GLTN LAND TOOLS
-SOME EXAMPLES-

Dr. Jaap Zevenbergen
University of Twente

What are GLTN Land Tools?

GLTN considers that a tool is a practical method to achieve a defined objective in a particular context. More precisely, a tool facilitates decision processes based on knowledge to move from principles, policy and legislation to implementation.

Land tool development can be understood as the processes of reviewing, developing, documenting, implementing, disseminating, evaluating and monitoring the tools.

Land tool can be a guide, criteria, software, training package, manuals, guidelines, frameworks, e-learning, etc.
THE TOOL DEVELOPMENT PROCESS – GENERIC STEPS

1. ACCESS TO LAND & TENURE SECURITY
   1a. Enumerations for tenure security
   1b. Continuum of land rights
   1c. Deeds or titles
   1d. Socially appropriate adjudication (STDM)
   1e. Statutory and customary
   1f. Co-management approaches
   1g. Land record management for transactability
   1h. Family and group rights

2. LAND MANAGEMENT & PLANNING
   2a. Citywide slum upgrading
   2b. Citywide spatial planning
   2c. Land use planning for tenure security
   2d. Land readjustment (slum upgrading and/or post crisis; PILaR)

3. LAND ADMINISTRATION & INFORMATIONS
   3a. Spatial units (STDM, Fit for Purpose Land Administration)
   3b. Cost and Financing of Land Administration Services
   3c. Legal allocation of the assets of a deceased person (Estates administration, HIV/AIDS areas)
   3d. Expropriation, eviction and compensation

4. LAND-BASED FINANCING
   4a. Land tax for financial and land management (Land-based financing)

5. LAND POLICY AND LEGISLATION
   5a. Regulatory framework for private sector
   5b. Legal allocation of the assets of a deceased person (Estates administration, HIV/AIDS areas)
   5c. Expropriation, eviction and compensation

5 THEMES and 18 TOOLS
## GLTN TOOLS KIT

GLTN is working on the development of different land tools, at different stages, namely:

<table>
<thead>
<tr>
<th>Advanced stage</th>
<th>Others (also under development)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Social Tenure Domain Model (STDM)</td>
<td>16. Guide to citywide spatial planning</td>
</tr>
<tr>
<td>2. Gender Evaluation Criteria</td>
<td>17. Land information for urban land management</td>
</tr>
<tr>
<td>3. Enumerations for Tenure Security</td>
<td>18. PLaR (Participatory and Inclusive Land Readjustment)</td>
</tr>
<tr>
<td>4. Post Conflict/Post Disaster Guidelines</td>
<td>19. Costing and financing land administration services (CoFLAS)</td>
</tr>
<tr>
<td>5. How to Establish an Effective Land Sector</td>
<td>20. Pro-poor land recordation</td>
</tr>
<tr>
<td>7. Grassroots Mechanism</td>
<td>22. Youth and Land</td>
</tr>
<tr>
<td>8. Land and property taxation</td>
<td>23. Fit for Purpose Land Administration</td>
</tr>
<tr>
<td>10. Land mediation</td>
<td>25. Continuum of land rights – theoretical foundations</td>
</tr>
<tr>
<td>12. How to conduct land inventory</td>
<td></td>
</tr>
<tr>
<td>13. How to develop a pro-poor land policy</td>
<td></td>
</tr>
</tbody>
</table>
CONTINUUM OF LAND RIGHTS

- Land is seen as lying on a continuum between informal and formal rights. In between these extremes are a wide range of rights. In reality these rights do not lie on a single line, and they may overlap with each other. Tenure can take a variety of forms. Individual freehold rights, at the most formal end of the continuum, should not be seen as the preferred or ultimate form. It is one of a number of appropriate and legitimate forms. The most appropriate depends on the particular situation and context.

TOOLS: SOME EXAMPLES

CONTINUUM /2

Freehold as one of a number of appropriate and legitimate forms of tenure (customary, leasehold, etc.)

Global paradigm shift
- GC resolution – other alternatives
- AU Framework and Guidelines
- VGGTs
- European Commission, GIZ and USAID adopted the continuum

Over 25 countries following the path
- Namibia Flexible Land Act most legally robust – Incremental upgrading of tenure over time at pace which people and state can afford and land legal systems have enough capacity
- GLTN Technical Assistance to Governments
PARTICIPATORY AND INCLUSIVE LAND READJUSTMENT (PILAR)

- Improved urban governance
- Improved supply of serviced urban land through a negotiated process
- PILaR recognition as a pre-eminent tool for inclusive city extension including densification
- Shifts in global debates for developing countries and revitalization of neglected tools
- PILaR brings to the forefront governance and inclusion as key strategic objectives of urban management
- Global Pilot (Colombia), Slum Upgrading (Uganda, Rwanda),

PILAR: KEY ACHIEVEMENTS

- Considerable progress in fast-tracking PILaR design and implementation
- Land Value Sharing Policy and Practice Guide for the City of Medellin done
- Sourcebook on PILAR is completed and publication is underway
- Effort to link land readjustment to slum upgrading is being undertaken
GENDER EVALUATION CRITERIA

