b><i>Activity 34 Summary Report</i></b>	This report will be compiled by the Systematic Registration Adviser and will attach contributions from other advisers participating in PIO 1 activities in the period July to December 2003. It will summarise the recent experience in the field activities, lessons, impact on Phase II and recommendations. It should also contain a strategy for the gearing up of the land titling options into full production.

## ACTIVITY 25 DESIGN - As planned

Adviser	Output	Methods For land titling identified (a)	Evaluation Criteria (b)	Evaluation conducted (c)	Workshops (d)	Referral of results LAG Task Force TWG (e)	Documentation in Reports Manuals (f)	Operationalise OSS (g)
<b>Mapping</b>	<ul style="list-style-type: none"> <li>Assistance in implementation of field survey activities including training in LAMP orientation and project field practices, and including training in Survey Notification Sheet processes</li> <li>Strategy for evaluating and review of field survey activities</li> <li>Flowchart for integrating CIM into the Registry of Deeds office and processes</li> <li>Methodology for updating CIM data and sheets from the data obtained by the base camps</li> <li>Recommendations for survey procurement and training for Phase II</li> </ul>	Satellite imagery Orthophoto CIM and map production	Cost Effectiveness of technology Availability of institutional or industry skills	Field test	Industry consultation		Procedures manuals	Integrate CIM into Registry of Deeds
<b>Systematic Registration</b>	<ul style="list-style-type: none"> <li>Assistance in the implementation of the Free Patent field test. Report of progress and evaluation of the Free Patent pilots</li> <li>Assistance in the implementation of the judicial titling residential pilots</li> <li>Revised Manual of Procedures for Free Patents</li> <li>Inputs into revised Judicial Titling Manual</li> <li>Evaluation of the Free Patent and Judicial Titling pilots as a basis for an expanded land titling programme in Phase II</li> <li>Coordinated TA activities</li> <li>Coordinated study tour of Lao and Thailand</li> </ul>	Administrative titling - streamlining existing procedures Judicial titling - legislative change	Institutional capacity Cost Time analysis Comparison of the 'value' of the product Community acceptance	<ul style="list-style-type: none"> <li>Judges leveling off.</li> <li>Full stakeholder consultation for judicial titling</li> <li>Initial stakeholder consultation for free patents</li> <li>CB M &amp; E</li> <li>Field visit to Thailand and Lao</li> </ul>	Legal groups for judicial All stakeholders for judicial Field staff and stakeholders for free patents Outcome workshops	Initial proposals for an Implementing Rules and Regulations for free patents by systematic registration to LAG	<ul style="list-style-type: none"> <li>Update judicial titling manual to recognize procedures for Judicial Titling in residential areas</li> <li>Free patents by systematic registration</li> </ul>	Implement new processing procedures for free patents in CENRO

<b>Adviser</b>	<b>Output</b>	<b>Methods For land titling identified (a)</b>	<b>Evaluation Criteria (b)</b>	<b>Evaluation conducted (c)</b>	<b>Workshops (d)</b>	<b>Referral of results LAG Task Force TWG (e)</b>	<b>Documentation in Reports Manuals (f)</b>	<b>Operationalise OSS (g)</b>
<b>Administrative Titling Adviser</b>	<ul style="list-style-type: none"> <li>Criteria for evaluation of land titling options [drawing on Activity 21 outputs]</li> <li>Compilation of the draft recommended legal framework and land titling options for Phase II, drawing on the final reports of the Systematic Registration Adviser and Administrative Titling Adviser from Activity 21</li> <li>Evaluation of the land titling options that could apply in the Philippines under an amended legislative framework, setting out the evaluation criteria</li> <li>Consultation workshops on land titling options</li> </ul>	Options	To be specified	Industry and stakeholder feedback	Industry and stakeholder consultation	All recommendations to be processed via the LAG	Report recommending land titling framework for Phase II	
<b>Land Registration Law</b>	<p>Review of issues raised in Activity 21 and report setting out recommendations</p> <p>Presentation of recommendations at a workshop</p>	<p>New format of certificate of title</p> <p>New transaction forms</p>	<p>Stakeholder response</p> <p>Legal impediments</p>	Stakeholder evaluation	Stakeholder consultation	Report all recommendations via the LAG	Report all recommendations	New procedures in the Registry of Deeds

# 2 - Summary of Outputs

## 2.1 *Significant events*

The following events are relevant to Activity 25:

- Commencement of the new free patent extension from December 2002. Uncertainty over the official date of commencement continued into March 2003.
- January 2003 - continued implementation of the judicial titling pilots in Palo and Dagami. Initiation of judicial titling in San Miguel
- QAP review and World Bank/ AusAID review mission in February 2003
- February 2003 - meeting with commissioners of the court and cadastral officers to attempt to resolve differences in practice between lawyers in judicial titling pilots.
- 24 February - mobilisation and orientation of the new national Social Dynamics Advisers gives impetus to the design of the Community Organising pilots
- February 2003 - commencement of survey contractors
- 28 February to 21 March - technical study tour to Lao PDR and Thailand plus workshops
- March 2003 - commencement of free patent pilots in Pastrana [unsurveyed] and San Miguel [surveyed].
- 13 March 2003 - first LAG meeting for 2003.
- 21 March 2003 - PMO commits to the presidential task force that the project will produce titles by June 2003
- April 2003 - One Stop Shop study tour to Australia and Thailand
- 3 April 2003 - PMO /PIO 1 management meeting where significant decisions are made -
  - (i) imposition of budget cuts on PIO 1 for the months of April and May
  - (ii) fieldwork not falling within the budget is discontinued; this includes 10 expansion barangays in Dagami and judicial activities in San Miguel, adjudication in most of Pastrana.
  - (iii) PMO sets 10 deliverable reports for Activity 25. The project refocuses from conducting fieldwork to reviewing and evaluating processes and learning lessons.
  - (iv) high priority given by the project to completion of the Community Organising pilots.
  - (v) major survey activities under the newly let survey contracts will proceed without adjudication.
- 10 April 2003 - free patent training day to update field staff on processes.
- 21 April 2003 - PIO 1 developed a strategy and timetable for the conduct of a series of evaluation processes and workshops as part of the delivery of ten evaluation reports to PMO by 30 June 2003.

- 23 April 2003 - Roadblocks meeting with free patent stakeholders and LAG to identify impediments to the production of free patents by June 2003.
- Intervention in Pastrana pilots to improve the quality of Survey Notification Sheets
- April 2003 - roadblocks meeting for judicial titling with judges, cadastral officers and commissioners of the court. At the meeting an attempt was made to generate a simplified hearing process, but this was not accepted. Instead of reliance on documents the lawyers determined to conduct formal hearings where examination and cross examination would be conducted.
- May 2003 - PMO confirms a 43% reduction in budget will apply from 1 July 2003 and further cuts from 1 January 2004. The prototype commenced an urgent restructure process for the prototype and designed a methodology for downsizing staff. The cuts must be implemented before mid-June as contracts for staff end 30 June 2003. An immediate decision was made to close the base camps on 30 June 2003 and SAT leaders were asked to prepare an inventory of incomplete work and to develop a strategy to complete all fieldwork. The period to 30 June was key for conducting CRS with affected communities but no management decision was made by PIO 1 in this regard.
- First evaluation workshops for CIM and survey processes
- 13 May 2003 - Levelling off workshop for judicial titling with judges, commissioners of the court, cadastral officers, Solicitor General and Land Registration Authority. This evaluates judicial titling and seeks to set in place a process to generate titles by June 2003. However the concept of simplifying and expediting processes was confused by the emphasis on avoiding appeals.
- 15, 16 May - evaluation workshop for judicial titling. This PIO 1 workshop was intended to be the major learning workshop to precede the writing of the PIO 1 lessons report. However it focused more on venting staff concerns with the restructure than on lessons, after 15 months of testing, on how to simplify processes.
- May 2003 - draft Bill on simplifying free patent processes circulated
- 2 June 2003 - PMO resources visited the prototype to explain the strategy for downsizing
- 9 June 2003 - commenced the free patent pilots in Dagami
- PMO M&E activity in PIO 1 pushed back into July the timetable for delivery of the evaluation reports by PIO 1 to PMO.
- 16 June - arrival of first photomaps
- 17 June 2003 - review workshop for free patents
- 23 June - commencement of merged counter operations in the One Stop Shop
- 24 June 2003 - third meeting with Leyte State University to plan the orientation/ training program for staff continuing in PIO 1 after 1 July 2003
- 25 June 2003 - first patents signed by PENRO and fees were collected at a joint CENRO-ROD - PENRO - LAMP activity.
- 25 June 2003 - second Local Advisory Group meeting for 2003

- 30 June 2003 - implement 43% staff reductions and closure of 3 base camps
- 30 June 2003 - QAP review for Activity 25

## **2.2 Changes to design in Activity 25**

The following changes in the technical assistance inputs occurred:

### *2.2.1 Changes in the activities of the Social Dynamics Advisers*

- The pilot to test and evaluate NGO-driven community organizing for systematic judicial land adjudication and titling. Due to delays in mobilising advisers, the judicial titling pilots were already well-advanced and because they take so long to complete it was not proposed to start new ones. This pilot did not proceed.
- A pilot to test and evaluate NGO-driven community organizing for systematic free patent land adjudication and titling. This was amended to an NGO-led CO pilot.
- 1 pilot to test LGU-driven community organizing for systematic judicial land adjudication and titling in a residential area. This was changed to a free patent pilot.

### *2.2.2 Extension of the Systematic Registration Adviser*

The original plan called for the Systematic Registration Adviser to spend 4.5 months over 6 months in Activity 25. But the following changes resulted in action by the APD to change the adviser programme:

- Delayed commencement of the free patent pilots until technical staff returned from the study tour in Thailand and Lao. The following factors were relevant - (i) the timing of the free patent pilots in April to June made it important for TA inputs at that time to facilitate progress (ii) the terms of reference of the Administrative Titling Adviser required both training inputs and an evaluation role in the free patent activities but the adviser was demobilised before the activity commenced (iii) the urgency of issuing titles and conducting an evaluation by June 2003. This assessment was fundamental to the outputs in Activity 25, to compare the process with judicial titling and to provide input into the imminent design of Phase II.
- PMO set new deadlines for PIO 1 deliverables, substantially increasing the workload of the prototype
- PMO requests PIO 1 to prepare for the presentation of titles by the President to land claimants in June 2003
- PMO informed the project of massive budget cuts that necessitated a restructure of the project, including systematic registration activities.
- Need to begin planning for the extension of the project for the period October 2003 to December 2004
- Scheduled meeting with QAP 30 June

As a result the adviser's inputs were increased from 4.5 to 5.5 months. The additional time was transferred from Activity 34.

### 2.2.3 Extension of the Mapping Adviser by 2 months

In recognition that the Adviser's workload was substantial, his term was extended by two months to allow additional time in preparing reports.

### 2.2.4 Delays in the provision of the photomaps

The photomaps were not available until late June 2003 so expected pilots were delayed. Thus the inputs of the Orthophoto Mapping adviser were delayed until June 2003. A further rationalization of mapping inputs will be required for Activity 34.

## 2.3 Achievements

During the reporting period the following were achieved:

### 2.3.1 Completed Pilots

Completed pilots include the production of CIM by manual processes, survey control, an evaluation of GPS for boundary surveying [Activity 21], community mobilisation by top-down processes, and CRS by an LGU in a residential judicial titling pilot, and free patents in a surveyed location. Evaluation reports are being prepared by PIO 1 and will be available in final form by 7 July 2003. The first Free Patents were signed by PENRO for issue to claimants.

*Incomplete pilots* include digital CIM production, CIM production using orthophotos, judicial titling rural and residential pilots and the Community Organising pilots. No titles were issued under judicial titling. All judicial base camp/ field activities were shut down as at 30 June and wrap-up activities will be carried out from the One Stop Shop. However, formal hearings were conducted in one barangay of Dagami and partial decisions from the Commissioners were filed in the court. Delays in the finalisation of activities are attributable to a lack of willing cadastral officers. Staff were recruited but the inability of the project to meet payment obligations has resulted in some cadastral officers withdrawing their services. If existing resources and processing speeds are maintained it will take until 2008 to wrap up the existing judicial pilots.

*Pilots that have not yet started* include parcel survey by orthophoto and using satellite imagery. The pilot of simultaneous adjudication and survey commenced in Pastrana during Activity 25 was not successful and a new pilot is required.

### 2.3.2 Completed Study Tours

The following study tours were completed:

- March 2003 - Technical study tour to Lao PDR and Thailand
- April 2003 - One Stop Shop tour to Australia and Thailand

### 2.3.3 Completed PIO 1 Evaluations

The following evaluations were conducted by PIO 1:

#	PIO 1 Deliverable
1	Judicial Titling testing and lessons learned (Output 2.1)
2	LGU-Led CRS (Output 2.3)
3	CIM production options, lessons and recommendations (Output 2.1)
4	Control and survey options, lessons and recommendations (Output 2.1)
5	Project Management lessons and recommendations (Output 2.4)

#	PIO 1 Deliverable
6	One Stop Shop structure, lessons, recommendations (Output 2.4)
7	Issue Titles by Free Patent (Output 2.1)
8	Cadastral Survey by private contractors (Output 2.1)
9	Issue titles by Judicial Titling (Output 2.1)
10	Free Patent Pilots Lessons (Output 2.1)
11	CO- CD by PIO 1 (Output 2.3)
12	CO- CD by NGO (Output 2.3)
13	LGU - led CO (Output 2.3)
14	Integrated paper on community mobilization (Output 2.3)
15	Amalgamated Report Streamlined, community-accepted titling methodology for Phase II [Combined and integrated report]

The reports are being finalised and originally were due on 30 June 2003 but this was extended to 7 July.

#### 2.3.4 Completed recommendation of land titling method for Phase II

The evaluation process highlighted that PIO 1 is now in a position to formalise its recommendation for a mass land titling methodology in Phase II. The recommended land titling option for Phase II is as follows:

Table: Land titling structure to initiate LAMP II

Land Type	Titling method	Assumption
Agricultural land	Free Patent	No amendment to law
Barangays containing substantial areas of residential, commercial, government and church land	Judicial titling	

For the longer term, the following model is suggested:

Table: Longer-term proposed titling model

Land Type	Titling method	Assumption
All land	Free patents as amended	Law extending free patents to all land is enacted

Options for streamlining each method have been developed and are set out in adviser reports.

## 2.4 Summary of TA achievements

The following Table summarises for each adviser the progress against deliverables and issues arising:

Table: Adviser Progress against Deliverables

<b>Area</b>	<b>Deliverable</b>	<b>Progress</b>	<b>Key issues</b>	<b>Recommendations</b>
<b>National Survey and Mapping Adviser</b>	Assistance in implementation of field survey activities including training in LAMP orientation and project field practices, and including training in Survey Notification Sheet processes.	<p>A. Five module contracts started survey in Dagami and Pastrana. Seven more deferred their execution of Cadastral Projects.</p> <p>B. PIO-1 conducted orientation workshop (1 day) for contractors on project requirements and SNS operations.</p> <p>C. Workshop for PIO-1 staff on SNS, Field Verifier and adjudicators.</p> <p>D. Orientation review on SNS field May 19 with Implementers (Contractors staff and PIO-1 Staff) in Pastrana (May 19).</p>	<p>Non-payment by LAMP PIO-1 of 15% mobilization cost</p> <p>A one day orientation not enough. Key implementers of the project should participate.</p> <ul style="list-style-type: none"> <li>• Number of trainees not enough for the needs of 12 module contractors.</li> <li>• Request for more training not yet addressed</li> <li>• PIO-1 request for additional adjudicators not approved</li> <li>• PIO-1 lack funds for needed staff for SNS, adjudicators, field verification.</li> </ul>	<p>Management issues to be resolved with World Bank.</p> <p>Future Workshop should be 2-days minimum with key implementers / field staff of contractors attending plus field verifiers and SNS adjudicators.</p> <p>Access support for additional needed staff. Explore staff assigned from Surveys Divisions and Land Management Division.</p>
	Strategy for evaluating and review of field survey activities.	A set of process checks for field surveys / activities formulated. The system involves coordinated compliance to all activity requirements with strong supervision and administrative control. SNS and Field Verifiers are keys.	<p>Developing competencies and professionalism are best assurance to quality survey outputs. Pre-war Cadastres by professional surveyors are proof.</p> <p>How does LAMP get professional private surveyors instead of businessmen?</p> <ul style="list-style-type: none"> <li>• Checking of non-licensed or non-surveyor, doing actual surveys.</li> <li>• Very lax practice in enforcement of rules.</li> </ul>	<ol style="list-style-type: none"> <li>1. Procure private contractors based on competency track records not volume of projects and costs. LAMP needs database on contractors and GEs with projects done correctly or defective. Contractors with past "gray" / defective surveys background should not be participating.</li> <li>2. Enforce strong SNS and good field verification.</li> <li>3. Enforce strong sanctions on violators of survey rules.</li> </ol>

<b>Area</b>	<b>Deliverable</b>	<b>Progress</b>	<b>Key issues</b>	<b>Recommendations</b>
	Flowchart for integrating CIM into the Registry of Deeds office and processes	Process flowchart part of report on CIM		
	Process for updating CIM sheets and database.	Process for updating CIM / Database formulated by TA and CIM head. For testing.	CIM/Database not yet with ROD and other related Units.	Train operators on CIM database and updating process in ROD, CENRO etc. in preparation for the acquisition of CIM/Data.
	Methodology for updating CIM data and sheets from the data obtained by the base camps.	1. CIM Unit producing preliminary CIMs 2. Database not yet completed. Even record of 62,000 title index cards issued by ROD cannot be encoded to database due to discovered errors of data.	Authentication of source documents and validation of entries to database.	<ul style="list-style-type: none"> <li>• Secure and use only authenticated copies of source documents for database.</li> <li>• Provide ROD with photo copying machines so CIM can access to their records of titles and other documents.</li> </ul>
	Recommendations for survey procurement and training for Phase II.	No formal review by PIO-1 yet.	From field observations some issues relative to survey contract: <ol style="list-style-type: none"> <li>1. Change provision for lot corner monumenting from landowner responsibility to survey contractor with landowner assisting only.</li> <li>2. Provision of CIM to contractor and old survey/title documents.</li> </ol>	<ol style="list-style-type: none"> <li>1. Revise relevant rule in contract emphasizing the following: <ol style="list-style-type: none"> <li>a. Lot corner monumenting primary responsibility on contractor.</li> </ol> </li> <li>2. SNS operations be original preparation without reference to CIM issued by LAMP.</li> </ol>
	Reports on the condition and availability quality of cadastral surveys and a process for evaluating old surveys; training courses to support the prototype; quality control of surveys.	Assessed Leyte Experience of Pre-LAMP Cadastral Surveys.	<ol style="list-style-type: none"> <li>1. DENR Survey records not updated on real status of Cadastral Survey. Example, defective projects are just listed down as completed Cadastral Survey. Example is Sta. Fe and Pastrana.</li> <li>2. Workload for phase II on Systematic Registration cannot be based / on present inventories.</li> </ol>	Validate by priority all old and approved Cadastral Survey before using them for titling.

