FIG Working Week 2016

CHRISTCHURCH, NEW ZEALAND
2–6 May 2016

Recovery
from disaster

GLTN
GLOBAL LAND TOOL NETWORK

SECURING LAND AND PROPERTY RIGHTS FOR ALL

GLTN and Land Tools

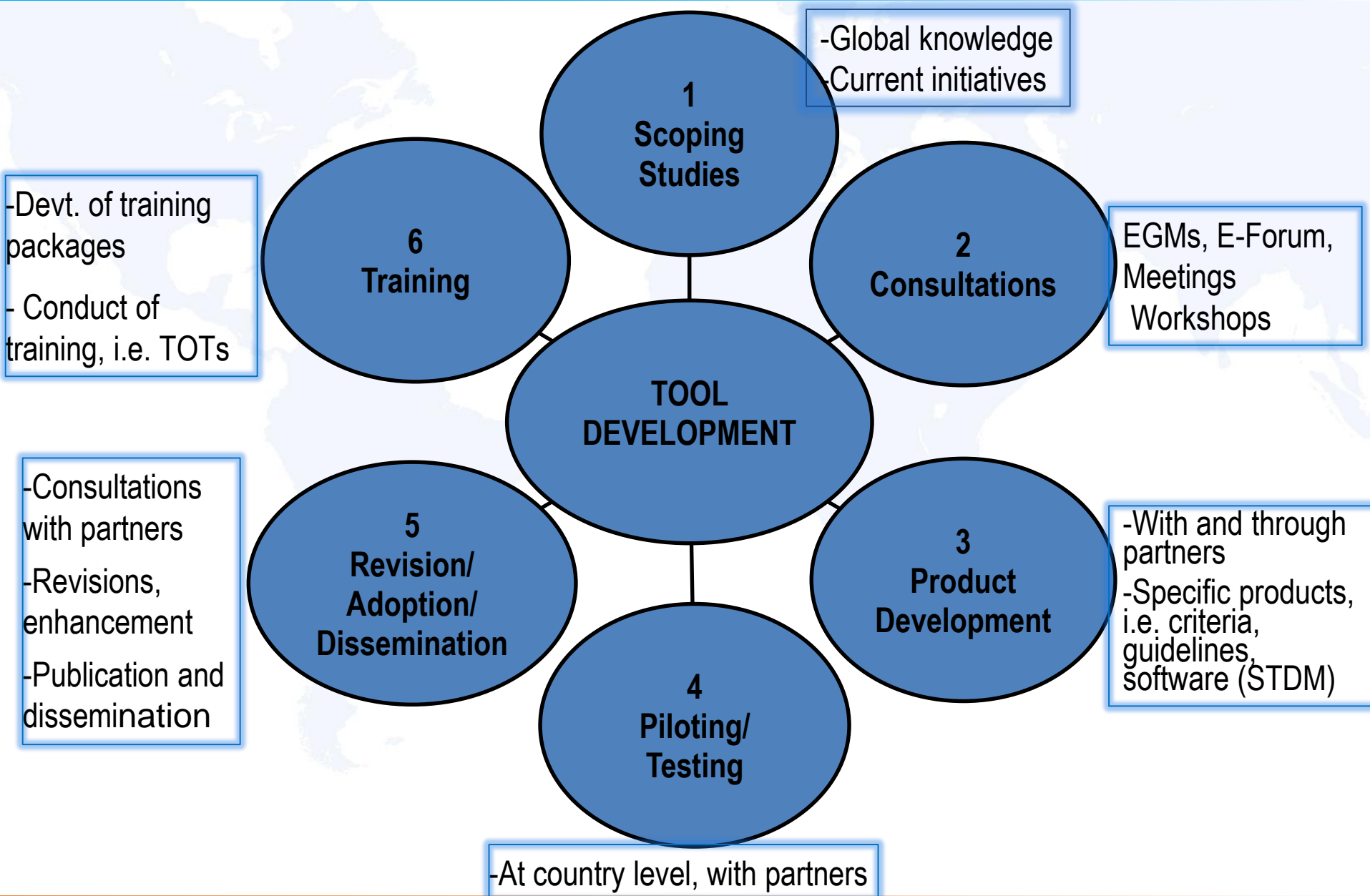### Cyprian Selebalo: UN-Habitat/GLTN

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 <u>the processes</u> of reviewing, developing, documenting, implementing (including piloting and up-scaling), disseminating, evaluating and monitoring the tools.

