GLTN and Land Tools

Cyprian Selebalo: UN-Habitat/GLTN

GLOBAL LAND TOOL NETWORK (GLTN)

- GLTN is a growing coalition of 72 international partners concerned with rural and urban land issues working:

- GLTN was formed in 2006 – a proactive response to land challenges globally

"To contribute to poverty reduction and sustainable development through promoting secure land and property rights for all"

- GLTN develop, test and promote pro-poor, gender-responsive land tools that can be implemented at scale, at country level
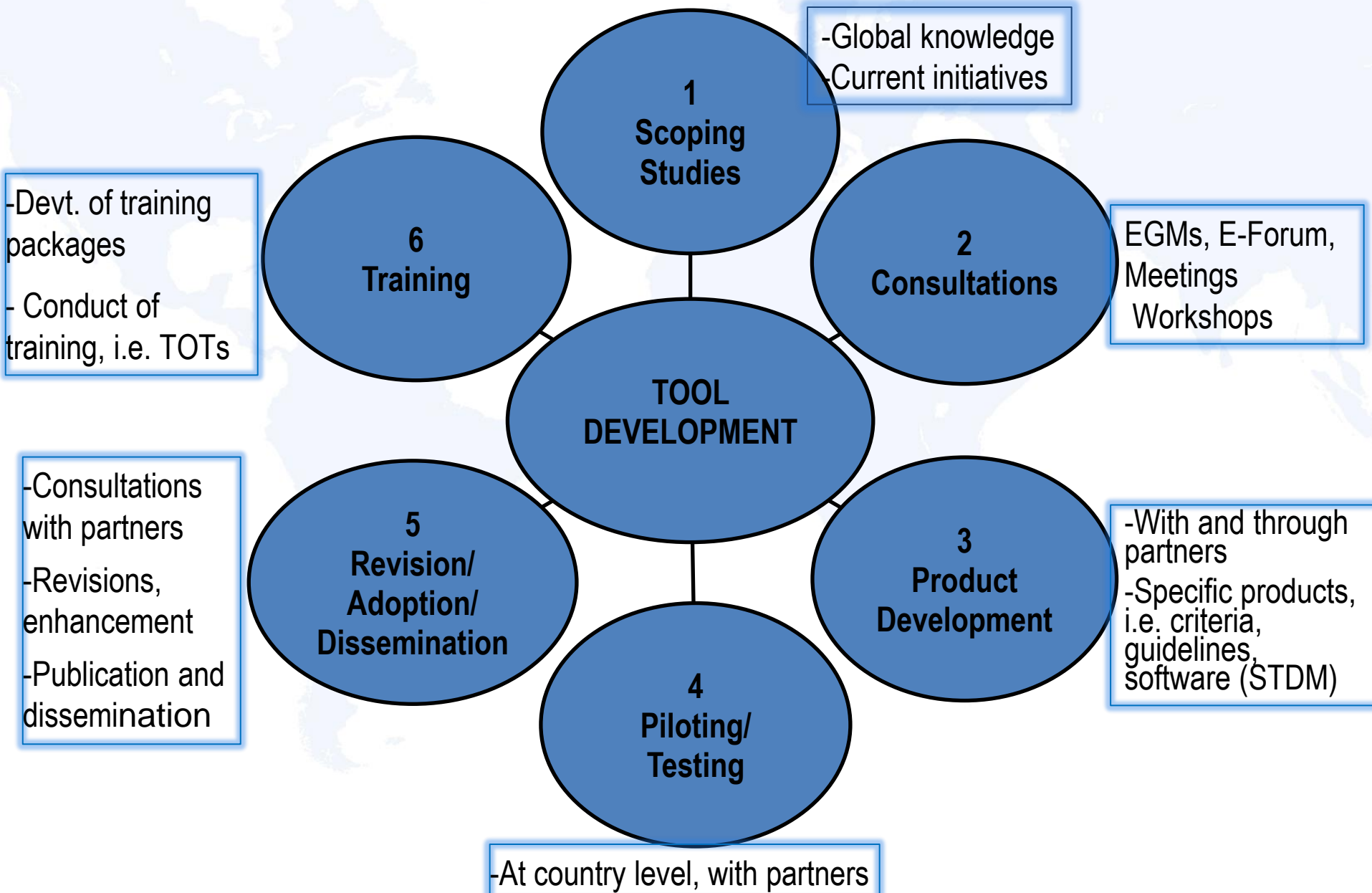
CORE VALUES:

Pro-poor, governance, equity, subsidiarity, affordability, systematic large scale approach, gender sensitiveness and sustainability.