<i>Area</i>	<i>Deliverable</i>	<i>Progress</i>	<i>Key issues</i>	<i>Recommendations</i>
<b>Systematic Registration Adviser</b>	Assistance in the implementation of the Free Patent field test. Report of progress and evaluation of the Free Patent pilots.	Free patent pilots commenced March, titles approved June 2003. Free patent Evaluation workshop with stakeholders June 2003. Potential for streamlining free patents developed. Potentials for reforming free patents by legislation were referred to Manila and a draft bill was prepared. Revised Manual of Procedures for Free Patents.	<p>Under the reduced operational budget, field processes have been restructured and CRS responsibilities given to the SAT. This new structure must be field-tested.</p> <p>Under the revised workplan free patent activities will occur in only one municipality. The prototype must urgently select the municipality and develop an exit strategy for other municipalities in consultation with the LAG and affected communities.</p> <p>The field test of simultaneous survey and adjudication was ineffective and a new pilot is required.</p> <p>Complicated fee structure. Two fees [CENRO PENRO] payable</p> <p>The use of text technical descriptions is time-consuming. It took up to six weeks in the pilot to finalise these.</p>	<p>Use the free patent law and procedure in Phase II for rural land. Amend the law to apply it to all residential land.</p> <p>Amend the law as recommended by advisers. Test the operation of the new laws in the field.</p> <p>Introduce a flat fee.</p> <p>Eliminate text technical descriptions and replace by diagram.</p>
	Assistance in the implementation of the judicial titling [residential] pilots.	Judicial titling pilots continued with general default in Cabariwan. Initial decisions by Commissioner of the Court in May 2003. Judicial titling evaluation workshops in May 2003. No titles issued but expected September 2003.	<p>Judicial titling is complicated by technical processes. Because many agencies contribute to the process it is difficult to ensure timely delivery of outputs.</p> <p>It will take a few years to wrap up the initial pilots. It may be</p>	<p>Do not use judicial titling in Phase II.</p> <p>Develop an exit strategy for judicial titling.</p>

<b>Area</b>	<b>Deliverable</b>	<b>Progress</b>	<b>Key issues</b>	<b>Recommendations</b>
		Recommended shutdown of judicial pilots and replacement by free patent pilots Inputs into revised Judicial Titling Manual.	appropriate to withdraw petitions and start again using free patents.	
	Evaluation of the Free Patent and Judicial Titling pilots as a basis for an expanded land titling programme in Phase II.	Evaluation workshops complete. Evaluation criteria provided.	High cost Low productivity	PIO 1 to focus in Activity 34 on lowering costs and increasing productivity
	Coordinated study tour of Lao and Thailand.	Study tour report by PIO 1.	There is no process for the implementation of recommendations by participants.	
	Coordinated TA activities	Activities coordinated. Joint adviser report to AusAID provided.		
<b>Administrative Titling Adviser</b>	Compilation of the draft recommended legal framework and land titling options for Phase II, drawing on the final reports of the Systematic Registration Adviser and Administrative Titling Adviser from Activity 21.	Major report prepared after consultation workshops. Recommendations prepared.	Not able to evaluate free patent pilot as it commenced shortly before the departure of the adviser.	The timing of the inputs of the Adviser did not permit him to evaluate the pilot activities. A better mobilisation date would have been May and June 2003.
	Evaluation of the land titling options that could apply in the Philippines under an amended legislative framework, setting out the evaluation criteria.		Overlap between the functions of the Admin titling adviser and Systematic Registration Adviser; items covered during the extended time of the Systematic Registration Adviser.	
	Consultation workshops on land titling options.	Workshops conducted		
<b>Land Registration Law Adviser</b>	Review of issues raised in Activity 21 and report setting out recommendations. Presentation of recommendations at a workshop.	Major report prepared after consultation and workshops.	Control of implementation of the recommended changes is beyond the control of LAMP. The Land Registration Authority must act on the changes.	Implement single land administration Authority.

<i>Area</i>	<i>Deliverable</i>	<i>Progress</i>	<i>Key issues</i>	<i>Recommendations</i>
<b><i>Social Dynamics Adviser</i></b>	Support to PIO 1 to implement CRS programmes in pilot barangays, supporting the existing systematic registration activities.	<p>The 44 brgys. piloted by CRS using the top down approach are all underway. The CRS successfully convinced majority of the land claimants within the pilot municipalities, where PIO1 work was continued. Many land claimants started to submit the requirements for title application and they have attended to scheduled adjudication and survey activities.</p> <p>The applications under the Free Patent option went on with speed according to plan. The CRS facilitated fee collection to 58 potential land title holders soon to receive titles this month.</p> <p>However, applicants to judicial titling will bear the long wait of the court schedules. It was not advised to revert to Free Patent since initial hearings have started therefore impractical to pullout documents.</p> <p>The local CRS were left to facilitate survey activities in many suspended areas. The survey will go ahead even if PIO1's full intervention stops. The management is legally bound to abide by approved contracts.</p>	<p>The suspension of titling activities in majority of the pilot areas due to budget cut may result to various problems in the affected community soon.</p> <p>The financial projection for next year does not accommodate continuation of activities in suspended areas.</p> <p>Lack of post title plan beneficial to land title holders. Documentation of the prospects awaiting the land claimants is only informing PIO1 of the aftermath of title distribution.</p> <p>The need to ensure the full benefits of the title holders especially the poor small landowners is not addressed by the present plan.</p> <p>The extremely few field personnel by July 1 may not be able to attend to all hanging activities left after the budget cut.</p> <p>The existing program and financial planning &amp; management both at the PIO1 &amp; PMO level overlooked this eventuality.</p> <p>The monitoring &amp; evaluation activities in all levels failed to cite</p>	<p>Formulate a strategy to use in selecting the areas to keep and, those for endorsement to the other agencies in the government, the NGOs, People's Organization or other private organizations.</p> <p>An appropriate strategy to be designed that will properly put the activities in suspended pilot areas to a constructive situation especially the communities.</p> <p>The project stakeholders have to follow the basics of program &amp; financial planning. An appropriate management style is urgently needed to prevent total project failure.</p>

<b>Area</b>	<b>Deliverable</b>	<b>Progress</b>	<b>Key issues</b>	<b>Recommendations</b>
			the sign of the eminent setback before the whole project was subjugated by the pressure of work-result -rebound.	
	Implemented pilot of the CO-CD approach managed by PIO 1.	<p>PIO1 led CO pilot commenced work March 18. LGU- Brgy. Level signed a MOA. for their commitment to undertake the project in their level. Community has been prepared to take on their contribution to the land titling activities under Free Patent option.</p> <p>Potential core group formed to spearhead land titling activities. This can also be the structure for the post titling program of the community.</p> <p>Capability building initiated among core group members &amp; LGU members.</p>	The failure of the survey contractor to do the work as scheduled could affect project's credibility to the community. May confirm their fears & doubts about the government's sincerity to do their work.	Management should remedy this issue soon to avoid adding up to dwindling project credibility.
	An implemented pilot by a non-government organisation in two barangays fee patents.	This pilot may commence mid-July after the required administrative processes will be undertaken by the NGO & the LAMP Mgt.		
	For each type of pilot, a methodology, workplan, CRS flowchart, an evaluation methodology and an evaluation.	Work plan and flow chart established for the CRS top down approach (including the LGU-CRS), the PIO1 CO pilot (will also be shared by the NGO-CO pilot once commenced), and the LGU-		For the M & E Unit to be proactive in ensuring all respective parameters for evaluation and other tools to measure output and progress installed.

<b>Area</b>	<b>Deliverable</b>	<b>Progress</b>	<b>Key issues</b>	<b>Recommendations</b>
		<p>CO pilot.</p> <p>Parameters for evaluation were established and used in the CRS pilot review.</p> <p>All CRS pilots were subjected to review including the PIO1-CO &amp; LGU-CO that were on its initial project implementation stage.</p>	<p>Lack of parameters for evaluation in the beginning of the "top down approach" pilot implementation (2001).</p> <p>Initially, there was resistance to apply the established parameters for evaluation of the top down approach pilots. Thus a superficial analysis of the outcome resulted in the review.</p>	<p>Mechanisms for monitoring and evaluation identified and established by the project implementers at the outset of the project implementation.</p>
<b>Local Government Unit Social Dynamics Adviser</b>	An implemented Local government-led CRS pilot in Palo Leyte.	<p>Pilot implementation commenced May 2003 in Capilla, Pastrana instead of in Palo, Leyte. Implementation Plan prepared that addresses bottlenecks in community mobilization and post-title preparation.</p> <p>Developed evaluation parameters and design of CRS/LGU CO evaluation workshops.</p> <p>Design of various training and field activities</p>	<p>Delay in start of implementation</p> <p>Change of pilot site from judicial residential to free patent agricultural</p> <p>Office restructure created temporary instability in CRS - tenure of assigned team members is uncertain (SAT, survey, CO).</p> <p>CRS resistance to CO</p> <p>Systems need improvement to maximize use of learning and innovation approach</p>	<p>Complete the pilot cycle of 6 months</p> <p>Appropriate because free patent is the preferred option for mass titling</p> <p>Change to be managed in support of CO pilots</p> <p>Reorientation and coordination on CO functions</p> <p>For the long term, consider possible name change to reflect new character of unit; manage process of integration with help from SD counterpart</p> <p>Reorientation on process documentation and use of data; agree on basic socio-econ</p>

<b>Area</b>	<b>Deliverable</b>	<b>Progress</b>	<b>Key issues</b>	<b>Recommendations</b>
			Simultaneous LGU-CO design and implementation phase while part-time	benchmarks and SD monitoring and evaluation indicators/MIS
	For each type of pilot, a methodology, workplan for PIO 1, workplan for the LGU, terms of reference for the LGU, CRS flowchart, an evaluation methodology and an evaluation.	<p>An implementation plan was prepared as well as a work plan and flowchart and proposed monitoring and evaluation indicators.</p> <p>A review of design and initial implementation phase was conducted on June 11, 2003.</p> <p>The Barangay LGU has an action plan that encompasses its roles in titling and post-title development</p>	<p>A key to activating post-title services is the compilation of directory of development service providers that can be accessed by LGUs and community organizations. Assigned staff to do directory was detailed to other tasks pending restructure.</p> <p>The preparation of content of new IEC material relative to rights/social preparation was assigned to SAT member. This was sidelined due to restructure.</p>	<p>The compilation of a directory of service providers is the basis for initiating concrete planning with LGUs and support network. It will serve the pilot and all other sites. This can be prioritized as LAMP support to the activation of post-title support mechanisms. Request for detailed staff to help CO complete the task w/in a month.</p> <p>Review completed work and continue to develop needed material; TA Social Marketing and PMO IEC specialist to assist PIO1</p>
<i>Orthophoto Mapping Adviser</i>	Evaluation of the orthophoto and satellite imagery products in survey and mapping in rural Leyte.			

## 2.4 Status of pilots

The following Table examines the field and pilot activities that should have occurred in Activities 21 and 25 and identifies both progress and issues:

### Summary of Outcomes

Activity No.	Pilot/ Process planned	Progress	Issues
<b>21</b> June Dec 2002	<b>Ongoing judicial titling pilots</b>	Pilots continued. General default and ex parte hearings in one barangay only All fieldwork terminated as at 30 June and base camps closed.	Major roadblocks are external to LAMP.
	<b>Manual CIM production</b>	Continued. Evaluated.	
	<b>Digital CIM</b>	Commenced	
	<b>Judicial Titling in residential areas</b>	Major progress but Petition not filed in court. All fieldwork terminated as at 30 June and base camp closed.	Delivery of Petition by the Solicitor General has been delayed over 4 months.
	<b>CRS conducted by Local government unit</b> [link to Palo residential judicial titling pilot]	Completed and base camp closed 30 June.	
	<b>Free Patents for surveyed land</b>	Pilot commenced in March 2003 in San Miguel [Lukay]. All field activities completed and base camp closed 6 June	First titles approved for registration in June from the first 6 weeks of pilot activity in the base camp. Zero issued from the base camp in the second six weeks. This major reduction in production needs to be addressed.
	<b>Comparing field survey and GPS</b>	Completed in 2002	
<b>25</b> Jan Jun 2003	<b>Free patents for unsurveyed land</b>	Pilot commenced in Pastrana in March 2003 but was ineffective. Little progress and no completed applications.	Failure to coordinate Poor training of survey contractors in SNS preparation pointed out by Adviser but not remedied. An introduction was provided by a SAT leader but no surveyor input and no training in the field.. Major deficiencies in SNS soon emerged.
	<b>CIM by orthophoto</b>	First inputs in June 2003. This will continue in the next Activity.	
	<b>Survey and Title Issue from Orthophoto</b>	Not commenced	
	<b>CIM by satellite imagery</b>	Not commenced	
	<b>Comparing ground survey with satellite imagery</b>	Not commenced	
	<b>CO - CD managed by PIO 1</b>	Commenced	A key issue is the availability of the survey contractor
	<b>CO - managed by NGO</b>	Commenced	A key issue is the availability of the survey contractor.
<b>34</b> Jul Dec 2003	<b>Terminate all judicial titling activities</b>	Management team has not yet reviewed the issues.	PIO 1 must face the decision of whether to complete the judicial pilots or to withdraw petitions.
	Completion of all field activities		
	Completion of review process		

Activity No.	Pilot/ Process planned	Progress	Issues
	<b>FREE PATENT REFINEMENT</b> Continue to issue titles by free patent Test patents under the amended law Implementing regulation for systematic registration processes. Strategy for expansion in Phase II		
	<b>Free Patent training</b>	Comprehensive and integrated training programme required.	Discussions commenced June 2003 with Leyte State University for assistance in conducting parts of the program.
	<b>Training to provide staffing platform for gearing up</b> – identification of all procurement, staffing, training and mobilisation issues		

## 2.6 Impact on design of Activity 34

The report identifies above the pilots that have been started but not completed and pilots not started. These should be carried forward into the design of Activity 34 for the period July to December 2003.