Land tool can be a guide, criteria, software, training package, manuals, guidelines, frameworks, etc.

GLTN Tool Development – Generic Steps

TOOL DEVELOPMENT

1 Scoping Studies
- Global knowledge
- Current initiatives

2 Consultations
EGMs, E-Forum, Meetings Workshops

3 Product Development
- With and through partners
- Specific products, i.e. criteria, guidelines, software (STDM)

4 Piloting/ Testing
- At country level, with partners

5 Revision/ Adoption/ Dissemination
- Consultations with partners
- Revisions, enhancement
- Publication and dissemination

6 Training
- Devt. of training packages
- Conduct of training, i.e. TOTs

Five Themes & Eighteen Tool AREAS

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. Regional land use planning

2d. Land readjustment (slum upgrading and/or post crisis; PILaR)

3. LAND ADMINISTRATION & INFORMATIONS

3a. Spatial units

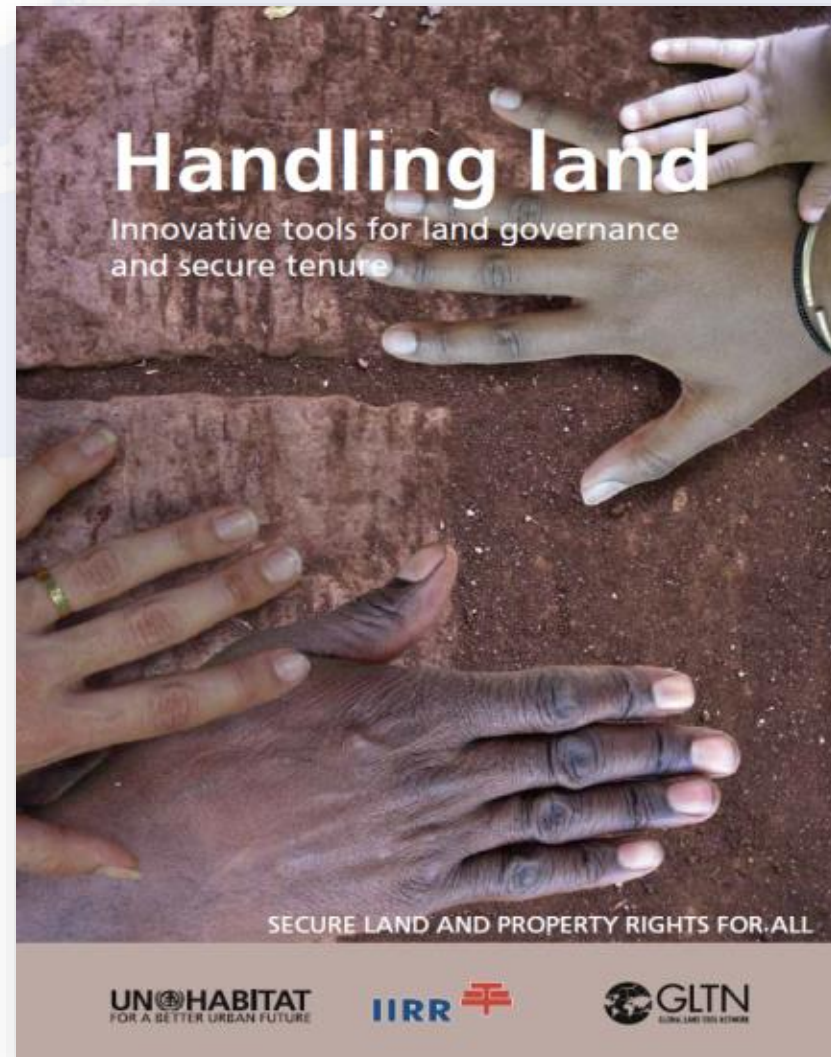3b. Modernising of land agencies budget approach