What is a GLTN land tool?

- A practical way to solve a problem in land administration & management

- A way to put principles, policies, legislation into effect

- Essential for promoting and applying the continuum of land rights and achieving security for all

- It is pro-poor, gender responsive, and can be applied at scale

- A wide range of methodologies including:

  o   A checklist to use when conducting a survey

  o   A set of evaluative criteria on a matrix

  o   A software package and accompanying protocol

  o   a set of guidelines, approaches, procedures

- Emphasis on *practicality and capacity* – users should be able to take a land tool and apply it (or adapt it) in their own situation

- Capacity development is integrally part of the tool development process

- Developed through *partnerships*

GLTN Tool Development – Generic Steps

1 Scoping Studies

-Global knowledge
-Current initiatives

6 Training

-Devt. of training packages

- Conduct of training, i.e. TOTs

2 Consultations

EGMs, E-Forum, Meetings Workshops

TOOL DEVELOPMENT

5 Revision/ Adoption/ Dissemination

-Consultations with partners

-Revisions, enhancement

-Publication and dissemination

3 Product Development

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

4 Piloting/ Testing

-At country level, with partners

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

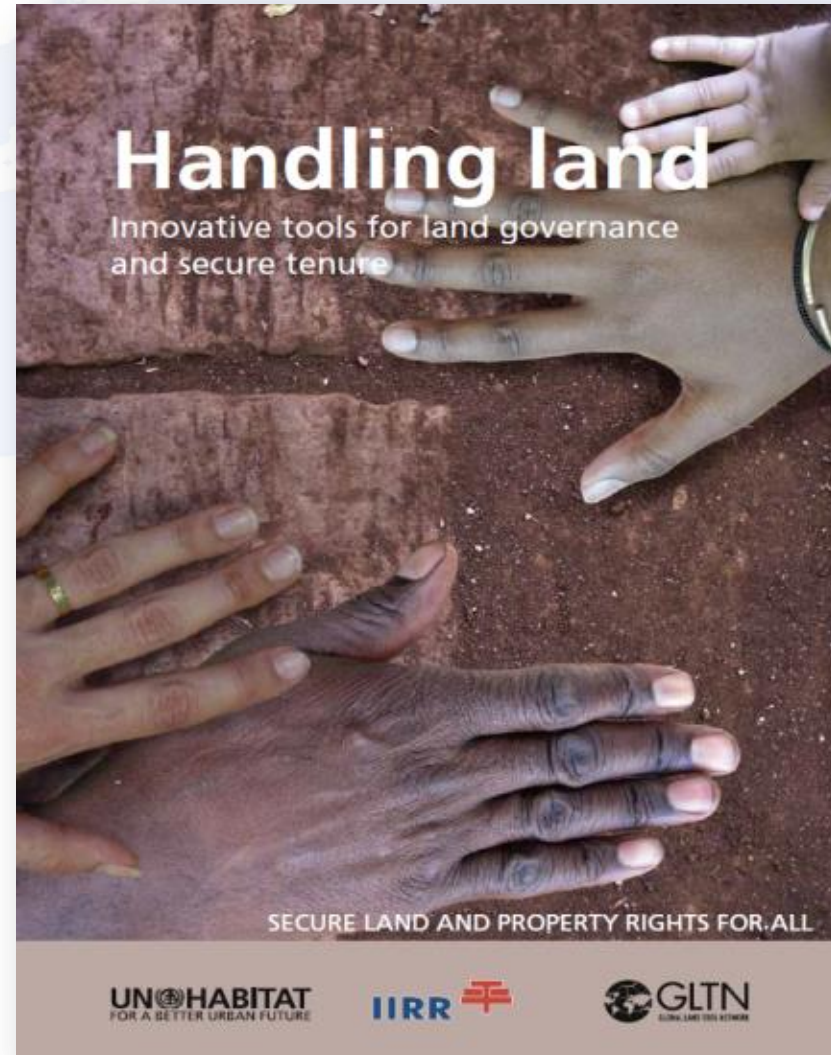3b. Modernising of land agencies budget approach

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

EIGHT CROSS CUTTING ISSUES

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

UN@HABITAT
FOR A BETTER URBAN FUTURE

IIRR

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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.   THE CONTINUUM OF LAND RIGHTS