Table: Work to complete in Activity 34 and the extension

Activity No.	Pilot/ Process	Location	Activity during 34
<b>25</b> Jan Jun 2003	<b>Free patents for unsurveyed land</b>	Pastrana 3 barangays	This activity will occur as part of the CO pilots. Continue fieldwork and evaluate
	<b>CIM by orthophoto</b>		Initiate pilot and evaluation
	<b>Survey and Title Issue from Orthophoto</b>	Alang Alang - 1 baragay	Initiate pilot and evaluation
	<b>CIM by satellite imagery</b>		Initiate pilot and evaluation
	<b>Comparing ground survey with satellite imagery</b>		Initiate pilot and evaluation
	<b>CO - CD managed by PIO 1</b>	Caninoan	Conclude existing fieldwork and evaluate
	<b>CO - managed by NGO</b>	Cabahuan, Dumarag	Conclude existing fieldwork and evaluate
	<b>CO - managed by LGU</b>	Capilla	Conclude existing fieldwork and evaluate
<b>34</b> Jul Dec 2003	<b>Test new structure of SAT to be implemented on 1 July 2003</b>		Implement Evaluate
	<b>Evaluation of approved surveys using orthophotos</b>	Alang Alang	Recommended quality assessment strategy
	<b>Terminate all judicial titling activities</b>		Exit strategy

Activity No.	Pilot/ Process	Location	Activity during 34
	<p><b>FREE PATENT REFINEMENT</b></p> <p>Continue to issue titles by free patent</p> <p>Test patents under the amended law</p> <p>Implementing regulation for systematic registration processes.</p> <p>Strategy for expansion in Phase II</p>		<p>Complete existing pilots, complete an additional 10 barangays using procedures under the existing law and any amendments to the law</p> <p>Draft an implementing regulation for systematic processes.</p>
	<p><b>Free Patent training</b></p>		<p>Set up a training base to give on-the-job training in support of the expansion programme.</p> <p>Design comprehensive training programme</p> <p>Negotiate land law component with local academic institution.</p>
	<p><b>Training to provide staffing platform for gearing up</b> – identification of all procurement, staffing, training and mobilisation issues</p>		<p>Use existing pilots to train staff from other locations to prepare for the expansion of the project.</p> <p>Comprehensive training programme</p>

From the Table, the following activities need to be continued/ completed in PIO 1:

- Wrap up judicial titling pilots
- Continue the title issue process
- Some pilots remain uncompleted and these will be completed - orthophoto/ CIM method, CO pilots. This will assist in defining the CIM and survey and CRS methods, including recommendations for Phase II to be completed
- Implement the new structure identified by PIO 1 as a result of budget cuts
- Comprehensive training programme to be developed and liaison with academic institutions for the delivery of the land law component to be implemented
- Test the free patent processes under the new law expected to be passed late 2003
- Develop a regulation to reflect the revised and streamlined free patent processes
- Increase productivity and decrease costs of production of patents
- Develop training for field managers to give leadership, management coordination skills
- Review issues associated with an expanded land titling programme where the land titling process must be located in a new location and expanded.

The following are potential resource inputs for the period July to December 2003:

Adviser	Inputs	Key activities
<p><b>Systematic Registration Adviser</b></p>	12 weeks	<p>In the next Activity the adviser will focus on the following activities:</p> <ul style="list-style-type: none"> <li>• Assisting the counterpart to complete the pilot activities</li> <li>• Assisting the prototype to evaluate the pilots and to record lessons</li> <li>• Assist the prototype to update its lessons reports from the continuing pilots</li> <li>• Assist PIO 1 to complete its recommended streamlined land titling methodology for Phase II</li> <li>• Assist PIO 1 to develop a strategy for effectively utilizing any extension of LAMP1</li> <li>• Assist PIO 1 to develop a strategy to gear up towards the start of Phase II.</li> </ul>

Adviser	Inputs	Key activities
		<p>Given the part-time nature of TA inputs, it will be necessary for the Systematic Registration Manager to take a major role in the management of both field and evaluation processes. The main activities of the counterpart will be to:</p> <ul style="list-style-type: none"> <li>• Effectively manage the ongoing pilot activities, to ensure they are completed on time</li> <li>• To document a comprehensive training programme for all field staff and to compile material from the pilots that may be used as training resources. This will include <ul style="list-style-type: none"> <li>✓ Resource requirements</li> <li>✓ Relevant experience</li> <li>✓ Job Descriptions</li> <li>✓ Training modules</li> </ul> </li> <li>• Plan and implement the process of evaluation of the lessons</li> <li>• Updating PIO 1 reports and lessons</li> <li>• Updating the report in the streamlined methodology for Phase II.</li> </ul>
<b><i>Social Dynamics Adviser</i></b>	18 weeks	<p>In the next activity, the adviser will focus on the following activities:</p> <ul style="list-style-type: none"> <li>• Facilitate PIO1 CO complete activities in 1 pilot for free patent land titling in an unsurveyed area;</li> <li>• Facilitate NGO led CO pilot in Free Patent Land titling in two unsurveyed pilot areas</li> <li>• Facilitate CRS in mobilizing communities/local authorities &amp; the civil society to take on the survey &amp; other land titling activities as part of their regular program.</li> <li>• Assist all pilots' field evaluation &amp; project level reviews.</li> <li>• Conduct capability training for the pilot's implementers</li> <li>• Facilitate CRS identify lessons and recommend appropriate methodology &amp; processes suited to the set parameters &amp; criteria.</li> <li>• Monitor implementation of the pilot design;</li> <li>• And conduct review of the design.</li> </ul> <p>Requirement:</p> <ul style="list-style-type: none"> <li>• A competent local counterpart is available to oversee the pilot implementation</li> <li>• The local counterpart is convinced to implement the pilot design &amp; open to new ideas;</li> <li>• An appropriate management system and structure in place</li> <li>• Logistical requirement available on time for the pilot implementation especially salaries of the implementers</li> </ul>

Adviser	Inputs	Key activities
<b>Social Dynamics Adviser LGU</b>	16 weeks	Part-time TA inputs shall involve assisting CRS and counterpart to: <ol style="list-style-type: none"> <li>1. Prepare and document a comprehensive training program for LGU and community</li> <li>2. Plan and implement the process of evaluation of lessons</li> <li>3. Update the Implementation Plan for use in replication sites</li> <li>4. Prepare tool kit for various processes (PRA, Community Planning, process documentation guide, training, etc.)</li> <li>5. Develop a system for process documentation and monitoring and evaluation of SD</li> <li>6. Activate post-title development mechanism</li> </ol>
<b>Orthophotomapping Adviser</b>	4 weeks	<ul style="list-style-type: none"> <li>• Production of CIM using orthophoto</li> <li>• Field test of the use of orthophotos as a survey option in systematic adjudication</li> <li>• CIM production using satellite imagery</li> <li>• Imagery as a survey option</li> <li>• Methodology and test of using orthophotos to assess approved surveys as a quality control feature</li> </ul>
<b>Land Mapping Parcel</b>	4 weeks	
<b>Land Registration Law</b>	4 weeks	The design of inputs is unstructured at this stage until the response of the Land Registration Authority to earlier recommendations is clear



## SUMMARY OF OUTCOMES

Adviser	Output	Methods For land titling identified  (a)	Evaluation Criteria  (b)	Evaluation conducted  (c)	Workshops  (d)	Referral of results LAG Task Force TWG  (e)	Documentation in Reports Manuals  (f)	Operationalise OSS  (g)	Remarks – Not yet delivered
<b>Survey and Mapping</b>	Report on: <ul style="list-style-type: none"> <li>• Assessment of Leyte Experience on quality cadastral and control surveys and condition and availability of surveys</li> <li>• Approaches for quality control of surveys</li> <li>• OSS flowchart and updating of CIM</li> <li>• Documented procedures on surveys and mapping</li> <li>• Training curriculum of surveys and mapping courses to support prototype</li> </ul>		<ul style="list-style-type: none"> <li>• Process effectiveness</li> <li>• Skills input</li> <li>• PIO-1 administrative process</li> </ul>	<ul style="list-style-type: none"> <li>• Activity process check at field level</li> <li>• Review workshop on cadastral surveys</li> <li>• Review workshop on controls and political boundary surveys</li> </ul>	<ul style="list-style-type: none"> <li>• Training workshop for SNS / field verifiers (2 days)</li> <li>• Orientation workshop for cadastral contractors (1 day)</li> <li>• Workshop for survey unit heads on survey project planning (2 days)</li> <li>• Re-orientation on SNS for Pastrana contractor and staff and PIO-1 staff in Pastrana</li> </ul>		Included in activity process and survey procedures report	Ongoing development: Initial activity processes agreed with CENRO, PENRO, BIR, is under test. First review assessment of operations of OSS is scheduled July 23, 2003.	

Adviser	Output	Methods For land titling identified <b>(a)</b>	Evaluation Criteria <b>(b)</b>	Evaluation conducted <b>(c)</b>	Workshops <b>(d)</b>	Referral of results LAG Task Force TWG <b>(e)</b>	Documentation in Reports Manuals <b>(f)</b>	Operationalise OSS <b>(g)</b>	Remarks – Not yet delivered
<b>Systematic Registration</b>	<p>Continued test of judicial titling</p> <p>Commence test of free patents; first titles generated</p> <p>Evaluation of judicial titling</p> <p>Evaluation of initial free patents. Inputs into legislation required to simplify free patents.</p> <p>Study tour</p> <p>Planning for future activities</p> <p>Inputs into PIO 1 evaluation reports.</p> <p>Recommended land titling method for Phase II.</p> <p>Potential streamlining</p> <p>Commenced design of integrated training program</p>	<p>Free patents for agricultural land.</p> <p>Judicial titling for residential land [until free patents extended to residential land]</p>	<ul style="list-style-type: none"> <li>• Time</li> <li>• cost per title</li> <li>• agencies involved</li> <li>• productivity of adjudicators</li> <li>• skills and resources required and availability</li> <li>• simplicity and flexibility of the process</li> <li>• capacity to expand the use of the process</li> <li>• control over key functions</li> <li>• quality of the output</li> <li>• land covered</li> <li>• decentralisation.</li> </ul>	<p>Evaluation workshops for Judicial titling 13, 15 and 16 May, 10 June</p> <p>Evaluation workshop for free patents 17 June</p>	<p>Free patent orientation and training 10 April</p> <p>Free patents roadblocks - 23 April</p> <p>Judicial titling roadblocks April 2003</p> <p>Pre-study tour workshop.</p> <p>Post study tour workshop</p>	<p>Legislative and administrative changes required to simplify free patents referred to PMO March 2003. Result was a draft Bill in May 2003</p> <p>Roadblocks to issue of titles referred to PMO 24 April. Result was new DAO streamlining approval processes.</p> <p>LAG chair attends free patents roadblocks meeting</p> <p>LAG meeting 25 June 2003 - evaluation of land titling options</p>	<p>Updated judicial titling manual</p> <p>Updated free patent manual</p> <p>Sample free patent application</p> <p>Sample Judicial Titling application</p> <p>Adviser Final Report</p> <p>Joint Adviser report to AusAID</p>		<p>Simultaneous survey and adjudication to be tested</p> <p>Operation under the new structure of systematic adjudication to be tested.</p> <p>Potential of CO methodology to be incorporated.</p> <p>PIO 1 evaluation reports not yet finalised.</p>

<b>Adviser</b>	<b>Output</b>	<b>Methods For land titling identified</b> <b>(a)</b>	<b>Evaluation Criteria</b> <b>(b)</b>	<b>Evaluation conducted</b> <b>(c)</b>	<b>Workshops</b> <b>(d)</b>	<b>Referral of results LAG Task Force TWG</b> <b>(e)</b>	<b>Documentation in Reports Manuals</b> <b>(f)</b>	<b>Operationalise OSS</b> <b>(g)</b>	<b>Remarks – Not yet delivered</b>
<b>Administrative Titling Adviser</b>	Report evaluating options for legislative reform	Administrative titling	Grass roots evaluation of options	Workshops Group meetings	Stakeholder Administrative Titling Options Workshop 26 February 2003  NGO Admin Titling Options Evaluation Workshop 4 March 2003	LAG meeting 13 March 2003	Preliminary Evaluation of Administrative Titling Options for the Philippines March 2003		Adviser demobilised before commencement of the free patent activities and so did not have training inputs and did not evaluate the process
<b>Land Registration Law</b>	Report and recommendations on reforms impacting on land document registration	Simplify the certificate of title format  Simplify transactions by using standard forms  Simplified registration requirements	Industry, stakeholder review	Evaluation workshops Leyte and Manila	Consultation Workshop on Land Document Registration 29 April 2003	LAG Chair attended workshop	Future Directions for Land Document Registration May 2003	Registry of Deeds to become Land Titles office also containing all map resources.  Greater administrative powers  Simplified forms and processes.	Next steps are dependent on the response of the Land Registration Authority.
<b>Social Dynamics</b>	Commenced pilot test for PIO1 led CO in an unsurveyed area.  The validation process for claimants is already being adopted by the PIO 1 CRS team	Free Patent	Stakeholders' involvement/ ownership  Organizational Development  Leaders' & other stakeholders' capability building  Mobilization of	Field Assessment for PIO1 led CO May 22; PIO1 Evaluation Presentation June 10; CRS Integrated Review June 18;	Pilot design orientation April 24-26  Evaluation workshop for PIO1 CO June 7-8 CO Orientation to LGU led pilot implementers	Attended March 13 Mtg. Explained framework of LAMP PIO1 CO-CD in Land titling	Draft design of Land titling procedure using CO process, draft flow chart for Free Patent land titling using CO process PIO1 CO initial Field Assessment Report,		

Adviser	Output	Methods For land titling identified <b>(a)</b>	Evaluation Criteria <b>(b)</b>	Evaluation conducted <b>(c)</b>	Workshops <b>(d)</b>	Referral of results LAG Task Force TWG <b>(e)</b>	Documentation in Reports Manuals <b>(f)</b>	Operationalise OSS <b>(g)</b>	Remarks – Not yet delivered
			community on other issues.  Cost  Time		May 24-25				
<b>Social Dynamics (LGU)</b>	Output 2.3 Methodology for CO by LGU Lessons referred	LGU-led processes for community mobilization for titling	Efficiency: Cost and Time  Impact: Level and quality of participation of stakeholders  Sustainability of benefits from titling and support structures and mechanisms; Organizational Development  Effectiveness  Management of unintended effects	Evaluation of LGU CRS – May 24  Evaluation workshop for LGU CO – June 11  Integrated CRS Evaluation Workshop – June 18	Orientation on CO and team planning  Orientation and Action Planning Workshop for Barangay Council  BC Action Plan presentation to Municipal Council for cost sharing  Training for Lupon Tagapamaya  Meeting by landowners and landless	Interim Report on LGU  Evaluation workshops as input to LAMP 2 design	LGU CO Implementation Plan  Draft Process documentation guide  Draft Participatory Rural Assessment Manual for LAMP  Compilation of Training designs and hand-outs		Opportunities for LGU Action for Social Preparation to be presented after inventory of post title services  CO process for titling supports test of simultaneous survey and adjudication

<b>Adviser</b>	<b>Output</b>	<b>Methods For land titling identified</b> <b>(a)</b>	<b>Evaluation Criteria</b> <b>(b)</b>	<b>Evaluation conducted</b> <b>(c)</b>	<b>Workshops</b> <b>(d)</b>	<b>Referral of results LAG Task Force TWG</b> <b>(e)</b>	<b>Documentation in Reports Manuals</b> <b>(f)</b>	<b>Operationalise OSS</b> <b>(g)</b>	<b>Remarks – Not yet delivered</b>
	Framework for LGU role in post-title service delivery	Planning for post-title initiatives  Support mechanisms for social development in place	Post-title mechanisms in place: Inventory of development service delivery providers  Action plans by community and BC  Post-title network: agencies involved; access by LGU/community organizations	Workshop for LGU CO conducted May 24			LGU TOR includes role in post-title  Directory format for LGU Support Service Providers		Mechanism for development support service delivery to be referred; awaiting completion of directory as basis for planning with LAG/LGUs
<b>Orthophoto mapping</b>	First CIMs by Orthophoto 4 days of inputs only	Potential for orthophoto							

# 3 - Survey and Mapping

## 1. Summary of Final Report

The report covers the implementation of the cadastral surveying activities for the months (Jan-Jun 2003) in support of systematic land titling and registration. It includes also an assessment and review of the Leyte experience of pre-LAMP-1 cadastral surveying together with the developing process to operationalize the One Stop Shop (OSS). Formulation of the activity process flow for CIM updating to capture new data created from ongoing land related transactions with the Base Camps, the CENRO / PENRO, the ROD, the Surveys Division of DENR, the assessor's office and the DAR are also addressed. Then comments on the ongoing development of a surveying curriculum as well as proposed training of surveying professionals and support mapping technicians for existing surveying professionals to upgrade the quality of the survey practices is also presented.

The report provides insights into the extent and limitations of the activity processes implemented in the Pilot area of PIO-1, Leyte as well as the application of the management process applied which had impacts on the outcome of the project. Implications to LAMP Phase-2 are explored with the assessment of the realities in the environment of the project and the difficulties encountered in developing the proper administrative mechanism to pursue the aims of the project.