4. LAND-BASED FINANCING

4a. Land tax for financial and land management

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

1. Capacity development

2. Post conflict and post disaster situations

3. Environmental sustainability

4. Gender

5. Grassroots

6. Islamic aspects

7. Land governance

8. Youth

Handling land
Innovative tools for land governance and secure tenure

SECURE LAND AND PROPERTY RIGHTS FOR ALL

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GLTN
GLOBAL LAND TOOL NETWORK

GLTN is working on the development of different land tools,

Advanced stage

1. Social Tenure Domain Model (STDM)
2. Gender Evaluation Criteria
3. Enumerations for Tenure Security
4. Post Conflict/Post Disaster Guidelines
5. How to Establish an Effective Land Sector
6. Capacity development strategy
7. Grassroots Mechanism
8. Land and property taxation
9. Transparency in land administration training kits
10. Land mediation
11. Monitoring tenure indicators in city
12. How to conduct land inventory
13. How to develop a pro-poor land policy
14. Land in the Islamic Context

Others (also under development

15. Land, Environment and Climate Change
16. Guide to citywide spatial planning
17. Land information for urban land management
18. PILaR (Participatory and Inclusive Land Readjustment)
19. Costing and financing land administration services (CoFLAS)
20. Pro-poor land recordation
21. Land Use Planning for Tenure Security
22. Youth and Land
23. Fit for Purpose Land Administration
24. Continuum of land rights – theoretical foundations
25. Customary tenure tools
26. Valuation of Unregistered Lands

1. PILaR - DEFINING FEATURES

A preeminent tool for inclusive city extension including densification and supply of serviced urban land through a negotiated process.

- Not only a technical exercise
- Governance focused
- Broadly consensual
- Community driven
- Negotiated land sharing
- Pro-poor, gender responsive, etc.
- Equitable distribution of costs and benefits and value sharing
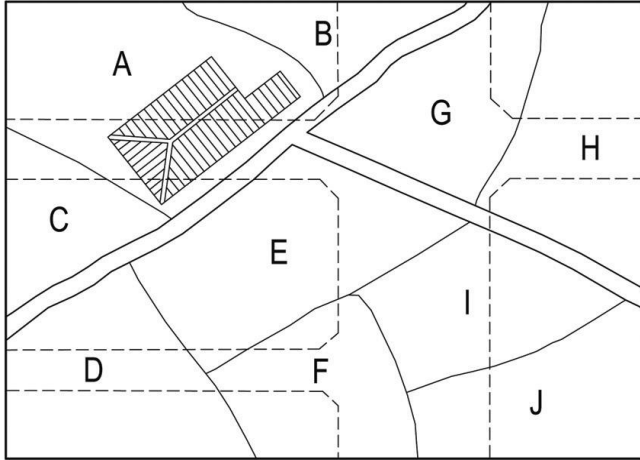- Opportunity to mediate differences

KEY SAFEGUARDS

Mainstreaming:
- Social safeguards
- Environmental safeguards
- Gender, youth & other vulnerable groups

Participatory and Inclusive Land Readjustment (PILaR)