- Process of bringing stakeholders together to identify gender inequalities in land and to dialogue and plan jointly for responses
- Developed by partners: Led by Huairou Commission, International Federation of Surveyors, Univ. of East London
- 2009/10: Grassroots Pilot testing in Brazil, Ghana and Nepal
- 2013 Roll-out championed by key GLTN Partners and UN-Habitat regional programmes in the Caribbean and Asia-Pacific (40 countries in total)

TOOLS: SOME EXAMPLES

BRAZIL CASE: WOMEN’S EMPOWERMENT AND ENGAGEMENT

- Used by Espaço Feminista (EF) partnered and grassroots women for empowerment and engagement in the city’s regularization process including issuance of legal titles to residents
- Impacted around 10,000 low-income families living in Ponte do Moduro, covering an area of approximately 50 hectares, covering a 46-year history of struggle for regularisation
THE SOCIAL TENURE DOMAIN MODEL (STDM)

• Supports the continuum
• Facilitate the recording of all forms of land rights and claims
• Based on open and free software packages
• Based on global standard (LADM)
• Can complement other tools and interventions
• Easy to use (slum communities are currently using it)

TOOLS: SOME EXAMPLES

STDM IMPLEMENTATION

STDM Implementation Status
January - December 2014
COSTING AND FINANCING OF LAND ADMINISTRATION (COFLAS)

- Practical methodology (tool) for Costing and Financing of Land Administration Services (COFLAS) in developing countries by reforming and “Modernizing the Budgetary Approach of Land Agencies” with a view to enabling them provide cost effective, efficient, sustainable and affordable services.
- “Fit-For-Purpose” LAS through “right-sizing” the vision and the operational demands of land administration without sacrificing reasonable service quality, inclusivity, capacity, affordability.

Primary Target Users:
- Land sector staff in preparing proposals for LAS reform
- Land sector policy makers in assessing/proposing a case for land reform
- Key government agencies in reviewing LAS reform proposals and ensuring value for money.

Key Achievement:
- First version of the COFLAS tool developed and validated by land industry.

Next Steps:
- Pilot CoFLAS in Tanzania & Lesotho
- Identification of other pilot activities
- Tool refinement based on pilot experience.
VALUATION OF UNREGISTERED LANDS AND PROPERTIES

• Challenges
  • 70% of land ownership units are not formally registered
  • Owners of unregistered land, who in most cases are the disadvantaged groups, cannot access valuation services
  • Need to develop a tool for valuation of unregistered land and properties

• Progress
  • GLTN, in partnership with RICS, commissioned a scoping study on Valuation of Unregistered Lands (2013)
  • Follow-up study in 2014 to elaborate issues raised in the scoping study.
  • The resultant report was reviewed at an Expert Group Meeting held in Bangkok in October 2014.
  • Testing and piloting to follow…

PRO-POOR LAND RECORDEATION

Key Design Elements

1. Apply macro and micro level ‘Political-Economy Analysis’ using ‘Stakeholder’ and ‘Force-Field Analyses’
2. Build on inclusive community tenure practice
3. Introduce acceptable local formalization and land officer
4. Recordation of all legitimate land tenures
5. Land records, index and a record keeper for a specified, coherent area
6. Inspection
7. Multiple sources of evidence and their local weights
PRO-POOR LAND RECORDATION

Key Design Elements

8. Low-cost and readily available dispute resolution mechanism
9. System ownership and co-management by state and community
10. Emphasis on continuum of land recording
11. Monitoring and Evaluation mechanism of pro-poor land records impact

Way forward:

• Three country case studies
• Expect Group Meeting
• Publication and dissemination

GUIDE FOR FIT FOR PURPOSE LAND ADMINISTRATION

Key Elements:

• Flexible
• Inclusive
• Participatory
• Affordable
• Reliable
• Attainable
• Upgradeable

Way Forward:

• Concepts widely accepted
• Development of a guide is under way
• More institutions and individuals are involved
GLOBAL LAND INDICATORS

• GLTN as platform for the process – Global Land Indicators Initiative
• Indicators for post 2015 SDGs
• Long term global indicators for land and tenure security

Result: Land is prominent in agreed post SDG goals/targets (e.g. poverty, food security, women)

GOING FORWARD

• Demand driven support:
  • Country level land governance support
  • Learning exchanges with other countries
• Tool development (global/regional) and implementation at country level
• More partnerships
• Regional land initiatives
THANK YOU

NEED TO KNOW MORE?

GLTN Secretariat
UN-Habitat, P.O Box 30030, Nairobi 00100, Kenya

glt@unhabitat.org
www.glt.net

FACILITATED BY:
UN-HABITAT
FOR A BETTER URBAN FUTURE

MORE ACADEMIC OVERVIEW OF DEVELOPMENTS ON LAND TOOLS, COMING OUT IN AUGUST 2015

Advances in Responsible Land Administration
Edited by Jolio Zennembarger, Walter De Vries • Rohat Mar Bennett