### The "Output Terms of Reference" define tasks related to:

1. Assistance in the implementation of field surveys to ensure integration of surveys and systematic registration processes to include orientation training for contractors, verifiers and SNS operations.
2. Assistance to PIO-1 to develop approaches and strategies for reviewing the quality and effectiveness of field surveys.
3. Assist the prototype to implement the Free Patent titling process with new streamlined procedures.
4. Assist PIO-1 in updating the CIM database.
5. Assist PIO-1 to develop a flow chart for the OSS to integrate survey plans into the registration and records management processes of the Register of Deeds (ROD).
6. Assist the Orthophoto mapping adviser in the evaluation of the use of Orthophoto in CIM preparation and surveying.
7. Continue to document improved procedures and operational manuals for survey and mapping;
8. Assistance to PIO-1 to operationalize the OSS in Leyte
9. Report on:
  - a. Based on experience in Leyte, the quality of cadastral and control surveys.
  - b. The condition and availability of...surveys.
  - c. Training curriculum of surveying and mapping courses to support the prototype.
  - d. Approaches that should be taken on the quality control of survey execution.
  - e. OSS flowchart for use and updating of CIM.

**PROGRESS**

<b>Developments (Jan-June2003)</b>	<b>For Further Development</b>
<p>1. PIO-1 awarded 12 module projects in Dagami and Pastrana and the Municipality of Sta. Fe based upon the bidding held in November 2002. Implementation was late and incomplete due to the non-payment of the 15% mobilization cost to contractors. Two contractors however have started last March in Dagami and the other in Pastrana and another one run the project control for Module 3, 5, 6, 7, all of Pastrana. Both operated unofficially before the date for project to start set by PIO-1.</p> <ol style="list-style-type: none"> <li>An orientation workshop was conducted for the contractors.</li> <li>Training for operations in SNS and field verification was conducted.</li> <li>Establishment by PIO-1 survey team for the political boundary in Dagami for those barangays with no political boundary survey during the execution of PLS, GSS and CAD surveys.</li> </ol> <p>2. Positive developments have recently happened at OSS with some impetus derived. First, the issuance by DENR Secretary Gozun for the PENRO and RED to sign Free Patents with maximum of 5 hectares for PENRO [and up to 10 hectares for RED].</p> <p>The CENRO has activated its role to process the Free Patent applications. Agreements also have been reached for PENRO / LMD to come to OSS to process Free Patent Titles. Second is the issuance by the LRA management directing ROD to cooperate fully with the PIO-1 manager to operationalize the OSS. Specific actions are defined.</p> <p>The Technical Adviser and Benny Sanico, the CIM Unit Head have formulated the activity processes for the updating of CIM. The CIM unit is still continuing the completion and integration of data from ROD and other units. Some of the data from the Title Index Cards from ROD are being cleaned for erroneous entries. CIM will be depending on the original source documents, the title copy for data entries to the database. This is also true for the other source documents. A transaction datasheet has been developed to capture new data entries from final documents created in ROD, CENRO / PENRO, Surveys Division, LMD, Assessor's Office and DAR.</p> <p>A process for OSS activity integrations is being developed bit by bit based upon the limitations of authority on the part of the PIO-1 manager to fully control decision making and priority planning of other participating</p>	<p>The initial field experience in the implementation of the private contract project show that the project chief need orientation not only in SNS but also in the area of dispute management. Such workshop orientation shall also include PIO-1 staff involved in SNS, adjudication and the field verifiers. The bigger group of module contractors shall execute the project with the workshop orientation provided. The PIO-1 though in past months has funding problems such that recruitment and training for adjudicator and field verifiers could not be made. Current number of staff is very limited for the purpose.</p> <p>The present arrangement is temporary. Hopefully in the near future the operators who are processing the Free Patent would be under the control of the OSS management. An activity process plan is being developed at the field level. It is best to test a process of systematic Free Patent titling of unsurveyed areas by conducting a parallel execution of SNS and lot surveys together with adjudication and acceptance of Free Patent application. A barangay focus is needed for testing.</p> <p>Final CIMs have not yet been produced by PIO-1, it being dependent on the final transformation of surveys into the PRS-92 system. Only preliminary CIMs are presently used. PIO-1 has not yet provided the Leyte ROD or the CENRO the needed computers to be used in the application of the CIM-database in support of their respective work process. The OSS shall start the orientation to its personnel in the use of the CIM-database.</p> <p>Workshop to orient ROD counterparts assigned at OSS front desk scheduled June 20. This is intended to develop the kind of working relationship and knowledge base to activate the functions of the OSS.</p> <p>With the assignment of ROD operatives at Front Desk to at least partially integrate the registration function of ROD with OSS shall be evaluated after one month on July 23. This will enable the Front Desk to review the activity structure, the effectiveness and suitability and flow process being tested now. This holds true with the operation linkage with</p>

<p>agency units. A process flowchart for the integration of survey plans into the operations of the ROD is being developed at PIO-1.</p> <p>The pre-LAMP experience of Leyte in cadastral surveying can be represented by the status of cadastral surveys in the six pilot municipalities of PIO-1. Apparently all the towns of Leyte are surveyed. But like PIO-1, there is still much to be done in cadastral surveying. The Technical Adviser made an evaluation of the Leyte experience on cadastral surveying which indicates several problems in the province of Leyte. Report is made.</p> <p>Two academic institutions of Leyte have recently decided to offer courses in Geodetic Engineering in Leyte / Eastern Visayas. This June 2003, students in surveying will be accepted by the Leyte Institute of Technology of Tacloban City and the Leyte State University of Baybay Leyte. These developments are the result of the exploratory discussions initiated by LAMP PIO-1 with the academe. The course design is ladderized and is supposed to address the substandard academic training for surveyors. Technical Adviser in his report comments on the merits and the weakness of the course design. Similarly the Technical Adviser explores a separate strategy to upgrade the competency levels of existing practitioners of the surveying profession. A report on this review is made by Technical Advisers.</p> <p>The treatment for quality control for cadastral surveys should be concentrated on the activity process check instead of just outputs. It is a tedious process but the reality of a deficient professional tendency and a strong sense for the profit motive demands a strong supervision, regulation and administration of the surveying practice. Approaches with process strategies to control the quality of the survey are developed by PIO-1 with assistance from technical advisers.</p>	<p>CENRO, DAR and BIR. With the experience properly evaluated PIO-1 will need to reformulate the activity structure and try to incorporate some more significant functions of the OSS and streamline the operations.</p> <p>Action Recommended:</p> <ul style="list-style-type: none"> <li>• Immediate densification of controls for priority areas under Phase II.</li> <li>• Transforming of old correctly surveyed municipalities to the PRS-92 system.</li> <li>• Conduct validation mapping of suspected substandard or even defective projects. The use of SNS operations will be good with slight modification to make operations efficient. Use orthophotos if they are available.</li> <li>• LAMP has to develop a national guideline with a set of parameters to declare an old survey project to be good or to be rejected as defective projects. A national consultation workshop with all regional offices represented by their top survey chief would be helpful to create consensus and acceptability for implementation if LAMP II continues.</li> </ul> <p>With the intention to come up with an academic course on surveying that parallels advanced surveying training like in Australia, the course as finally designed by LSU and LIT need to be reviewed. It needs improvement although under circumstances dictated by DECS mandatory requirements for a degree course the improvement is significant.</p> <p>The immediate need for the implementation of the LAMP II is an effective and competent partnership with accredited practitioners of surveying. A non-academe training of current surveying professionals has to be developed in partnership with the Geodetic Engineers of the Philippines with some form of assistance from recognized institutions for the accreditation. This needs proper recognition by both the Professional Regulations Commission and the Civil Service Commission. LAMP and GEP need to look into this strategy in upgrading the surveying practice to support the LAMP program in the short run.</p> <p>The project execution by the two module contractors were made under conditions of inability of the PIO-1 to properly complement the staff for SNS operations, the adjudicator and the field verifier. Supervisor activities by the PIO-1 counterpart needed improvement. Pursue the remaining 5 modules and the whole of Sta. Fe municipality with the proper supervisory and operator complement from PIO-1. This way we can test the real worth of the survey process. PIO-1 also has to provide the stronger administrative mechanism to</p>
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	<p>control the activities of the contractor.</p> <p><b>Others:</b> Pursue further the development of the OSS operations as a one stop shop of land administration services. PIO-1 needs to look further into the administrative mechanism to really integrate the functions of the participating agencies into the OSS operations. Roadblocks derived from the agency mandates not yet assigned to the OSS management have to be minimized. Under an LAA, the DENR survey division and the Land Management Division needs to be under OSS. PIO-1 now has to develop strategies to absorb this function in preparation for LAMP II.</p>
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**Strategic Areas/Concerns with implications for LAMP II are:**

1. Improvement of operations management capability.
2. Developing project planning competencies for PIO surveying staff and head of operating units.
3. Comprehensive inventory of potential workloads by region addressing the problem sectors on:
  - a. Control densification by area priorities;
  - b. Extent of substandard approved cadastral projects for correction surveys with priority classification.
  - c. Extent of defective approved cadastral projects for resurvey with priority classification.
  - d. Unsurveyed municipalities for cadastral survey programming with priority classification.
  - e. Extent of political boundary surveys of previously surveyed municipalities by cadastral, PLS, GSS or module projects.
4. Comprehensive inventory of approved cadastral maps lot data and area computations, projection maps and land classification maps.
5. Comprehensive inventory of land reform areas and their survey status.
6. Evaluation of regional capabilities in the technical, equipments and administration aspects.
7. Assessment of private sector surveying capability and technological development at regional levels.
8. Developing advanced surveying technical competencies for improved cadastral surveying apparatus;
9. Improvement of the implementation organization to supervise cadastral operations;
10. Provision of full support complements to cadastral survey contractors in (SNS) survey notification and sketching, adjudication for landowners and field verifiers.
11. Incomplete documents available for old approved surveys and titled properties.

**Major Issues:**

1. Absorptive capacity of the surveying community to participate effectively in the LAMP Program over the next five years.

Realities: The majority of local surveying practitioners do not have the capacity in terms of technical knowledge, financial capacity to acquire expensive equipments and the survey experience to implement cadastral surveying in accordance with international best practice. There is a significant limitation for the academe and

the surveying professional groups to address effectively the upgrading of surveying education and the accreditation process over a short period.

2. The administrative capacity of the lead and relevant agencies to implement and supervise an expanded cadastral program is weak. This may lead into very serious lapses in survey program management that could result in substandard or even defective cadastral survey projects.
3. Absence of an integration mechanism to accelerate the implementation of an expanded and advanced cadastral surveying program linking effectively the project mandatory LAMP, NAMRIA, Survey Division, DENR and the role of CENRO technical staff.
4. Absence of a developed institutional capacity to densify the 3<sup>rd</sup> order geodetic control network PRS-92 system to effectively support an expanded cadastral program region wide and more so if nationwide.

Reality: NAMRIA has limited capacity to support the PIO-1 densification of geodetic network controls. Its contribution is appreciated but a region wide or nationwide implementation, definitely, cannot be supported by NAMRIA. It is not sustainable.

5. The mandate for transforming all surveys to the PRS-92 system by year 2005 cannot be met under present circumstances and existing surveying capabilities.
6. The existing reality of substandard or even totally defective previously approved cadastral projects will pose difficulty for systematic land titling and registration.
7. Skills in Survey Project Planning and Operations Management for survey technical supervision are very weak. It will impact adversely on program implementation at the project level.

### **Key Recommendations**

1. A three-pronged capability-building may to be planned and implemented soonest. It may take the form of training abroad of local surveying professionals in government and the academe.
  - a. Development of academically trained surveying professionals (Geodetic Engineering, Geomatics and advanced land administration competencies) for practitioners in government, the academe and the private sector. A two year program of visiting professors may be adopted to help train local Engineering academics and practicing geodetic engineer in institutions offering or developing advanced geodetic engineering courses.
  - b. A one and a half to two year technician course in two modules:
    - Survey staff technician course with developed competencies focused on field surveying activities using advanced surveying equipments.
    - Survey cartography and advanced surveying computation, training for technical competency focused on office based surveying and mapping activities using advanced technology equipments.

Both competency training need to be properly coordinated and recognized by the Professional Regulations Commission and the Civil Service Commission for accreditation and eligibility purposes.

- c. Upgrading of the professional competencies of existing surveying professionals that are recognized by both the Professional Regulations Commission and the Civil Service Commission. This may take in the form of:
- Formal continuing educational program with seminar workshops to be a joint venture of the academe and the Geodetic Engineers of the Philippines with accreditations to be recognized by the PRC (Professional regulations Commission). Modular training course designs have to be pre-approved by the PRC Geodetic Engineering Board.
  - A long distance education program administered by the academe with coordination and approval by the PRC.
2. Review the present capacities of the regional and national offices to administer the program. Focus need to center on program planning, survey administration mechanism, technical supervision competencies at regional and field level, a national monitoring and evaluation system and a regional/national resource management system in support of cadastral surveying and systematic land registration. Program planning and execution must recognize inherent limitations in the bureaucracy.
  3. Review the surveying activities in the different agencies and units and look into the possibility of inter phasing project execution to save on huge financial and personnel resources. Study on how NAMRIA's role in geodetic network controls can be interphased with LEP (Land Evaluation Project) activities on National Land classification. Look at how the Geodetic Control Survey parties and the Surveys Division of all the Regional Office in DENR can be utilized in the LAMP program. Study the possibility of interphasing of the DAR surveying and mapping programs and projects.
  4. Careful planning and execution of 3<sup>rd</sup> order geodetic network controls to support the survey and titling program must be realized. Both government and private sector capabilities on establishing geodetic controls and political boundaries must be developed with the Regional Surveys Division and the Geodetic Network Survey Parties taking the lead. Total dependence on NAMRIA should be avoided. In effect approval of 3<sup>rd</sup> order (densification controls) geodetic controls must be delegated to the Regional Executive Director of the DENR. NAMRIA may focus on 1<sup>st</sup> and 2<sup>nd</sup> order geodetic network controls.
  5. A policy review by the DENR to address the issue of transforming all surveys to PRS-92 system must consider the potential dislocation of the system of conducting isolated surveys and approving them in the regional offices. Both the bulk of private practitioner and the surveys division are not totally prepared for this. The problem may be addressed by the continuing education and professional upgrading program proposed by LAMP. Policy guidelines may now be issued by DENR.
  6. Activate an evaluation and validation process for all approved surveys before they are used in systematic land titling and registration. A strong SNS which could interphase with the field investigation reporting for the Free Patent Titling could be very useful. Also the use of orthophotos as instrument for validation of old surveys is recommended if orthophotos are available.
  7. The development of the project management process must go side by side with the technological procedures improvement. All supervisors on surveys must be skilled in cadastral project planning and operations management. They need to be skilled in monitoring and evaluation activities at the management level, project supervisory level, activity level and personnel performance level. The HRD need to develop a crash program for this competency spread out to the different regions.

# 4 - Systematic Registration

## Summary of Final Report

The aims of adviser inputs for the period January to June 2003 were to assist PIO 1 in its field tests, production processes and evaluation activities. The Systematic Registration Adviser's specific terms of reference were to assist PIO 1: in the implementation of the piloting of residential judicial titling; in the implementation of the free patent pilot; in the conduct of an evaluation of the judicial titling methods; in the conduct of a major review of free patent titling; and in the conduct of a study tour by acting as TA Mentor. The Adviser also assisted APD in the coordination of PIO 1 TA activities and collated a final report for Activity 25.