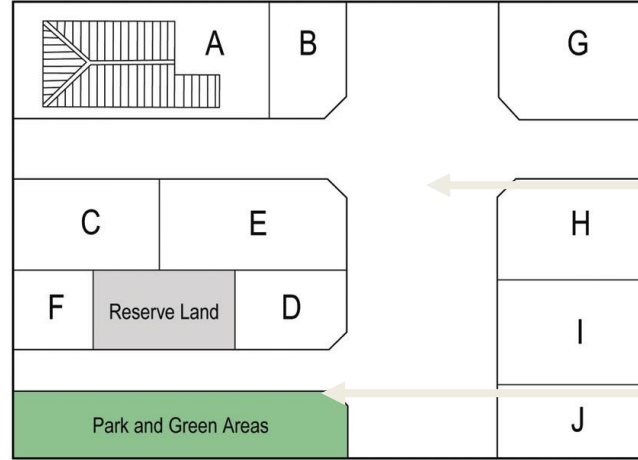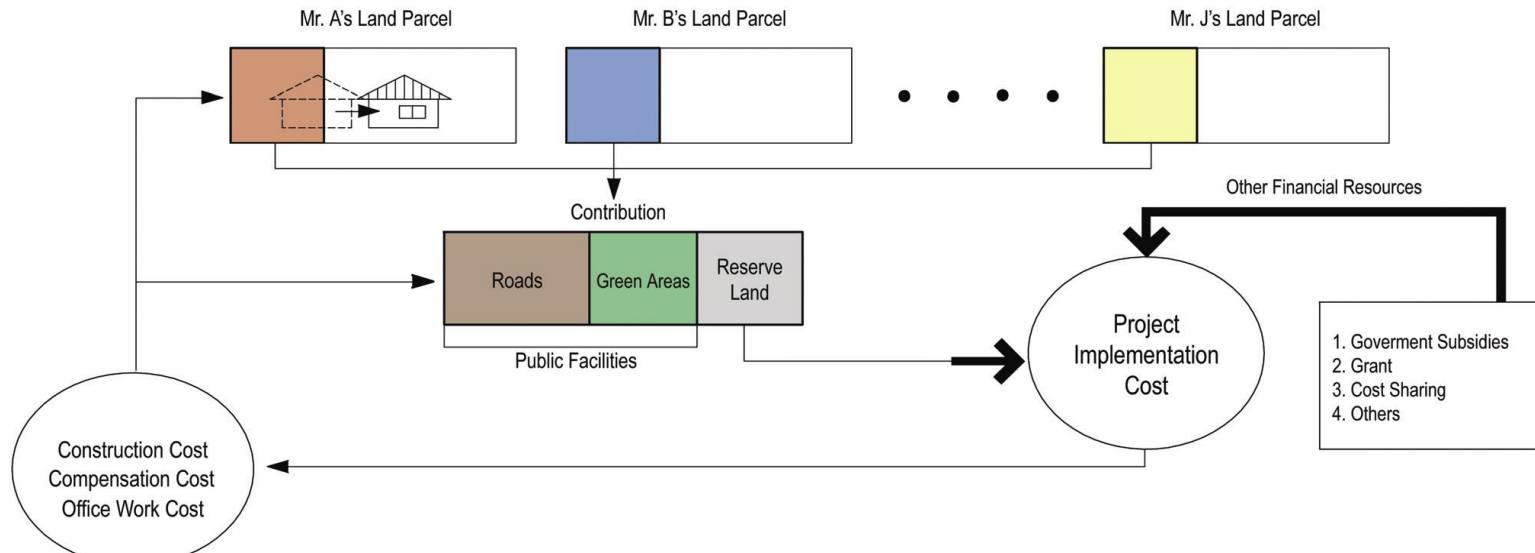## Input parcels → Output parcels

Before Land Readjustment Project

After Land Readjustment Project

replotting

Land Contributions

Mr. A's Land Parcel

Mr. B's Land Parcel

Mr. J's Land Parcel

Contribution

Roads — Green Areas — Reserve Land

Public Facilities

Other Financial Resources

Project Implementation Cost

1. Goverment Subsidies
2. Grant
3. Cost Sharing
4. Others

Construction Cost
Compensation Cost
Office Work Cost

- Aims at addressing challenges in availability of the financial resources necessary to support and sustain urban development particularly in many developing countries.

- Many urban authorities are seriously under-resourced and hence unable to meet the ever-growing demand for basic services and new infrastructure as well as the maintenance of existing infrastructure and services.

WHAT IS THE LBF TOOL?

- **Collective name to range of tools local governments can use to expand revenue base for financing urban development.**

- **Based on land being a key factor of production and important source of financing urban development. Immovable - taxes and fees tied to land cannot be avoided by relocating to another place.**

- **People who live and work in a community obtain benefits from that community such as the use of public roads and other public services.**

- **Tool has two parts (Reader and Guide)**

Reader presents and describes a range of instruments:
- Annual tax on immovable property
- Public land leases and land sales
- Developer exactions
- Classical land value sharing
- Betterment charges and special assessments
- Transfer of developments rights (TDR)
- Transfer taxes and stamp duties

3. Costing and Financing of Land Administration Services-CoFLAS

- A set of guidelines and tabular framework that allows for exploring, identifying and prioritizing land administration service (LAS) delivery options based on costs of developing and running the services, financial resources available to pay for them, as well as other considerations such as human capacity and strategic decisions like service coverage.

- The tabular costing structure built in the tool assists government staff to prepare and assess LAS reform proposals whilst at the same time taking into consideration the variation in approaches that would have an impact on the cost and viability of the reform.