*"*Embracing the Complexity of Diversity of Appropriate Tenure Rights*"*

GLTN advocates a ***paradigm shift on land***

- away from seeing land as a purely technical matter
- towards pro-poor, gender-responsive, accountable and sustainable land management
- and which provides for a ***continuum*** of legitimate, inclusive land tenure forms
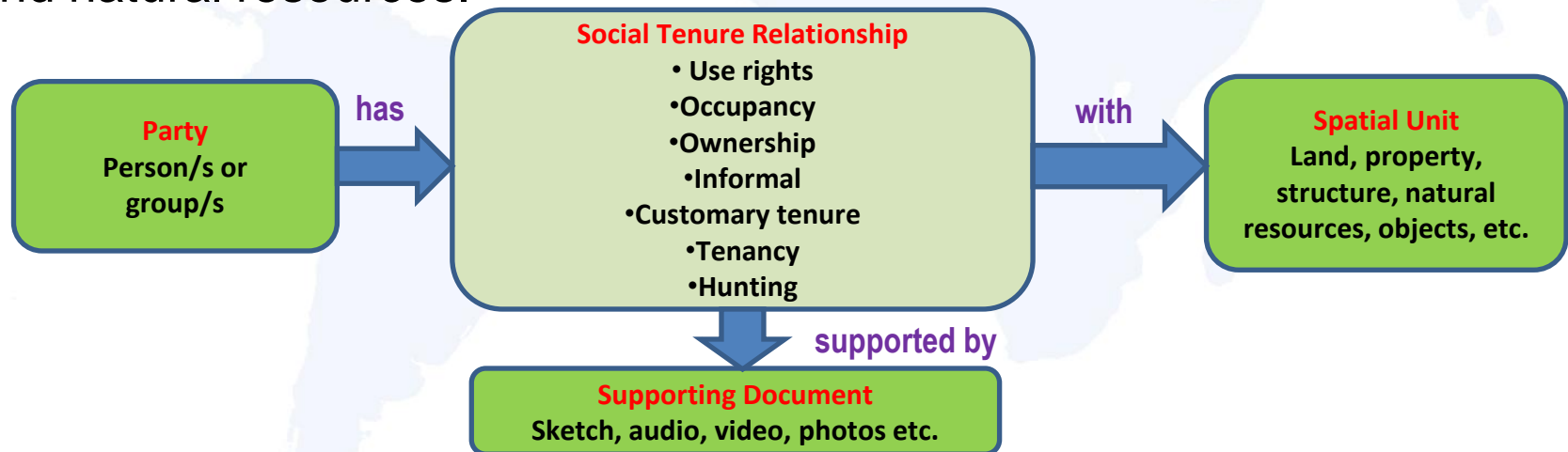- aimed at achieving tenure security for all
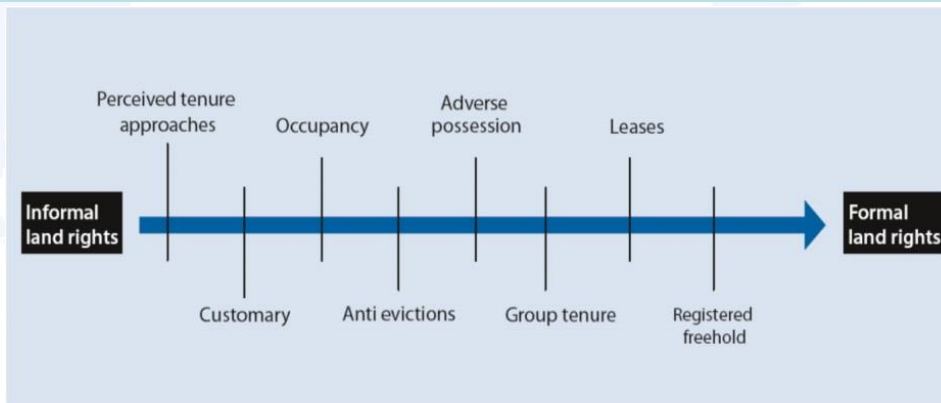
- An alternative to just focusing on land titling
- Rights to land are regarded as lying on a continuum between informal and formal
- In between these lie a wide and complex range of rights
- Tenure can take a variety of forms along this continuum
- The rights do not lie on a single line, and they may overlap with one another
- Registered freehold should not be seen as the preferred or ultimate form – it is one of a number of appropriate and legitimate forms (customary, leasehold, group tenure, others)
- The most appropriate form depends on *context*

- STDM is flexible tool for recording various tenure arrangements on a continuum of land rights
- STDM is based on ISO approved global standard (LADM)
- Modeling the relationships between people and land independently from the legal or formal status of those relationships
- Models social tenure relation as a link between people over land, property and natural resources.