The following Table summarises the Adviser's activities and outcomes of evaluations. Full details are contained in the Adviser's report.<sup>3</sup>

*Table: Summary of outcomes from adviser*

TOR	Progress
<p><b>Activity 1</b></p>	<p><b>Assist PIO 1 in the implementation of the piloting of residential judicial titling by identifying and documenting differences in procedures, developing a strategy for review and documenting lessons.</b></p> <p>The judicial residential pilot commenced in late 2002. It has continued to be implemented successfully by the SAT Leader with minimal intervention. The process has been identical to judicial titling in rural land, so there have been no changes to the Manual. Some advantages however have been experienced from a procedural perspective and these are set out in the report. Similar results are expected if the systematic adjudication of residential land is trialled under free patents.</p> <p><b>Pilot of judicial titling in residential areas</b></p> <p>The processes were tested in late 2002 and the first half of 2003. Field processes for rural and urban judicial titling are similar. The same interview process and compilation of evidence, preparation of an Answer and the cadastral officer's report and hearing procedures by the Commissioner must be followed. However, the SAT Leader had the following impressions of the differences between residential and agricultural locations:</p> <ul style="list-style-type: none"> <li>• The logistics of interview are simpler for residential land. Because the base camp is easily accessible by members of the public, it is not difficult to organise attendance at interviews. Because of proximity there is more of a tendency for people not scheduled for interviews to drop in to the base camp. The SAT Leader estimated that interview rates could rise from 5 per day to 7 per day</li> <li>• Ocular inspection is different - in rural land parcels the parcel of land to inspect may be large whereas the residential parcel is compact; it is easier to find and travel to the site is less of a problem; the inspection is faster</li> <li>• Residents of the urban areas are more likely to have documents evidencing ownership than in rural areas. More care will be taken, when the land is purchased, to have the transaction correctly recorded. In addition to having more documents, they are more readily available, as</li> </ul>

<sup>3</sup> Output 2.2 Activity 25 - Systematic Registration Adviser's Final Report 30 June 2003

TOR	Progress
	<p>security and understanding their importance are more widespread. In rural areas the owner may simply have tax receipts. Because of the availability of documents in the residential pilot, the adjudicator does not have to prepare supporting affidavits as often, thus saving processing time.</p> <ul style="list-style-type: none"> <li>• There seems to be a greater tendency to pay taxes in urban areas so obtaining tax receipts is not a difficulty. The impression is that income in rural areas is cyclical - available when crops are harvested and less available at other times. The priority use of money in rural areas is on food and seeds etc rather than taxes. Clients in residential areas can include businessmen and employees with more accessible income that is not dependent on crop cycles.</li> <li>• The SAT Leader interestingly perceived that ownership in residential areas was more stable, more long-term with less turnover. This resulted in an availability of people with a good knowledge of prior owners and therefore able to provide corroborative evidence. The small land parcels results in more contact between people, whereas in larger rural parcels it is more difficult to obtain supporting evidence.</li> <li>• Although the tax records for the municipality for the urban area are not old enough [commencing 1948] to satisfy the court, the records of the province for Arado go back to 1912. The availability of pre-war history is valuable in judicial claims that must prove the land has been occupied since 1945. Thus proof is simpler.</li> <li>• The SAT leader perceived a higher level of understanding by urban claimants, resulting from more years in school. There was a faster appreciation of the processes of government and a more ready acceptance of the role of bureaucracy in Arado.</li> </ul> <p>Other impressions are set out in the Adviser's report.</p> <p><b><i>Analysis of Delay in the judicial pilots</i></b></p> <p>The following reasons for delay in judicial pilots are recorded in the Adviser's report: delays in canceling surveys; delays in completing amending surveys; delays in approving new surveys; delays in procuring survey contractors; barangay boundary conflicts; delays by the Solicitor General in approving Petitions; lack of a local lawyer; uncertainty about the content of Answers; changing processes during the pilot; difficulties arising in the mobilisation of cadastral officers; emphasis on attempting to gain 100% participation; lengthy public notice period; and multiple reviews by lawyers who take a strict view of legal requirements.</p> <p><b><i>Meetings to improve processes</i></b></p> <p>Although the design of Adviser activities did not anticipate inputs into the rural judicial titling programme generally, this was difficult to avoid because the pilots were ongoing.</p> <p>In 2002 concern was raised by adjudicators about different practices by Cadastral Officers. A meeting was conducted with Cadastral Officers in February 2003 and some differences were removed.</p> <p>Another major weakness was the lack of a time limit on fieldwork. This resulted in a period of over 12 months being given to claimants to produce lacking documents. At two meetings, a streamlined process was developed, permitting three notices of interview to be provided. It limited the period for producing lacking documents to 6 weeks.</p>

TOR	Progress
	<p>A pre-hearing conference was conducted on 9 April to discuss the informal hearing process. The TA raised a simple hearing methodology that placed reliance on documentation prepared by adjudicators and reviewed by the Cadastral Officers. This was an attempt to avoid a formal hearing. But this was rejected. Initial hearings were commenced for Cabariwan on 14 and 15 April and continued until 27 June 2003.</p> <p><b>Status in June 2003:</b> On 30 June judicial pilot base camps will be closed and the SAT Leader will provide an exit report. The Petition has not yet been released by the Solicitor General. No Cadastral Officer has been appointed. From 1 July the final stages of the judicial titling process will be managed by a team in the One Stop Shop.</p>
Activity 2	<p><b>Assist PIO 1 in the implementation of the free patent pilot. Report on progress, issues and lessons learned about potential simplification of the system</b></p> <p>The San Miguel base camp was set up and prepared for free patent activities in the barangay of Lukay. Interviews in the first free patent pilot at Lukay, San Miguel commenced in February 2003 but the pilots were not effectively started until the return of the technical officers from the study tour of Lao and Thailand in the last week of March 2003.</p> <p>The adviser reviewed the law applicable to free patents and also the regulations and circulars and provided inputs to the follow-up WB mission concerning legislative changes to simplify free patent titling. A table summarizing the laws and circulars and highlighting the issues to be changed was developed for the operations manual. This was referred to policy developers to assist in the development of a Bill for legislative reform. A draft Bill was received in May 2003</p> <p>In March 2003, PIO 1 and LAMP committed to the President to issue titles by June 2003. Meeting this commitment depends on many factors including resolving budgeting issues and other difficulties presently affecting then project.</p> <p>The Adviser assisted PIO 1 to develop a programme for the training of free patent staff and this was conducted 10 April. The Free Patents Manual was revised, reprinted and distributed at the workshop. A file containing a sample Free Patent Application was printed, indexed, bound and distributed as a guide.</p> <p><b>Changes already introduced</b></p> <p>The following changes were introduced as part of the implementation of the pilot, in order to simplify processes: the interview and the ocular inspection can occur on the same day in the field rather than transferring files to and from the OSS; the possession period was reduced to 30 years; the project obtained the latest tax declaration from the assessor, to save the claimant the time and cost; the base camp conducts research and obtains various clearances before the interview; CENRO provides a mass pre-verification before interview giving information about the land; expedited numbering in CENRO Records allows the application to be advertised 24 hours after lodgment of the file in CENRO; posting of the application is carried out by the base camp rather than CENRO; expedited processing by LMO3 in CENRO, taking 3-5 days; delegation of the approval authority to PENRO; transfer from CENRO to LAMP the responsibility</p>

TOR	Progress
	<p>of preparing the technical description; reduction of the signatures required on the technical description to one; use of a photocopier to copy the technical description onto the patent form; eliminating the documentary stamp on affidavits signed by the claimant; eliminating the need for clearance certificates from the Registry of Deeds and the Land Registration Authority; DAR processing of lots exceeding 5 hectares can occur after the registration of the title; the file is not sent to PENRO at the time of signing but the PENRO officer travels to the OSS, saving time. The activities of the CRS have simplified by reducing barangay assemblies to one and by reducing the missing document period to 2 weeks.</p> <p><b><i>Pilot of Surveyed land - San Miguel</i></b></p> <p>Following the commitment by PIO 1 to issue titles in June 2003, a meeting was conducted at San Miguel base camp on 1 April to review progress and allocate resources, with a view to producing titles by June 2003. Inadequate processes were identified and corrected and measurable deadlines were imposed. A monitoring report was prepared. The SAT Leader was given guidance in specific activities to monitor progress towards the deadlines. New adjudicators were assigned.</p> <p>Processing of the applications continued throughout April and May. A total of 60 Patents was approved by CENRO and approved by PENRO in readiness for issue to claimants.</p> <p><b><i>Pilot of Unsurveyed Land - Pastrana</i></b></p> <p>The Pastrana pilots commenced in late February 2003 following mobilisation of the survey contractors, with first interviews conducted 7 March 2003. Resources were allocated to two barangays where adjudication and survey activities would occur simultaneously. There was poor liaison between the adjudicators and the survey party. As a result there were no joint survey and adjudication activities. As a result of minimal training of survey contractors the initial Survey Notification Sheets did not all comply with requirements and remedial action was taken [to be reported separately by Mapping Adviser]. A further pilot of this activity should be conducted in the next 6 months.</p> <p>Achievements and lessons from the pilots were assessed at the review workshop on 17 June. The adviser drafted a structure for a comprehensive training programme and this is being discussed with Leyte State University and the Academe consortium.</p>
Activity 3	<p><b>Assist PIO 1 in the conduct of an evaluation of the judicial titling methods, reporting on advantages, disadvantages and recommendations of enhancements to facilitate its use in LAMP II.</b></p> <p>The leveling off workshop was held on 13 May with lawyers participating. The main issues were:</p> <ul style="list-style-type: none"> <li>• Potential for appeal - this resulted in a cautious approach to ex parte hearings, with lawyers unfortunately requiring a more detailed focus on the examination and cross examination of claimants</li> <li>• There was no interest in a flexible hearing process; in fact the lawyers requested an amendment of the operations manual to delete reference to</li> </ul>

TOR	Progress
	<p>informal hearings because the hearings were to be formal.</p> <ul style="list-style-type: none"> <li>• Non-payment of Cadastral Officers.</li> <li>• Potential to reduce impact on titled land</li> <li>• The need for further inputs from the Solicitor General. As a result draft decisions from the Commissioners of the Court were referred to the Solicitor General in May but no response has been received. Further inputs from OSG in a training capacity are planned for June and July 2003 to develop the capacity of staff.</li> </ul> <p>The second review workshop was held on 15, 16 May and this was intended to be a review with external stakeholders but there was very little external participation. By the second day it became purely an internal review. The following issues arose: (i) Poor liaison between CRS and SAT. This was first raised for attention by SAT Leaders at the mid-term review in May 2002 (ii) Limited use by SATs of the CIM sheets and database - these are vital resources and their use was stressed with SAT Leaders during training. (iii) Lack of professionalism of some SAT Leaders (iv) the limited contribution by the SAT Leaders and field staff to the review process - their inputs focused on how PIO 1 could improve its management not on how the base camps could be more effectively managed.</p> <p><b><i>Advantages and disadvantages of Judicial Titling</i></b></p> <p>Judicial titling has the following advantages: it applies to all land, including residential and agricultural; there is no five-year restriction on transfers; it applies to tenanted land and the process can title land up to 12 hectares.</p> <p>It has the following disadvantages: many organisations are involved in the process so it is slower; the major steps are outside the control of the project; lawyers are involved in several stages and so procedures tend towards compliance with technical detail rather than flexibility and simplicity; there is extra work in the titling process because all owners must be consulted and interviewed, including the owners of titled land; the public notice period is longer; there is a 57-year proof period; and the existence of a boundary dispute can stop the process.</p> <p><b><i>Potential streamlining</i></b></p> <p>The following were identified as contributing towards simplification of the process: reduce the possession period to 10 years; merge the functions of the Cadastral Officer and Commissioner; eliminate the need for an interview with and Answer by owners of titled land; remove the examination of titled landowners during the formal hearing; reduce the notice period to 30 days; remove the need to gazette applications and instead publish in the newspaper; eliminate the hearing process and rely on documentation except in the case of a dispute; and transfer the functions of the Land Registration Authority to the project office.</p>
Activity 4	<p><b>Assist PIO 1 in the conduct of a major review of free patent titling, reporting on advantages, disadvantages and recommendations of enhancements to facilitate its use in LAMP II.</b></p> <p>The pilots commenced in San Miguel [Lukay] in February/ March and in Pastrana [Lourdes and Malitbogay] Some review activities are reported above under Activity 2 including roadblock meetings.</p>

TOR	Progress
	<p>A free patent refresher day conducted at Dagami base camp in June reviewed current issues affecting applications.</p> <p>The major review workshop was conducted on 17 June 2003. The key issues were:</p> <ul style="list-style-type: none"> <li>• Pilot costings</li> <li>• Lack of progress at Pastrana and low outputs</li> <li>• Failure of the merged survey and adjudication activities</li> <li>• Low productivity and high cost of the first pilot - \$US 300 per title and 0.2 transactions per day</li> <li>• Potential to improve productivity</li> <li>• Planning the title issue process on 25 June 2003.</li> </ul> <p><b>Status:</b></p> <p>After three months of intense pilot activity, free patents are considered a suitable option for the mass titling of rural land in Phase II. Titles have issued in a 3-month period. Some simplification of processes was introduced during the pilots. Some simplification requires legislative change and a Bill has been drafted. The PIO 1 report on free patent titling is not yet available.</p> <p><b>Advantages and disadvantages</b></p> <p>Free patents have the following advantages: simpler administrative process; functions are carried out by one organisation that can act quickly to change procedures; there are fewer steps in field activities; the notice period is shorter than for judicial; some change can be introduced by administrative action; and the proof period is shorter.</p> <p>The disadvantages are: the title issues with a restriction on transfers for five years; land below 5 hectares only can be cancelled; proof of payment of real estate taxes is required; and the application to tenanted land is unclear.</p> <p><b>Potential for streamlining</b></p> <p>There is capacity to simplify procedures by: amending the legal framework; by negotiation between stakeholders; by planning differently; and by revising field processes. These are set out in the adviser's report.</p>
Activity 5	<p><b><i>Assist PIO 1 in the conduct of a study tour by acting as TA Mentor. This will include assisting in the conduct of pre- and post- study tour workshops.</i></b></p> <p>The study tour in Lao PDR and Thailand was conducted from 28 February - 16 March 2003. The adviser's role was as mentor. The adviser facilitated a workshop of tour participants in Lao on 8 March and in Thailand on 15 March. The adviser guided the development of lessons learned and the development of recommendations, in structuring and preparing the final report and in the editing of the final report.</p> <p>The Systematic Registration Manager presented a final tour report but there has been little follow-up action by PIO 1.</p>

### **Evaluation Criteria**

The project has been using the following evaluation criteria:

- Time
- Cost per title
- Agencies involved
- Skills and resources required and availability
- Simplicity and flexibility of the process - including ease of introducing change
- Capacity to expand and sustain the use of the process
- Control over key functions
- Quality of the output
- Community involvement, understanding and support

### **Evaluation Outcomes**

Applying the evaluation criteria, Free Patent titling is the preferred outcome for implementation in Phase II. However judicial titling can be used for residential land until the law is amended to permit a simplified process for administrative titling of residential land.

# 5 - Administrative Titling

## Summary of Final Report

### Overview

The Adviser's report focuses on an aspect of Deliverable 25 within Output 2.2 of the Philippines – Australia Land Administration Management Project (PA LAMP). In particular, the report provides a preliminary evaluation of some of the administrative titling options first set out in the current author's December 2002 Report known as *Administrative, Parcel-based Systematic Land Rights Registration: Options for The Republic of The Philippines With Reference to Comparative Examples From Other Jurisdictions*.

Not all options set out in the December 2002 Report are considered or evaluated in the adviser's report. Some of the options required in some cases a level of technical detail that would have been beyond the knowledge or expertise of participants in the Workshops. There may have been technical knowledge in some groups but not in all. For this reason, and for the purposes of providing a consistent basis for evaluation, the technical level of the evaluation was set at a conceptual level. By taking this approach, it was envisaged that a broad level of useful participation could be encouraged that provided useful data.

Despite the general evaluation issues mentioned above, there were a number of other circumstances faced by the adviser that mean there are inherent limitations on the scope of this report. These circumstances include:

- The evaluation period was short
- The location of the project and the author (being remote from senior policy/political decision making processes) meant that stakeholder evaluation took place only at a 'grass roots' level
- Evaluation could, in most senses, only take place in a theoretical sense because existing processes under 'trial' had either not run their full course (e.g. processes using the Cadastral Act), or had not started at all (the Free Patent process)
- A number of options hang on institutional change which is yet to happen
- A number of options hang on legal reform which is yet to happen.

This means that a further evaluation is necessary against the background of fully implemented processes, later in the year. When a title has issued under the *Cadastral Act* (a 'judicial' title) and a Free Patent issued under the *Public Land Act*, there will be the fullest opportunity to evaluate current processes against the options suggested by the author. At that time, the stakeholders should be consulted again.<sup>4</sup>

The methodology employed for the purposes of this preliminary evaluation included workshops and private and group meetings over the course of late 2002 and early 2003. The following major workshops and meetings were conducted:

- Registry of Deeds (15 November 2002)
- Stakeholders (2 December 2002)
- Stakeholder (26 February 2003). Preliminary Evaluation of Administrative Titling Options for the Republic of the Philippines
- Non-Government Organizations (4 March 2003)
- Local Advisory Group (14 March 2003)

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<sup>4</sup> Following the demobilisation of the Adviser, consultation workshops were conducted. On 13 May for judges and lawyers, on 15 and 16 May for other stakeholders in judicial titling, and on 17 June for free patents.

In the last 3 cases, participants were asked to complete an evaluation questionnaire, the results of which appear and are analyzed in the main part of the Report.

### **Summary of Recommendations**

The Adviser's evaluation looked at the selected options from the December 2002 Report from three main perspectives:

- a preliminary 'grass roots' review of the options;
- likelihood of change at a political level; and
- the context of the move towards Phase II.

A summary of recommendations is set out immediately below while a Table providing an assessment of the chances of implementing the selected options appears in the Adviser's report.

#### **Option 1.1.1 Streamlined institutional structure**

PA LAMP should continue to pursue the issue of institutional reform, but accept that it will probably be a longer-term goal, despite World Bank prioritization of it.

#### **Option 1.1.2 Strong anti-corruption ethic within the organization**

This option is tied to the issue of institutional reform. For that reason it has the same limitations in respect of Phase II implementation as the previous option. The Project should continue to pursue this issue in the context of institutional reform, but accept that it is likely to be a longer-term goal.

