

**UN-HABITAT comments on the Chairman's
Negotiating Text and Major Groups
Contributions**

**Presented by Clarissa Augustinus
Chief, Land, Tenure and Property Administration,
Shelter Branch, UN-HABITAT**

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Recognition of urban land and adequate housing dimensions

It is critical that the urban dimension is recognized as integral to sustainable development both at national and global level. The world's rural population has essentially reached its peak; but the global *urban* population is projected to double by 2030. Stopping urban growth is not an option. Urbanisation will require increasing supplies of land, more efficient land use and accessible forms of tenure; this is particularly the case in major cities, but also for growing small and medium-sized towns and in peri-urban areas.

Over the next 25 years, over 2 billion people will be added to the growing demand for housing, water supply, sanitation and other urban infrastructure and services. Close to 3 billion people, or about 40% of the world's population by 2030, will need housing and basic infrastructure and services.

UN-HABITAT strives to achieve adequate shelter for all, especially for the urban poor. This means working with Member States, Habitat Agenda partners and all shelter stakeholders, including indigenous peoples, to improve the production and delivery of land and shelter, and support national housing policies and enabling strategies.

Secure land rights for all

Radical efforts are needed to make land available and affordable in urban, peri-urban and rural areas for expanding populations. Secure rights to land have multiple benefits for the poor, and provide a readily available means for people to rise out of poverty, especially for women. Access to land is a fundamental basis for human shelter, food production and other economic activities. Better land access and more secure land rights encourage investment in the land, and respect for the environment. This mitigates competition for, and pressure on, land and natural resources, while also maintaining productivity.

Secure land rights are particularly important in helping to reverse three types of phenomena: gender discrimination; social exclusion of vulnerable groups; and wider social and economic inequalities linked to inequitable and insecure rights to land.

Secure land tenure and property rights can be delivered through a variety of forms. In many urban and peri-urban areas, various types of non-formal tenure have become predominant. Most people now live at some point on a continuum, in which they may be the recognised owners of the land; but they have constructed a house in an area that is not designated for residential use, or they may simply have failed to conform initially to official regulations or procedures. Within these categories are others, such as renting land, buildings, rooms or even beds. In some cases, there may even be more than one legally acceptable system operating, such as statutory, customary and religious systems (as in Islamic countries), which often include family and groups forms of land rights as well. It is vital that the full range of formal, religious, customary and non-formal tenure categories be protected by the legal framework. UN-HABITAT, through the Global land tool network, is promoting the use of a range of rights rather than just individual titling.

Sustainable and affordable land management, land administration and land information management

With land coming under pressure and competition, modern states require *land policies* to govern access, tenure, use and development. These take the form of *land laws*, rules and procedures as well as of specialist bodies for *land administration*. These bodies are in charge of *land information systems*. These systems underpin land rights and security of tenure, as well as *land management*, such as watershed management or city management. Whereas a decade ago individual land titling was considered the only robust way of delivering land, today a range of rights has been introduced by many governments, and is considered a much more pro poor approach.

Several African Countries are introducing innovative approaches. These include: (i) incremental and *Flexible Land Tenure System* in Namibia; (ii) women's land rights and customary land law within the *Village land Act* in Tanzania; (iii) and the innovative practice in land registration within the *Systematic Registration and User Right Certification Programme* in Ethiopia. This new *range of rights* approach means that new ways of constructing land administration have had to be developed, as well as land information systems. The Social Tenure Domain Model, developed by the Global land tool network partners, facilitated by UN-HABITAT, is one such answer to the challenge.

Promote of security of tenure for women and men

Women often face discrimination under formal, informal and customary systems of tenure. While many of us know the facts, we differ on the best way to address the issue. We need to assess which land tools, such as land registration or land tax or land planning systems are gender responsive. To be able to do this a set of robust gender evaluation criteria need to be used. These now exist, developed through the Global land tool network partners.

Capacity building

Capacity building is the missing link between land innovation and good practice on the one hand, and their dissemination and implementation at scale on the other. While capacity building requires adequate resources for effective land management and administration institutions, it is also vitally important to equip policy-makers and practitioners with adequate skills and knowledge, including civil society.

Include post conflict and post disaster in security of tenure issues

Land rights must be included in humanitarian and development response to disasters or civil conflict. Reconstruction must address issues of land access for refugees, returnees and displaced people; it must also include rebuilding land institutions and establishing legitimate and equitable land policies after violent conflicts. Conflicts over land rights between different ethnic, social or generational groups can lead to communal violence, economic instability and war. To help prevent this, land policies must guarantee secure land rights to competing interest groups in an equitable way.

Strengthen networks and partnerships

To make significant progress in addressing land issues requires effective and strong partnerships (bilateral -South-South and North-South partnerships, multilateral, stakeholders, etc.) and networks. Capacity building/development, which is sorely needed to promote sustainable land use and management, will largely depend on the effectiveness of partnership and networks.

Rural and urban are on a continuum

We need to promote a more holistic view of urban and rural. For many years there has been an artificial divide and debate between rural and urban issues. There is a growing appreciation that the two are connected in a larger system characterized by the dynamic flow of information, finances, resources and, people.