Party
Person/s or group/s

has

Social Tenure Relationship
• Use rights
•Occupancy
•Ownership
•Informal
•Customary tenure
•Tenancy
•Hunting

with

Spatial Unit
Land, property, structure, natural resources, objects, etc.

supported by

Supporting Document
Sketch, audio, video, photos etc.

- Based on free and open source software packages
- Multiple uses e.g. local governance, natural resource management, land use planning, land taxation, slum upgrading, post-crisis context, etc.

Definition

- Participatory enumeration is a data-gathering process, which is to a significant extent jointly designated and conducted by the people being surveyed.

- It involves broad stakeholder participation including marginalized groups, decision makers and thus provides building trust, transparency and inclusive decision making process.

- It can be inclusive from inception, through design, management and implementation, to analysis and use of the data.
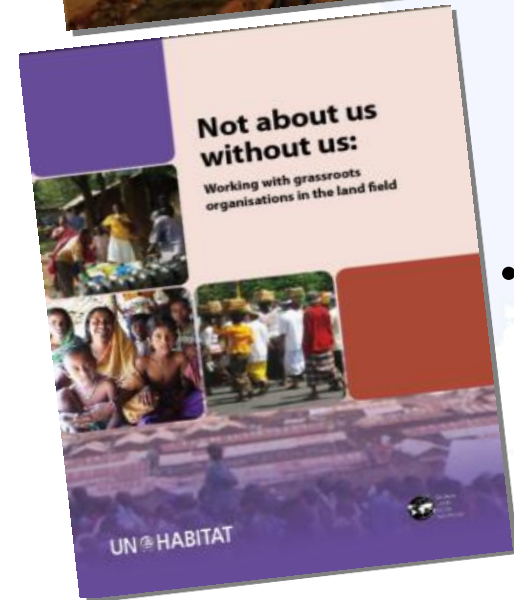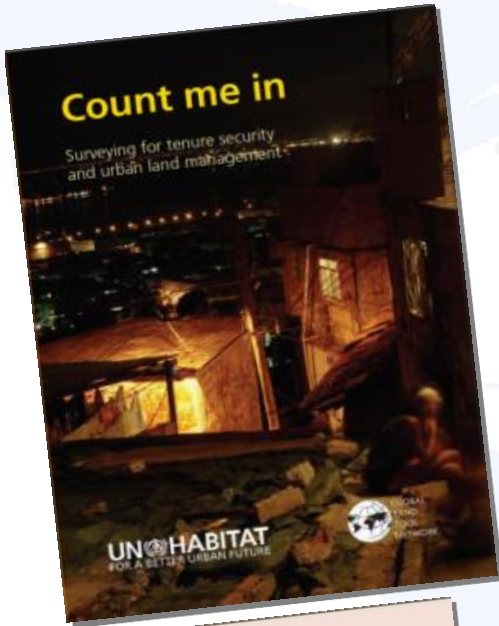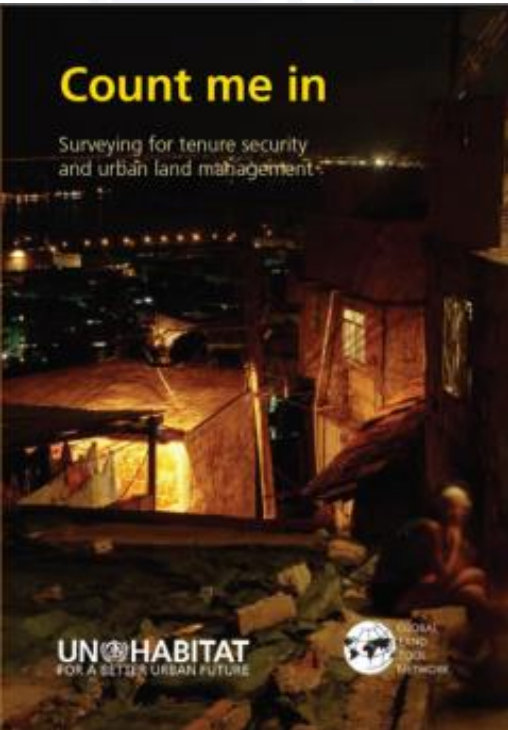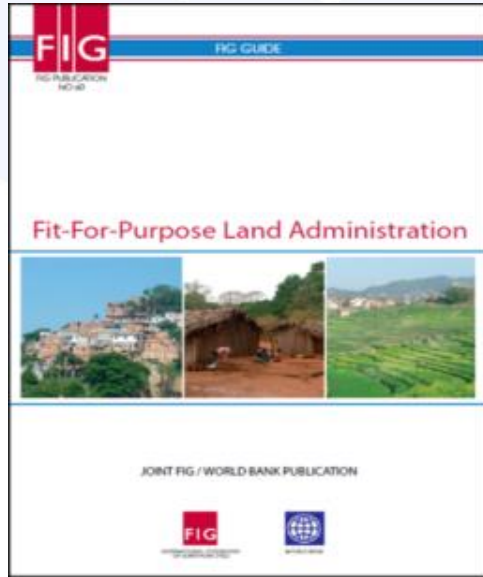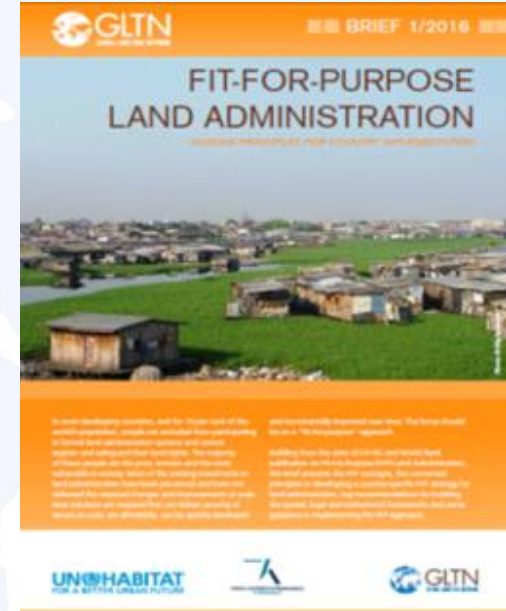
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Spatial Framework:

Aerial imageries country wide
Participatory field adjudication
Incremental improvement
Continuum of accuracy

**Fit-For-Purpose
Land Administration**

Legal Framework:

Enshrine FFP approach in law
Secure all land rights for all
Human rights, gender equity
Continuum of tenure - STDM

Institutional Framework:

Holistic, transparent and cost effective
Sustainable IT-approach
Ongoing capacity development
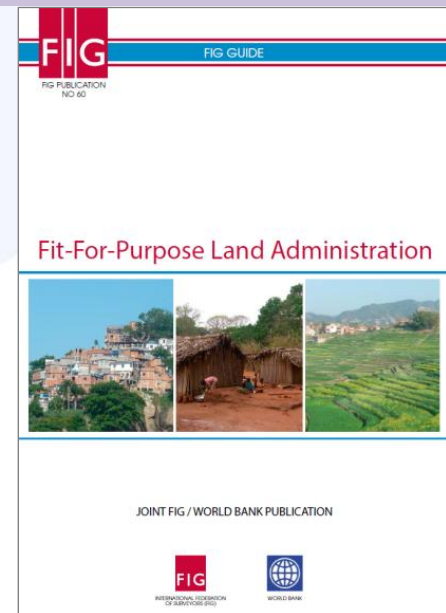Continuum of services

CAPACITY DEVELOPMENT AT THE CENTRE!

FFP Principles

- **Flexible** - approaches for varying use and purpose

- **Inclusive** - in scope to cover all tenure and all land

- **Participatory -** in approach to data capture; ensure community support

- **Affordable -** for the government to operate and for the society to use

- **Reliable** - in terms of information that is authoritative and reliable

- **Attainable -** to establish the system with a short time frame and within available resources

- **Upgradeable** - incremental improvement over time

Balancing desires against the essentials:
- ➢ **Good and Cheap service won't be Fast**
- ➢ **Good and Fast service won't be Cheap**
- ➢ **Fast and Cheap service won't be Good**