- Develop a useful and practical methodology (tool) whereby the **costing** and **financing** of land administration services in **developing countries** can be **reformed and modernized** with a view to enabling the agencies provide **cost effective, efficient, sustainable** and **affordable** services.

- The methodology, where appropriate and through **incremental process**, ought to lead to some kind of **cost recovery**, but without **compromising quality of services** provided and **limiting access to services especially of the poor and vulnerable**.
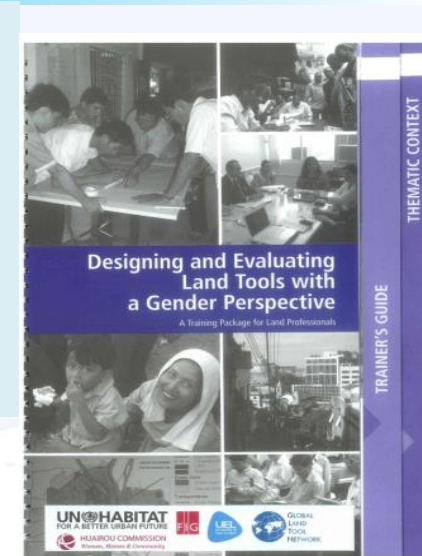
4. Gender Evaluation Criteria (GEC)

The Gender Evaluation Criteria is a **flexible framework to test** the gender responsiveness of land tools.

Factors for tools to be considered gendered: Equal participation, Capacity building, Sustainability, Legal and institutional considerations, Cultural considerations, Economic considerations

Evaluation process:

- Composition of evaluation team (preferably multi-stakeholder and women-led)
- Preparation of evaluation (selection of relevant criteria, localizing of matrix, translation, etc.)
- Evaluation (data collection and interviews, analysis, etc.)
- Validation exercise (evaluation team and key stakeholders), incl. score card approach for the six criteria
- Evaluation report, incl. recommendations and action plan

GEC was developed in 2008-2009

- It has been introduced in over 40 countries to a broad range of stakeholders

- The tool was successful implemented in Brazil and Uganda through a long-term process

- It was also piloted in Ghana, Nepal, and Togo

- Proved to be effective in collecting data, managing knowledge and producing rigorous evaluation

- Sustained processes for collaboration between land professionals and community practitioners advocating for women's land rights

The GEC methodology facilitates a broad-based participation of key stakeholders in the choice of options, and subsequently for the implementation of activities, the collection of the necessary data and the validation of the evaluation results.

Its flexibility and ability to adaptation to new contexts and areas of land policy has been a useful characteristic of this tool

What is it?