#### **Option 1.2.1 Consolidate existing legal framework**

Failing legislative reform in the short-term (which appears likely), this option should be pursued as a medium to long-term goal.<sup>5</sup>

#### **Option 1.2.4 All land to be incorporated within the land right system**

This option requires legal reform and, therefore, needs to be actively pursued with the acceptance of the fact that it is likely to be a long-term goal of the project.<sup>6</sup>

#### **Option 1.2.5 First registration not to be conditional on the payment of taxes or other contingencies**

Pursue the repeal of DENR Memorandum Circular No. 9 of 5 May 1993 so that there will no be a requirement for the payment of back taxes as a precondition to titling. In respect of land holdings in excess of those permitted (Comprehensive Agrarian Reform), the process of cooperation should continue, thereby permitting registration to happen first and application of agrarian reform policies to happen after.<sup>7</sup>

#### **Option 1.3.1 Decentralize the land titling process but limit only to areas that have appropriate regional infrastructure and expertise**

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<sup>5</sup> A draft Bill was prepared and is expected to be tabled in parliament in July 2003.

<sup>6</sup> The draft Bill will extend patents to government, residential, commercial and church land and also to land of corporations.

<sup>7</sup> There was a setback in the Joint DENR-DAR Circular issued in March 2003; the circular may require parcels exceeding 5 hectares to be processed by the CARP programme first.

The current processes being followed should be continued. The expansion of the Project beyond sustainable limits should be resisted.<sup>8</sup>

### **Option 1.3.2 Restrict government services to survey, adjudication and registration of land rights**

Maintain the current government processes at this time, limiting government activities to core land administration functions.<sup>9</sup>

### **Option 1.4.4 Process of first registration could be government subsidized**

Minor (subordinate) legislative reform may be required in respect of fees charged to give effect to the nature of government subsidy of the process. To the extent that law reform is not required, the current practices should continue.

### **Option 2.1.1 Rationalize existing land rights recognition processes into one administrative system with secure rights**

PA LAMP should actively pursue the legal reform necessary to give effect to this option while accepting that it will probably be a longer-term goal. In the immediate future, minimalist changes to the *Public Land Act* should be pursued. In particular, a critical change permitting Free Patents to apply to land other than agricultural land should be advocated as an absolute minimum.<sup>10</sup>

### **Option 2.1.2 Develop a legislative framework that sets out systematic adjudication process**

This option is not critical for the purposes of undertaking the actual process of land titling. But it is critical in the context of Phase II for formally establishing an important institution required to undertake core functions of the project. Steps should be taken upon the completion of the current prototype to liaise with the Land Management Bureau (the policy development arm of the Department of the Environment and Natural Resources) for the development of the necessary subordinate legislation (not a law requiring Congressional approval) to establish the systematic adjudication process. This should be done at the same time as other formalizing requirements in respect of SATs are undertaken.<sup>11</sup>

### **Option 2.1.3 Reduce need for approvals from outside agencies**

Re-evaluate the process of approvals in the administrative titling (Free Patent) process upon the completion of the current pilots now starting in Leyte. That re-evaluation should look further to simplifying intra-agency processes currently undertaken for the issuing of Free Patents. Where the processes under the Cadastral Act are concerned (and there is none of the legal reform required to permit administrative titling to be undertaken in a broad and cost effective way), the process of inter-agency approvals under the 'judicial' titling will require full re-evaluation with the view to simplifying the process. Although subordinate legislative changes may simplify the implementation process, it is likely that this response will require a full coordinated inter-agency review and policy development process.<sup>12</sup>

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<sup>8</sup> Titles issued after the adviser departed and the process was evaluated in June 2003.

<sup>9</sup> Delays in the completion of pilots by survey contractors/ LGU/ NGOs mean that evaluations are not yet completed.

<sup>10</sup> This has been included in the draft Bill

<sup>11</sup> It is proposed to prepare a detailed Implementing Rules and Regulations following passage of the amending bill. This will set out systematic registration procedures.

<sup>12</sup> DENR achieved this in a departmental order prepared in June 2003, delegating the signature process to PENRO.

### **Option 2.2.1 Formally recognize the existence of Systematic Adjudication Teams (SATs)**

Continue to monitor and develop the workings of SATs under the current pilots. Upon the completion of the pilots, re-evaluate the work of SATs with the view to developing a formal subordinate legislative response for their formal establishment.

### **Option SATs could be located within local communities that are the subject of the systematic adjudication process**

Continue current policies requiring SATs to be located with communities that are undergoing land titling.

### **Option 2.2.5 General duties of SATs could be articulated in subordinate legislation**

Continue to monitor and develop the workings of SATs under the current pilots. Upon the completion of the current pilots, re-evaluate the responsibilities of SATs with the view to developing a formal subordinate legislative response for the establishment of their general duties and responsibilities.<sup>13</sup>

### **Options 2.2.7 SATs should not be liable for mistakes in the systematic adjudication process**

Continue to monitor the quality of the work of SATs under the current pilots. Upon the completion of the current pilots, re-evaluate the situation with the view to developing subordinate legislation (with the relevant department policy/legislative development arm) freeing SAT members of personal legal liability for honest mistakes made in good faith while carrying out their ordinary duties.

### **Option 2.2.8 Adequate notice of registration could be specified in law**

Re-evaluate the current notice provisions for Free Patent during the course of, and upon the completion of, the current pilots. Where appropriate, develop with the relevant policy/legislative development arm of the Department of the Environment and Natural Resources a simplified notice procedure that requires, at its highest level, notice in a national news paper of the intention to undertake land titling in particular Barangays.

### **Option 2.2.9 Formalize a community consultation process to inform the community about the systematic registration process**

Continue to monitor Community/Customer Relations (CRS) during the current pilots. Re-evaluate the community consultation process with NGO stakeholders upon the completion of the pilots with a view to developing subordinate legislation (with the relevant policy/legislative development arm of the Department of the Environment and Natural Resources) formalizing community consultation in the land titling process.

### **Option 2.2.11 Provide a flexible framework for the recognition of land rights**

Continue to monitor proof requirements during the current pilots. Re-evaluate the usefulness of current proof requirements upon the completion of the pilots with the view to seeking to simplify them by requiring, in the absence of formal documents, statements from adjoining land owners and, perhaps, disinterested parties attesting to the veracity of claims.<sup>14</sup>

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<sup>13</sup> The structure of the Systematic Adjudication Team was changed in June 2003, operational 1 July.

<sup>14</sup> The draft Bill will reduce the possession period to 10 years

**Option 2.2.12 The ability for persons to object to the systematic adjudication process could be formalized in law but giving SATs limited powers**

Continue to monitor the objections process in respect of administrative (Free Patent) titling during the current pilots. Re-evaluate the objection procedures upon the completion of the pilots with the view to permitting SATs to have limited powers to facilitate the settlement of minor disputes between land claimants during the systematic adjudication process. This limited power could be enshrined within subordinate legislation developed in coordination with the policy/legislative development arm of the Department of the Environment and Natural Resources.

**Option 2.2.14 Nature of applicant's rights could be determined at a regional office level**

Continue to monitor the proposed processes for administrative (Free Patent) titling during the current pilots. Upon completion of the pilots, re-evaluate the process with the view to determining whether it can be further simplified or decentralized to regional offices.

**Option 2.2.15 Objection period be permitted in respect of decision as to the nature of rights and recommendation by rights formalizer**

Continue to monitor the process for objections to government decisions, under the current pilots. Re-evaluate the process upon the completion of the pilots with the view to formalizing an objections process within subordination (and in coordination with the relevant policy/legislative development arm of the Department of the Environment and Natural Resources).

**Option 2.2.16 Land titles could be produced and issued from a regional office**

Continue to monitor the process for the issue of Free Patents at a Provincial level, under the current pilots. Re-evaluate the process upon the completion of the pilots with the view to considering the needs/viability of further decentralizing this process to a regional (base camp level).<sup>15</sup>

**Option 2.2.17 Limit the type of ownership rights available for registration**

This option requires legal reform and, therefore, needs to be actively pursued with the acceptance of the fact that it is likely to be a long-term goal of the project.

**Option Permit a form of provisional title to issue in certain circumstances where information required to confirm title may be missing**

This option requires legal reform and, therefore, needs to be actively pursued with the acceptance of the fact that it is likely to be a long-term goal of the project.

**Option Accept evidentiary statements as a basis for establishing claims**

This recommendation is essentially the same as that mentioned above in respect of option 2.2.11. PA LAMP should continue to monitor proof requirements during the current pilots. Re-evaluate the usefulness of current proof requirements upon the completion of the pilots with the view to seeking to simplify them by requiring, in the absence of formal documents, statements from adjoining land owners and, perhaps, disinterested parties attesting to the veracity of claims.

**Option 2.2.19 No restrictions on dealing with land**

This option requires legal reform and, therefore, needs to be actively pursued with the acceptance of the fact that it is likely to be a long-term goal of the project. For the purposes of convincing government of the advantages of this option, a brief study of utility of the current Free Patent restrictions on dealing with rights (along with a comparison of similar provisions under the Comprehensive Agrarian Reform Law) should be undertaken. If that study shows that the restrictions

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<sup>15</sup> The process of approval was delegated to the PENRO level in June 2003

have little or no impact on land rights holders, consideration should be given to the development of an appropriate 'safety net' offer a level of protection to the poor against dispossession of rights by more powerful or unscrupulous operators. On the assumption that the study finds that legislative safety nets do not work, it is recommended that such a safety net be in the form of pre- and post-titling community awareness campaigns detailing the rights of individuals.<sup>16</sup>

### **Option 3.3 Limit the amount of information on the land title only to critical information**

Continue to monitor this process during the pilot phase. It would be useful to seek some statistical data on the number of errors appearing in titles and Free Patents for the purposes of providing supporting evidence to the policy makers in the Department of the Environment and Natural Resources, and the Land Registration Authority of the need for reform of this process. Failing legislative reform in the short-term, this option should be pursued as a medium to long-term goal.

### **Option 3.8 Maintain a paper-based system with the flexibility to upgrade to a digital system in the future**

This option currently requires current policies to be maintained in the medium-term.

### **Option Limit the number and type of documents that must be lodged for registration**

Continue to monitor the ability of land rights claimants to pay for and produce documentary evidence such as tax certificates, sale deeds and the like, under the current pilots. Re-evaluate the process upon the completion of the pilots with the view to accepting written statements from parties, neighbours and disinterested persons as an alternative to other documents.

### **Option 3.9 Include instruction on the title on basic requirements for dealing in land rights**

Continue to monitor under the current pilots the understanding within the community of the significance of land titling and how the community believes that dealings in land rights are formalized. Re-evaluate the process upon the completion of the pilots with the view to providing notice either on the title document (or Free Patent) of the need to seek advice from the relevant government department concerning dealings with the land (in a formal sense) as well as pre- and post-titling community education programs to inform communities about their rights and obligations.

### **Option 3.11 Co-ownership of land to be permitted**

Continue the current policy of permitting co-ownership of land and the recording of husbands and wives as co-owners. Re-evaluate this process at the end of the pilot phase with the view to providing pre- and post-titling community education programs targeted particularly at women to inform them of their rights as co-owners of land.

### **Option 3.12 Permit discretion of Land Office to correct mistakes on the title instrument or register administratively (without the requirement to go to Court)**

This option requires legal reform and, therefore, needs to be actively pursued with the acceptance of the fact that it is likely to be a long-term goal of the project.

### **Option 3.13 No liability for land office staff acting honestly and in good faith**

This option requires legal reform and, therefore, needs to be actively pursued with the acceptance of the fact that it is likely to be a medium-term goal of the project.

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<sup>16</sup> The draft bill removes from patents the five-year restrictions on transfer currently applicable to patents.

# 6 - Land Registration Law

## Summary of Final Report

This report is a follow up to the First Status Report on Land Document Registration (the First Report). It takes forward the issues raised in the First Report, considers further issues subsequently raised, and summarises the considered views of the key stakeholders. It also makes recommendations for further action following the completion of Phase I of LAMP. The report is the final report on land document registration for Phase I of LAMP, and makes recommendations for improvements to facilitate document registration in the Registries Of Deeds (RODs) to be taken up in Phase II.

The report identifies seven strategies considered imperative to improve land document registration. These are:

### **Strategy 1: Remove Technical Description from subsequent titles where a plan of survey is held by the ROD**

#### ***Recommendations for Implementation***

Having regard to the views of the stakeholders in land registration, and with reference to the comments above, the following recommendations are made to enable Strategy 1 to be implemented: An administrative order be issued by DENR to provide:

- when a plan of survey is held by a ROD, a TCT may refer to that plan. Section 16 of Cadastral Act 2259 to be used as a guide.
- a graphical/numerical description of a land parcel is a sufficient technical description for administrative and ordinary or cadastral land registration proceedings, and for the title that subsequently issues.
- if TCTs are to be retained, then the TCT may refer back to the original title for the technical description.

The implementation of this policy will also need a stronger records management practice than currently exists. The successful implementation of Strategy 1 will be dependent to some extent on the implementation of Strategies 5, 6 and 7.

### **Strategy 2: Use standard forms for common transactions (transfer, mortgage, etc)**

#### ***Recommendations for Implementation***

The LRA should, through its Land Registration Committee, and using the draft Transfer form as a template, design forms for to be used for each of the more common transactions. These forms could issue without legislative amendment, as section 112 of PD 1529 already recommends their issue. The forms should be accompanied by Instructions for Completion. Forms and instructions could be provided with translations, where necessary.

If the forms were to be prescribed forms, and non-prescribed forms were to be precluded, amendment to Sections 51 and 112 of PD 1529 would be necessary, together with transitional provisions to allow time for stocks of existing forms (such as mortgages) to be used up.

### **Strategy 3: Redraft format of the OCT and dispense with TCTs to enable the endorsement of changes of ownership on the OCT**

#### ***Recommendations for Implementation***

The LRA should immediately seek the amendment of Sections 43 and 57 of PD 1529 to dispense with the requirement to issue TCTs. The Land Registration Committee in LRA should redesign the OCT, to:

- remove unnecessary information
- provide for ownership and encumbrances to be separately located
- provide for the inclusion of a plan reference in lieu of the technical description.

Following implementation of the above, ROD staff should be trained in the new registration procedures, particularly in the use of abbreviated memorials.

### **Strategy 4: All land registration matters currently required to be dealt with by the Courts should be dealt with by simple administrative processes in the first instance**

#### ***Recommendations for Implementation***

The LRA identify all of the processes within land registration that are currently dealt with judicially and present the necessary amendments to PD 1529 to the task force. Following approval of the changes in procedures, the LRA provide the necessary training to the RODs, and update the training manual.

### **Strategy 5: Improve efficiency of the RODs**

#### ***Recommendations for Implementation***

- a quality assurance program be introduced by the LRA to identify inefficiencies in the RODs and recommend change.
- training of staff, particularly in the technical areas such as examining, be given higher priority by LRA.
- other strategies identified (prescribed forms, one land administration agency) be undertaken.

### **Strategy 6: Locate all plans of survey and cadastral maps within the RODs**

#### ***Recommendations for Implementation***

Should the ROD be the central repository of plans, it is essential that the cooperation of all agencies holding plans be obtained.

The culling of unnecessary documents would streamline data capture when the RODs are eventually recommended, and would facilitate the microfilming of the remaining records.

### **Strategy 7: Improve records management by culling unnecessary documents, and returning original documents to applicants at time of registration.**

#### ***Recommendations for Implementation***

The LRA implement a standard records management strategy to be used in every ROD. When standard forms for transactions are introduced (Strategy 2), supporting documents should be

sighted at lodgment, noted on the form as such, and returned to the applicant. The LRA introduce scanning capabilities into each of the RODs.

## **ADDITIONAL RECOMMENDATIONS**

### ***Introduction***

The seven strategies referred to above will, if implemented, lead to a more efficient land document registration system. The following recommendations, are, however, equally important for the future development of the RODs, particularly as the LTCP expands across the country.

### ***Records Management***

The First Report made several observations about the current records management practices in the RODs, and proposed remedial action where appropriate. Strategy 7 above made recommendations for reducing the volume of documents in the RODs. For a more detailed consideration of land records management, reference should also be had to the Preliminary National Strategy on Land Records Management, and the final report to issue from the land records strategy study.

The following is a summary of recommendations to improve records management in the RODs:

- consideration should be given to the installation of compactus, which could be used for the storage of the older records which are not frequently accessed
- the use of secure clips rather than staples is recommended when documents are bundled together
- security and accountability of the blank judicial forms issued for the creation of new OCTs and TCTs are needed to reduce the incidence of the issue of fake titles.
- if a document is defective, and cannot be registered immediately, all affecting documents should be returned to the vault.
- the use of a memorandum of standard terms of mortgage by banks will achieve a significant reduction in storage requirements.
- if supporting documents to a transaction are to be registered, then they should be given a sub-number of the original document

### ***Future Directions for Land Document Registration***

- Legislative amendment to Chapter VII of PD 1529 should be made, to absolve the Registrar or Deputy Registrar, or any staff of the ROD, from personal liability if the officer involved has made an honest mistake in the performance of his or her duties.
- in order to expedite the conversion of all land to the Torrens registration system, the concept of qualified or provisional titles should be introduced.
- the technical description should eventually be replaced by a graphical/numerical description in both the decree of registration and the title that subsequently issues.