FIG GUIDE

FIG PUBLICATION NO 60

Fit-For-Purpose Land Administration

JOINT FIG / WORLD BANK PUBLICATION

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
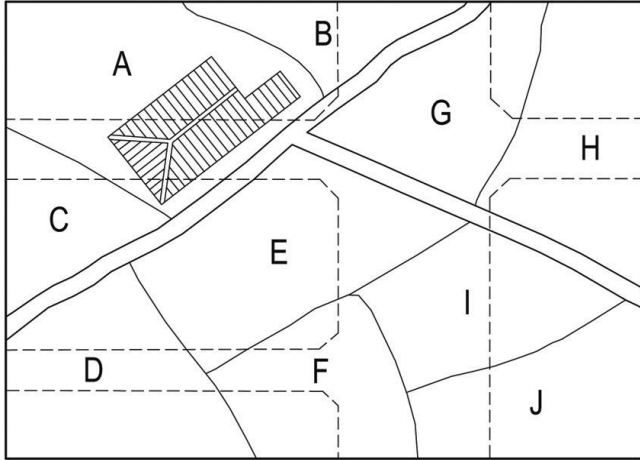- Opportunity to mediate differences

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

A B G H C E F Reserve Land D I J

Park and Green Areas

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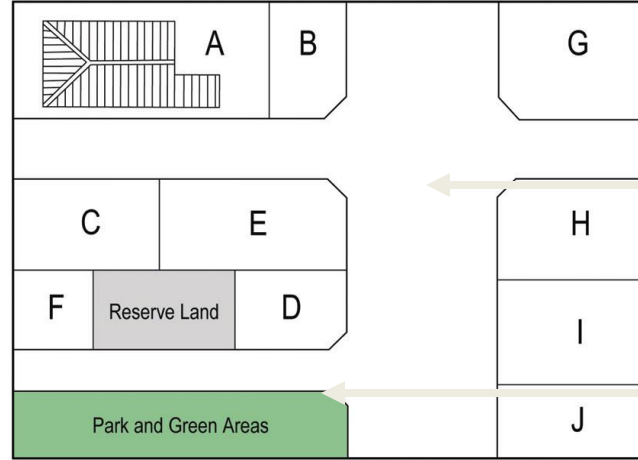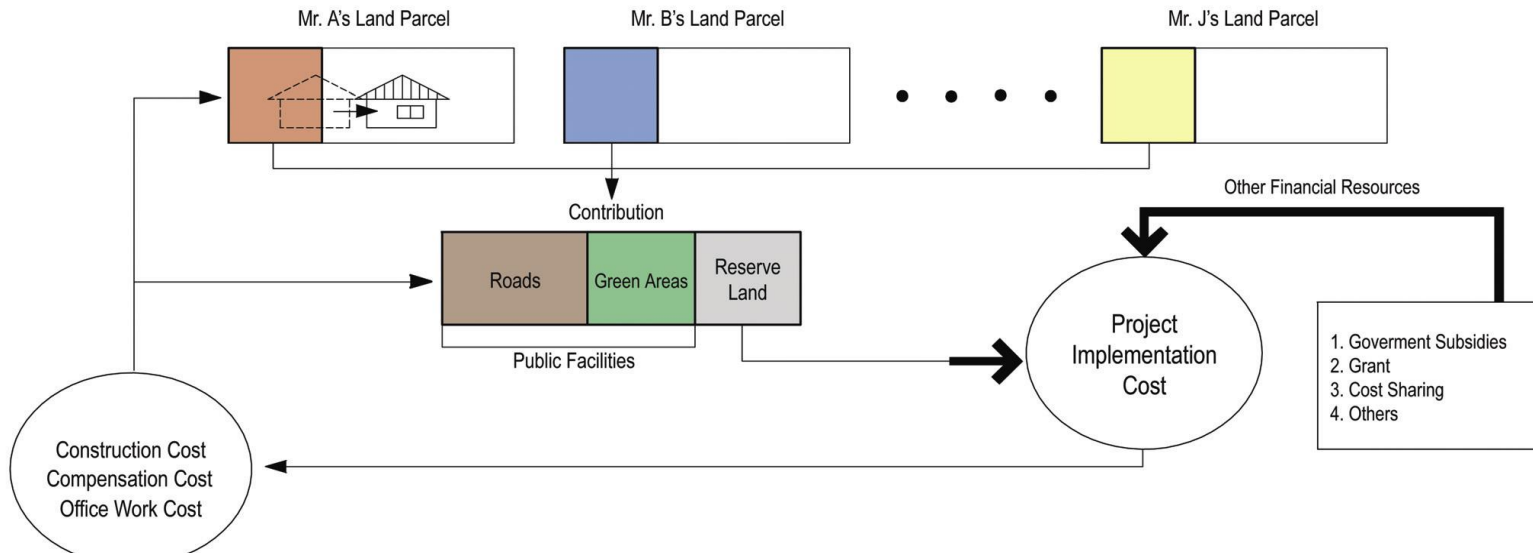
- Aims at addressing challenges in availability of the financial resources necessary to support and sustain urban development particularly in many developing countries.

