

Philippines: Land Administration and Management Project (LAMP)¹

The Land Administration and Management Project I (LAMP)² incorporated gender issues from the very beginning, when stakeholders developed a gender mainstreaming plan that was implemented throughout the project's life cycle. As a result, LAMP developed an organizational capacity in gender mainstreaming. Gender was integrated in consensus-building with stakeholders and gender considerations were reflected in the project's legislative and institutional reform agenda. The gender sensitivity and gender mainstreaming capability of project implementers, community leaders, and other stakeholders improved significantly.

What's innovative? A gender mainstreaming plan encompassed the entire project cycle, from efforts to foster legal reforms to efforts to encourage female and male participation and training and install gender-sensitive monitoring and evaluation systems. The gender sensitivity and gender mainstreaming capability of project implementers, community leaders, and other stakeholders improved significantly.

¹ This Innovative Activity Profile was written by Renee Giovarelli based on a case study for the forthcoming USAID report, "Study on Women and Property Rights: Project Best Practices," with inputs from the project team. It was reviewed by Keith Clifford Bell and Malcolm Childress (World Bank).

² The Land Administration and Management *Project* (LAMP) was part of the larger Land Administration and Management (LAM) *Program*. The project cost was estimated at US\$ 10.35 million, and the credit provided was US \$4.79 million (World Bank 2000).

Project Description and Objectives

The multiple purposes of LAMP included: developing a clear, coherent, and consistent set of land administration policies and laws; accelerating programs that would formally recognize and record the rights of eligible land holders; developing an efficient land administration system that would operate throughout the Philippines in accordance with government policy and respond to the needs of the people; developing an effective and transparent land valuation system consistent with internationally accepted standards, to meet the needs of all levels of government and the private sector; and developing a well-functioning land market in both urban and rural areas.

The project, which is a first step towards implementing a proposed long-term Land Administration and Management (LAM) Program, is supported through a World Bank Learning and Innovation Loan (LIL), which provides flexibility to develop and test improved land titling and administration procedures under existing policies, legislation, and institutional arrangements before recommending their broader adoption under the long-term program. At the same time, LAMP could identify the reforms needed to address fundamental problems with land administration in the Philippines.

LAMP's specific objectives were to assess the viability of the LAM Program and formalize institutional arrangements to support its development by testing alternative approaches to accelerated programs for improving the protection of land rights, eliminating fake titles, and introducing a framework for an equitable system of land valuation. There were four project components: land policy development; a land titling and administration pilot and a record management pilot; institutional development; and phase II preparation.

Land Rights and Gender in the Philippines

The Philippines has undertaken many groundbreaking initiatives to promote gender equality and empower women. Government, civil society groups, and academic institutions participate actively in moving rights for women forward. Major successes include:

- Formulating the Philippine Plan for Gender-Responsive Development (1995–2025), a document that presents a gender perspective on the government’s medium-term development plan.
- Passing laws enhancing women’s participation in development and electoral politics.
- Allocating a minimum of five percent of the budgets of all agencies and local government units for Gender and Development programs, projects, and activities.
- Implementing various programs and services for women, such as women’s desks in police precincts, women and children protection units in government hospitals, and shelters and crisis counseling facilities to eradicate gender violence.
- Establishing gender and development resource centers in the regions that can provide technical assistance to local governments in their gender programs, projects, and activities.³

Philippine legislation is progressive in terms of women’s rights and access to land. There are three main protections for women under the law. First, the Comprehensive Agrarian Reform Law (RA 6657) guarantees equal rights to rural women. Section 40 of Chapter X states, “All qualified members of the agricultural force must be guaranteed and assured equal rights to ownership of the land, an equal share of the farm’s produce, and representation in advisory or appropriate decision-making bodies.” The administrative regulations adopted by the Department of Agrarian Reform to implement the gender equality provision of the Comprehensive Agrarian Reform Law state that land titles must be issued in the names of both husband and wife or of a couple living in consensual union “when spouses are jointly working and cultivating common tillage.”⁴

³ Gender Review of the World Bank’s Philippine Portfolio.

⁴ Government of the Philippines, Department of Agrarian Reform. Memorandum Circular 18 of 1996 and Administrative Order 1 of 2001.

Second, the Family Code states that property acquired in unions with or without marriage⁵ is covered under the national co-ownership and joint ownership laws, and the presumption is that if two people live together their land is owned jointly (Judd and Dulnua 2001). This presumption is broader than in many countries, where co-ownership and joint ownership presumptions apply only to formally married couples. Many women in rural areas of the Philippines are not formally married.