## **CONCLUSION**

The Adviser's report provides future directions for land document registration in the Philippines, primarily through improved practices in the RODs. The strategies proposed for implementing the recommendations have been designed with the input of key stakeholders in the land registration process.

Further, many of the recommendations contained herein have been independently confirmed a recent study tour of senior land registration officials to Australia and Thailand. Their recommendations are attached to this report as Annexure 17.

Of the seven strategies covered in the workshop required, only Strategies 3 and 4 require legislative amendment before any action can be taken. Strategy 1 could be implemented with an

Administrative Order. The other Strategies, and most of the additional recommendations in Section E, could be implemented without changes to the law.

The responsibility for implementing most of the changes contained in this report will fall on the LRA. As the government agency responsible for the operation of the 162 RODs in the Philippines, it is trusted that the LRA shares the LAMP vision of improved land document registration, and will move the strategies and recommendations forward to ensure a better land registration system.

# 7 - Interim Report on Community Organising

## Introduction

The Advisers' reports focus on the aspect of Deliverable 26 within the Output 2.3 of the Philippines–Australia Land Administration Management Project (PA LAMP). In particular, this report provides an update of the overall progress of the pilot tests on the different methodologies and approaches to land titling mandated by the LAMP Social Program Plan. Specifically the plan recommends the use of CO Process in testing other methodologies and approaches “in building the stakeholders’ collective capacity to address and resolve problems and hindrances related to land titling, access to support services and in raising their awareness of political, social cultural, economic and environmental factors that hinder their development”.

Specifically this document reports progress of three (3) pilots implemented in an unsurveyed area using Free Patent as a titling option namely a) PIO1-led land titling using Community Organizing process (PIO1–CO), b) NGO led land titling using CO process (NGO-CO); c) LGU-led CO.

Except for the NGO CO which has its own Team Leader, the other pilots implemented by PIO1 share one Field Coordinator who supervises the overall field activities and serves as the team members’ link to the management. All pilots are provided with one (1) CO per barangay, 1 adjudicator and 1 Survey Verifier. The Adjudicator and Survey Verifier are part of a mobile team from the SAT Unit. Likewise, one PD is assigned covering two (2) barangays.

## Progress:

### a) PIO1 –CO:

This pilot commenced late March 2003, implemented by one (1) Community Organizer (CO). The overall objective is to organize the stakeholders particularly the land claimants by using lack of land titles as an issue. This process will deliver land titles and will organize stakeholders who will undertake to resolve other issues identified by the community. This part of the design will facilitate action of the communities to solve their felt issues. This design also develops LGU’s potentials in taking on land titling as part of their normal work targets.

### b) NGO-CO:

This pilot is hoped to commence as soon as the administrative processes required by the funding institution will be met. Preliminary orientation regarding the pilot design and process of the technical intervention on the land titling procedure were discussed with the implementing NGO staff.

### c) LGU-CO:

The pilot is in the early stages of mobilization. The barangay and municipality consented to being pilot sites in the last week of April. The pilot has an Implementation Plan with detailed Work Plan. Moreover, the Barangay Council has prepared its own work plan, which it now implements. Testing of alternative methods for some initial processes in titling and the application of community organizing principles give positive indications on the validity of CO in community mobilization. Preparations are underway to convene a network of development support services that LGUs and communities can access. A directory of existing agencies and services is being prepared. Unintended impacts of the project were identified and shall be addressed in the course of plan implementation.

# 8 - Preliminary Notes by Orthophoto Mapping Adviser

## PRODUCTION OF CIM FROM ORTHOPHOTO MAPS PIO-1

### **1. Assist the two prototypes on testing the production CIM from orthophoto maps.**

An orthophoto map is compiled of rectified aerial photography and provides a true to scale image of the ground features. Each orthophoto map has the same coverage and numbering convention as the CIM.

The main orthophoto outputs are at a scale of 1:4,000 for Leyte. They are connected to the geodetic network by ground survey and analytical triangulation. Tests have shown that the detail on orthophotos is usually within 0.3 mm of their correct positions at map scale.

The cartographer can place the cadastral map blue print on a table. The orthophoto should be printed on stable-base translucent material so that it may be overlaid to fit the cadastral pattern. The blank CIM is then overlaid to fit the orthophoto format. If the cadastral map and the development boundaries depicted on the orthophoto conform, as will normally be the case in well-defined areas, it is merely necessary to trace the cadastral map in order to commence the CIM. In this way the positional accuracy of the land parcels will be of a similar accuracy to that of the orthophoto.

Naturally some cadastral maps will not contain sufficient boundary information to enable alignment with the orthophoto. In these cases, the surrounding CIMs should be completed first. The difficult CIM can then be aligned to its neighboring sheets. CIMs of well-defined parcel boundaries should therefore be drawn first.

Given that the orthophotos have not been printed on stable-base translucent material, and no light tables are available, the cadastral blue print will be traced onto translucent material, then overlaid to best fit the orthophoto map. The blank CIM will then be overlaid to fit the orthophoto format so that the cadastral pattern can be traced onto the CIM.

Whilst the capture methodology is simple, the positional accuracy is maintained at an acceptable level whilst providing the following benefits.

- Minimising time required to accurately position the cadastre for CIM capture,
- Reducing survey control requirements,
- Maintaining an accuracy consistent with the orthophoto, and
- Provides a visual insight into land development that can be used for purposes such as land valuation, town and country planning, transport, general engineering design, and land use studies.

By adopting the pragmatic approach of 'fitting' the cadastral blue print information into a precisely controlled orthophoto map, the CIM teams have the opportunity to evolve a speedy and effective method of producing cadastral compilations entirely adequate for the intended use.

The following practical exercises were undertaken with the POI-1 CIM team:

**Day 1**

*am* - Introduction to methodologies for aligning cadastral blue plans to the orthophoto image.

*Pm* - A training sessions which concentrated on reviewing all aspects of geo-information including: projections and datums, photogrammetry and surveying, cartography, DTM's, digital maps/GIS and imagery. Additional instruction was also provided on the use of orthophoto maps in CIM production.

**Day 2**

*am* - Customise instruction to POI processes and continue training.

*Pm* - Complete the capture of CIM's using the □ecommenda maps as the control reference source.

**Day 3**

*am* - Field test to observe cadastral pattern on ground compared to orthophoto image. This will also involve photo interpretation exercises to ensure the CIM team can accurately interpret image features.

*Pm* - Wrap-up session and feedback on points 1 to 5.

**2. Provide advice on integrating digital imagery into the GIS pilot test.**

*Exercise*

- Prepare in table form (Excel or Office format) the coordinates of CIM in Decimal Degrees format. Use the converter of MapInfo eg.

DMS		Decimal Degree	
<i>Latitude</i>	<i>Longitude</i>	<i>Latitude</i>	<i>Longitude</i>
14-40-00	121-04-00	14.66666667	121.06666667

- Register the digital images in MapInfo using the decimal degree (register images that encompass your pilot area).
- All registered images should be saved in directory
- Overlay the CIM control points on the Raster image
- CIM Control points are in directory
- Apply the test methods provided by the TA on Orthophoto (as described in section 5).
- Assign UPI and CIM number attributes

**3. Advise the team leader on any necessary follow up technical assistance from the Orthophoto Mapping Advisor and the Mapping Advisor.**

At the completion of the training session, the CIM team was asked to provide their requirements for any follow-up technical assistance. The following is a brief summary of inputs:

- more assistance in the use of orthophoto and production of CIM
- more on the process of the production of orthophoto
- assistance and trainings on interpretation of orthophotos
- generating tab files for orthophotos
- compression of image

- assistance on the CIM capture on heads-up □ecommenda for GIS
- link CIM to attributes of land information system
- increase licenses of Map Info (more software licenses)
- research the LGUs and check the technology for future integration of different systems
- Integration propriety and fiscal index map from LAA and LGUs

**5. Summarise all those activities in the two prototypes that have potential for better performance with the use of orthophoto maps.**

- used as a control to CIM
- land use applications
- can aid tax mapping - identifying illegal development - monitoring
- urban development planning
- reference for field validation
- to establish barangay political boundary
- field validation to verify accuracy using orthophotos
- to identify informal settlements
- to determine positional accuracy

**6. Summarise the type of tests that should be made.**

The quality of the aerial photography plays a major part in the quality of the final output. It can be said that at each stage of manufacture, the inputs have been less than perfect. From NAMRIA's own evaluation of the aerial photography, the quality of the output was compromised from the start.

Given the lack of previous experience in this type of work, deadline pressures and the obvious lack of resources at NAMRIA, close inspection will reveal limited quality control in their processes. Unfortunately, the only true way to check the DTM accuracy is to randomly view models in a workstation environment. As this is not possible, other tests will be utilised to determine if the orthophotos are fit for purpose.

Inspection of the hardcopy outputs to date shows considerable variations in colour balance. Normally, all tiles would be rectified, mosaiced, and then colour balanced. It was observed that map tiles were being provided on an individual basis due to deliver pressures, which would preclude to balancing of the total mosaic. Variations can be minimised with the application of appropriate software and developed knowledge on how to apply balancing techniques. NAMRIA is not in a position to perform this type of image manipulation, so it would appear that if the 'Pilots' are to receive orthophoto maps in a usable time frame, compromise will be required.

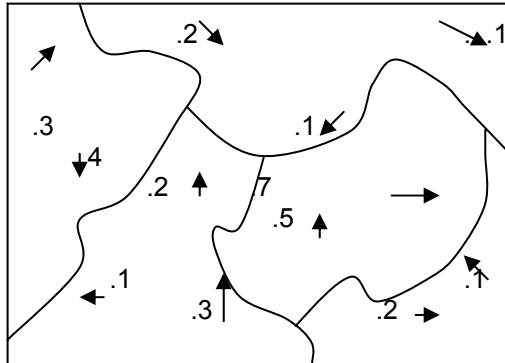
Of prime importance however, is that the positional accuracy of the orthophotos is consistent and conforms to the specifications. If this can be proven then other issues such as poor tone, contrast and colour balancing can be tolerated as long as the cadastral definition is clearly identifiable.

The tests therefore have been designed to concentrate on positional accuracy.

**Test 1**

Test method for determining the accuracy of orthophoto maps by using independent survey control. As the PCP and CIM control point surveys were conducted independently and the CIM control was not utilised in the aerial triangulation, it is possible to determine the fit of the image against this control.

- Import available images into MapInfo
- Import CIM control points into Map Info
- Measure the vector error to determine orthophoto accuracy
- Draw error vector map report based on findings eg.



- This will assist in determine the accuracy of the image
- If we prove (by using independent survey control) that the image is accurate, the CIM cadastral boundaries can be:
  - manually captured to fit the image
  - captured by bearing and distance to fit the image
  - register scanned cadastral maps to fit the orthophoto image and heads up recommend in map Info.

#### Test 2

- Import available images into MapInfo
- Zoom into image at highest possible resolution without pixel deformation.
- Look for distortions created by poor DTM ie. Blurring, streaking etc.
- Look for bends and distortions in what are supposed to be strait lines.
- Mark problem areas on an overlay and return to NAMRIA for explanation and or correction.

#### Test 3

- Import available images into MapInfo
- View all images in mosaic form to determine acceptability of image quality ie. Tone, contrast and colour balance between the various sheets.
- Ask NAMRIA to undertake colour balance on whole project area once all tiles have been completed and arrange for resupply of digital images.

#### Test 4

- Measure and verify sheet dimensions

REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF JUSTICE  
Land Registration Commission  
OFFICE OF THE REGISTER OF DEEDS FOR THE PROVINCE OF LEYTE

**Original Certificate of Title**

No. P-2 1 2 3 4

Entered in accordance with section 122 of Act No. 496, of the Philippine Commission, pursuant to a patent issued by the President of the Philippines, dated at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, in the year nineteen hundred and \_\_\_\_\_ and spread in the records of the Bureau of Lands, as follows:

B. L. Form No. 28-13  
8105794

REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF NATURAL RESOURCES  
BUREAU OF LANDS

**FREE PATENT No. (VIII-1)-5794**

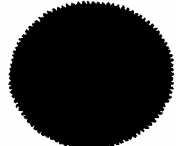
To ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, GONZALO ACEBO, possessing all the qualifications required by law in the premises, has fully complied with all the conditions, requirements, and provisions of Republic Act No. 782 and Chapter VII of Commonwealth Act No. 141, as amended, governing the granting of free patents to native settlers, and is therefore, entitled to a free patent in the following described agricultural public land situated in the site of \_\_\_\_\_, Barrio of \_\_\_\_\_, Calingcaging, Municipality of \_\_\_\_\_, Province of \_\_\_\_\_, Leyte, island of \_\_\_\_\_, Philippines, containing an area of \_\_\_\_\_ hectares, according to the official plat of the survey thereof filed with the Bureau of Lands, Manila, and described in the book hereof.

Now, THEREFORE, That by authority of the President of the Philippines, and in conformity with the provisions of the said Act No. 782 and Commonwealth Act No. 141, as amended, there is hereby granted unto the said GONZALO ACEBO, of legal age, married to \_\_\_\_\_, a single, of Tacloban City, the tract of land above-described, together with the appurtenances thereto of right belonging unto the said GONZALO ACEBO, his heirs and assigns forever, subject to the provisions of the said Act No. 141, as amended, which provide that, in favor of the Government or any of its branches, units, or institutions, the land hereby acquired shall be alienable and subject to encumbrance for a period of five (5) years from the date of this patent, and shall be liable for the satisfaction of any debt contracted prior to the expiration of said period; that every grantee of a free patent shall be subject to repurchase by the Government within a period of five years from the date of the conveyance; that it shall not be encumbered, alienated, or transferred to any person, not qualified to acquire lands of the public domain under said Commonwealth Act No. 141, as amended; and that it shall not be subject to any encumbrance whatsoever in favor of any corporation, association or partnership except with the consent of the grantee and the approval of the Secretary of Natural Resources and solely for educational, religious or charitable purposes or for a right of way; and subject finally to all conditions and public easements and servitudes recognized and prescribed by law especially those mentioned in sections 109, 110, 111, 112, 113, and 114 of Commonwealth Act No. 141, as amended, and the right of the Government to administer and protect the timber found thereon for a term of five (5) years from the date of this patent, provided, however, that the grantee or heirs may cut and utilize such timber as may be needed for his or their personal use.

IN TESTIMONY WHEREOF, and by authority vested upon me by law, I, FERDINAND E. BARGOS, President of the Philippines, have caused these letters to be made patent, and the seal of the Republic of the Philippines to be hereunto affixed.

Given under my hand at the City of Manila on this, the 31st day of March in the year of Our Lord one thousand nine hundred and seventy-five (1975).



BY AUTHORITY OF THE PRESIDENT OF THE PHILIPPINES

LAURO A. GEMILLO  
District Land Officer

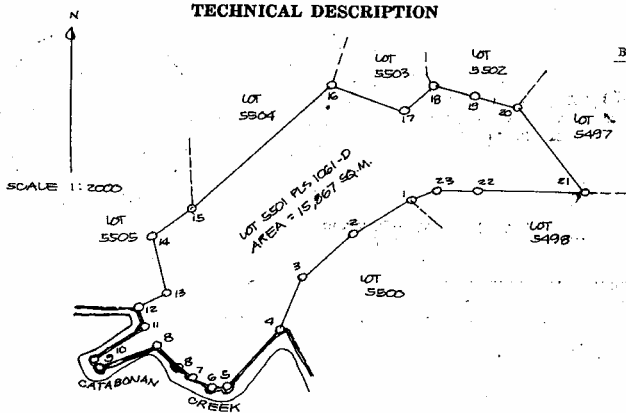
Tacloban City, Mocoal-1

Transcribed in the "Registration Book" for the Province of Leyte, pursuant to the provisions of section 41 of Act No. 496, on the 31st day of March, nineteen hundred and seventy-five, at 3:00 p. m.

QUINCESIMO F. BARTOLA, JR.

Page \_\_\_\_\_ -A

**TECHNICAL DESCRIPTION**



Lot No. 5501, Case 5, Pls-1061-D

A parcel of land, Lot 5501, Case 5, Pls-1061-D, situated in the Barrio of Calingcaging, Municipality of Barugo, Province of Leyte.

Bounded on the SE., along lines 1-2-3-4 by Lot 5600, Case 5, Pls-1061-D; on the SE., S., and SW., along lines 4-5-6-7-8-9-10-11-12 by Catabonan Creek; on the W., along lines 12-13-14-15 by Lot 5505, Case 5, Pls-1061-D; on the NW., along line 15-16 by Lot 5504, Case 5, Pls-1061-D; on the N., along lines 16-17-18 by Lot 5503, Case 5, Pls-1061-D; on the NE., along lines 18-19-20 by Lot 5502, Case 5, Pls-1061-D; along line 20-21 by Lot 5497, Case 5, Pls-1061-D; and on the SE., along lines 21-22+23-1 by Lot 5498, Case 5, Pls-1061-D.