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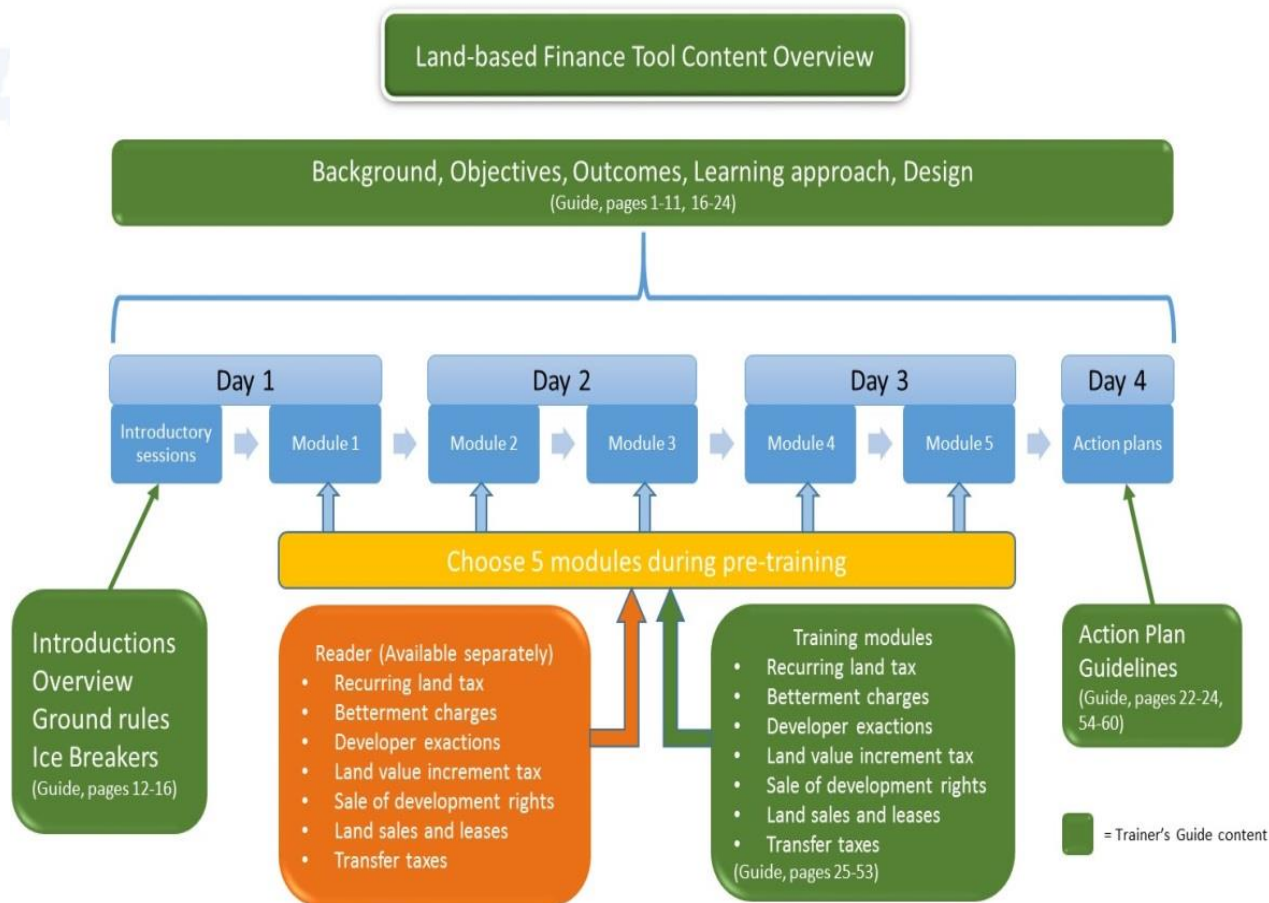
- Collective name to range of tools local governments can use to expand revenue base for financing urban development.