Third, both partners’ written consent is required for land transactions regardless of whether the land is registered in the name of both or was obtained by only one of them, if the land was obtained during the marriage or cohabitation (Judd and Dulnua 2001). Customary and religious laws in the Philippines have a major impact on how vigorously the civil law is followed or enforced. For example, under Muslim personal law in the Philippines, a woman must have her husband’s consent to acquire any property by gift, except from her relatives (Judd and Dulnua 2001). Customary laws and practices differ from region to region and province to province. In some regions or provinces, women are equal with men in rights to land ownership, although in many

⁵ The Family Code of the Philippines (Executive Order No. 209, July 6, 1987, as amended by Executive Order No. 227, July 17, 1987) Articles 147–48. Article 147 states, “When a man and a woman who are capacitated to marry each other, live exclusively with each other as husband and wife without the benefit of marriage or under a void marriage, their wages and salaries shall be owned by them in equal shares and the property acquired by both of them through their work or industry shall be governed by the rules on co-ownership. In the absence of proof to the contrary, properties acquired while they lived together shall be presumed to have been obtained by their joint efforts, work or industry, and shall be owned by them in equal shares. For purposes of this Article, a party who did not participate in the acquisition by the other party of any property shall be deemed to have contributed jointly in the acquisition thereof if the former’s efforts consisted in the care and maintenance of the family and of the household. Neither party can encumber or dispose by acts inter vivos of his or her share in the property acquired during cohabitation and owned in common, without the consent of the other, until after the termination of their cohabitation.”

areas it is the men who administer or manage the conjugal property.

Gender Strategy

LAMP included gender concerns from the very beginning, in the project preparation stage. The Project Appraisal Document (assessing whether the World Bank loan would be provided) articulates the gender issues facing the project. In addition, LAMP produced a Plan for Gender Mainstreaming and a corresponding report to monitor compliance with the plan. Several groups helped develop and implement the plan, including the national government, local government units, communities, families, and individual men and women. The plan encompassed the whole project cycle, from influencing legal reforms, to encouraging female and male participation and training, and to installing gender-sensitive monitoring and evaluation systems.

The gender mainstreaming plan had four phases. The first focused on building LAMP's organizational capacity for gender mainstreaming by conducting gender sensitivity training for LAMP managers and staff, integrating gender indicators in the LAMP logframe and operational plans, and mentoring project work units on how to mainstream gender in their work design and operations. The second phase focused on integrating gender in the consensus-building processes with stakeholders to ensure that LAMP's legislative and institutional reform agenda would be gender responsive. The third phase focused on building the gender sensitivity and gender mainstreaming capability of community leaders and representatives of other stakeholders in LAMP prototype activities. The fourth phase involved preparations for ensuring that gender would be integrated in the design of LAMP II.

A number of project outcome indicators address gender differences (World Bank 2003):

- Clearly evaluated policy options for economic, social, environmental, and gender equity implications.
- Replicable procedures are developed, tested, and implemented for large-scale land registration and are simplified, streamlined, cost effective, gender sensitive, and acceptable to the community.

- Existing titling practices and procedures are assessed and documented, including the barriers to efficient, effective, and community-acceptable title registration (including gender-related issues).
- Alternative approaches to adjudication and title issuance are developed, tested, and documented and are sensitive to all gender concerns.
- Training courses and workshops that include gender awareness/analysis and participatory processes are designed, conducted, and evaluated.
- Gender-disaggregated data are collected on land title holders to determine the presence of gender disparity.
- Communities within the prototype area are aware, gender sensitive, and actively participating in project activities.
- Gender-responsive customer services/relations are improved.
- A monitoring and evaluation system is in use to collect information needed for gender-responsive project management.
- The human resources system is gender sensitive and operating effectively, including hiring based on competence and not on gender stereotypes.
- A baseline is established and data analyzed for gender-related assessment of impacts, service delivery, and stakeholder perceptions.

Gender integration was pursued by: promoting awareness of women's land rights; disseminating information; identifying gender-sensitive policies and services; using gender-sensitive processes to plan implementation; evaluating implementation in terms of gender impacts; developing guidelines for gender-appropriate practices and the participation of women; fostering strong participation of women in LAMP activities; making changes in land titling (for example, putting title to conjugal properties in the names of the spouses and not just the husband); and changing operational and organizational policies (gender issues and concerns were included).

Project's Key Impacts⁶

The project's outcome was rated satisfactory. Its development objectives were achieved, especially with respect to gender.

Outputs from the policy studies and the prototype activities were used in the project's consensus-building effort. With support from the project, the Land Administration Reform Act was submitted to the 12th Congress. Sixteen variations of the bill were filed, but processing through the legislative system did not progress to completion, and the 2004 general elections prevented further progress. Following the election, the bills were filed in the 13th Congress, and an amalgamated single bill was developed.

While pursuing the creation and passage of the two key bills, the project achieved several other successes. In the pilot areas, the project demonstrated that the proposed systematic titling procedures reduced the time needed to issue titles from an average of 36 months to just 4 months. In addition, because field camps enable titles to be processed on-site, the project reduced the potential for conflicts, thus reducing the eventual cost of litigation. Because of the One-Stop-Shops, subsequent transfers take less time because transactions can be completed in one location. Systematic titling procedures and improved record management have also prevented double and overlapping titles from being issued and have led to the detection of duplicate titles. Other beneficial outcomes include the greater transparency and accountability in land transactions as a result of greater public access to land information and equal access by men and women. Exit surveys and other feedback mechanisms provide evidence of increased customer satisfaction with land services in the pilot areas.