NOTE:

This lot is covered by F.P.A. No. (VIII-1)-18601-C.

CERTIFIED CORRECT:

HUGO F. DE LA CRUZ  
Geodetic Engineer

/mocoal-

Checked by: ROMEO F. UBALDO  
Chief, Patents & Deeds Section

## **Attachment 1**

### **TERMS OF REFERENCE – extracts**

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#### **INTERNATIONAL ADMINISTRATIVE TITLING ADVISER**

##### Second Part of Assignment

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The International Administrative Titling adviser will be responsible for completing the following work no later than 31 March 2003 (reference is the PDD and the work to be completed is described as Deliverable 25 in the AusAID – AMC contract):

1. Provide a set of criteria for qualitative and quantitative analysis of the advantages and disadvantages of the various land titling options that were identified in the first assignment.
2. Evaluate the land titling options as they could apply in the Philippines under an amended legal framework, and highlight improvements over the existing approach of free patent titling.
3. Identify the package of new legal principles that would form a priority set of amendments to the legal framework to enable the more efficient implementation of mass land titling.
4. Together with the systematic registration adviser assist the PIO1 to evaluate free patent titling.
5. Discuss findings at workshops of stakeholders for obtaining feedback.
6. Make a report on all findings and draw conclusions for further study.
7. Make recommendations for development of accelerated land titling in phase 2.

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**NATIONAL SURVEY AND MAPPING ADVISER**Third Part of Long Term Assignment (2003)

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The national survey and mapping adviser will be responsible for completing the following work no later than 30 June 2003 (reference is the PDD and the work to be completed is described as Deliverables 25 in the AusAID – AMC contract):

The priority specific outputs from the adviser are shown here: Assist PIO 1 in the implementation of field survey by contractors to ensure the integration of survey and systematic registration processes. This will include planning and implementation of orientation training for survey contractors, particularly in relation to SNS preparation and assisting in the development of a training programme for survey verifiers. Provide recommendations for survey procurement and training form Phase II.

1. Assist counterpart to develop and implement a strategy for reviewing the quality and effectiveness of field survey.
2. Together with the Systematic Registration Adviser, assist the prototype to implement the free patent titling pilots with new streamlined procedures. Advise on the new procedures and assist in training. Assist PIO 1 in its evaluation of both free patent titling and judicial titling and in the selection of an appropriate titling method for Phase II.
3. Assist PIO 1 to design a process for updating the CIM database after the base camp field processes verify/ update the data.
4. Assist the counterpart to develop a flowchart for the OSS to integrate plans into the registration processes and Records management processes of ROD.
5. Assist the Orthophoto Mapping Adviser, the Land Parcel Mapping Adviser and PIO 1 in their evaluations of various alternate methods for CIM preparation and surveying in support of accelerated titling. In particular, give advice on the operational and conceptual advantages and disadvantages of the various alternate approaches. Participate in workshops to catch lessons.
6. Continue to improve the documented procedures and operational manuals for survey and mapping to support the Titling pilots.
7. Provide assistance to PIO 1 to operationalise the OSS at Leyte.
8. Report on:
  - a. Based on experience in Leyte, the quality of cadastral surveys and control surveys
  - b. the condition and availability of surveys
  - c. training curriculum of survey and mapping courses to support the prototype
  - d. approach that should be taken on the quality control of surveys
  - e. OSS flowchart for use and updating of CIM

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**SYSTEMATIC REGISTRATION ADVISER**

Third Part of Long Term Assignment (2003)

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The International Systematic Registration adviser will be responsible for completing the following work no later than 30 June 2003 (reference is the PDD and the work to be completed is described as Deliverable 25 in the AusAID – AMC contract):

1. Assist PIO 1 in the implementation of the piloting of residential judicial titling by identifying and documenting differences in procedures, developing a strategy for review and documenting lessons.
2. Assist PIO 1 in the implementation of the free patent pilot. Report on progress, issues and lessons learned about potential simplification of the system.
3. Assist PIO 1 in the conduct of an evaluation of the judicial titling methods, re-orting on advantages, disadvantages and recommendations of enhancements to facilitate its use in LAMP II.
4. Assist PIO 1 in the conduct of a major review of free patent titling, reporting on advantages, disadvantages and recommendations of enhancements to facilitate its use in LAMP II.
5. Assist PIO 1 in the conduct of a study tour by acting as TA Mentor. This will include assisting in the conduct of pre- and post- study tour workshops.
6. Assist APD in the coordination of PIO 1 TA activities and assist PIO 1 in the liaison with TA and APD.
7. Collate a final report for Activity 25 with inputs from survey, mapping and Administrative Titling advisers, setting out an evaluation of land titling options.

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**INTERNATIONAL LAND REGISTRATION LAW ADVISER**

Second Assignment

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The International Land Registration Law adviser will be responsible for completing the following work no later than 15 May 2003 (reference is the PDD and the work to be completed is described as Deliverables 25 and 27 in the AusAID – AMC contract):

1. Following the initial status report made in late 2003, perform an evaluation and stakeholder assessment of the findings. Make extensive use of workshops and focus groups and questionnaires and other suitable techniques to solicit stakeholder feedback from both rural and urban locations. Summarise the stakeholder views and suggestions.
2. Outline the LARES approach to computerisation and re-engineering of the Registers of Deeds and how best to proceed to strengthen the operations of Registers of Deeds that have not started to be ecommentati. Evaluate the options for short and medium term development of RODs ahead of the computerisation. Consider and advise on whether there should be a manual system to run in parallel to the automated system.
3. Describe the benefits to Land Document Registration of a local charting function which would use the CIMs and be associated with each Register of Deeds. Outline the LAMP model of such function operating through the One Stop Shop where the charting function is managed by the DENR.
4. Describe the shortcomings of the filing and indexing system for both internal records management and use, and the benefits of alternate records filing and strengthened indexing for direct access to records. Use the experience of the PIO2 record validation process.
5. Identify the organisation structure of RODs and examine the job descriptions of each position and the skills and knowledge required for positions and suggest any necessary improvements in HRM.
6. Summarise the new fees structure for ROD services. If available, summarise the proposed fee structure for ecommentati RODs.
7. Through workshops summarise the considered views of the agencies concerned on the draft recommendations.
8. Coordinate the findings of this study with that of the land records strategy study.
9. Make a final report with firm recommendations and conclusions.

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**INTERNATIONAL ORTHOPHOTO MAPPING ADVISER**  
(2003)

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The International orthophoto mapping adviser will be responsible for completing the following work no later than 31 May 2003 (reference is the PDD and the work to be completed is described as Deliverable 25 of output 2.2 and Deliverable 27 of Output 3.2 in the AusAid – AMC contract):

The specific outputs from the adviser in this assignment are:

- a. Potential Uses of Photomaps. Summarise all those activities in the two prototypes that have potential for better performance with the use of orthos and summarise the type of tests that should be made;
- b. Evaluate the Quality of the Photomap Product. From the photomaps produced by NAMRIA do an assessment of the quality and make a statement of whether they are fit for purpose. Make recommendations for any necessary improvement.
- c. Orthophoto Map Process at NAMRIA. Investigate the methodology and technology and organisation and management used by Namria to make the orthos, including all steps such as field survey. Comment on the suitability of the process and technology, staff skills, operational obstacles, unit costs. Specifically, identify the reason for the slow production outputs. Determine if there is over or under specification of some tasks in the process chain. Comment on the potential improvement. Comment on whether LAMP Phase 2 should rely totally, partially or not at all for orthophoto mapping services from Namria in Phase 2.
- d. Private Sector. Report on the actual capacity of the local private sector for orthophoto map production based on actual outputs completed in country. Identify any projects with foreign assistance. Assess whether the LAMP can rely totally, partially or not at all for their orthophoto mapping (and related) services in Phase 2.
- e. Pilots. Assist the two prototypes on testing the production of CIM from the orthophotomaps and provide advice on the integrating the orthophoto digital data into the GIS pilot testing. Advise the team leader on the specific terms of reference for the next assignment of the mapping adviser to assist on the various pilots.
- f. Further Work. Advise the team leader on any necessary follow up technical assistance on orthophotomapping.
- g. Report. Compile a single report on all of the above topics and include an executive summary emphasising the lessons that can be learned from the experiences with the Namria and private sector orthophoto map production.

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**SOCIAL DYNAMICS ADVISER (LEYTE)**
(2003)

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The overall task is to assist the PIO 1 to establish, test and review land titling methodologies. The specific task is to ensure that PIO 1 has effective landholder and community participation in land adjudication and titling processes, and in future revised and streamlined processes. Under field testing of land titling methods it is proposed that alternative community mobilization methods will be piloted and reviewed in consultation with the community and stakeholders. Of particular importance are the formulation, implementation and evaluation of

- (i) 1 pilot to test NGO driven community organizing for systematic judicial land adjudication and titling;
- (ii) 1 pilot to test NGO driven community organizing for systematic free patent land adjudication and titling;
- (iii) 1 -2 pilots to test community organizing–community development (CO-CD) driven land adjudication and titling (for free patent and/or judicial titling).

Evaluation of community participation and development will be conducted and reported to stakeholder workshops as part of the innovation and learning cycle of PA LAMP.

In establishing, testing and reviewing land titling methodologies the Social Dynamics Adviser shall undertake (in consultation with the Community Relations and Services (CRS) Unit, Cadastral Index Mapping (CIM) technicians and the Systematic Adjudication Team (SAT)), but not be limited to, the following tasks:

- Develop a detailed program of work for the implementation of 3-4 pilots
- Design the pilots (3-4) to test alternative community mobilization methods
- Develop site selection criteria and select sites for the pilots
- Develop a field level CRS Flowchart for Free Patents
- Prepare TOR(s) for NGO(s) to be involved in the pilots
- Ensure training of the NGO(s) on LAMP in general, PIO 1 and Output 2.2 specifically
- Assist the NGO(s) operationalize their TORs in the field
- Develop TORs for Community Organizers (Cos)
- Ensure that the NGO(s) have effective Cos that are trained to be fully conversant with LAMP, PIO 1 and land titling procedures
- Provide support to Cos for the delivery of community training needs they identify
- Ensure that the NGO(s) are facilitating maximum participation of the land claimants and barangay communities within the scope of the titling procedures being piloted
- Support the NGO(s) to enhance land claimants knowledge and capacities to gain title, use the One Stop Shop (OSS), and to use their land titles to economic advantage
- Ensure that the NGO(s) are documenting learning experiences, in particular replicable features of the pilot
- Provide a monthly report to PIO 1, the PMO and the TA Team Leader on pilot implementation progress
- Document learning experiences, in particular replicable features of the pilot with production of an operations manual as a final output.

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**LGU SOCIAL DYNAMICS ADVISER (Part-time)**
(2003)

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The overall task is to assist the PIO 1 to establish, test and review land titling methodologies. The specific task is to ensure that PIO 1 has effective landholder and community participation in land adjudication and titling processes, and in future revised and streamlined processes. Under field testing of land titling methods it is proposed that alternative community mobilization methods will be piloted and reviewed in consultation with the community and stakeholders. Of particular importance is the formulation, implementation and evaluation of

- (i) 1 pilot to test LGU driven community organizing for systematic judicial land adjudication and titling in a residential area.

Evaluation of community participation and development will be conducted and reported to stakeholder workshops as part of the innovation and learning cycle of PA LAMP.

In establishing, testing and reviewing land titling methodologies the LGU Social Dynamics Adviser shall undertake (in consultation with the Community Relations and Services (CRS) Unit, Cadastral Index Mapping (CIM) technicians and the Systematic Adjudication Team (SAT) and the LGU, but not be limited to, the following tasks:

- Design the pilot to test LGU community mobilization methods
- Develop a detailed program of work for the implementation of the pilot
- Develop a field level CRS Flowchart for the LGU
- Ensure training of the LGU on LAMP in general, PIO 1 and Output 2.2 specifically
- Develop a TOR for the LGU
- Assist the LGU to operationalize its TOR in the field
- If appropriate develop TORs for the LCRS
- Ensure that the LGU and LCRS are trained to be fully conversant with LAMP, PIO 1 and land titling procedures
- Provide support to the LGU for the delivery of community training needs they identify
- Ensure that the LGU is facilitating maximum participation of the land claimants and barangay communities within the scope of the titling procedures being piloted
- Support the LGU to enhance land claimants knowledge and capacities to gain title, use the One Stop Shop (OSS), and to use their land titles to economic advantage
- Support the LGU to consider ways that it can support the community to maximize titles for individual and community economic growth (see LAMP Social Plan Program)
- Ensure that the LGU is documenting learning experiences, in particular replicable features of the pilot
- Provide a monthly report to PIO 1, the PMO and the TA Team Leader on pilot implementation progress
- Document learning experiences, in particular replicable features of the pilot with production of an operations manual as a final output.
- LGU co-ordination generally.

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## NATIONAL LAND TENURE STATISTICS ADVISER

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### Land Tenure System

#### Deliverable 20

1. Design the land tenure system based on the needs of the LAMP for a system to support decision making about target locations for future titling. Document the needs analysis, the data model, the data entry and checking processes, and reporting.
2. The system is to be based on a standard textual data base with some GIS functionality, and to include province and municipal polygons for display and analysis. The Project will provide the software tools.
3. Develop the system on a PC provided by the project and do system checks for performance against the design. Demonstrate to the PMO and make changes as required.
4. Document data collection requirements.
5. Test the prototype system with data from the municipalities of Leyte Province. The TA land tenure data adviser and PMO and PIO1 staff will assist to collect the data. Produce test outputs to verify the full system and documentation. Modify the system and documentation as required.
6. Develop specifications of the data collection phase for the LAMP contractor to perform.
7. Design quality control techniques for the data entry.
8. Provide training on data collection and entry to the contracted staff responsible for the national data capture.
9. Train staff of the Project to manage the system.
10. Provide analysis tools and standard reports and maps.
11. Make a summary report of the system and working guides.

#### Deliverable 31

12. After the data entry is completed and checked, produce analysis results of the national land tenure situation after consultation with the PMO on the required output.
13. Write a report on the results.
14. Present the results to a workshop organised by the TA and PMO.

### GIS System

In addition, the national adviser will work together with the international land parcel mapping adviser to develop, test and evaluate a pilot GIS for use in the LAMP prototypes at Leyte and Quezon City. The purpose is to further improve the quality of the mapping information for use in the land titling and land records management activities.

Initially the system will be designed and a pilot begun in each prototype. This will include training and it will see the output by PIO staff of CIMs. A brief report on the system objectives, characteristics and advantages / disadvantages will be made as part of the TA's main reports on deliverables 21 and 22.

During the first half of 2003 the main testing, training and evaluation will occur. Workshops will be used to convey the findings to a wider audience of the potential benefits of GIS in a future LAM Programme. A report on the evaluation will be produced and will form a part of the TA's main reports on Deliverables 25 and 27.

The Project will provide the GIS software and PC equipment, as well as a scanner and plotter.

**Priority**

This GIS task will be undertaken in parallel with the land tenure study but the land tenure study will be given the higher priority. It is planned that during the data collection phase of the land tenure study that the GIS work will proceed.

End

## Attachment 2

### Acronyms

AO	Administrative Order
APD	Australian Project Director
AusAID	Australian Agency for International Development
BBM	Barangay Boundary Monument
BLLM	Bureau of Lands Location Monument
CBME	Community-based Monitoring and Evaluation
CGSD	Coast & Geodetic Survey Department (NAMRIA)
CIM	Cadastral Index Mapping
CO	Community Organising
CRS	Community Relations and Services
DENR	Department of Environment and Natural Resources
EDME	Electromagnetic Distance Measuring Equipment
FNSP	Field Network Survey Party (DENR)
GE	Geodetic Engineer
GEP	Geodetic Engineers of the Philippines
GPS	Global Positioning System
LAG	Local Advisory Group
LAM	Land Administration and Management
LAMP	Land Administration and Management Project
LMB	Lands Management Bureau (DENR)
LEI	Land Equity International Pty Ltd
LGU	Local Government Unit
LRA	Land Registration Authority
MBM	Municipal Boundary Monument
NAMRIA	National Mapping and Resource Information Authority
NCR	National Capital Region
NRMDP	Natural Resources Management and Development Project
PIO	Project Implementation Office
PIO 1	Project Implementation Office based in Leyte
PMO	Project Management Office
PRS-92	Philippines Reference System 1992
PTM	Philippines Transverse Mercator (projection)
QC	Quezon City
ROD	Registry of Deeds
SAT	Systematic Adjudication Team
SNS	Survey Notification Sheet
TA	Technical Assistance
TOR	Terms of Reference
WB	World Bank