- **A simple and practical method to assess the capacity of land-related assumptions, policies, frameworks and projects to respond to the needs and concerns of youth in relation to land.**
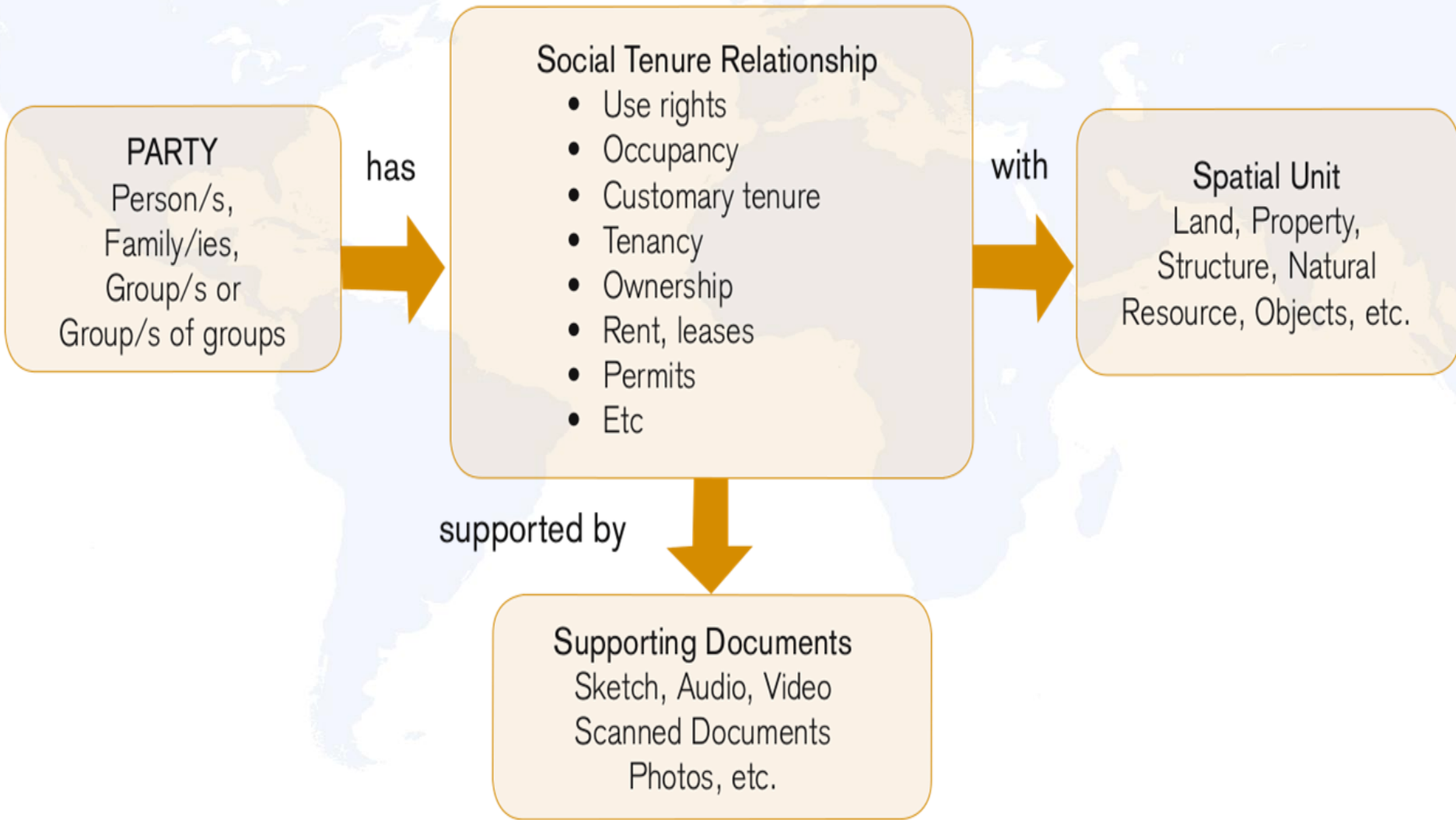
What can it be used for?

- To collect and analyse youth and land data at local, regional and national levels;

- To collect baseline data for specific youth and land-related projects;

- As a planning and implementation tool for projects and programmes;

- At the problem identification stage of planning, before an intervention is designed;

- To assess the impacts that a land-related project/programme may have on youth;

- To make recommendations to a policy-maker on improving the youth responsiveness of the land sector.

6. SOCIAL TENURE DOMAIN MODEL (STDM)

- A pro poor, gender responsive and participatory LIS developed by GLTN.
- Land tool for capturing party to spatial unit relationship regardless of levels of formality and accuracy
- Supports the Continuum of Land Rights concept
- Can be applied in various contexts, complements other tools and it is a specialization of the ISO-approved LADM
- Key tenets include affordability, flexibility, equitable, good governance, sustainable and scalable
- It has been implemented in following situations:
  - Informal settlements in support of upgrading initiatives
  - Settlements profiling for inform city planning initiatives
  - In peri-urban area to address gender aspects of customary tenure
  - Rural agricultural activities to assess farming land acreage by smallholder farmers
  - Recording land mediation results in post-conflict situations

STDM: THE CONCEPTUAL MODEL

PARTY
Person/s,
Family/ies,
Group/s or
Group/s of groups

has

Social Tenure Relationship
- Use rights
- Occupancy
- Customary tenure
- Tenancy
- Ownership
- Rent, leases
- Permits
- Etc

with

Spatial Unit
Land, Property,
Structure, Natural
Resource, Objects, etc.

supported by

Supporting Documents
Sketch, Audio, Video
Scanned Documents
Photos, etc.

WHAT IS THIS TOOL?