- 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

Guide provides methods whereby policy as well as practice knowledge regarding these tools can be communicated

Training package is designed to broaden understanding of potential land-based revenue tools and guide critical thinking on what is required to implement or domesticate each tool

Land-based Finance Tool Content Overview

Background, Objectives, Outcomes, Learning approach, Design
(Guide, pages 1-11, 16-24)

Day 1		Day 2		Day 3		Day 4
Introductory sessions	Module 1	Module 2	Module 3	Module 4	Module 5	Action plans

Choose 5 modules during pre-training

**Introductions
Overview
Ground rules
Ice Breakers**
(Guide, pages 12-16)

Reader (Available separately)
- Recurring land tax
- Betterment charges
- Developer exactions
- Land value increment tax
- Sale of development rights
- Land sales and leases
- Transfer taxes

Training modules
- Recurring land tax
- Betterment charges
- Developer exactions
- Land value increment tax
- Sale of development rights
- Land sales and leases
- Transfer taxes
(Guide, pages 25-53)

Action Plan Guidelines
(Guide, pages 22-24, 54-60)

■ = Trainer's Guide content

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7. 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**.
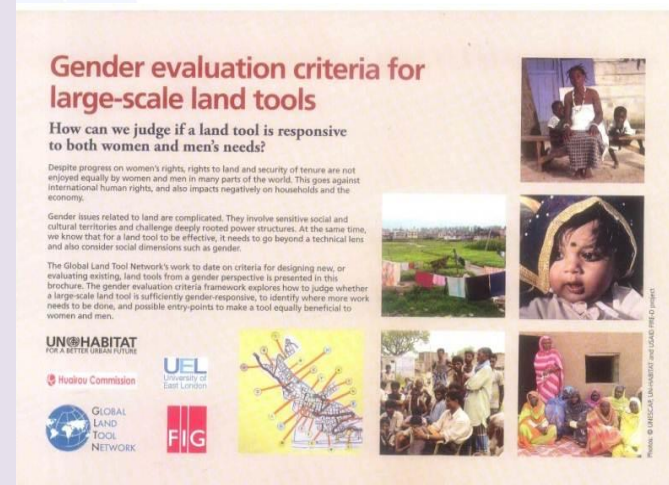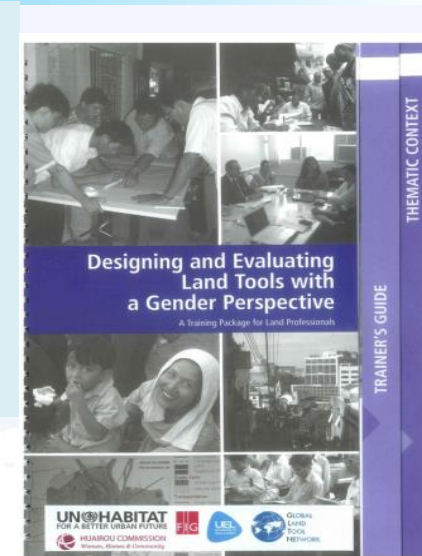
8. Gender Evaluation Criteria (GEC)

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

Designing and Evaluating Land Tools with a Gender Perspective
A Training Package for Land Professionals

Gender evaluation criteria for large-scale land tools

How can we judge if a land tool is responsive to both women and men's needs?

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.

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.

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.

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.

Land Use Planning for Tenure Security:
An Operational Guide

Draft
Not for Circulation
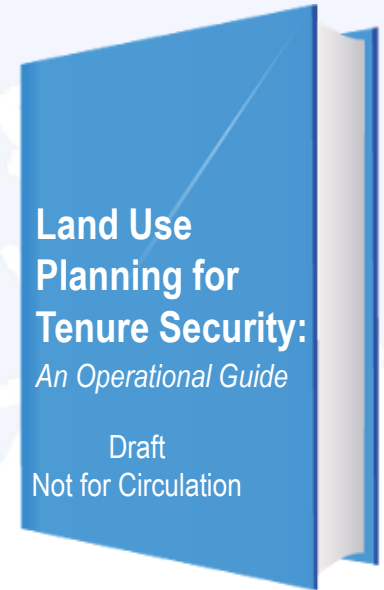
2. E-Learning package on Land Use Planning For Tenure Security

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

Thank you for your attention

NEED TO KNOW MORE?

www.gltn.net

www.unhabitat.org