Gender Monitoring

The Philippines is fortunate to have gained more gender equity than many other Asian countries, both in law and practice. For example, there was a good gender balance among LAMP counterpart staff, including senior Project Management Office

positions. Discussions at the village (*barangay*) level in Leyte indicated that women were well aware of their rights, and although different kinds of agricultural work are gender specific, females generally contribute more to overall rural livelihoods than males. Titles have also been issued recently in the names of both males and females.

Because it was funded as an LIL, LAMP was not expected to achieve quantifiable benefits. However, the project did contribute to gender equity by incorporating processes and mechanisms that effectively ensured that gender equity was addressed and adverse social impacts minimized. In general, gender impacts include:

- Integrating gender into project planning, implementation, monitoring, evaluation, and reporting, and encouraging the strong participation of women in project activities.
- Including gender representation in the Land Administration Reform Act.
- Making changes in land titles for conjugal property (from the husband's to joint title).
- Changing operational and organizational policies of the Land Administration office to include gender issues and concerns.
- Changing the Department of Environment and Natural Resources' (DENR's) Department Administrative Order (DAO) No. 13, series of 2003, to remove gender biases in the acceptance and processing of patent applications.
- The project logframe incorporated gender concerns.
- The project developed a gender mainstreaming plan and a gender mainstreaming handbook for the LAM Program.

Nearly half of the project staff were women, although all employment was based on merit rather than gender. The Stakeholders Advisory Group included female representatives, and over 40 percent of the participants in training and nontraining events were women. LAMP maintained a system to ensure that women and men had equal opportunity to participate in training and nontraining events, and they kept a

⁶ Based on the Implementation Completion Report (2005).

gender-disaggregated list of training participants. LAMP also developed a mechanism to distinguish conjugal and nonconjugal properties. If a property is conjugal, the project pursues joint titling between husband and wife. When property is owned exclusively by either spouse, the title is sought only in the name of the landowner.

Difficulties in Gender Mainstreaming

Not all of the initial gender plans were implemented, and difficulties in gender mainstreaming occurred at the start of the project.⁷ In-depth training of project staff in gender issues was placed on hold because of funding difficulties, and staff were trained only through gender sensitivity training and gender-responsive planning workshops. As a result, the principles of gender mainstreaming were not applied consistently at first. A second problem was that issuing joint titles required the involvement of several government departments, which had difficulty cooperating and making a final decision on the titles. Finally, to some extent men were excluded from the community meetings organized through the project. The project acknowledged that it was harder to invite men than women to these meetings and encourage their participation. Men felt that they had a less flexible schedule because of their work commitments; some did not fully recognize the meetings and activities as having a significant effect on their lives; they preferred to use free time during weekends for other activities; and invitations to meetings were addressed to the association presidents, who more often than not were women.

A National Gender Adviser reentered the project in September 2003 and began to reinforce gender awareness among project staff, develop clear agreements on gender target outputs, and identify indicators to include in staff work plans. Fortunately the regular documentation and monitoring of gender-related interventions made it possible to identify progress as well as gaps during implementation and helped the project fill as many gaps as possible. Thus despite the earlier

difficulties, the overall differential gender impacts of the project's activity and gender components were rated very satisfactory.

Lessons Learned

The involvement of women managers, implementation staff, and stakeholders during project planning and implementation was invaluable. In designing the project, there was a clear discussion of gender issues that needed to be addressed, and a plan was developed for addressing them. Likewise, gender-related interventions were documented and monitored during implementation. Despite these well-intentioned efforts, failure to conduct appropriate staff training in gender issues resulted in inconsistent adherence to gender equity principles and sometimes weak integration of gender in the unit operations.

A key lesson, therefore, is that it is absolutely critical for local staff who implement projects to understand the issues that affect men and women differently and to be trained in mainstreaming gender concerns. In addition, trainers and management staff must follow through on their training. Managers must indicate their continuing interest in whether gender is mainstreamed—for example, by asking questions about gender mainstreaming in review missions and reporting back on these interviews, and not simply monitoring gender numbers (such as how many women and men attended a given meeting).

A second lesson is that a strong focus on women can lead to positive results for women but can exclude men from services and training. It may be important to hold separate meetings or training for men and women, given their separate and specific roles in the household and community. It may not be possible to reach both groups at the same time and place.

Finally, gender mainstreaming, in this instance, required continued attention. Both planning and monitoring were critical. Regular documentation and monitoring of gender-related interventions paved the way for improvement in design and implementation.

⁷ This section is based on an interview of the World Bank Task Manager conducted by Hild Rygnestad in May 2004.

References

- Judd, M., and J. Dulnua. 2001. "Women's Legal and Customary Access to Land in the Philippines," World Bank, Washington, DC.
- World Bank. 2000. "Project Appraisal Document for Land Administration and Management Project, Philippines." September. World Bank, Washington, DC.
- . 2003. "Philippine Land Administration and Management Project Revised Logframe." April. World Bank, Washington, DC.