- This tool – going under the working title of "**Achieving social and economic development by Increasing Women's Access to Land in the Muslim World: A Set of Guidelines**" – is based on global gender-responsive land approaches, series of consultations with partners and experts, case studies review and analysis, and on the GLTN research on Islamic land principles offering opportunities for enhancing women land and property rights.

- International and regional legal and policy frameworks, Islamic land law provisions, lessons learnt and good practices are combined into a set of guidelines that will help women, families, land practitioners, community workers and decision makers to increase access to land for women in the Muslim world.

Women's ACCESS TO LAND in Muslim Contexts
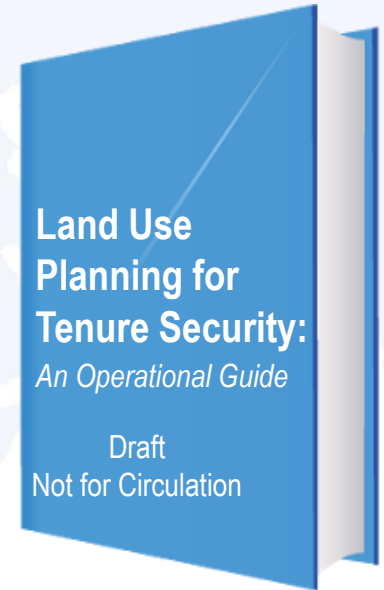
The key elements:

- **What protects women access to land** (international/regional / national legal and policy frameworks, etc.);

- **How women can access land** – including ownership, secondary rights, customary and Islamic land related mechanisms.

- **Conflict Contexts:** Often greater reliance on customary and religious norms and systems. Explore opportunities to enhance women's rights and participation.

8. Land Use Planning and Tenure Security

Often, land use planning exists but is not sufficiently linked with tenure security. The tool proposes a complementary approach to widen the margins for tenure security improvements.

Land Use Planning for Tenure Security:
An Operational Guide

Draft
Not for Circulation

1. Land Use Planning For Tenure Security: **Operational Guide**

   • A robust Land Use Planning Tool, with special focus on applications in developing countries, and incorporating other experiences and good practices from other organizations and countries.

2. E-Learning package on Land Use Planning For Tenure Security

(https://test.moodle.tum.de/lupmain/index.html)

HOW TO LAND TOOLS

How to Develop a Pro-poor Land Policy — Process, Guide and Lessons

Guidance on developing a pro-poor land policy
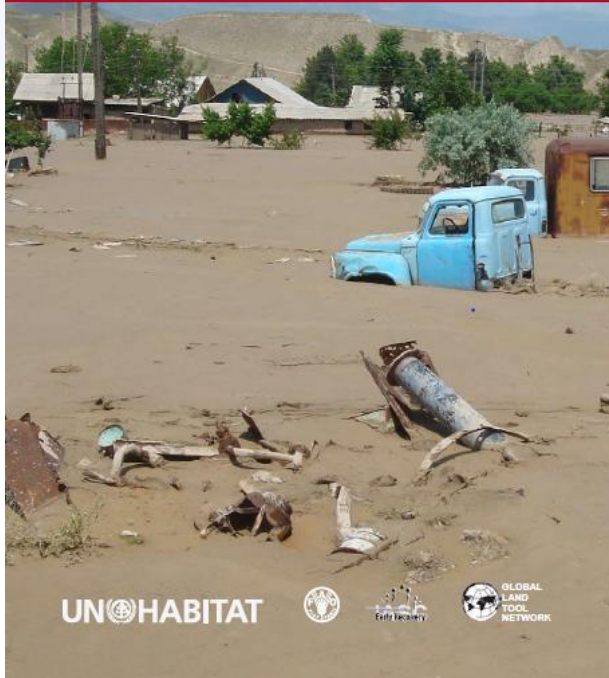

How to Establish an Effective Land Sector

Process in Establishing Inclusive Land Sector For Land Reform Engagements

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**Land and Natural Disasters –
Guidance for Practitioners**

**Handbook on
Best Practices,
Security of
Tenure and
Access to
Land**

TRAINING TOOLS

TRAINING PACKAGE: TOOLKIT

TOOLS TO SUPPORT TRANSPARENCY
IN LAND ADMINISTRATION

SECURING LAND AND PROPERTY RIGHTS FOR ALL

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Training Package – Tools to Sup
Transparency in Land Administra

TRAINING PACKAGE: TRAINERS' GUIDE

TOOLS TO SUPPORT TRANSPARENCY
IN LAND ADMINISTRATION

SECURING LAND AND PROPERTY RIGHTS FOR ALL
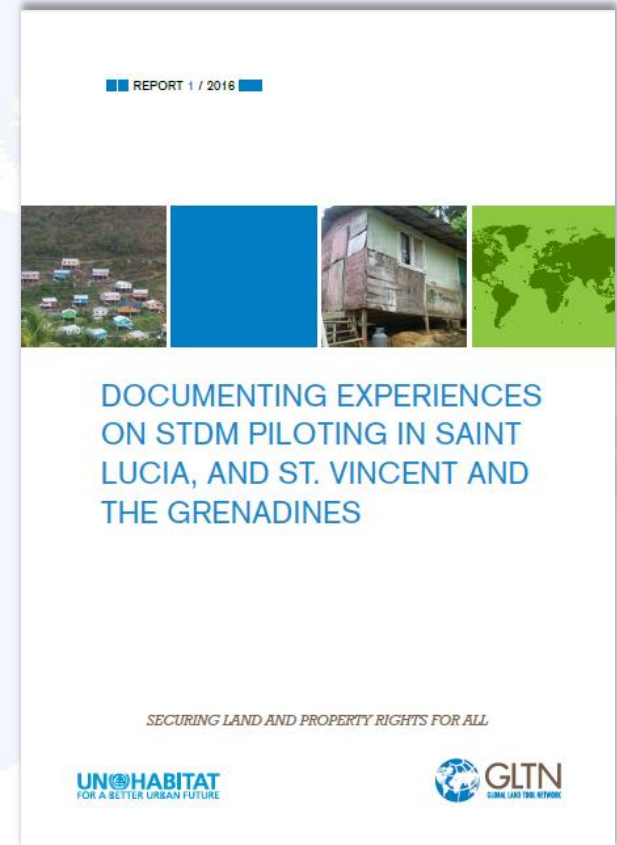
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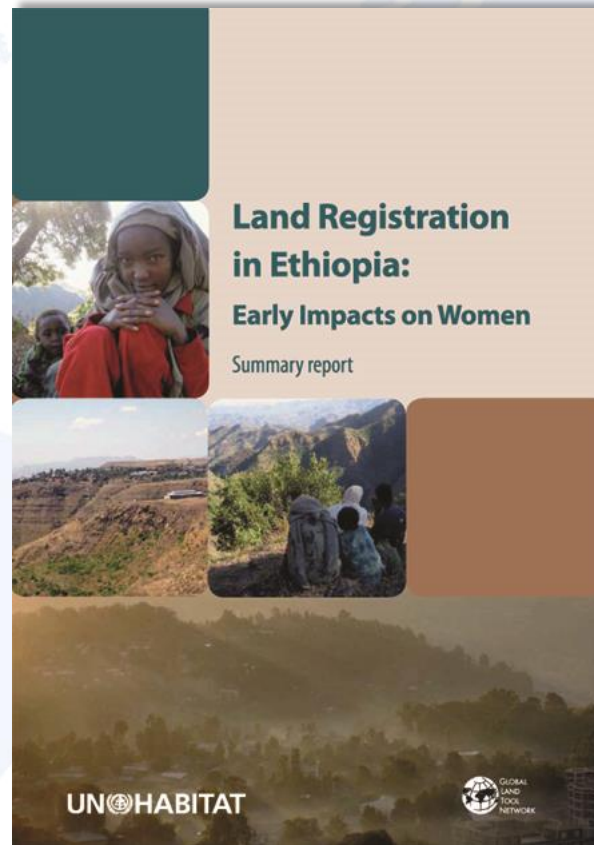GLOBAL LAND TOOL NETWORK

Trainers' Guide – Tools to Support
Transparency in Land Administration

Land Registration in Ethiopia:
Early Impacts on Women

Summary report

UN@HABITAT

REPORT 1 / 2016

DOCUMENTING EXPERIENCES ON STDM PILOTING IN SAINT LUCIA, AND ST. VINCENT AND THE GRENADINES

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